A Collection in English, of the Statutes now in force, continued from the beginning of MAGNA CHARTA, made in the 9. yeare of the Reigne of King H. 3. vntill the end of the Parliament holden in the 7. yeare of *the Reigne of our Soueraigne Lord King* IAMES, *vnder Titles placed by order of Alphabet:* Wherein is performed (touching the Statutes wherewith Iuſtices of the Peace haue to deale) ſo much as was promiſed in the Booke of their Office lately publiſhed. For which purpoſe alſo the Statutes concerning thoſe Iuſtices haue this marke ☞ at the beginning, and this marke ✻ at the end of them, noted in the margent ouer-againſt the ſame.

Hereunto are added two Tables:

The one at the beginning of the Booke, declaring vnder Titles, by order of Alphabet, the ſubſtance of *ſuch referments as ſtood at the end of each Title in the firſt Collection of Statutes,* ſet forth by M. Iuſtice *Raſtall.* And in this Table the Title of Iuſtices of the Peace is ſpecially peruſed and amended, for their more eaſie finding of matters in this Booke, concerning their authoritie.

In the other Table (being at the end of this Booke) are ſet downe by order of the Kings reignes, the ſeuerall times of their Parliaments, together with the ſundry Chapters and intitulings of the particular Statutes in euery of the ſame: whereby the Reader may eaſily find vnder what Title, and in what leafe of this Booke any of thoſe Statutes be placed: and may alſo (by helpe of certaine hands prefixed to diuers of them) readily ſee, what, and how many Statutes, in each Kings Reigne, doe concerne the Iuſtices of Peace, and in what leafe of this Booke to find them.

LONDON,
Printed for the Societie of Stationers,
An. Dom. 1611.
Cum Priuilegio.

William Raftall, Sergeant at Law, to the gentle Reader.

HEre haue yee (Gentle Readers) a Collection of the Statutes of England, (from the beginning of Magna Charta vnto this preſent time, which were before this yeere imprinted, and which be now in force and effect.

The printed Statutes, expired, or repealed, or concerning priuat perſons, or ſome priuat places, I haue (for the moſt part) left out of this Worke: ſauing that of them I haue made in their apt titles (as I thinke) a briefe remembrance.

The reſidue of the Statutes imprinted haue I put in this Worke (as I ſuppoſe) in their apt titles, word for word, as they be in the great Statutes: onely leauing out, as well certaine ſuperfluous words, as alſo the moſt part of the preambles, for that I feared, that if I ſhould haue put in all the preambles, this booke would haue growne ſo big, and ſo thicke, that it would not haue been contained in this volume. Neuertheleſſe, I haue (I truſt) put in thoſe preambles, without which the bodie of the Statutes cannot be well perceiued.

But yet truſt not, that all the Statutes that I haue put at large in this Booke do ſtand in force: For percaſe ſome of them be repealed by other Statutes made after, by ſpeciall or generall words, which for lack of leaſure I could not throughly conſider. I haue noted in the Margent of euery Statute certaine words, and that for three cauſes:

The firſt, for that, that many of the Statutes be long, and containe many ſeuerall matters, of which percaſe you would many times gladly ſhortly finde out ſome one (without tediouſneſſe, ſpending of the time in reading ouer the whole Statute) therefore by peruſing the words in the Margent ye may quickly conceiue what matters be in that Statute, whereby you may readily find out the matter that ye would read of in that Statute.

The ſecond cauſe is, that the words in the Margent well conſidered ſhall ſtand you in as good ſtead as ſhould a ſpeciall Calender.

The third cauſe is, becauſe that many Statutes containe diuers matters, that neceſſarily were to be put in diuers ſeuerall titles apt for thoſe ſeuerall matters, and ſo ſhould diuers matters aptly be put in this booke twice or thrice, or percaſe in moe places in their diuers apt titles, were it not that then this booke would haue beene too bigge; therefore the words in the Margent doe ſhortly ſhew you thoſe ſeuerall matters apt for other titles.

To the Reader.

Note, that the words within the Parentheſes ( ) be not the words of the Statute, but my words planted in there, for the better vnderſtanding of the Statute.

And although I haue put the Statutes here at large, yet will I aduiſe euery ſuch of you, as ſhall haue any matter of importance concerning any Statute in this booke not to truſt altogether to this booke: But read you ouer diligently the Act, with the Preamble thereof, in the great bookes of Statutes, out of which I tooke this. This aduiſe I giue you for two cauſes: The one, for that, that reading the Preamble with the Statute, it ſhall many times giue you much light for the true vnderſtanding of the Statute: where if yee read the Statute in this booke without the Preamble, the vnderſtanding of the Statute may be to you oft time confuſed: The other cauſe is, for that, that perhaps diuers faults be eſcaped in this Worke, ſome for lacke of diligence of the Printer, and ſome by my default, for lacke of leaſure to conſider, and aduiſedly to peruſe and ouerſee this Worke after I had finiſhed it.

Note alſo, that in the end of euery Referment of the two Tables you ſhall find the one of theſe foure letters, A.B.C.D. which do ſignifie the firſt, ſecond, third, and fourth Columne of euery leafe.

Vale.

¶ A Table (in order of Alphabet) for the readie finding of the ſeuerall Titles contained in this Volume: whereunto

are added the ſubſtance of ſuch referments as ſtand at the end of each Title in the collections of the Statutes before this time publiſhed.

¶ Abatement of Writs

Writes ſhall abate for lacke of additions. 5.a

When for exception of ſointenancie a writ ſhall abate. 17.c

Cottuſion pled againſt Shiriffes and Bailifes, ſhall abate writs. 18.a.56.b

If it appeare the contract to be made in any other Countie then is contained in the originall, the writ ſhall abate. 486.c.d

That writs ſued by them that were made Knights at that Parliament, ſhould not abate. 486.b

¶ Abbeys, Priories, Monaſteries, Colledges, free Chappels, Hoſpitals, Chauntries, and their Abbots, Priors, and their Gouernours, and the lands, poſſeſſions, and goods of the premiſſes, and Religious perſons.

Religious perſons made able to purchaſe, ſue, and to be ſued. 1.b

Religious perſons enabled to be heires to their auncеſtors. 1.b

If Abbots, Priors, &c. alined their land, it was a forfeiture of the ſame. 56.a

What fees Abbots and Priors ſhould pay when they did their homage. 156.b

Abbots, Priors, &c. might vſe and occupie their demeſne lands for maintenance of houſehold. 342.b

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¶ Abilitie and Nonabilitie.

See this title in all. 1.a

Certaine baniſhed perſons, ſometimes Iuſtices, renabled. 231.c

Welſhmen borne in wales enabled to inherite within this Realme. 437.b

¶ Abiuration.

See this title in all. 1.b

Butchers to abiure the towne for putting to ſale of carren fleſh. 39.b

Thoſe that kill the Kings Deere, & can find no ſureties after their impriſonment, ſhall abiure the Realme. 177.b

Treſpaſſers in Parkes and Pondes, for lacke of ſureties ſhall abiure the Realme. 177.b

Thoſe that obſerue not the Lawes in comming to Church, ſhall abiure the Realme. 85.b

Popiſh Recuſants not hauing lands or goods of a certaine value, and not repairing to the place of their abode, ſhall abiure the Realme. 84.c.b

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The time of abiuration, & the conueying of them to ſanctuarie, & how they may forfeit the priuiledge. 361.b.362.a

Statutes, concerning abiured perſons, repealed. 362.b

Raniſhers of heires within age, & not able to ſatiſfie for the mariage, ſhall abiure the Realme. 456.b

¶ Abridgement of plaints in Aſſiſe.

Plaintifes in aſſiſe may abridge their plaints to moities and parts. 18.c

¶ Acceſſarie.

Acceſſaries in ſanctuarie to petie Treaſon, Murther, or Felonie, &c. to forfeit their priuiledge. 2.b

Exigents againſt acceſſaries ſhall ſtay till the principall be attainted. 11.c

Acceſſaries in petie treaſon, murther, &c. being within the orders of a ſubdeacon, to haue perpetuall impriſonment. 51.a

Clergie taken from Bennet Smith, being acceſſarie to murther. 52.c

Acceſſaries to conuiration, witchcraft, &c. 55.c

Acceſſaries to offences in Scotland ſhall be tried before the principals conuicted. 137.a.b

Acceſſaries to the ſtealing of the Kings goods, not to haue Clergy nor Sanctuarie. 160.a

Acceſſaries acquited for murther within the peace and day, are ſtill to remaine in priſon, or to be put to baile, till that time be out. 282.b

The ſhire appointed where acceſſaries in forreine Countries are to be tryed. 416.b

No acceſſaries to the felony for roguiſh life. 410.a.424.b

¶ Action popular.

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¶ Action vpon the caſe.

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Lib. proceſſe in actions vpon the caſe, as in actions of treſpas or debt. 322.a

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Conſtables and Churchwardens accountable to their ſucceſſors for penalties leuied on Alehouſe keepers, &c. 7.a

Collectors of the pontage for paſſage ouer the riuer Wie, ſhall yearely account. 36.b

Shiriffes ſhal make their account in the Exchequer. 48.b. 140.c. 383.b. 385.c

Receiuers, Baylifes, Reeues, &c. ſhall account before Auditors. 71.b

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Cuſtomers ſhall be charged vpon their account with ſubſidies and tunetics for Clothes. 95.c.b

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Farmers of Tuinage ſhall be accountant in the Exchequer for the moitie of all forfeitures for Clothes. 114.a

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Churchwardens and ouerſeers ſhall yerely account to two Iuſtices of all moneyes receiued to the vſe of the poore. 427.c

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Thoſe which haue the cuſtodie of the ſeales for Originals in Wales, ſhall account for the profit of the ſame. 448.a

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¶Age.

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Iurors that shal hold with the one part or the other, shall not afterwards be put in enquests. 226.c

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Iustices of assise shall determine offences committed by Informers. 223.b
Iustices of assise shall bee sworne, &c. 230.a
Chiefe Iustice of the Kings bench should not be Iustice of assise, but in the Countie of Lancaster. 231.a
Iustices of assise, if they bee lay men, shall deliuer Gaoles. 231.c
Good and discreet persons shal be assigned to take Assises in all the Shires in England. 231.c.d
Iustices of peace shall be named within their Counties, except Iustices, &c. 232.c
Iustices of assise shall punish Labourers and artificers. 237.c
Iustices of assises shall inquire of the defects of Linnen cloth. 248.c
Iustices of assise shall inquire of those that gather them together in fraternities, &c. to maintenance, &c. 249.b
Iustices of assise shall inquire of those that weare liueries, &c. 249.b
Iustices of assise shall award procesle against such as giue or take liueries for maintenance. 250.a
Iustices of assise shal cause proclamations to be made of the statutes against Maintenance. 254.a
Iustices shall take bayle of those that be acquited of murder within the yere & day. 281.b
Iustices of assise shall inquire whether Commissioners of Musters haue done their dueties or no. 283.a
Iustices of assise shall inquire of those that tell or write seditious News. 285.c
Iustices of assises shalbe sworne, before whom assises &c. shalbe taken. 286.a
Iustices of assises in their circuits, shal haue Clerks to inrol their plees pleaded before them. 286.b
Iustices of assises shall inquire, heare, and determine Maintenance, Conspiracie, Champertie, &c. 286.b
Iustices of Nisi prius haue power of al cases of Felony and Treason. 287.b
A prouiso for the Iustices of assise. 290.a
Iustices shall be appointed by the king to inquire of Shiriffes, Coroners, Bayliffs, Constables, &c. 290.a
Iustices of Assise shall inquire, heare, &c. of such as speake any slanderous words against &c. 284.c.285.c
Iustices of Assise shal inquire of the returnes of Shiriffes for Knights of the Parliament. 295.c
Iustices of Assise shall inquire of those that keepe passages, whether they take for their labour as they ought to do or no. 297.b
Iustices of Assise shall inquire of persons that commit periury. 310.c
Iustices of Assise shall inquire whether shooting be vsed according to the statute. 316.c
Iustices of Assises shall cause the statute against vnlawfull games to bee proclaimed. 317.a
Iustices of Assises shall inquire of forfeits vsed by gaolers, towards their prisoners. 318.a
Iustices shall inquire of extortion for probate of testaments, &c. 320.b
Iustices of Assise shall inquire of Apothecaries. 324.c
Iustices of Assise shal sēd their records and procesle determined into the Exchequer. 338.b
Commissioners to enquire of the defaults of Iustices of Assise, &c. for &c. 346.b
Iustices of Assise shall enquire of Shiriffes that doe not make returne of Writs. 345.a.346.a
Iustices shal present at euery Parliament such defaults as they haue found, touching the breach of the peace 350.b

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Iuſtices of Aſſiſe ſhall enquire of thoſe that offend in the ſtatute of 1.El.c.2. 367.b
Iuſtices of Aſſiſes after the aſſiſes taken, ſhall remaine both together if they be lay. 382.b
Iuſtices of Aſſiſe ſhall deliuer Gaoles, and inquire of the offences of Shiriſes. 382.b. 384.a
Iuſtices of Aſſiſe ſhall heare and determine the offences of Vndershiriſes, &c. 387.c
Iuſtices of Aſſiſe ſhall puniſh Vndershirifes for making of Warrants without Originals. 387.b
Iuſtices of Aſſiſe ſhall not take conuſsance of things that appertaine to the Mayor of the Staple. 389.b
No man ſhall be impeached for words, except &c. that they be declared to a Iuſtice of Aſſiſe, &c. 408.c
Iuſtices of Aſſiſe may fine thoſe that refuſe to be Treaſurers for the poore. 428.b
Iuſtices of Aſſiſe ſhall inquire of ſuch as lend money to Vſurie. 438.b
The power of Iuſtices of Aſſiſe of Deuonſhire, touching a new Weare in the Riuer of Exe. 469.a.b
Iuſtices of Aſſiſe, &c. ſhall inquire of Mayors, Bayliſes, &c. that doe not ſearch Wines, &c. 472.c

¶ Iuſtices of both Benches.

See this title in all. 231.c
Iuſtices ſhall not let to doe common right for any commaundement. 6.b
The Chancelor and Iuſtices of both Benches ſhall make proces againſt diſturbers of ſtrangers vpon the ſea. 7.b
Tables touching ſcauage in London ſhal be viewed and ſubſcribed by Iuſtices of both Benches, &c. 10.a
Iuſtices ſhall not amend miſpriſion in Appeales, Indictments of Treaſon, &c. 10.b
Iuſtices may amend miſpriſion of Clerkes. 10.c.d. 11.a
Iuſtices of either Bench ſhall heare and determine Felonie for ſtealing Records. 11.a
Iuſtices ſhall aſſeſſe amerciaments for common ſummons. 11.a
If the King be out of the Realme, the chiefe Iuſtices ſhall ſend forth Iuſtices to take Aſſiſes once euery yeare. 16.b
Iuſtices for hearing of Attaints ſhall ſit in London. 21.c
Iuſtices of both benches ſhall haue power to examine impotent perſons, that cannot come to anſwere. 21.b
Iuſtices of either bench, &c. ſhall take order for the bodies & goods of bankrupts. 24.a
The chiefe Iuſtices of either bench, &c. ſhal take order for the prices of bookes. 29.b.30.a
In all inquiries, Commiſſions ſhall be made to the Iuſtices of the one bench or the other. 54.a
Iuſtices of either Bench ſhall receiue othes in the Countrey by Dedimus poteſtatem. 54.c
Iuſtices of either Bench ſhall award Inqueſts without writ to inquire of Conſpirators. 55.b
Ordinances made by Wardens of companies ſhall not bee put in execution till they be ratified by Iuſtices &c. 66.b
The power of the Iuſt. of the Kings Bench, to inquire of, heare, and determine Treaſons, of reconciling, or being reconciled, to the See of Rome. 89.c.90.a
Oath of allegeance to be taken before the Iuſtices of either Bench. 93.c
Iuſtices &c. may aſſigne ſpeciall dayes for the returning of writs. 98.c
Eſcheators ſhalbe choſen by the chiefe Iuſtices &c. 143.c
Iuſtices of either bench, ſhal frō hence-forth doe thoſe things that appertain to their office. 147.b
Iuſtices of both benches ſhall be aſſociate &c. for the puniſhment of thoſe that tranſgreſſe ſtatutes. 150.c
Chancelor by the aduice of the chief Iuſtices, &c. ſhall make writs for proclamation againſt ſeruants of teſtators, &c. 152.b
Iuſtices ſhall not neglect iuſtice for the Kings commandement. 229.c
Iuſtices of neither bench ſhall take any fee but of the King. 231.c
Iuſtices of either Bench ſhall not be bound to hold Quarter Seſſions. 232.b
Iuſtices of both Benches ſhall inquire of the giuing and taking of liueries. 249.c
All Iuſtices of the Benches ſhall haue Clerkes to enroll all plees pleaded before them. 286.b
Inqueſts &c. determinable before Iuſtices of either Bench, ſhall be taken in time of vacation. 286.c
Iuſtices of either Bench ſhall determine of Maintainers, Bearers, and Conſpirators &c. 286.d
Iuſtices of the one Bench and the other may giue iudgement in the countrey. 287.a
A proviſo for the chiefe Iuſtices of the Kings Courts concerning the giuing of Offices. 290.a
A writ of Treſpaſſe to heare and determine ſhall not be graunted, but before Iuſtices of either Bench. 290.a
Iuſtices of either Bench ſhall inquire and determine of the defaults by ſhiriſes for wages of Knights, &c. 296.b
Iuſtices ſhall inquire of the ſuggeſtions contained in charters of pardon. 291.b
Iuſtices of either Bench ſhall inquire of torments vſed by Gaolers towards priſoners. 318.a
Chiefe Iuſtices ſhall commaund ſpirituall Iudges to proceed in iudgement. 323.b
Chiefe Iuſtices of either Bench ſhall take Recogniſance according to the Statute. 337.c
Each Iuſtice of either Bench, &c. may keepe one Chapleine that ſhall not be bound to be reſident on his Benefice. 344.b
Iuſtices of either Bench ſhall inquire of Shiriſes that let their bailiwikes &c. to ferme &c. 383.a
Iuſtices of either Bench ſhall inquire of the defaults of Shiriſes, and diuers other &c. 384.a
Iuſtices of the Benches ſhall not take Cognizance of the things appertaining to the Mayor of the Staple. 389.b
It is treaſon to ſlay either of the chiefe Iuſtices ſitting in their places, doing their offices. 405.c
Iuſtices of either Bench ſhall admit plaints againſt Officers that vſe vitailing, &c. 431.c
Iuſtices of either Bench ſhall direct all manner of Proceſſe to the officers in the Countie of Monmouth, &c. 443.b

¶ Iuſtices of Gaole deliuerie.

See this title in all. 231.c
The Kings writ, vnder the teſtimonie of the Iuſtice of Gaole deliuerie, ſhall goe to the Shirife to take perſons appealed. 11.b
Clerke of the Crowne ſhall certifie Iuſtices of G. of the names of perſons attainted, outlawed, &c. if they be required. 46.b
Lord Chancelor, &c. ſhall nominate and appoint Iuſtices of G. for the counties of Cheſter, Flint, &c. 48.a
Iuſtices of G. ſhall inquire for the falſe making of Leather. 61.b.62.a
The forfeiture of a conformed Recuſant, not receiuing the Sacrament &c. may be recouered before Iuſtices of G. And by their warrant the reward of Churchwardens &c. for preſenting of Recuſants, may be leuied. 87.c
Iuſt. of G. may a ſecond time tender the oath of Allegeance in their open Aſſiſes. 88.c. 94.a
The power of Iuſt. of G. to inquire of, heare and determine Treaſons of reconciling, or being reconciled, to the See of Rome. 89.c.90.a
Iuſtices of G. ſhall remaine Commiſſioners, although they bee created Duke, Archbiſhop, &c. 107.a
Iuſtices of Gaole deliuerie ſhall bee made by the King in the countie Palantine of Lancaſter. 185.b
Iuſtices of G. may heare and determin the offences of ſtealing of Deere or Conies. 211.b
Iuſtices of G. ſhall be ſworne. 230.a
Iuſtices of G. ſhal hold their Seſſions in the chiefe Townes of the Counties, &c. 230.b
Iuſtices of G. ſhall ſet fines vpon Iuſtices of Peace and Coroners. 253.b
Iuſtices of G. ſhall inquire of thoſe that write or tell ſeditious newes. 265.c
Iuſtices ſhall be appointed by the King to puniſh Felons, Robbers, &c. 270.a
Offendors for the death of a man ſhall remaine in priſon till the comming of the Iuſtices of G. 291.b
Iuſtices of G. ſhall inquire of the defaults of Shiriſes, in gathering wages for the Knights of the Parliament. 296.b
Iuſtices of G. ſhall inquire of ſuch as commit or procure periurie. 310.c
Iuſtices of G. ſhall inquire whether ſhooting be vſed according to the ſtatute. 316.a
Iuſtices of G. ſhall cauſe the Statute againſt vnlawfull games to be proclaimed. 317.a
Iuſtices of G. ſhall ſend their Records and Proces into the Eſchequer. 338.b
Suſpitious perſons ſhall remaine in priſon till the comming of the Iuſtices of G. 351.a
Iuſtices of G. ſhall inquire of thoſe that tranſport liue Sheepe. 379.c
Iuſtices of G. ſhall proceed vpon Indictments for the death of a man, notwithſtanding &c. 416.b
Iuſtices of G. ſhall aſſeſſe fines vpon offendors in Wales. 442.b
Iuſtices of Gaole deliuerie ſhall inquire, heare, &c. of ſuch as ſpeake any ſlanderous words. 284.c.285.c

Iustices of Gaole deliuerie shall take oath for abiuration of those that offend the Lawes in not comming to the Church. 85.b

¶ Iustices of Oyer and Terminer.

Iustices of Oyer and Terminer shall inquire of offences done by officers in the North. 160.b
Iustices of Oyer and Terminer shall inquire of the vnlawfull taking of Fish. 174.b
Iustices of Oyer and Terminer shall inquire of the vnlawfull taking of Deere, Hawkes, and Hawkes eggs 174.b
Iustices of Oyer and Terminer shall inquire of forgers of false Deedes. 181.a
Iustices of Oyer and Terminer may heare and determine the offences of stealing of Deere or Conies. 211.b
Iustices of Oyer and Terminer shall inquire of the execution of the Statute for Husbandrie, &c. 213.c
Iustices of Oyer and Terminer shall inquire of the breach of the Statute of Labourers, &c. 237.c
Iustices of Oyer and Terminer shall inquire of deceitfull makers of Linnen Cloth. 248.c
Iustices of Oyer and Terminer shall inquire of those that write or tell seditious newes. 285.c
Iustices of Oyer and Terminer shall inquire, heare, &c. of such as speake any slanderous words &c. 384.c. 385.c
Iustices of Oyer and Terminer shall inquire of the defaults of Shyrifes in collecting wages for Knights of the Parliament. 296.b
Iustices of Oyer and Terminer shall inquire of Prophecies. 324.c
Iustices of Oyer and Terminer shall send their Records and Processe determined into the Elchequer. 338.b
Iustices of Oyer and Terminer shall inquire of those that transport liue Sheepe. 379.c
Iustices of Oyer and Terminer shall inquire of such as lend money to Vsurie. 438.b

¶ Iustices of Peace.

ABiuration 5. Power is giuen vnto them, in certaine cases there expressed, to commit Sanctuarie persons offendors to prison, and in some other cases to examine them, and thereupon to allow of their purgation.
Alehouses 2. Power is giuen vnto them to licence and also to suppresse Alehouse keeping and Tipling houses, and that they may punish the offendors therein, and the manner how.
Alehouses 3. and 4. Their power of punishing Tipling in Alehouses, and officers neglecting the leuying of penalties therefore: And at their Sessions may heare and determine offences of vttering Beere &c. to Tiplers vnlicenced.
Apprentices 4. That they may take account of imployment of money giuen for binding out of Apprentices.
Armour 4. 5. and 7. That they may punish such as doe ride or goe armed offensiuely, and the manner how.
Armour 6. That the names of labourers and seruants to Husbandry, and to Artificers, and Victuallers, & their vnlawfull weapons seized by Constables & others, are to be presented vnto them, and when and where.
Arrow heads 1. That they may punish the euill making of Arrow heads, and how.
Artificers 3. That they may punish certaine kinds of Victuallers there mentioned, for conspiring not to sell their victuale vnder their price agreed vpon among themselues.
Attorneyes 13. That they in Norfolke, Suffolke, and Norwich, may punish such Attorneyes as practise that Trade there without sufficient warrant. But learne if this stand still in force.
Bowes 1. 3. and 8. Penalties which be to be layed vpon Marchants for not bringing in the number of Bowstaues appointed by the Statutes, which they may put in execution by warrant of the Statute 33. Hen. 8. cap. 10.
Bridges 1. That they may punish the defaults of such as ought to maintaine Bridges, and the maner how.
Bridges 1. and 3. That they may taxe men towards the reparation of bridges, in case it be not knowne who ought to repaire them, and how they are to deale therein.
Bridges 4. That they of the Citie of Oxford are to ioyne with the Vicechancellor and Mayor in the appointing of Surueyors for the amending of the bridges and waies neere thereabout.
Bridges 5. That the reparation of Cardiffe Bridge in Wales is to be looked vnto by them thereabout.
Bridges 7. Iustices of Peace shall giue direction for the repairing of the bridges of Newport and Carlion.
Bridges 8. Iustices of Peace shall tax the inhabitants of the County of Hereford, towards the erecting of a Bridge ouer the River of Wye.
Butchers 1. A manner of punishment to be layed vpon Butchers for selling of naughtie Flesh, which they may put in execution by their Commission.
Butter 3. A penaltie to be layed vpon such as be prohibited to buy Butter and Cheese to sell againe, other where then by retaile in open Shop, Market, or Fayre, which they may put in execution against Regrators by their Commission.
Calues 1. That they may punish such as kill sucking Calues, falling within a certaine season of the yeare, prohibited by the Statute, and how.
Calues 2. That they may punish such as kill weaning Calues vnder a certaine age there mentioned, to the intent to sell the same, and the manner and forme how.
Calues 4. That they may punish the defaults of such as keepe not milch Kine, nor reare vp Calues according to the rate of their Sheepe and great beasts, and the manner how.
Captaines 4. and 6. That they may inquire of, heare, and determine the felonies of Souldiers in not going ouer sea with their Captaines, or in returning or departing without sufficient licence.
Captaines 6. That they may commit to prison Souldiers that haue wilfully made away their Masters Horse or harneis, and the manner how.
Captaines and Souldiers 7. They are to appoint parishes for contribution toward the relefe of maymed Souldiers.
Captaines and Souldiers ibidem. That they are to be treasurers of monye collected for relefe of maymed Souldiers, and to account for it.
Captaines and Souldiers 8. That they shall assesse the inhabitants towards the relefe of Souldiers and Mariners.
Certificate 1. Power is giuen vnto them to write to the Clerke of the Crowne for the names and causes of persons outlawed, and of Clerks conuict or attainted, whereof he hath any transcript.
Champertie 1, 2, 3, 4, and 5. The punishments which are to be layd vpon Champertors, and who be Champertors: But learne if they haue to deale with them otherwise then as against maintainers by force of the statute of 33. H. 8. cap. 10.
Chester 3. That there shall be some appointed in the Countie Palantine of Chester, and in North Wales and South Wales, as in England.
Clergie 28. The carnall knowing of a woman child vnder the age of tenne yeares is made Felonie, and Clergie taken away, which they may punish accordingly by their Commissions.
Clerke of the Market 1. The punishment which is to be layed vpon the Clerke of the Market for extortion concerning his office, which they may put in execution by warrant of their Commission.
Coniuration 2. Coniuration and inuocation of euill Spirits, Witchcraft, Inchantment, Charming, and Sorcerie, stretching to the killing of any person, &c. is made Felonie, which they may punish accordingly by their Commission.
Conspiracie 1. A definition of certaine Conspirators, which offendors in respect that it is maintenance, they haue authoritie to punish by the statute of 33. H. 8. cap. 10.
Cordwainers 17. The penaltie which is to be imposed vpon vnlawfull Regrators of Leather, which they may put in execution by the generall word of Regrators in their Commission.
Cordwainers 24. Power giuen vnto them to redresse and to punish sundry abuses about Leather, and the killing of Oke at vnseasonable times, and of Butchers killing Calues vnder fiue weekes old, and the manner how.
Corne 7. Authorities giuen vnto them to licence Drouers, and Badgers, and buyers of Corne, Butter, and Cheese, and the manner, forme, and place thereof.
Corne ibidem. That they may punish Drouers, Badgers, and others that take other Licences, or doe contrarie to the Statute, and how they are to proceed therein.
Corne 8. Power giuen vnto them in some sort to alter the order set downe by the Iustices of Assise for Vtlibertie or restraint of transporting of graine, and the manner and forme thereof.

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Coroners 1. and 7. and Murther 2. That they may punish the negligence and extortion of Coroners about the inquirie of a person dead by misaduenture, or otherwise, and the manner how.

Cottages. That they shall haue full power and authoritie to inquire of and determine all offences contrarie to the Statute. 31. Eliz.

Counterfeiters of Letters 1. That they may punish counterfeiters of Letters and priuie tokens, to get other mens goods into their hands, and the manner how they are to proceed and deale therein.

Coupers 1. and 2. Power giuen vnto them to set the price and rate how vessels of Beere and Ale and Sope shall be sold, and where they shall doe it.

Coupers ibidem. The penalties which are to be laied vpon Coupers and Sope makers for offending in the quantitie of their vessels of Beere, Ale, and Sope, which they may deale with, by reason that it concerneth measures.

Crosselbowes 2. and 7. That they may punish such as offend in shooting, or in keeping or carrying of Crosbowes or Handgunnes, &c. and the manner and forme how and where.

Crosselbowes 3. That they ought to record the names of such as doe present their names vnto them for shooters in Handgunnes, and where and why.

Crowne 6. and 10. Such as maintaine the Ecclesiasticall authoritie of any forreine Potentate within this Realme, and their abettors, &c. may be indicted before them within the yeare and day.

Crowne 8. and 10. Such as extoll the Bishop of Rome his authority within this Realme, and their abettors, &c. may be indicted before them within the yeare and day, and how they ought to certifie such Indictments.

Crowne 9. and 10. Such as offend concerning Buls of Absolution, Reconciliation, Agnus Dei, or such superstitious things, & their abettors, &c. may be indicted before them within the yeare and day.

Crowne 9. Their dutie when an Agnus Dei, or other such superstitious thing is brought vnto them.

Crowne 10. Such as put in practise to absolue or withdraw a subiect from his obedience, and they that shall be so absolued, withdrawne, or reconciled, and their abettors, &c. may be indicted before them within the yeare and day.

Crowne 10. They may punish such as say or heare Masse, and such as repayre not to the Church as they ought to doe, and all prohibited Schoolemasters, and the keepers of them, and the manner and forme how.

Crowne ibid. and Seruice 1. Such as preach or speake against any part of the Booke of Common Prayer, or doe maintaine any other open prayer or administration of Sacraments, or vnlawfully interrupt any Minister to say the Common Prayer, may be indicted before them within the yeare and day.

Crowne 13. They haue power to take oath of Abiuration of Popish Recusants.

Crowne 14. They haue power to take oath for abiuration of those that offend the Lawes in not comming to Church.

Crowne 17. Before them, the forfeiture of Recusants conformed, not receiuing the Sacrament &c. may be recouered. And by their warrant the Churchwardens &c. reward, for presenting Recusants, may be leuied.

Crowne 17. 18. 20. They may require and minister the oath of Allegeance, as well to Recusants as to others: and may imprison the refusers thereof without baile.

Crowne 17. They may giue their warrant to leuie twelue pence, for not repayring to Church euery Sunday: and they may inquire of, heare, and determine diuers offences of Recusants, &c.

Crowne 18. They may grant their certificat to the Shirife, for the reward of such as haue discouered Iesuits, &c. Masse, &c. Are to take the names of Recusants departing from tenne miles of London. They may licence a confined Recusant, and minister an oath to the partie so to be licenced. They may search the houses of Popish Recusants conuict for Bookes and Reliques. By their warrant the weapons &c. of such Recusants may be taken from them, &c. And they may imprison the bearers, or disturbers of the deliuerie, thereof.

Crowne 20. They shall take the oath of Allegeance. And they may commit married women, Recusants conuict, to prison.

Custos Rotulorum 1. That the Custos Rotulorum shall haue the appointment of the Clerke of the Peace.

Custos Rotulorum 2. That the Lord Chauncelor shall haue the appointment of the Custos Rotulorum.

Discontinuance of Processe 1. That pleas depending before them shall not be discontinued by new Commissions of the Peace made vnto others.

Discontinuance of Processe 2. They being made Dukes, &c. shall remaine Iustices of Peace still, their old Commission continuing.

Draperie 52. That they may punish such as offend in stretching, dying, making, stuffing, rowing, selling, pressing, ouerlooking, or searching of Woollen Cloth, and the manner and forme how.

Draperie ibidem. Power is giuen vnto them to appoint ouerseers of Woollen Cloth, and how they are to deale and proceed therein.

Draperie 53. Power is giuen vnto them to cut in pieces faultie Cloth in the length, breadth, or weight set downe in the Statute, and how they are to deale therein.

Draperie 67. That they may burne a certaine Stuffe deceitfully vsed for dying, called Logwood or Blockwood.

Draperie 73. They may examine those that are suspected to vse dying or colouring with Logwood, alias Blockwood, and bind them ouer with sureties to the next Quarter Sessions.

Draperie 75. Iustices of Peace shall appoint ouerseers for the viewing and searching of Northren Clothes.

Draperie 80. They may heare and determine offences of Sozers, Rembers, &c. and appoint recompence to the partie grieued, and limit the punishment of offendors. 131. b. 132. a

Drunkennesse 1. Their power in punishing drunkards, and inquiring of their offences &c. 132. b. c

Egyptians 1. Authoritie is giuen vnto them to seise the goods of outlandish counterfeit Egyptians, and what they are to doe therewith.

Egyptians 2. and 3. Counterfeit Egyptians continuing together by the space of one moneth be made Felons, which they may punish accordingly by their Commission.

Escape 3. Escapes of persons arrested for Felonie, be made inquirable before them.

Eschequer 1. and Estreats 2. That all Commissioners ought to certifie their Estreats yearly at Michaelmas, wherein they seeme to be comprehended.

Eschetors 10. That they may punish such as take vpon them the Office of Eschetor, or the deputation thereof, or doe sell or let it, or deale with it otherwise then they ought, and how to proceed therein.

Eschetors 14. The fees of Eschetors set downe, which if they exceed, they may be punished by them for extortion by their Commission.

Estretes 3. That they may punish Shirifes that leuie the greene waxe, and doe not charge themselues therewith, and the manner and forme thereof.

Execution of Statutes 3. and 4. That they may punish all offences against the Statutes made before, and in the Parliament of Anno 33. H. 8. yet in force, which any wayes touch Retainings, giuing of Liueries or Badges, Maintenance, Embracerie, Bowstaues, and Archerie, vnlawfull Games, Forestallers and Regrators, Victaile, Victailers or Inholders, and the offences of Seruinginen, Husbandmen Labourers, and Artificers, concerning Apparell, and the manner and forme thereof.

Extortion all, and Fees all. They may punish all Extortion by wordes in their Commission, and therefore see in this Table the title of Extortion and of Fees.

Faires 6. and 7. That they may punish the keepers of Markets and Faires, for not appointing of an open place for the sale of Hozses, and of a bookekeeper, and certaine faults also of the booke keeper, & the manner how.

Felonie 2. The breaking of prison by him that is committed for Felonie, is made Felonie, which they may punish accordingly by their Commission.

Felonie 3. Multiplying of Gold and Siluer is made Felonie, which they may punish accordingly by their Commission.

Felonie 4. Cutting out of tongues and putting out of eyes of malice prepenced is made Felonie, which they may punish accordingly by their Commission.

Felo-

Felonie 7. Power is giuen vnto euery of them, vpon information, to make warrants for the arresting and bringing of such before him as be suspected to haue hunted vnlawfully by night, or with painted faces in Forests, Parkes, or Warrens, and to examine them thereof.

Felonie ibidem. The denyall of such foresaid hunting vpon their examination, and also rescous made against such foresaid warrants is made Felonie, which they may punish accordingly by their Commission.

Felonie 8. The taking away of maiden, widow, or wife, hauing lands or goods, or being heire apparant vnto any, against her will vnlawfully, and the procuring, &c. is made Felonie, which they may punish accordingly.

Felonie 10. For a seruant to goe away with, or to conuert to his owne vse his masters goods, of the value of foure shillings, deliuered vnto him to keepe, is made Felonie, which they may punish accordingly by their Commission.

Felonie 11. The vnlawfull breaking vp of new Powdike in Marshland, or of Oldefield dike in the Isle of Elie is made Felonie, and power is giuen vnto them to punish the same accordingly.

Felonie 13. and Horses 9. The vnlawfull conueying of Horse, Gelding, or Mare into Scotland, to the vse of any Scot, is made Felonie, & power giuen vnto them to punish the same accordingly.

Felonie 14. Buggerie is made felonie, and power giuen vnto them to punish the same accordingly.

Felonie 21. Wilfull poysoning of any person is declared to be wilfull murther, which they may punish accordingly by their Commission.

Felonie 30. Vnlawfull conspiring and deuising to set at liberty any prisoner indicted of Treason concerning the Queens person, if he vtter the same, is made felonie, which they may punish accordingly by their Commission.

Felonie 31. The Iustices of Peace in the North shall punish offences done by officers within their Counties.

Fesants 1. and 2. That they may punish such as vnlawfully take Fesants and Partridges, and how they are to proceed and deale therein.

Fesants 1. That they may punish such as take certaine kinds of Hawkes egges, or Swannes egges out of the neast, and those that take such Hawkes, or driue them from their couers, and the manner how.

Fesants 2. That they may punish such as hawke vnlawfully in other mens Coyne, and the manner how.

Fesants 3. and 4. That they may punish destroyers of Hares, Fesants, Partridges, and vntimely hawking, and certaine persons keeping setting Dogs and Nets.

Fighting 1. That they may punish such as draw weapon to strike in Church or Churchyard, and the maner how.

Fishers 1. and Hauens 1. A forme of penaltie appointed against such as take Salmons at time there prohited, or doe destroy yong Salmons at Mill Poles, which they may put in execution accordingly, being conseruators of Riuers.

Fishers 16. That they may punish the vnlawfull and prohibited taking of Fish, and the destroying of the frie of Fish, and the time, manner, and forme thereof.

Fishers 17. That they may punish such as cut out the heads of other mens seuerall Stewes, or doe fish there vnlawfully, and how they are to proceed and deale therein.

Fishers ibidem. That they may punish such as hunt or kill Deere in other mens seuerall inclosed grounds, or doe take Hawkes, or their egges into other mens grounds, & how they are to proceed and deale therein.

Fishers ibidem. Power giuen vnto them in a speciall case there mentioned, to discharge a Recognisance of good abearing taken of such as be conuicted of the offences last aforesaid.

Fishers 19. They may giue warrant for leuying the forfeitures for erecting of new Weares, &c. and fishing with vnlawfull Nets.

Flax 1. and Shippes 13. That they may punish such as sow not Flax or Hempe according as it is appointed, and how they are to proceed & deale therein.

Forcible entrie 1. A penaltie which is to be layd vpon such as make vnlawfull or Forcible entries into lands, which they may put in execution, being a speciall trespasse.

Forcible entrie 2. and 3. Power giuen vnto them to remoue a force made in lands or tenements, and to punish the offendors, and in cases there set down to make restitution to the partie grieued, and how they are to deale and to proceed therein.

Forcible entrie 3. Power giuen vnto them to punish Shiriues and Bayliffes that make default in seruing their Precepts concerning Forcible entries, and the manner how.

Forestallers 1. 2. and 3. Certaine formes of penalties to be layd vpon forestallers of Victuales, Wines, and Marchandises, which they may put in execution by their Commission.

Forestallers 4. Power giuen vnto them to punish in certaine manner the forestallers, regraters, and ingrossers of victuales, and a description of such persons.

Forestallers ibidem. That their certificate is needfull to the lawfull transporting and imbarking of Coyne, Graine, or Cattell.

Franchises 20. That in all Liberties they are to be appointed by the kings Commission, and to be his Iustices there, and where in those Liberties they are to keepe their Sessions, and certaine speciall men in some Liberties appointed to bee Iustices of Peace there.

Fuell 2. That they may be appointed to set vpon the Pillorie such as shall be conuicted of breaking the assise of fuell therein limited.

Gold 6. That they may punish such as doe gild or siluer mettall prohibited to be so vsed, and the penaltie thereof.

Gold 8. That they may punish Goldsmithes that shall worke any Siluer not of the fines of the sterling, or shall not set their marke to their worke, and the penaltie thereof.

Hauens 1. and 2. They be appointed conseruators of Fish in Riuers, and that they may appoint vnder conseruators, and that they may punish such as destroy young Salmon, or the frie of Fish, and the old penaltie thereof.

Hawkes 1. and 2. The finding of a lost Faulcon or Lanner, and the stealing and carrying of the same away, and not bringing it to the Shirife to be proclaimed is made Felonie, which they may punish accordingly by their Commission.

High wayes 1. The assent and ouersight of two of them is requisite towards the laying out of any new high way in the Wield of Kent, and in Sussex, and that they must certifie their doings therein into the Chancerie within a certaine time for the same limited.

High wayes 4. Authoritie is giuen vnto them to heare the account of the collectors of the fines & amerciaments for not amending of High wayes, and how they are to proceed & deale therein.

High wayes 5. That their owne presentment vpon their knowledge concerning the defaults in High wayes, shalbe of the force of an Indictment.

High wayes 5. and 6. That they may punish the defaults and negligences concerning the amendment of High waxes, and how they are to proceed and deale therein.

High wayes 8. Iustices of Peace may distraine occupiers of Iron workes, if they refuse to pay money to the amendment of High wayes.

Horsebread 1. That they may punish Inneholders that make vnlawfull Horsebread, and the manner how.

Horses 6. and 11. That they may punish such as keepe prohibited stoned Horses in Forests or Commons, and how they are to proceed and deale therein.

Horses 8. and 10. That such as carrie, send, or conuey beyond sea out of the kings Dominions Horses, Geldings, or Mares, without licence, may be indicted before them.

Hunters 1. That they may punish such artificers and other as doe vnlawfully keepe dogges to hunt, or doe vnlawfully vse Engines to destroy Gentlemens game, and the penaltie thereof.

Hunters 2. That they may punish such as vnlawfully keepe Deere Hayes or Buckstals, or doe stalke at Deere, or take Herons, and how they are to proceed and deale therein.

Hunters 3. That they may punish the tracing of Hares in the Snow, and the penaltie thereof.

Hunters 4. They may inquire, heare, & determine the offences of stealing Deere or Conies: and may in their discretion discharge the recognisance of good abearing therefore taken, after submission of the partie bound &c.

Husbandrie 7. and Monasteries 9. That they may punish the defaults of such as ought to keepe continuall houses on the Scites of religious houses, and the land thereof in tillage, and the penaltie thereof.

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Indictments 3. That Indictments ought to be taken by Indenture: But learne if they be bound thereunto.

Indictments 5. That they may cause a new Inquest to bee impanelled, which shall inquire of the concealement of all other Enquests taken before them, and how they are to deale therein.

Indictments 6. That these words, Vi & armis, videlicet, cum baculis &c. be not of necessitie to be put into any Indictment, which is also to be obserued in Indictments taken before them.

Informers 1. That they may punish informers which sue out Process, and after make vnlawfull composition, and how they are to deale & proceed therein.

Inrolments 2. That Indenture of bargaines, and sales of land may be enrolled before certaine of them, and how they are to deale therein.

Iurors 5. That the Iustices before whom the Iurors is sworne, that doth take of either partie, may punish the same offence, and how, wherein Iustices of Peace seeme to be comprehended, beside that it is Embracerie wherewith they may deale.

Iustices of Gaole deliuerie 2. and Iustices of Peace 1. That good and lawfull men should be appointed for the keeping of the Peace.

Iustices of Gaole deliuerie 3. and Iustices of Peace 2. That men of Law ought to be put into the Commissions of the Peace for the more speedie deliuerie of the Gaoles, as need requireth, for the determination of Felonies and Trespasses.

Iustices of Peace 3. Power giuen vnto them to require and take suretie of good abearing of such as be not of good fame.

Iustices of Peace 5. That they ought to keepe their Sessions quarterly, and wages to be allowed vnto them for the same.

Iustices of Peace 7. That they must cause their estreates to be indented, and must deliuer one part thereof to the Shirife to leue the Amerciaments and Fines thereby.

Iustices of Peace 8. Foure speciall times of the yeare be appointed for the keeping of their Quarter Sessions, which they ought to obserue.

Iustices of Peace 9. That they ought to be of the most sufficient men dwelling in the same Shire.

Iustices of Peace 10. Middlesex is exsed of two of the Quarter Sessions that other Shires be bound vnto.

Iustices of Peace 11. That they must be able to dispend twentie pounds by the yeare, other wise they must refuse the place, and what they are to doe in such case.

Iustices of Peace 12. That they ought to certifie their Recognisances taken for the Peace, at the next Sessions of the Peace.

Iustices of Peace 13. That their Commission in particular Townes shall not cease by the renuing of the Commission throughout the whole Shire.

Labourers 38. That their allowance in a certaine forme there set downe and prescribed of the wealth of a man, shall excuse him from seruing in certaine sciences there expressed.

Labourers ibidem. Power giuen vnto them to order controuersies betweene Master and seruant, for putting or going away within their terme.

Labourers ibidem. That they may punish such as contrarie to the Law refuse to serue in Husbandrie, and diuers other arts there expressed, and the manner and forme how.

Labourers ibidem, and 40. That they must yearely appoint the wages of all Labourers and Artificers, and how they ought to proceed and deale therein.

Labourers ibidem. That they may punish such as retaine or be retained for greater wages then they ought to be, and the manner and forme thereof.

Labourers ibidem. That they might punish such seruants as do make assault vpon their Masters, and the manner how.

Labourers ibidem. Power giuen vnto them to inforce in time of Hey or Corne harueſt, any meet person to worke by the day.

Labourers ibidem. Their Testimontall is made needfull vnto such as be licenced in harueſt time to worke from their dwelling places, and the maner of it.

Labourers ibidem. They haue authoritie giuen vnto them to appoint women to serue, and their wages, and to punish them if they refuse, and the manner thereof.

Labourers ibidem. Their certificate is made requisite vnto such as desire to be bound apprentice to a Merchant trafficquer, Mercer, and certaine other Sciences there named, and the manner of the same.

Labourers ibidem. Power giuen vnto them to enforce by imprisonment such as are compelled by Law to be apprentices, to be bound thereunto.

Labourers ibidem. Power giuen vnto them to appease and to take order in the controuersies betweene Masters and Apprentices, and the maner how.

Labourers ibidem. That they may punish all the defaults against this statute of Labourers yearely at certaine speciall Sessions to bee appointed for that purpose, And how they are to proceed and deale therein, and their wages for the same.

Labourers ibidem. That they may at their Sessions for the peace, punish all the offences against this statute of Labourers, & the maner and form thereof.

Labourers ibidem. That they may punish Apprentices and Seruants that runne away into other shires, and how they are to deale & proceed therein.

Labourers 39. and 40. The most part of the Iustices, of those Shires where their Sessions are holden seuerally, shall haue full authoritie to rate all maner of wages.

Labourers 40. The conuiction of them that obey not the rates of wages, & pay not so great wages &c. shall bee before them: and what shall bee a lawfull conuiction of such offendors: and they may giue warrant to distraine for the Forfeitures of such offenders, and to sell the distresse, &c.

Labourers ibidem. A Clothier being a Iustice of Peace, shall not be a rater of wages for artisans depending vpon cloth-making.

Linnen cloth 2. That they may punish such as misuse Linnen cloth, to make it deceitfull, & how they are to proceed and deale therein.

Liueries of Companies 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. That they might punish such as doe vnlawfully weare any Liuerie of Companie, of any Lord, or any Liuerie or signe of Compании, or doe vnlawfully giue or take Liueries of Cloath or Hoods, and the sundry penalties of them, and how they are to deale and proceed therein.

London 6. They haue power to decide whether new buildings be fit for habitation of subsidie men.

Mainprise 2. A declaration what persons be mainpernable by the law, & what not, which they are specially to consider of, as followeth here next.

Mainprise 7. They be prohibited to let to Baile such as bee not baileable by the Law, and also authoritie is giuen vnto them to let to baile persons arrested for Manslaughter, or Felonie, or the inspition thereof, which bee baileable by the Law, and that they ought to take the examination and bonds of such persons, and how, and what they are further to do concerning the same.

Maintenance 1. 2. 3. 4. 5. 6. 7. The penalties which be to be laid vpon such as offend in maintenance and Imbracerie, which they may put in execution by warrant of the Statute 33 H. 8. cap. 10.

Malt 3. Iustices of Peace at their quarter Sessions, may suppresse the superfluous number of Maltsters.

Marches 1. That they may punish such as shall vnlawfully against the prouision of the Statute attach men dwelling farre off, to appeare in the Warden Courts of the Marches neere Scotland.

Marshes 3. Their power for recouering Marsh grounds in Norfolke & Suffolke.

Matrimonie &c. 6. The marrying a second husband or wife, in the life of the former, is made Felonie, which they may punish accordingly by their Commission.

Money 29. That traiterous counterfeitors of the mony of England may be indicted before them, and that therupon they may make out proces to attach them.

Mooreburnings. They may imprison such as burn Ling, heath, hather &c. in certeine moneths.

Mortuaries 1. A rate set downe what Parsons and Vicars shall take for Mortuaries, which if they exceed, some think, that they may punish the for extortion.

Murder 2. The escape of Murderers and Manslayers by day, not taken by the Townshippe where the fact was done, is made inquirable before them, and what they are to do thereupon.

Mu-

The Table.

Musters 1. That they may punish the defaults of those that ought by the Law, and doe not appeare at Musters, and the manner how.

Musters ibidem. That they may (in certaine cases there set downe) punish the Commissioners for musters, and Captaines also that abuse the trust put in them, and the manner of proceeding and dealing therein.

Newes 6. Power given vnto them to cause such to be indicted before them as did vtter or procure to be vttered slanderous matter of Queen Eliz. or to stirre sedition, or did cast figures, or coniure to know the length of her life, or who shall succeed her, or did publish such prophecies, or did wish her death.

Newes ibidem. That they may inforce such as be vehemently suspected of any the last aforesaid offences, to find sureties for their appearance at the next Sessions, or else may commit them. And that they must take the accusation and the names of the witnesses, in the cases last aforesaid, and certifie the same at the next Sessions.

Norwich 3. The licence of some of them of the Cittie of Norwich is needfull for such as shall take vpon them to make Felts or thrummed Hats, or Coueriets, or Dozenekes within the Cittie of Norwich or Countie of Norfolke, except they haue beene seuen yeares apprentice to that Occupation, and that they may not take any reward for such licence.

Pannels 4. Power given vnto them to cause the Shiriffes to reforme the Pannels of enquiries for the King, and how they may deale therein.

Parliament 15. That they may punish Shiriffes that doe charge Townes wrongfully to the payment of the wages of the Knights of the Parliament, and how they are to proceed therein.

Parliament 19. Two of them in euery Shire in Wales, and in the Countie of Monmouth, haue authoritie given them to tax the Cities, Boroughes, and Townes there, what portion euery of them shall pay towards the charges of their Burgesses for the Parliament.

Passage 10. They of the Counties of Glouceſter & Somerset haue power given them to bind by Recognisance such as vse to ferrie men ouer the riuer of Seuerne, that they shall not doe otherwise then is appointed by that Statute.

Passage 11. They of the Shires next adioyning to the Riuer of Thames, betweene Windsor and Graueſend, haue authoritie given them to determine the complaints and offences of Watermen, and of their ouerseers, contrarie to the tenor of that Act.

Pauing 6. That they of London and Middlesex may punish the defaults of pauing and cleansing about the streetes without Aldgate and Whitechappell, and haue authoritie to appoint a Scauenger there.

Periurie 2. That they may punish the prohibited Periuries in certaine Courts there mentioned, and the suborning of Periuries, and the manner how.

Pewterers 1. and 2. Power is given vnto them to appoint searchers of vnlawfull Pewter and Wares, and what they are to doe therein.

Physitian 7. That they ought to assist the President of the College of Physitians for the due execution of their Lawes and Statutes.

Plague 1. They may make a tax for relefe of persons infected with the Plague, and giue warrant for keeping thereof, and for imprisoning such as refuse to pay the same.

Plague ibidem. The same tax shall be enlarged, extended, determined, &c. as they in their Quarter Sessions shal thinke fit.

Plague ibidem. They may commaund persons infected, or being in infected houses, to keepe in: And they may appoint Searchers, Examiners, Watchmen, &c. for persons and places infected, and minister vnto them an oath for performance of their Offices.

Playes 2. That they may punish the defects of not hauing Long Bowes and Arrowes, and of not shooting, or vnlawfull shooting in them, and of not repayring of Buts, & of Bowyers for not making Elmin Bowes, as is prescribed, and for selling Bowes aboue the due price, and for not departing from London vpon due commaundement, and of Strangers for conueying Bowes beyond sea, and for shooting in Long Bowes without licence, and how they are to proceed and deale therein.

Playes ibidem. Authoritie is giuen vnto them to search suspected places of vnlawfull Games there spoken of, and to commit the offendors, & how they are to deale therein.

Prison 3. If a Gaoler doe enforce his prisoner to become an appealer, it is made Felonie, which they may punish accordingly by their Commission.

Prison 5. That they may not imprison any but in the common Gaole.

Prison 6. That they may proceed anew against prisoners remaunded vnto them from the Kings Bench, as if they had not been remoued at all.

Prison 8. 10. and 11. Power is giuen vnto them for the making of new Gaoles, and how they may deale and proceed therein.

Prison 9. That they ought to take the examination and bonds of the witnesses concerning such as shall bee brought before them for Manslaughter, or Felonie, or the suspition thereof, and be to be sent to the Gaole, and their dutie further therein.

Prison 12. They may giue warrant to sell the goods of an offendor, refusing to defray the charges of conueying him to the Gaole.

Prison ibidem. They must set their hand to the taxation made for such conueying &c. where the offendor is not able &c. And may giue warrant to distraine and sell the goods of him that refuses to pay such taxation.

Probate of Testaments 3. The fees be set downe which are to be taken concerning the probate of Testaments, wherein if any extortion be committed, they may punish it by warrant of their Commission, as some thinke.

Proces 3. Iustices assigned to heare and determine Felonies, may make out Proces against Felons indicted before them into forreine Counties for their apprehension, within which words Iustices of Peace seeme to be comprehended.

Proces 7. They be commaunded to make out Proceſſe into such forreine Shires, as the persons indicted before them be dwelling, that they may haue notice giuen them, and the form thereof.

Prophecies 2. That they may punish such as publish prophecies, to the intent to stirre sedition, and the manner how.

Purueyors 5.6. & 23. 36. If the Kings purueyors for his household, or their deputies or seruants make any taking, without their Warrant or Commission, and take them away against the will of the owner, it is made Felony, which they may punish accordingly by their Commission.

Purueyors 8 9. 15. 21. 36. If Purueyors make their takings against the will of the owner, without the praisement of the Constable and other men of the towne, vpon their oathes, it is made Felonie which they may punish accordingly by their Commission.

Purueyors 17. 36. If Purueyors take any more vnshorne Sheepe between Easter and S. John Baptist, then will reasonably suffice till the time of shearing, it is made Felonie, which they may punish accordingly by their Commission.

Purueyors 22. If Purueyors take any thing of any man to spare him, or surcharge any other of malice, it is made punishable, and it seemeth to be extortion, which they may punish by their Commission.

Purueyors 31. Power giuen vnto them to punish as well at the suit of the King, as of the partie grieued, such Constables and Headboroughs as refuse to giue their lawfull assistance against Purueyors that will not pay readie money for such things as they take aboue the value of forte shillings. And such also as shall vex any in the Marshalsey for making any such lawfull resistance, and the manner how.

Purueyors. 36. That they ought to certifie vnto the Kings officers the doggets of Purueyors, which shall be deliuered vnto them by the Constables, and the manner and forme thereof.

Rape. 1. Rauishment of women is made felonie, which they may punish accordingly by their Commission.

Riots. 3.4 7.9. and 10. That they may and ought vpon paine to punish and suppresse Riots, and how they are to deale and proceed therein.

Riots. 3. and 7. That in case they cannot learne the truth of any Riot, they ought to make certificate thereof, and of the maintainers and embracers thereof, and the manner and forme thereof.

Riots. 5. and 6. That their certificate is needfull to a complaint to be exhibited to the Lord Chancelor of any great Riot, and the manner of the same.

Riots. 9. and 10. Certaine vnlawfull assem-

assemblies and offences, after Proclamations made to the contrarie, be made Felonie, which they may punish accordingly by their Commission.

Riots ibidem. Authoritie giuen vnto them to make Proclamation against vnlawfull assemblies, and to leuie the power of the Countie to suppresse them, and vpon resistance to apprehend or to slay such offendors, and the forme and manner of the same.

Riots ibidem. Power giuen vnto them to discharge in some cases the concealer of vnlawfull assemblies from his imprisonment, and the manner and forme thereof.

Riots ibidem. That they ought to giue attendance vnto the Kings Lieutenant for the suppressing of vnlawfull assemblies, vpon a paine.

Riots ibidem. That they ought to publish the effect of the Act against vnlawfull assemblies at euery Quarter Sessions.

Robberie 1. and 2. and Peace 1. Penalties appointed to be layed vpon such as pursue not Felons vpon hup and cry made: Which they may put in execution by their Commissions.

Robberie 2. Certaine penalties appointed for not making of searches, for not keeping of watches, for not enlarging nor clensing of highwayes from bushes, hedges, and ditches, and for not taking the view of armour: Which they may put in execution by their Commission.

Robberie 4. Nightwalkers, Robertsmen, Wasters, and Drawlatches be to be committed to prison. And they may proceede to the inquirie vpon them and to their deliuerance by warrant of their Commission.

Robberie 6. That two of them may take Townes, Villages, &c. where Robberies are committed to an equall contribution, for the relefe of him against whom the partie robbed had his Execution.

Seruice 1. That they may punish such as reuile or contemne the Sacrament of the Lords Supper, and the manner how they are to deale and proceed therein.

Seruice 1. That they may punish such as disturbe Preachers, and the manner how. But learne if this be not repealed.

Seruice 5. and Crowne 10. Such as preach or speake against any part of the Booke of Common Prayer, or do maintaine any other open Prayer or administration of Sacraments, or do vnlawfully interrupt any Minister to say the Common Prayer, may be indicted before them within the yeare and day.

Sewers 12. Power giuen vnto them in a speciall case and forme there set downe, to execute the Lawes of the Commissioners of Sewers.

Sheepe 2. That they may punish such as keepe more Sheepe then they may lawfully doe, and the Lords of Sheepe courses, that take Quillets to ferme, and such as take two houses of Husbandrie in one Towne to ferme, and the maner how to proceed therein.

Shippes 13. and 15. That they may punish diuers offendors there expressed, concerning the selling, taking, buying, and bringing in of Herring and sea Fish, and the eating of flesh vpon dayes prohibited, and the going of licence thereunto, and of strangers transporting any thing from one part of the Realme to another, and of such as ought to sow Hempseed and Linseed, and doe not, and how they are to proceede therein.

Shippes ibidem. They ought to haue the sight of the Commissions, to take vp Mariners for the King, and are authorized to chuse out the men.

Shippes 14. That they may punish the transporting of Sheepe beyond the sea, and the manner how.

Shippes 22. They may enter into Victualling houses, and seize flesh killed or dressed in Lent, and distribute the same to prisoners and other poore folkes.

Shirifes 9. That Shirifes and Gaolers ought not to take any money of Constables nor Townships for the receiuing or keeping of Felons, which they may punish as extortion by Warrant of their Commission.

Shirifes 18. It is commaunded, that Shirifes shall doe no extortion to the people, vpon paine to be punished therefore, which they may execute by their Commission.

Shirifes 25. That they may punish shirifes, for letting their Countie, or any of their Bayliwikes to ferme, and for returning of their Baylifes or seruants vpon Panels, and for committing extortion about arrests or returning of Pancls, and for not letting to baile such as be baileable by the Law.

Shirifes 27. That they may proceed to hearing and determining vpon Indictments taken in shirifes Turnes and Lawdayes, and how they are to deale therein.

Shirifes 31. That they may examine Shirifes and their Clerkes, for entring of Plaints in their Countie Courts without warrant, and Bailifes also for not seruing the Processe there issuing out of those Courts, or for keeping more then they haue warrant to doe, and how farre they are to proceed, and how they are to deale therein.

Shirifes ibidem. Power is giuen vnto them to suruey and controll the Shirifes Countie Bookes, and what they may doe therein.

Shirifes 39. That if any of them be made Shirife of the Shire, he shall not exercise the office of Iustice of Peace there.

Tyles 1. That they may punish the defaults in making of Tyle, and what they may doe therein.

Tyndale 3. They in the Countie of Northumberland haue power giuen vnto them to take Recognisances of such as will take Leases within the Lordships of North and South Tyndale, for their apparances, when they shall be called, and to make out execution vpon the same Recognisances forfeited, and to punish such as doe let their lands there, and doe not cause their fermors to be so bound, and the manner how they are to deale therein.

Tythes 5. and 8. They are commanded to assist the execution of the Ecclesiasticall Lawes for Tythes, and what they are to doe therein.

Treason 28. The practising to take or destroy any of the Kings Fortresses or Holdes, and the vttering of the same, and the abetting, &c. is made Felonie, which they may punish accordingly by their Commission.

Triall 15. That Indictments of Murther or Manslaughter taken before them, although the death were in another Countie, shall stand good. And so also of Indictments taken of accessaries, although the Felonie in seise was committed in another Shire.

Triall ibidem. The Custos Rotulorum in the Countie where the Felonie was committed being written vnto by such as are to trie an accessarie in another Countie, for the record of the attainder of the principall remaining with him, to commaunded to certifie the same vnto them.

Vagabonds 9. and 10. Much authoritie is set downe and giuen vnto them, about the punishing of Rogues and Vagabonds, and dealing with them, and the giuing of licences to begge, and of other licences and testimonials, and about prouiding for the relefe of prisoners, and of the poore, and about the punishment of such as beget bastards. And their dutie in all these matters.

Vagabonds Beggers &c. 13. Authoritie is giuen them for the erecting of houses of correction.

Vagabonds 15. Iustices of Peace haue authoritie to tax inhabitants towards the making of a stocke for the relefe of the poore.

Vagabonds 16. They may brand incorrigible Rogues with an R. and send them to their place of dwelling or birth, there to be set on worke.

Vagabonds 17. They are to see houses of Correction prouided: And to appoint Masters thereof. They must assemble for execution of the statute 7. Iac. cap. 4. where the Constable and Tithingmen are to attend them. Whose negligence they may punish, as also the said Masters for the omission of their dutie.

Vitaile 2. 3. 7. 8. That all sellers of any kind of Vitaile shall sell at a reasonable price, and that they shall punish their defaults therein.

Vitaile 8. That they may set the prices of Vitailes.

Vitaile 12. That they ought yearely to proclaime all the Statutes concerning Innekeepers and Vitailers, being not repealed.

Vitaile 16. That they may punish the vnlawfull transporting of Graine, Malt, Ware, Butter, Cheese, Herring, and Wood, and how they are to deale therein.

Vniuersities 1. & 2. They of the Counties of Cambridge and Oxford, with the Vicechancelor or his Commissarie of those Vniuersities, haue power

power to punish the offences of Purueyors and Badgers that shall take or bargaine for any Victuale or Graine within fiue myles of those Vniuersities, without speciall licence therein mentioned, and what they may doe concerning this matter.
Vsurie 6. and 8. That they may punish the taking of Vsure aboue tenne pounds in the hundred, and the manner how.
Wales 22. That they of Herefordshire may punish the inhabitants there, for concealing Welsh Felons and Traitors being there, and how they are to deale therein.
Wales 25. That they of the Shires adioyning may heare and determine the Felonies committed in Wales, or in the Marches thereof, and how they are to proceed therein.
Wales 27. That they of the Shires adioyning may heare and determine certaine offences there mentioned of Foresters in Wales, about vnreasonable customes, and how they are to proceed therein.
Wales 32. It is set downe by whom they be to be appointed in Wales, and how many there ought to be in the Shires there, and what manner of men they ought to be, and how they ought to deale in their office, concerning their Sessions, Certificates, Fees, Amerciaments and Fines, and diuers other matters there mentioned.
Watches 1. They haue power giuen them to punish the defaults of Watches vpon the Sea coastes, according to the Statute of Winchester.
Waxe 1. That they may punish the sellers of wrought ware at too high a rate, and may make search for the same, and cause it to be weighed.
Weights and Measures 1. 12. 14. 15. 19. 20. 21. 26. 29. 32. 33. 34. Diuers Statutes commaunding that there should be but one weight and one measure vsed through England for all things: Which they haue power to reforme by Warrant of their Commission, and of diuers of these Statutes.
Weights and Measures 2. 3. 4. The assise of Bread and Ale set downe, and the penalties for the breach thereof: Which they are to execute by their Commission, and sundry Statutes to that purpose.
Weights and Measures 3. 17. 25. 26. 29. That no weight nor measure be vsed, except it be signed, and agree with the Kings standerd: Which they are also to looke vnto.
Weights and Measures 5. The length of an inch, foot, and yard set downe: Which is necessarie for them to know.
Weights and Measures 7. The weight of a penie sterling, of an ounce, of a pound, of a gallon of Wine, of a bushell of London, and of a quarter: Which is needfull for them to know.
Weights and Measures 13. 15. 19. The vse of the Auncel weight is prohibited, and the balance authorized to be altogether vsed, and commanded that no deceit be therein vsed, which they are to punish.
Weights and Measures 22. 29. That they may punish all such as take aboue eight bushels striked for a quarter of Corne.
Weights and Measures 24. That they may punish all such as bring in, or make prohibited vessels of Wine, Herrings, Eeles, or Salmon, and how they may proceed therein.
Weights and Measures 25. That they may punish such as doe falsifie true weights, or counterfeit false weights, and the manner how.
Weights and Measures 26. That they may punish all such as buy and sell with other weights or measures then be allowed, according to the Kings standerd, or doe vse any deceit concerning the same.
Weights and Measures ibidem. That they may punish prohibited Parne choppers, and the manner how.
Weights and Measures 31. The measure of vessels of Malmesey, Wines, and Oyle, which they be to looke vnto.
Weights and Measures 32. That they may punish such as take for the sealing of weights and measures more then they ought.
Weights and Measures 32. 33. That they may punish such as buy and sell with weights or measures not lawfully marked and sealed, and how they are to proceed therein.
Weights and Measures 33. 34. That they may punish the negligence of Mayors and Officers, not doing their duties about weights and measures, and the maner how to proceed therein.
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Wines 20. That they may punish such as sell wine in grosse, contrary to the Statute.
Wines 23. That they may inquire of such as sell Wine by retaile, in other sort or in other place then is appointed by the Statute, and of such as spend Wine in their houses otherwise then they bee licenced, and the force of such Indictments.
Wines ibidem. Authoritie is giuen vnto them to licence the retayling of Wine, and the manner and forme thereof.
Wood 3. Power is giuen vnto them in a forme therein set downe, to set out betweene the Lord of a Wood and his Commoners that part which the Lord shall lawfully sell.
Woolls 44. They haue authoritie giuen them to punish such of the Inhabitants within the Parish of Halifax, as hauing bought Woll, doe sell the same againe otherwhere then in that Towne, to the poore folke thereabout, to worke it into parne, and how they are to deale therein.

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He that hath a wife being a reculant conuict, is disabled to beare publike office in the Common-weale. 91.b
A married woman reculant shall forfeit two parts of her ioincture and dower, and be disabled to be executrix &c. 91.b.92.b
Losse of Dower by a woman Reculant. 91.c
A woman couert being a Reculant conuict shall be imprisoned without Baile, vnleslle her husband will pay twenty pound a moneth, or the third part of his Lands &c. 94.a.b
Women may enter into Lands after the decease of their husbands. 106.c
See the Title of Dower in all. 109.b
A woman shall lose her Dower for going away with an Aduolterer. 110.c
A man and his wife shall not fourch by essoign after apparance. 246.c.
Taking women, &c. against their wills is felonie. 159.a
Women couert shall bee examined before fines shalbe leuied. 163.c
Fines shall conclude all priuies and straungers, except women couert, persons within age, &c. 164.a
Wiues & children of fugitiues shal be allowed somewhat for their maintenance. 192.a
Forfeiture by sole women for offending with priests. 222.b
Wages for women seruants. 236. b.c
Iustices of Peace shall appoint women vnmarried to goe to seruice. 240.a
Wiues shall be parties to Leases of their owne lands, which shall bee made by their husbands. 243.b
No mortuary shalbe paied for women couert. 281.b
No person shal carie away a woman by force against her will. 323.c
If any man rauish a woman, he shall haue iudgement of life and member. 333.c
Women consenting to rauishers, shall lose their dower, heritage, & ioynt feoffement. 333.b
Duchelles, Countelles, &c. being widowes, may haue two chapleines. 343.b
Women which haue ioynture by the grant of their husbands, should not haue title of dower. 436.b
Women may refuse their Ioynture, & claime their dower. 437.a
Women married within age may refuse and marrie an other. 456.b
Women of foureteene yeares old at the death of their auncestor, shall haue their Lands without difficultie. 458.a
The master of the wards shal survey all the kings widowes. 459.a
Widowes may bequeath the crop of their ground. 469.c
women shal haue dower of land held by knights seruice. 470.b
Willes made by women couert shall be void. 471.b

¶Worcester.

Clothes to be made in Worcester, and in Worcester shire. 115.b 116.b 117.b. 129.b

¶Worsteds.

Sée this title in all. 484.b
Euerie man that will may put his sonne Apprentice to a worsted maker. 13.a
Hattes of worsted yarne in Norwich. 195.a
Worsted yarne shall not be carried out of this Realme. 287.b

¶Wrecke.

Sée this title in all. 486.c
Wreck of the Sea shal be tried at the common Law. 5.b
Wreck of the sea shall be valued & deliuered to the keeping of Townes. 65.b
Goods broken on the Sea, which can not be said wrecke, shall be restored to the owners. 256.a
It shall be lawfull for euery person to buy herrings brought in by shipwracke. 376.c

¶Writs, and abatement of writs.

Sée this Title in all. 486.c
Additions shall be made in Writs originall. 5.a
A writ to inquire of the ouercharge of pasture. 5.b
Writs shall be inrolled. 5.b
Writs of entry vpon disseisin. 5.b
Foure writs of search. 6.b
A writ de libero tenemento. 17.c
Writs of Assises directed to Coroners. 18.b
Writs of Attaint. 21.b
Writs of Entrie. 47.a,94.b
Writs of Cessauit. 46.b
A writ of Conspiracy. 47.b.c
See the Title of Discontinuance of processe. 106.b
A writ of Frankmariage. 110.b
Writs de Ætate probanda. 145.b
Writs of Assise. 146.c
Writs of Right. 146.c
Writs to deliuer persons absolued. 149.a
Writs of Attary in the countie Palantine, shalbee directed to the Chancellor of the Duchy. 155.a
Certaine writs shalbe sealed with the seale of the County Palantine. 155.a
Originall writs shalbe made in the kings name 184.c
Writs of Consultation. 222.b
Writs of execution. 223.c
Writs abated in time of circuit shalbe amended 230.b
Writs of Mortdauncester. 247.b
Writs de Nativo habendo. 247.b
Writs of Venire facias for impanelling of Iuries. 229.b
Writs of Nouel disseisin. 247.b
Writs de Nuper obijt. 249.b
Writs abated before iudgement by reason of death. 248.a
Writs of Habeas corpus, and Certiorare shalbe assigned with the hand of the cheefe Iustice. 253.b
Writs of Ad quod dampnum. 280.b
By exception of Maintenure no writ shalbe abated, &c. 287.c
Writs of Nusance. 288.c
Writs shall not goe out of the Chancery to inquire of the death of a man. 291.b
Poore people shall haue writs without payment. 317.c
In writs of Redisseisin, double damages shalbe awarded. 339.c
Writs of Restitution. 344.b
Writs purchased by the wardens of the new bridge of Rochester, &c. 352.c

Writs of Venire facias shalbe directed to Shirifes in Wales. 443.D
Writs for restitution of Wardes. 455.D

¶ Yarmouth.

The Act of timing or drayning of surrounded grounds, shall not extend to graunts within viij. miles of Yarmouth. 15.B
Yarmouth Fayre shalbe proclaimed. 172.b
Liberties reserued to the Towne of Yarmouth. 379.C
What shalbe taken for lawfull assise of herring barrels in Yarmouth. 380.A
The mottie of certaine forfeitures shalbe to the Bailifes, Burgesses, &c. of Yarmouth. 380.A
Worsted weauers in Yarmouth shal chuse a warden of the same mistirie. 485.b

¶ Yarne.

See this Title 486.D
Purloyners of yarne, and they that deliuer packe yarne by a shorter Reele, shalbe punished by whipping or the stocks. 232.A
Wuying of worsted yarn in Norwich. 287.A
No man shall buy Yarne but suche as will make Cloth thereof. 466.A

¶ Yorke.

See this Title in all. 486.D
Yorke shall haue touches for Goldsmiths. 194.C
Prouide that Officers in York, &c. may sell wine, and victuall by retaile. 432.C
Certaine Parishes were united in Yorke. 433.D
In Yorke there shall be but viij. Taernes. 474.C

FINIS.

Abilitie. Triall.

Examinatiō.

OF the Abilitie of a Parſon preſented vnto an Eccleſiaſticall Benefice, the examination belongeth to the Eccleſiaſticall Judge, and ſo it hath bene vſed heretofore, and ſo be it done hereafter. Articuli Cleri ca. 13. Anno 9. Ed. 2.

Borne ouer Sea.

2 Becauſe that ſome people be in doubt whether the children borne in the parts beyond the Sea out of the ligeance of England, ſhould be able to demaund any inheritance within the ſame ligeance or not, whereof a petition was put into the Parliament late holden at Weſtminſter, the yeare of the reigne of our ſoueraigne Lord the king that now is, and was not at the ſame time wholy aſſented vnto: Our Soueraigne Lord the King, willing that all doubts and ambiguities ſhould bee taken away, and to declare, and put the law in certaine in this caſe, hath charged the Prelats, Earls, Barons, and other wiſe men of his Counſell aſſembled in this Parliamēt, to deliberat vpon this point: who of one aſſent haue ſaid, that the law of the Crowne of England is, and alwaies hath been ſuch, that the children of the Kings of England (in whatſoeuer parts they ſhalbe borne in England or els where) be able and ought to carrie the inheritance after the death of their anceſtors: which law our ſaid Soueraigne Lord the King, the ſaid Prelats, Earls, Barons, & other great men, and all the Commons aſſembled in this Parliament, do approue and affirme for euer. And as concerning other children borne out of the ligeance of England, in the time of our ſoueraigne Lord the king, they be alſo of one mind accorded, that Henry ſon of John Beaumond, Elizabeth daughter of Guy de Brian, and Giles ſonne of Rauſe Dawbeney, and others which the king will name, which were borne beyond the ſea, out of the ligeance of England, ſhall be from henceforth able to haue and inioye their inheritance after the death of their anceſtors, in all parts within the ſame ligeance of England, as well as thoſe that be borne within the ſame liegeance of England. And that all children inheritable, which from henceforth ſhalbe borne out of the ligeance of the king, whoſe fathers and mothers at the time of their birth be and ſhall bee of the faith, and of the ligeance of the king of England, ſhall haue and inioy the ſame benefits and aduantages, to haue and beare inheritance within the ſame ligeance, as the other inheritors aforeſaid, in time to come: ſo alwaies that the mothers of ſuch children do paſſe the Sea by the licence and wils of their huſbands. And if it be alleaged againſt any ſuch borne beyond the ſea, that he is a baſtard, in caſe where the biſhop ought to haue conſiſance of baſtardie, it ſhall ſhall bee ſent to the biſhop of the place where the land demaunded is, to certifie the kings Court where the plee thereof hangeth, as of old times hath bin vſed in the caſe of Baſtardie, alleadged againſt them which were borne in England, 25. Ed. 3. Stat 2. de Natis vltra Mare.

Crowne kings children.

Inherite Heires.

Baſtardie.

3 Vpon the petition put in the Parliament by the commons, deſiring that the Children borne beyond the Sea within the Seignories of Calice & elſe where, within the lands and ſeignories that pertaine to our ſoueraigne Lord the king beyond the Sea, might bee aſwell able and inheritable of their heritages in England, as other children borne within the Realme of England: It is accorded that the common law and the ſtatute vpon the ſame point another time made (before 2.) bee holden. 42. Edw. 3. cap. 10.

Borne in Calice.

Heires.

4 Anno 3. H. 7. cap. 15. it was enacted (to endure to the next parliament) that actions ſued by feoffies, or by any to the vſe of other ſhould not abate for nonabilitie of the plaintifs or demandāts.

Alies.

5 All & ſingular ſuch religious perſōs, as well men as women profeſſed, or of what order, rule, or habite ſoeuer they were, which be or hereafter ſhall be put at their liberties from the danger, ſeruitud, and condition of their religion and profeſſion wherunto they were profeſſed, by reaſon of ſuppreſſion, diſſoluing, forfaitur by attainder, reuiuing, or otherwiſe giuing vp to the hands of the kings maieſtie or any other, the ſame Monaſteries, Abbeyes, Priories, or other religious houſes or places wherein the ſame religious perſons were profeſſed, ſhall by authoritie of this preſent Parliament, from & after the firſt day of the ſame parliament, and from and after the time that they were or ſhall be put at ſuch libertie, haue free libertie to purchaſe to them and their heires in fee ſimple, fee taile, for terme of life, for yeares, or at will, manors, lands, tenements, rents, annuities and other hereditaments, and things whatſoeuer they bee, in like manner and forme as though they, or any of them had neuer been profeſſed nor entred into any ſuch religion. And furthermore, that they the ſame Religious perſons, and euerie of them, ſhall bee made able by authoritie of this preſent act, to ſue and to be ſued in all manner of actiōs, plaints, and ſuits, whatſoeuer they be, of and for any matter or cauſe growne ſithence and after the time of their ſeuerall deraignements or departing out of their religion, in all Courts and places within this Realme, as other the kings ſubiects be. And furthermore that they & euerie of them, ſhall and may from hēceforth vſe and exerciſe, receiue, take, haue, and enioy, all and euerie lawfull thing and things, to bee growen, fallen, or happened, to them or any of them, after the ſaid deraignment or departing out of their Religion, in as large and ample maner, forme, and condition, as if they had neuer bin profeſſed nor entred into Religion, the ſame profeſſion or Religion, or any law, cuſtome, or vſe within this Realme to the contrarie thereof in any wiſe notwithſtanding.

Religious Liberties.

Purchaſe.

Iniay, Growen after &c.

Prouided &c. ỳ none of the ſame religious perſons, ſhall or may at any time hereafter bee taken, deemed, or iudged for, or as heire or heires, or inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction, or intent in the law: nor that they nor any of them by vertue of this act, be receiued, admitted, or deemed able in the laiwe to demād, challenge, receiue, or take any mannors, lands, tenements or hereditaments, or any other thing or

things, by reason of, or for any former title, right, interest, matter, or cause, had, made, done or growne, to any respect or purpose, before their said seuerall deraignments or departings out of their Religion. Nor that any of the said religious persons being Priests, or such as haue auowed Religion at twentie one yeres, or aboue, & thereto then consented, continuing in the same any while after, not duely proouing by witnes, or other lawful meanes, some vnlawfull coheršion or compulsion done to them or any of thē, for making of any such vow, or constraining them to remaine in their religion, be enabled by vertue of any words, clause, or sentence before in this act expressed, to marrie or take any wife or wines, but ỳ they and euery of thē bee clearely excluded and put from the same to all intents & purposes: any thing before in this act cōtained to the contrarie herof in any wise notwithstanding. An. 31. H. 8. ca. 6. See here 7. & 8. more.

Priests Religious

Vow

Marrie

6 See S. Iohns 1. that they of ỳ Religion were enabled, as other Religious persons were. An. 32. H. 8. ca. 24.

7 For asmuch as diuers doubts haue risen, whether the act made 31. Henr. 8. cap. 6. (before 5.) doth extend vnto such late Religious persons as as were in such religious houses which were by ỳ king immediately translated into a new Corporation, & neuer came and remained in his hands, neither by suppression, dissoluing, forfaiture by attainder, nor such like. Be it &c. that the said act of parliament aboue remembred, made in the said 31. yere, shall extende aswell to all such persons which bee liuing that were Religious persons in any of the said houses which were so translated and transposed from one Corporation into an other, which at anytime was professed or were Religious persōs in any of ỳ said houses within this realm of England. And that they and euerie of them from the time of the saide seuerall deraignements and discharge of their said professions and religions, shall be in like qualitie, estate, condition and degrée, and also shal take, haue, and inioy like benefit, commoditie, profit, and aduantage, and with like Prouiso onely, and not otherwise to euerie intent, and and in euery thing as any other religious person or persons may and shall haue, take, and inioy by vertue of the saide former act aboue remembred, the same profession or Religion, or any custome or vse to the contrarie thereof in any wise notwithstanding. Ann. 33. H. 8. cap. 29.

Religious Translated

Discharge

8 For asmuch as since the time of the making of the statute 31. H. 8. cap. 6. (before 5.) it hath bin doubted, whether the late religious persons there mentioned, should or might bee adiudged able to inherit, & to be inheritable, as heire or heires to any of his or their auncestors, & to haue and enioy euery thing descended, growne, fallen or happened to them or any of them after their deraignement or departing out of Religion, yea or no:

Be it declared, &c. that all and euerie of the same late Religious and professed person and persons, shall and may by authoritie of this Act, bee enabled to all intents, constructions, and purposes, at all time and times hereafter to be taken, deemed, and iudged, as heire or heires, and inheritable to all and euerie their Auncestor or auncestors, and to haue, challenge, or inioy, receiue and take all Mannors, Lands, Tenements and Hereditaments, and euerie other thing and thinges, to them or any of them fallen, comen, growen, or descended from any their Auncestors, by any manner of waies, since the time of their seuerall deraignment or departing out of their Religion, as in ample and large manner, forme, and condition, as they had neuer bēn professed nor entred into Religion: the same profession, or Religion, or any Law, Custome, or vse within this Realme, to the contrarie thereof in any wise notwithstanding.

Religious

Heire

Custome

Prouided &c. that none of the saide Religious persons shall or may by vertue of this Act at anie time hereafter, bee taken, deemed, or iudged for heire or heires, or inheritable to any person or persons, to any construction or intent in the law, by reason of any former right, title, interest, matter or cause, had, made, done, descended, or growen, to any respect or purpose before their saide seuerall deraignemens, or departing out of their religion: any thing before in this Act, or in the saide former Act contained to the contrarie hereof in any wise notwithstanding, An. 5. E. 6. cap. 13.

Abiuration.

WHen a Robber, Murderer, or other euill doer shal flie vnto anye Church vpon his confession of felonie, ỳ Coroner shal cause the abiuration to bee made thus: Let the Felon be brought to the Church doore, and there be alligned vnto him a port, neere or farre off, and a time appointed to him to goe out of the Realme, so that in going towards that Port hee carrie a crosse in his hand, and that hee goe not out of the Kinges high way, neither on the right hand nor on the left, but that he keepe it alwaies vntill he shall bee gone out of the land, and that hee shall not returne without speciall fauour of our Lord the King. In the Treatise of the Office of the Coroner, I cannot finde this, but onely in the olde Abridgement of Statutes: and besides See heere 5. this forme changed.

Coroner

Crosse

2 This heare thou Sir Coroner, that I W. of H. am a robber of Sheepe, or of any other beast, or a Murderer of one, or of mo, and a Felon of our Lord the king of England, & because I haue done many such euils or robberies in this land, I doe abiure the lande of our Lord Edward king of England, and I shall haste me towards the Port of such a place which thou hast giuen me, and that I shall not goe out of the high way, & if I do, I will that I be taken as a Robber, and Felon of our Lord the king: And that at such a place I will diligently seeke for passage, and I will tarrie there but one flood and ebb, if I can haue passage, and vnlesse I can haue it in such a place, I will go euerie day into ỳ sea vp to my knees allaying to passe ouer, & vnlesse I can do this within 40. daies, I will put my selfe againe into the church, as a robber & a felon of our

Murder

Highway

40. Daies

Lord the king, so God me help and his holy iudgement &c. The Treatise of the abiuration of Robbers, And See here 5. this also discharged.

Mar

3 They that abiure the Realme, so long as they be in the common way shall be in the kings peace, and shall not be disturbed by any man, and whilst they be in the church, their keepers shall not abide in the Churchyard, except necessitie or perill of escape do require so. And so long as they bee in the church they shal not be so streightned, but that they may haue necessaries for their liuing, and may goe forth to emptie their bellie. Art. Cleri ca. 10. an. 9. E. 2.

Sanctuarie

Sanctuary Church Felony

Abiuration

Time

Coroner

Marke

Maiors Bailifes Attendant

Refuse Passage

Forf. Sanctuarie

4 Be it enacted &c. That if any person take sanctuarie in any Church, churchyard, or other holy place, for felony or Murder, where he ought by the lawes and customes of this Realme to haue his abiuration for the same, that then the same felon or murderer, shall take his abiuration and passage out of the same church, churchyard, or other holy place, at such day and time as shall be limitted to him by the Coroner of the Shire or place, wherein hee taketh such Sanctuarie. And that the Coroner immediately after his confession, and before his abiuration, shall cause euerie such felon or murderer to be marked with hot an yron vpon the brawn of the thumbe of the right hand with the signe of an A. to the intent he may be the better knowne among the kings subiects, that he was abiured, & then to giue him his abiuration, & to be vsed in all other thinges as hath beene accustomed. And that all Maiors, Bailifes, and Constables, shall be attendant at the commandement of the Coroner, for the due execution thereof, as they will answere at their perils to the kings highnesse for the same. And if any Felon or Murderer that ought to haue any such abiuration, refuse to take his passage out of the said sanctuarie, at such time shall be limitted to him by the saide Coroner, that then the said Felon or Murderer so refusing, shall lose the benefit of the same sanctuary, and be taken out of the same, and committed to prison, and further to be ordered for his offence after his merits, without any restitution to sanctuarie for the same. An. 21. H. 8. cap. 2. This Act is altered in some part by anno 22. H. 8. cap. 4. as here next following 5. appeareth.

☞ Church Churchyard.

Felonie

Coroner

Sanctuarie Abiuration

Election

5 Be it enacted &c. That if any person hereafter flie or resort to any parish church, Cemitarie, or other like hallowed place, for tuition of his life, by occasion of any murder, robbery, or other felony by the same person committed, and thereupon confesse any Murder, felony, or other offence before the Coroner, wherefore the same person by the lawes of this Realme heretofore vsed, should abiure and passe out of ỹ same, the same person thereupon shal abiure from all his libertie of this Realme, and from his liberall and free habitations, resorts, and passages, to and from the vniuersall places of this Realme, which appertaine to the libertie of the kings Subiects vndefamed, and shall forthwith be directed by the Coroner, taking and recording such abiuration, to any one Sanctuarie beeing within this Realme, which the same person will elect and chose, there to remaine as a Sanctuarie person abiured during his naturall life, and to be sworne afore the Coroner vpon his abiuration so to doe, and to be burned in the hand according the statute in that case prouided. (s. 21. Henr. 8. cap. 2. before 4.) And euerie person so abiured shall be directed and conueyed to the same Sanctuarie by him chosen, by the Constables and their Officers; and in euerie behalfe ordered after like manner and forme, as he should haue beene in case he should haue abiured this Realme for any Murder or Felonie after the lawes of the land. And if after such abiuration any person so abiured come out of the same sanctuarie to the which hee was assigned, and be taken without the same Sanctuarie, not hauing the kings speciall pardon or licence so to doe, then euerie such person abiured, and after abiuration taken without Sanctuarie whereunto he was assigned, shall suffer such like paine of death, and after like manner be ordered, as hee should haue done and beene, in case hee had abiured this Realme for Murder or Felonie, and after such abiuration had returned againe into this Realme contrarie to the lawes of this land.

Sworne

Burned

Conueyed

Constables

Ordered

Goe out

Taken without Pardon Licence

Suffer death.

Sanctuarie person

And furthermore be it inacted &c. that if any such Sanctuarie person abiured, or any other person or persons, which now be or is, or hereafter shall happen be in any Sanctuarie of this Realme, for doing any pettie Treason, Murder, or Felonie, or for being accessarie to any such Offences, or if any person or Persons, which at any time hereafter shall take any sanctuarie of this Realme, for doing any petie Treason, Murder, or Felonie, or for being accessarie to any such offences, or vpon abiuration, and so being in Sanctuarie, for or vpon any such cause, matter, or offence; afterward commit or doe any petie Treason, Murder, or Felonie within the same Sanctuarie, or be accessarie to any such offences, or goe out of the same Sanctuarie and committe any pettie Treason, Murder or Felonie, or be accessarie to any such offences, and after come againe to the saine Sanctuarie, or take any other Sanctuarie for the same, euerie such person or persons beeing indicted for any the said causes or offences, shall lose the priuiledge of the same Sanctuarie by him taken, and of euerie other Sanctuarie within this Realme, for any such cause of pettie Treason, Murder, Felony or abiuration, and for any accessarie to any such offences. And that it shall be lawfull to all and singuler Iustices of peace, and the high Sherife of the Countie or other place where the Sanctuarie is, and to all and singuler Maiors, Sherifes, and Bailifes, of Cities and Townes corporate, where such Sanctuarie is, and to euerie of them, and to the seruants, ministers, & Officers, of any or euerie of the same Iustices of peace, Sherifes, Maiors, and Bailifes, in their presence to take out of the same Sanctuary or Sanctuaries, all and euerie such Sanctuarie person or persons so offending as is aforesaide, and being indicted of the same, and to

Petty treason Murder Felonie Accessarie

Commit Petty treason Murder Felonie Accessarie

Indicted Forf. Sanctuary

Any Iustice of peace Sherife Maiors Bailifes

Seruants Officers

Take out

Indicted Kings gaol Shire Indictment

commit or put him or them into the kings gaole within the Shire or libertie where any such indictment is found against any such person, safely to be kept til they shall be of the same pety Treason, murder, or Felony, or of the accessarie to any such offences whereof they shall happen to bee indicted, conuicted, or attainted, or discharged by the law. And if any person or persons which shall be indicted of any pety Treason, murder, or felony, or of any accessarie to any such offence, happen hereafter to be taken out of any Sanctuarie for the same by authoritie of this Statute, and vpon his or their arraignment plede sanctuarie, according to the order of the law: then it is enacted by thauthoritie aforesaid, that aswell the kings Atturney as euerie other person for the king shall be admitted to obiect and alledge, that the person so arraigned afore the doing of the offence or offences, whereof he then is arraigned, did take priuiledge of sanctuarie in the same sanctuarie, whereof hee alleadgeth him to be taken out, or in any other place priuileged within this realme vpon any abiuration, or for any other petie Treason, murder, or felony, then whereof he is arraigned, and that he there had and enioyed priuiledge of sanctuarie for the same, and that he so hauing once priuiledge of sanctuarie in the same, did commit the offence of pettie treason, murder, or felony, whereof he then is arraigned: or that he went out of the said sanctuarie, and committed the same offence, whereof he is indicted and arraigned, and pray that such person so arraigned may be excluded of restitution to the sanctuarie by him demaunded. And in case the said plee and obiection so alleadged, be denied by the person so arraigned, Then it is further enacted by the authoritie aforesaide, that it shall be forthwith tried afore the same Iustices where such person is so arraigned, and by the same Iurors of the same County that shal trie the petie Treason, murder, or felony, whereof he is arraigned without further delay in whatsoeuer coũty or coũties, place or places of this Realme, the same other taking of sanctuarie shall be alleadged or obiected to be done or had. And if the plée so obiected against the said person arraigned, be tryed against him by verdict of twelue men, or by his owne confession, and also if it be found by verdict of twelue men, or by his owne confession, according to the order of the law, that he is guiltie of pety Treason, Murder, or felony, or of any accessarie to any such offence whereof he is so arraigned, that then like iudgement and execution shall be giuen & done vpon euery such person, as though hee had beene no sanctuarie person, nor had claimed or required the priuiledge of the sauue. And if any such person be lawfully acquited of the pety Treason, Murder, or felony, whereof he shalbe so indicted and arraigned, then he shalbe restored to the same Sanctuarie, out of the which hee was taken, there to haue the priuiledge of the same in like manner as he had before.

Taken out Plead Sanctuarie Arraigne-ment

K. Atturney Pleade

Way exclu-sion

Tried

Verdict or confession

Guiltie

Iudgement Execution

Acquited

Restored

Prouided alway ỹ if any person being or abiding in any sanctuarie as a sanctuarie person, hereafter shal hap to be endicted for any maner of felony supposed to be committed by him or her, going out of the same or any other Sanctuarie, and committing the same felonie while that he or shee so was a sanctuarie person: he or she being endicted of any such felonie supposed to be done without the sanctuarie, shall not be taken out of the sanctuarie, wherein the same person shall then be resident, before that he or she be examined thereof by two of the kinges moste honourable Councell, or by foure Iustices of Peace of the Shire where the Sanctuarie is, wherein the person so endicted is resident. And if the same person so endicted within foure daies after the first examination doe make such proofe as the said examiners by their discretions shall thinke sufficient, that the same person was in the sanctuarie at the time of the saide felony committed: then hee or shee making such proofe, shall be suffered to remaine and be in the same Sanctuarie without any extraction from the same, the same indictment or any thing in this act aboue written notwithstanding.

Felony Going out

Examination Kings coun-cell 4. Iust. of peace Within 4 daies Proofe Examiners Discretion

No extrac-tion

Prouided also, that if any person, which was at any time a Sanctuarie person for any pety Treason, Murder, or felonie, obtaine and haue the Kings pardon, and thereby or otherwise be at large and out of Sanctuarie, discharged or purged of the offence or cause whereof the same Person tooke Sanctuarie, and afterward doe commit other pety Treason, Felony or Manslaughter by chancemedlie, and not murder of malice prepenced, and thereupon againe take Sanctuarie for any such petie Treason, felonie, or manslaughter by chancemedlie, the same person shall haue and enioy the priuiledge of Sanctuarie for that his or her offence of pety Treason, felonie, or Manslaughter by chance medlie, as that same person mought haue had before the making of this act: any thing in the same act contained notwithstanding.

Sanctuarie person

Pardoned Purged

Offend againe Felony Chance-medley

Inioy sanc-tuarie again

And ouer this for more speedie triall of murders and felonies: Be it &c. That all manner of forreine plees triable by the Countrey hereafter to be pleaded by any person or persons arraigned vpon any indictment for any petie Treason, murder or felonie, shall be forthwith tried before the same Iustices afore whom such persons shall be arraigned, and by the same Iurors of the same Countie that shall trie the petie Treason, Murder or felonie, whereof hee shall bee so arraigned, without any further respect or delay in whatsoeuer Countie or Counties, place or places of this Realme, the matter of the same plees be supposed or alleaged. And that no person arraigned for any petie Treason, Murder, or Felonie, be from henceforth admitted to any peremptorie challenge aboue the number of twentie. This act to indure to the end of the next Parliament.

Triall of forein plees.

Iustices Iurors Countie

Peremptory challenge xx.

Prouided alway that no person or persons be hereafter excluded, or in any wise hurted to haue and inioy any priuiledge of Sanctuarie for any offence or offences, being of any higher nature in the law, then the offences and causes specified in this act be, but euerie person and persons for such offences of higher nature, may haue and enioy priuiledge of Sanctuarie, in as free & liberall manner and after such forme, as they mought haue

High offen-ces Sanctuarie

haue done by the Lawes and Customes of this Realme afore the making of this act: any thing in this act to the contrarie notwithstanding. Anno 22. Henr. 8. cap. 14. And after Anno 28. H. 8. cap. 1. this act was continued to the last day of the next Parliament, and after Anno 32. Hen. 8. cap. 3. it is made perpetuall.

But note that by diuers statutes made since 22. H. 8. the priuiledge of the Sanctuarie is vtterlie taken away in diuers of these and other cases. And also that Sanctuarie persons by diuers waies may afterward forfeit the benefit of their Sanctuarie. See Sanctuarie in all.

¶ Action popular.

WHere now offendors against penall popular Statutes commonly cause actions popular to be brought against them by couin, or if any action be by good faith commenced against them, they vse to delay that action, and cause another man to bring a like action against them by couin, wherein hee will bee condempned, either by confession, feined triall, or release, which being pleaded shall barre the plaintife in the action sued in good faith: And so such Statutes bee seldome executed vpon offenders duely. Bee it enacted &c. That if any person or persons hereafter sue with good faith any actiõ popular, & ẏ defendant or defendants in the same action plead any maner of recouerie of action popular in barre of the said action, or else that the same defendant or defendants pleade that he or they before that time barred any such plaintife or plaintifes in any such action popular, that then the plaintife or plaintifs in the action taken with good faith, may auerre that the said recouerie in the said action populer, was had by couin, or else to auerre that the saide Plaintife or plaintifes was or were barred in the said action popular by couin, that then if afterward ẏ said collusion or couin so auerred be lawfully founden, the plaintife or plaintifes in that action sued with good faith, shall haue recouerie according to the nature of the action and execution vpon the same, in likewise and effect as though no such afore had beene had. And ouer that it is enacted and ordained by the authoritie aforesaid, that in euerie such action popular wherein the defendant or defendants shall be lawfully condemned or attainted of couin or collusion as is aforesaid, that euerie of the same defendants haue imprisonment of two yeares by proces of Capias and Vtlagarie to be sued within the yeare after such iudgement had, or at any time after, till the said defendant or defendants bee had and imprisoned as is afore saide. And that as well at the kings suite as of euerie other that will sue in that behalfe. And that no release of any common person hereafter to be made to any such partie, whether before or after any action popular or Indictment of the same had and commenced or made (hanging the same action) be in any wise auaileable or effectuall to let or to surcease the saide action, indictment, proces, or execution. Prouided alway that no plaintife or plaintifes be in any wise receiued to auerre any couin in any action popular, where the point of the same action, or else the couin or collusion haue beene once tried or lawfully found with the plaintife or plaintifes, or against them by triall of twelue men, and not otherwise. Anno 4. H. 7. cap. 20.

Recouerie Barre

Collusion

Imprisõ. Proces. *Capias, vtlagarie.*

Couin

Collusion Triall

2 Anno 1. H. 8. cap. 4. An Act was made to indure to the next Parliament, that in Penall statutes the king should take the suit within three yeares, and other persons within one yeare.

Penal statutes.

3 Where many of the kinges true subiects being ignorant of the statutes haue bin in times past vexed with the penalties of penall lawes, after long tract of time, more for malice then for Iustice whereby great trouble hath insued: wherefore for the loue the king beareth to his Subiects. Be it &c. that all & singuler such actions, suites, bils, Indictments or informations, as from the 11. day of the month of November, the 7. yeare of our said Soueraigne Lords raigne shall be commenced, taken, sued, had or made onely for any debt, moueable goods or Cattels forfaited and lost, or to bee forfeited or lost, whereto the king only his heires or successors, and none other common person, shall or may bee intituled by reason of the saide penal statutes, or any of them, shall be commenced, sued, taken or had within foure yeares next after the offence or offences, forfeiture or forfeitures, of, or for the same, had or made against the ordinance & prouision of any such act or acts, statute or statutes penal, & not after the said 4. yeres. And that for any offence or forfaiture made or had or to be made or had against ẏ ordinãce & prouision of any act or acts penal, made & ordaind, or to be made & ordaind, wherby action, suit, bil or information popular is or shall be giuen to any person or persons such as will sue for the king & for him or themself, or only for him or themselfe, that such action, bill, suit or information be commenced, sued, had and made, by such person or persons, other then the king, as will sue in that behalf, within one yere next after the offence or forfaiture, had, made or committed against the ordinance and prouision of any such act or acts penall, & not after the said yere ended. And that the kings suit by writ, bil, plaint indictment or information, on that behalfe be commenced, sued, had, or made, within two yeres next after ẏ offence or forfaiture made or had against the prouision and ordinance of any act or acts, Statute or statutes penall, and not after the said two yeres. And if any action, suit, bil, indictment or information, & euery of them commenced, sued, had or made for the saide offence or offences, forfaiture or forfaitures, shal be void and of no force ne effect, any act or acts, statute, or statutes made the contrarie notwithstanding. Prouided alway that where any action, information or indictment is limited by any statute to be had, made or taken, within shorter time or times, then (as is afore rehearsed) that it be had, made & taken, according to the time limitted in the statute. An. 7. H. 8. ca. 3. See here 4. this Statute repealed.

4. Yeares Forf.

Action popular

Common person One yeare

Kings suit

2. Yeares

Indictment

Void

4 For that diuers of the Queenes Maiesties subiects bee daily vniustly vexed and disquieted by diuers common Informers vpon penall statutes, notwithstanding any former statute that hath been heretofore made against their disorders: For remedie thereof, Be it &c. that all former statutes made for reformation of disorders of such common Informers, not repealed or altered by this act shall be put in due execution. And that no person other then the partie grieued, after twentie daies after the end of this Session of Parliament, shall bee receiued to informe or sue, vpon any penall statute, that before that time hath beene for any misdemeanour by any order of any the Queenes Maiesties Courts ordered not to follow or pursue any suit vpon any penall statute.

Informer.

And be it further enacted by the authority aforesaid, that in any declaration or information at any time after twentie daies after the end of this Session of Parliament to be had, brought, sued, or exhibited, the offence against any penall statute, shall not be laied to be done in any other Countie, but where the contract or other matter alledged to be the offence, was in truth done. And that euerie defendant in such action or information, shall and lawfully may trauerse & alleadge, that the offence supposed by the same suite to bee committed, was not committed in the Countie where such offence is alleadged. Which being tried for the defendant, Or if the plaintife be thereupon nonsuit in his information or suite, that then the plaintife shall bee barred in that actiõ or information, any law or vse to the contrarie notwithstanding. Prouided alwaies that this act, nor any thing herein contained shall in any wise extend to any such officer of Recorde as haue in respect of their offices heretofore lawfully vsed to exhibite informations, or sue vpon penall lawes, But that they and euerie of them may informe and pursue in that behalfe as they might haue done before the making of this act, any thing in this act to the contrarie in any wise notwithstanding.

Forrein countries

Trauers

Offices

And prouided also, that this act, nor any thing therein contained, shall extend to the laying or alledging of any offence in any declaration or information, for, or cõcerning any Champertie, buying of titles, or extortion, or any offence committed, or to bee committed against the Statute made in the first yere of the Queenes Maiesties raigne, intituled, An act limitting the times for laying on lãd Marchandize from beyond the Seas, and touching Customes of sweet wines: And one other act made in the saide first yere of her Maiesties raigne intituled, An act of a Subsidie of Tonnage, and Poundage, or any thing in any of them contained, or for the concealing or defrauding the Queenes Maiestie, her heires or successors of any Custome, Tonnage, Poundage, subsidie, Impost or Prisage, or for any matter of corrupt Vsurie, or for any offence comprised in any Statute made, or to bee made against ingrossing, regrating or forestalling where the penaltie or forfaiture shall appeare to be to the value of fyue. li. or aboue: But that euerie such offence shall or may bee laied in any Countie at the pleasure of any such Informer, Any thing in this act to the contrarie notwithstanding.

Exception

And be it further enacted by the authoritie aforesaid, that all actions, suites, billes, indictments, or informations, which after twẽty daies after the end of this Session of Parliament shall be had, brought, sued, or exhibited, for any forfaiture vpon any statute penall, made or to be made, whereby the forfaiture is or shall be limitted to the Queen, her heires or successors onely, shall be had, brought, sued, or exhibited within 2. yeres next after the offence cõmitted or to be cõmitted against such act penall, and not after two yeares. And that all actions, suits, billes, or informations, which after the said twentie daies shall be had, brought, sued, or commenced, for any forfaiture vpon any penall Statute made or to be made, except the Statutes of Tillage, the benefit and suit whereof is or shall bee by the said Statute limitted to the Queene, her heires or successors, and to any other which shall prosecute in that behalfe, shall be had, brought, sued, or commenced by any person that may lawfully pursue for the same as aforesaide, within one yeare next after the offence committed, or to bee committed against the saide Statute, and in default of such pursuite, that then the same shall bee had, sued, exhibited, or brought for the Queenes Maiestie, her heires or successors, at any time within two yeares after that yeare ended: And if any action, suit, bill, Indictment, or Information for any offence against any Penal Statute, made or to bee made, except the Statute of Tillage, shall bee brought after the time in that behalfe before limitted, That then the same shall be voide & of no effect, any Act or Statute made to the contrarie notwithstanding. Prouided alwaies, that where any action, Information, Indictment, or other suit, is, or shall bee limitted by any Statute Penal, to bee had, sued, commenced or brought within shorter time then is aboue rehearsed: That in euerie such case, the action, information, Indictment, or other suit shall be brought within the time limitted by such estatute.

Queene

2. Yeres

Tillage

One yeare

Queene

Shorter time. Suit.

And bee it further enacted by the Authoritie aforesaid, that one Statute made in the seuenth yeare of the raigne of the late King of famous memorie king Henrie the eighth (supra 3.) concerning the time of bringing actions or Informations vpon Penal Lawes, shall from and after twentie daies after the end of this Session of Parliament, be vtterly repealed. And that all suites from and after the said twentie daies to bee pursued vpon any Statute for vsing of any vnlawfull game, or for not vsing of anie lawfull game, or for not hauing Bowes and Arrowes according to the Law, or for vsing any Art or Mysterie, in the which the party hath not beene brought vp, according to the Statute in that behalfe made, shall be sued and prosecuted in the generall Quarter Sessions of the peace, or Assises of the same Countie, where the offence shall be committed, or otherwise inquired

Suit.

Quarter Sessions Assises.

red of, heard, and determined in the Assises, or generall Quarter Sessions of the Peace of the same Countie, where such offence shall be committed, or in the Leete within which it shall happen, and not in any wise out of the same Countie, where such offence shall happen to be committed. Anno 31. Elizabeth. cap. 5. Leete.

5 See of Action Popular in euerie title where part of the forfaiture is giuen to any that will sue.

¶ Accompt.

Bailifes

IT is prouided also, that if Bailifes, which ought to make accompt to their Lordes, doe withdraw themselues, and haue no Lands nor tenements, whereby they may be distrained, then they shall bee attached by their bodies, so that the Sherife in whose Bailiwcke they be found, shall make them to come to make their accompt. Marlebridge cap. 23. Anno 52. H. 3. Attach Sherife

Bailifes Seruants Receiuors

2 Concerning Seruants, Bailifes, Chamberlaines, and all manner of Receiuors, the which are accomptable: It is agreed and ordained, that when the maisters of such Seruants do assigne them Auditors to take their accompts, and they be found in arrerages vpon their accompt (all things allowed which ought to bee allowed) their bodies shall be arrested, and by the Testimonie of the Auditors of the same accompt, they shall be sent vnto the next Gaole of the king in those parts, and shall be receiued of the Sherife or Gaolor, and imprisoned in iron, and vnder safe custodie, and there shall remaine at their owne cost, vntill they haue satisfied their Maister fully of the arrerages. Neuertheless, if any person being so committed to prison, doe complaine, that the Auditors of his accompt haue greeued him vniustly, charging him with receipts that hee hath not receiued, or not allowing him expences and deliueries reasonable, and doe finde friendes that will take him to mainprise to bring him before the Barons of the Eschequer, hee shall be deliuered vnto them. And the Sherife (in whose prison he is kept) shall giue knowledge vnto his Maister, that hee be before the Barons of the Eschequer at a certaine day with the Rolles and Tales, by which hee made his accompt, and in the presence of the Barons, or such Auditors, as they shall assigne, the accompt shall be rehearsed, and Iustice shall be done to the parties, so that if he be found in arrerages, hee shall be committed to the Fleete, as aboue is said. And if he flie and will not make accompt willingly, as it is contained in other statutes (before 1.) he shall be distrained to come before the Iustices to make his accompt, if he haue whereof to be distreined: and when he commeth to the Court, Auditors shal be assigned to take his accompt, before whome if hee be found in arrerages, and will not pay the arrerages forthwith, hee shall be committed to the Gaole, to be kept in forme aforesaid. And if hee flie, and it be testified by the Sherife that hee is not found, hee shall be called from Countie to Countie, vntill hee be Outlawed: and such a prisoner Sherife Iniust. Barons of the Eschequer Rolles and Tales. Arrerages Distreine Exigent Outlawed

shall not be repleuisable: And let the Sherife or Gaoler take heed, bee it within a Franchise or without, that hee doe not suffer him to goe at large by the common writ called Replegiare, or otherwise without the assent of his maister. And if hee doe, and thereof be conuict, hee shall answere to the Maister the damages done to him by such his seruant as shall make proofe of it by the Countrie, & the Maister shall haue his recouerie thereof by a writ of Debt. And if the Gaoler haue not wherewith, hee may be inforced, or wherewithall to pay the same, his superiour that committed the custody of the Gaole vnto him, shall answere the damages by the same writ. W. 2. cap. 11. Anno 13. Ed. 1. Irreplenisable. Replegiare. Writ of debt. Gaoler

3 Anno 2. H. 4. cap. 24. It was enacted that they that had receiued money to go with the kings lieutenant might accompt in Theschequer vpon their oathes, and bee allowed of their layings out, and be discharged. Lieutenant

4 Whereas diuers of the Sherifes, Eschetors, Aulnageours, Customers, Comptrollers, & other the kings Officers accomptable, in many parts of the Realme, doe defraude and deceiue our said Soueraigne Lord the king yerely, in their vnlawfull and vntrue accompts, concealing and retaining to their owne vse the greater part of that ỳ rightfully ought to appertaine to the king, to his great damage and losse: Our said soueraigne Lord the king, by the aduise and assent aforesaid, hath ordained and established, that streight after euery finall accompt giuen and made by the Officers and customers aforesaid, before the Barons of the Eschequer, the tenor of the accompt of euerie of the said Officers from time to time shall be sent into the Counties where the same accomptants be officers together with Commissions directed to the most faithfull and discreet persons, for to inquire of and certifie the profits which the said accomptants haue receiued within the said Counties, in the name, and to the vse of our Soueraigne Lord the king, and by them in the maner aforesaid vpon their said accompts deceitfully cõcealed & retained to their proper vse and profit. And in case that the said accomptants be attainted of their said feaudes and deceipts, they shall incurre to our Soueraigne Lord the king, the paine of the treble of the same whereof they shall be so conuicted, and their bodies to prison, till they haue made fine and ransome to our said Soueraigne Lord the king, after the discretion of his Iudge. Anno 6. H. 4. cap. 3. Sherifes Eschetors Aulnageors Customers Comptrollers Barons of the Eschequer. Counties Commissio Conceale Attaint Fraudes Treble Imprisonment Fine & ransome

5 From henceforth if any disme, or any part of a disme be graunted by the Prouince of either of the said Clergies, (viz. of Canterburie and Yorke) to the king our soueraigne Lord, or to his heires, that after the said certificate in the Eschequer for the disme, or part of the disme, and of the names of the Collectors for the gathering of the same disme, if the said Collectors come by proces before the said Barons of the Eschequer, and enter into their accompt, they shall not bee bound to answere to any bill or billes there put in against them, by reason of the saide entrie into their accompt, for any maner cause, but onely for the matter touching the said accompt. Disme Certificate Collectors Proces Bill.

Prouided

Priuiledge

Prouided alwaies, that if the ſaide accomptant be ſued in any other court by writ, bill, or plaint, that then he ſhall take no priuiledge of the ſaid Eſchequer by reaſon of the ſaide accompt for any ſuit as before is rehearſed. An.1.R.3.cap.14.

Accuſation.

Impriſ. Diſſeiſed Freehold Cuſtomes Outlawed Peeres

NO free man ſhall be taken or impriſoned, or be diſſeiſed of his freehold or liberties or free cuſtoms, or be outlawed or exiled or any waies deſtroied, nor we ſhall not paſſe vpon him, nor deale with him, but by ẏ lawful iudgement of his peeres, or by the Lawe of the land: we ſhall not ſell to any man, we ſhall not deny nor deferre any man, Iuſtice or right. Magna Charta cap.29. Anno 9. H.3.

Attached Seiſed

2 No man from henceforth ſhall be attached by reaſon of any accuſation, nor foriudged of life nor limme, nor his landes, tenements, goods nor cattels ſeiſed into the kings hands, againſt the forme of the great charter and the law of the land. Anno

Mag. Chart. 5.Ed.3.cap.9.

Petition

3 From henceforth none ſhall bee apprehended vpon petition or ſuggeſtion made to our ſoueraigne Lord the king, or to his Councell, vnleſſe

Indictment Preſentmet

it be by indictment or preſentment of good and loyall men where ſuch deeds be done in due manner, or by proces made by writ originall at the common law, nor that none be put from his franchiſes, nor

Freehold

his freeholds, vnleſſe he be duely brought in to anſwer and foriudged of the ſame by way of law. And if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none. Statut. 5.An.25.Ed.3 cap.4.

Impriſ.

4 No man of what eſtate or condition that hee be, ſhall be put from his land or tenement, or taken or impriſoned or diſherited, or put to death, without being brought in to anſwere by due proces of the law. Anno 28.Ed.3.cap.3.

Impriſ. Freehold

5 Though that it be contained in the great Charter of Magna Char. cap.29. (before 1.) that no man be taken, impriſoned, or put out of his freeholde, without proces of the law. Neuertheleſſe, diuers people make falſe ſuggeſtiõ to the king himſelfe, aſwel of malice or otherwiſe, wherby the king is often much grieued, and diuers of the Realme put to great damage and loſſe againſt the forme of the ſame charter. Wherefore it is ordained, that all they that make ſuch ſuggeſtions, be ſent with the

Chancelor Treaſorer

ſuggeſtions before the Chancellor, Treaſorer and his great councel, and that they there finde ſurety,

Wainpriſe Attaint

to purſue their ſuggeſtions, & to incurre the ſame paine that the other ſhould do, if he were attainted, in caſe that the ſuggeſtion be found euill. And that

Proces

then proces of the law be made againſt them without being taken or imprioned againſt the forme of the ſaid charter. An.37.E.3.ca.18. See this ſomewhat altered here 6.

Complaint

6 As to the Article made at the laſt parliament (An.37.E.3.ca.18.before 5.) of thoſe that make grieuous complaints to the king himſelfe: It is aſſented, that if he that maketh the complaint, cannot proue his intent againſt the defendant by the proceſſe limitted in the ſame article, he ſhall be cõmaunded to priſon, there to abide till he hath ſatiſfied the partie of his damages, and of the ſlaunder that he hath ſuffered by ſuch occaſion, and after ſhal make fine and ranſome to the king. And the point contained in the ſame article, that the plaintife ſhal incurre the ſame paine, which the other ſhould haue, if he were attainted (in caſe that his ſuggeſtion be found vntrue) ſhall be taken away, Ann. 38. Ed.3.cap.9.

Slaunder Fine

Attaint

7 To eſchew the miſchiefes and damage done to diuers of his commons by falſe accuſors, which oftentimes haue made their accuſations, more for reuenge and ſinguler profit, then for the profit of the king or his people, of which accuſed perſons, ſome haue beene imprioned, and others cauſed to come before the kings Counſell by writ, and otherwiſe vpon greeuous paine againſt the law. It is aſſented and accorded for the good gouernance of the Commons, that no man be put to anſwer without preſentment before Iuſtices or thing of record, or by due proces, or by writ originall, according to the old law of the land. And if any thing from henceforth be done to the contrarie, it ſhall be void in the law, and holden for error. An.42.E.3.c.3.

Accuſors

Preſentmẽt Proces Originall writ

Error.

8 When people be compelled to come before the kings counſell, or in the Chauncerie by writs grounded vpon vntrue ſuggeſtions, the Chancellor for the time being, by and by after that ſuch ſuggeſtions be duely found and proued vntrue, ſhall haue power to ordaine and agarde damages after his diſcretion, to him which is ſo troubled vnduly, as afore is ſaid, An.17.R.2.cap.6.

Chancerie

Chancellor Suggeſtion

Damages

9 For aſmuch as diuers perſon haue before this time beene greatly grieued by writs of Sub pœna, purchaſed for matters determinable by the commõ law of this land, to the great dammage of ſuch perſons ſo vered, in ſubuerſion and impediment of the common law aforeſaid: Our ſoueraigne Lord the king will that the ſtatutes thereof made ſhall be kept after the forme and effect of the ſame. And that no writ of Sub pœna be graunted from henceforth, till ſuretie be found to ſatiſfie the partie ſo grieued and vered for his dammages and erpences, if ſo be that the matter cannot be made good, which is contained in the bill. Ann.15.H.6.cap.4.

Sub pœna.

Suretie

Damages

Bill

10 It ſhall be lawfull for any of the kings ſubiects and lieges, if they themſelues perfectly knowe or by vehement preſumption may and do perceiue any will, act or condition of lightneſſe of bodie in her, which for the time being ſhall be Queen of this realm, that they may lawfully diſcloſe the ſame vnto his Maieſtie, or ſome of his councell, which they thinke wil diſcloſe the ſame vnto his highneſſe: any act, ſtatute or law made to the contrarie notwithſtanding. Prouided neuertheleſſe, that they ſhall not openly blow it abroad, not priuately whiſper it in other folks eares, whereby a ſlaunder might riſe of her, till it be diſcouered by the aſſent of his highnes or his counſel. And it is further enacted, that if any of the ſaid councell, being within the realm, do conceale it, and not diſcloſe vnto his Maieſtie or ſome of his counſell reſiant or attendant in the time on his royall perſon, by word or writing within xx. dales

Queene

Slaunder

Conceale

Miſtring xx. dales

Fork. like punishment and forfeiture as the offendors should. And in case the said Councell or any of them doe heare or perceiue any such thing, as afore is rehearsed: that then it shall be lawfull for them all, or any of them, after notice thereof giuen to the kings Maiestie, to imagine, seeke and proue all waies to their wits possible, to bring the matter and offence to true knowledge and light, And they so doing to incurre no danger of lawe or penalty: any act or statute made heretofore to the contrarie notwithstanding. An. 33. H. 8. in the end of the chap. 21. As many of these offences as were made Treason since 25. Ed. the 3. be repealed by 1. Ed. 6. cap. 12. and by Ma. 1. Sess. And as many of them as were made misprision of treason be repealed by 1. M. 1. Session, vt patet in Treason.

Collusion

Addition.

Writ Actions personals Appeales

Indictmẽts Degree Mistery Towne

Vtlagaries Void

Abate

Records

Clerks of the Chauncery

Fine Chancellor

IN euerie originall writ of actions personall, appeales, & indictments, in which the exigent shall be awarded: to the names of the defendants in such writs originall, appeales, and indictments, additions shall be made of their estate, or degree, or mysterie, and the townes, hamlets, or places, and the counties whereof they were or be, or in which they be or were conuersant. And if by proces vpon the said originall writs, appeales or Indictments in the which the said additions be omitted, any vtlagaries be pronounced, that they be clearely voide and of no force, and holden for none. And that before the vtlagaries be pronounced, the saide writs & indictments shall be abated by the exception of the party whereas in the same the saide additions be omitted.

Prouided alwaies that though the saide writs of actions personals do not accord with the records and deeds, by the surplusage of the additions aforesaide, that for that cause they bee not abated: And that the Clerkes of the Chancerie (vnder whose names such writs shall goe forth written) shall not leaue out or make omission of the said additions as is aforesaid, vpon paine to be punished, & to make a fine to the king by the discretion of the chancellor. Anno 1. H. 5. cap. 5.

Adiournement.

Iustices Common pleas Adiornemẽt

BEcause that by remouing of the common Bench, the plees there begunne haue remained without day many times to the great damage of many. Be it &c. That from henceforth the Iustices before that the common bench be remoued, be warned in time, so that they may adiourne the parties in such time that they lose not their praces. Anno 2. Ed. 3. cap. 11.

Admeaſurement of Dower.

Gardians Heire

A Writ of admeasurement of Dower shall be from henceforth graunted to a Gardian, neither shall the heire when he commeth to full age be barred by the suite of the Gardian, if he sueth against the tenant in dower feinedly and by collusion, but that he may admeasure the dower after, as it ought to be admeasured by the law of the land. And aswell in this writ as in a writ of Admeasurement of pasture, more speedie proces shall be awarded then hath bin vsed hitherto, so that when it is come vnto the great distresse, daies shall be giuen, within which two counties may be holden, at the which open Proclamation shall be made, that the defendant shall come in at the day contained in the writ, to answere to the plaintife, at the which day if he come in, the plee shall go forward betweene them. And if he do not come, and the proclamation be testified by the Sherife in manner aboue saide, vpon the default they shall proceede to make admeasurement. W. 2. cap. 7. Anno 13. Edward. 1.

Admeaſurement of paſture

Great distres Daies. Proclamation.

Sherife Default

Admeaſurement of Paſture.

Iustices Sherife

VVHere by plea moued by a writ of Admeasurement of Pasture, the pasture is some time admeasured before the Iustices, sometime before the Sherife in the countie, and it chaunceth many times after such admeasurement made, that the pasture is ouercharged againe by him that first did surcharge it, with moe beastes then hee ought to keepe, whereupon no remedie hath beene hitherto prouided. It is ordained that vpon the second ouercharge, the plaintife shall haue remedy in this manner: If the admeasurement were before the Iusticers, the plaintife shall haue a writ Iudiciall, that the Sherife in the presence of the parties being summoned (if they will come) shall enquire of the second ouercharge, which if it be found, it shall be returned before the Iusticers vnder the Seales of the Sherife and of the Iurors: And the Iusticers shall award to the plaintife damages, and they shal put into their extreates the value of the beasts which were put into the pasture after such admeasurement aboue the due number, and shall deliuer the extreates vnto the Barons of the Eschequer, that they may thereof answere vnto the king. If such admeasurement be made in the Countie, then at the request of the plaintife, a Writ shall goe out of the Chauncerie, that the Sherife shall inquire of such maner of ouercharge, and that of the beasts put in aboue the due number, or of the value of them he answere to the king at the Eschequer. And least the Sherife might defraude the king in this case: It is agreed ỹ all such writs de secunda superoneratione, that passe out of the Chauncerie, shall be inrolled, and at the yeares end the transcripts shall bee sent into the Eschequer vnder the Chauncellors seale, that the Treasorer and Barons of the Eschequer may see, how the Sherife doth answere for the issues of such writs. In the same wise the writs of Redisseisin shall be enrolled and sent into the Eschequer at the yeres end. W. 2. cap. 8. Anno 13. Ed. 1.

Writ iudiciall Sherife

Seales Iurors Damages Extreates

Eschequer

Writ

Inroll

Chancelor Treasorer

Issues Writs of Redisseisin

Admi-

Adminiſters.

Ordinaries

IN caſe where a man dieth inteſtate, the ordinaries ſhall depute the next and moſt loyall friends of the dead perſon inteſtate to adminiſter his goods which deputies ſhall haue action to demaund and recouer as executors, the debts due to the ſaid dead perſon inteſtate in the kings Court, for to adminiſter and diſpend for the ſoule of the dead, and ſhall anſwere alſo in the kings Court to other, to whom the ſaid perſon was holden and bound, in the ſame manner as executors ſhall anſwer. And ſhall be accomptable to the ordinaries as executors bee in the caſe of Teſtament. Anno 31. Ed. 3. cap. 11.

Adminiſter Deputies Executors Action

Admiraltie.

BEcauſe that the Admiralls and their deputies hold their Seſſions within diuers places of this Realme, aſwell within Franchiſe as without, accroaching to them greater power then belongeth to their office, in preiudice of our ſoueraigne Lord the king, and the common law of the realme, and in great blemiſhing of diuers franchiſes, and in deſtruction and impoueriſhing of the common people: It is accorded and aſſented, that the Admirals and their deputies, do not meddle from henceforth of any thing done within the realm, but only of things done vpon the Sea, as it hath beene duely vſed in the time of king Edward, grandfather of our Lord the king that now is. Ann. 13. R. 2. cap. 5. and ſee here 3.

Sea

2 Becauſe that the Admirals and their Deputies doe incroach vnto themſelues diuers iuriſdictions and franchiſes more then they ought to haue. Be it &c. that of all manner of contracts, plees and complaints, and of all other thinges riſing within the bodies of the Counties, aſwel by land as by water, and alſo of wrecke of the Sea, the Admiralls Court ſhall in no wiſe haue coniſance, power nor iuriſdiction: but that all ſuch manner of contracts, plees and complaints, and all other thinges riſing within the bodies of the Counties, as well by land as by water as afore. And alſo wrecke of the Sea ſhall be tried, determined, diſcuſſed, and remedied by the lawes of the land, and not before, nor by the Admirall, nor his lieutenant in no wiſe. Neuertheleſſe, of the death of a man, & of a Maihem done in great ſhips, being and houering in the maine ſtreame of the great riuers, onely beneath the bridges of the ſame riuers next to the Sea, and in none others places of the ſame riuers, the Admirall ſhal haue conuſance, and to arreſt Ships in the great flotes, for the great voyage of the king and of his realme. Sauing alwaies to the king all maner forfeitures and profits thereof comming, and he ſhall haue alſo iuriſdiction vpon the ſaid floates during the ſaid voyages: Sauing alwaies to Lords, cities, and boroughes, their liberties, and franchiſes. An. 15. R. 2. cap. 3.

Contracts Quarrels

Wrecke

Wrecke

Murder Maihem

Arreſt ſhips

Flotes

Franchiſes

3 That the ſaid ſtatute (s. An. 13. R. 2. ca. 5. before 1.) be firmely holden and kept, and put in due execution. And moreouer the ſame our ſoueraigne Lord the king, by the aduiſe and aſſent of the Lords ſpirituall and temporall, & at the praier of the ſaide commons, hath ordained and ſtabliſhed, that as touching a paine to be ſet vpon the Admiral or his Lieutenant, that the ſtatute and the common lawe be holden againſt them, and that he that feeleth himſelfe grieued againſt the forme of the ſaide Statute, ſhall haue his action by writte grounded vpon the caſe againſt him that doth ſo purſue in the Admiralls Court, and recouer his double damages againſt the purſuant, and the ſame purſuant ſhal incurre the paine of x. li. to the king for the purſuite ſo made, if he be attainted. An. 2. H. 4. ca. 11.

Common law

Action

Damages

Fort.

4 For the abridgement of appeales in ſuites of ciuill and marine cauſes, ſuffered by order of the lawes ciuill. Bee it &c. That from the laſt day of this Parliament, all and euerie ſuch Iudgement or ſentence definitiue, as ſhall be giuen or pronounced in any ciuil and Marine cauſe, vpon appeale lawfully to be made therein to the Queens Maieſtie in her highneſſe Court of Chancerie, by ſuch Commiſſioners or Delegates, as ſhall be nominated and appointed by her Maieſtie, her heires or ſucceſſors, by commiſſion vnder the halfe ſeale, as it hath beene heretofore vſed in ſuch caſes, ſhal be finall, & no further appeale to be had or made from the ſaid iudgement or ſentence definitiue, or from the ſaid Commiſſioners or Delegates, for, or in the ſame: Any law, vſage, or cuſtome to the contrarie notwithſtanding. Anno 8. Eliz. cap. 5.

Chancerie Delegates Commiſſi

Age.

IT is prouided alſo, that if any from henceforth purchaſe a writ of Nouel diſſeiſin, and he againſt whome the writ is brought as principal diſſeiſor, dieth before the Aſſiſe be paſſed, that then the plaintife ſhall haue his writ of Entre founded vpon diſſeiſin againſt the heire or heires of that diſſeiſor, of what age ſoeuer they be. In the ſame wiſe the heire or heires of the diſeiſee ſhall haue their writs of Entre againſt the diſſeiſors or their heires, of what age ſoeuer they be, if peraduenture the diſſeiſee die, before that he hath purchaſed his writ: ſo that for the nonages of the heires of the one part or of the other the writ be not abated, nor the plee delaied, but as much as may be without offending the law, let the buſineſſe be haſtned for the freſh ſuit made after the diſſeiſin. And in like manner this point ſhall be obſerued towards Prelates, men of religion, and others to whome landes or tenements can in no wiſe deſcend after others death, whether they be diſſeiſees or diſſeiſors. And if the parties in pleading come to an enqueſt, and it paſſeth againſt the heire within age, and namely againſt the heire of the diſſeiſee, that in ſuch caſe he ſhal haue an attaint of y kings ſpecial grace without giuing any thing. W. 1. cap. 46. Anno 3. E. 1.

Nouel diſſeiſin

Aſſiſe.

Freſh ſuit

Prelates

Attaint

2 If a childe within age be holden from his heritage after the death of his coſin, grandfather, or great grandfather, wherby he is driuen to his writ, and his aduerſarie commeth into the court, & for his anſwer alleageth a feoffement, or pleadeth ſome other thing whereby the Iuſtices are to award an inqueſt, whereas the inqueſt hath beene deferred vnto the full age of the infant, now the inqueſt ſhall paſſe

Infant

Feoffement

passe as if he were of full age. Glouceſt. cap. 2. An. 6. Ed. 1.

Enquest

3 Touching enquests to bee made which touch such as bee within age, the Statute (before 2.) Limitation shall runne without limitation of time. Exposition of the Statute of Glouceſter, cap. 2. Anno 6. Ed. 1.

4 Where one doth alien the right of his wife, it is agreed, ỹ from henceforth ỹ suit of the wife, or of her heire, after the death of her husband, shall not Nonage be delayed by the nonage of the heire that ought to warrant the land: but let the purchasor (which ought not to haue beene ignorant, that hee bought the right of another) tarrie vntill the age of his warrantor, to haue his warrantie. West 2. cap. 40. Anno 14. Ed. 1.

Aide to the king.

COncerning plees where the tenant excepteth, that hee cannot answer without the king: It is agreed by the Iusticers and other wise men of the kinges councell which heretofore haue had the vse and practise of iudgements, that where a feoffement Feoffement is made by the king, and the charter thereupon made, hath so much in it, that another person by a like feoffement & like deed should be bounden to warrantie, the Iustices could not heretofore haue proceeded any further without the kinges commaundement had therefore, nor yet can it be thought that they may proceede hereafter. Statut. de Bigamis cap. 1. Anno 4. Ed. 1.

2 But in certaine cases, as where the king confirmeth or ratifieth the act of another man, in another mans thing, or graunteth any thing to a man as much as in him is, or where a deed Grant is shewed forth whereby the king hath rendred any tenement, and no clause contained therein Warrantie whereby hee ought to warrantise, and in like cases, ỹ Iustices shall not surcease by occasion of such confirmation, ratification, graunt or render, or other like, but after that the same bee shewed to the king, they shall proceede without delay. Bigamis cap. 3. Anno 4. Ed. 1.

3 Concerning the Dower of women, where Dower Wards any Gardians of ỹ inheritance of their husbands haue the custodie by the gift or graunt of the king, whether such Gardians be ỹ tenants of the thing in demaund, or that the heires of such lands bee bounden to warrantie, if they except that they Warrantie cannot answere without the king, the Iustices shall not surcease, but shall proceed therein according to right. Bigamis cap. 3. Anno 4. Edwardi 1.

4 Before this time in case where a man demaunded by Petition in the Parliament certain Petition lands and tenements which bee in the kinges hands, and to the same petition it hath beene answered in the same Parliament, Chancerie, or in the kings Bench, that the king willeth that a writ bee sued out to the Treasorer and Chamberlaines of the Exchequer, to search the Charters, muniments, and other remembrances which might enable him, whereby he might bee aduised to make answere: to which writs commonly the Treasorer and Chamberlaines haue answered, that they haue searched, but not thoroughly searched, and would not answere ỹ they haue fully searched and nothing found, nor that they can finde no more but that which they haue sent, whereby by the law afore this time vsed, a man hath not had cause to put them which bee for the king to answere, and in such manner the the demaundants haue beene greatly delaied, to their great mischiefe: Wherefore it is assented, that after the foure writs be returned, whether iiij. writs of Search. that any muniment or remembrance bee found for the king or not, then in the Parliament, Chãcerie, or in the kings Bench, or in the Common Bench, they which shall sue for the king, shall be put to answere and to defend the landes and tenements so demaunded against the king, to the best that they can or may according to the lawe, so alwaies that euerie of the foure writs bee deliuered to the Treasorer and to the Chamberlaines forty xl. Daies daies, before the day of the returne. And that, by the sending of the great seale or priuie seale, no Great seale Priuie seale point of this statute shall be put in delay: Nor that the Iustices of whatsoeuer place it shall bee, Iustice shall let to doe the common law for any commandement which shall come to them, vnder the great Seale or priuie Seale. Anno 14. Edw. 3. cap. 14. Statut. 1.

Alehouses and Tiplinghouses.

ANno 11. H. 7. cap. 2. & An 19. H. 7. cap. 12. Authority was giuen vnto Iustices of Peace to put away Aleselling by their discretion, and to take suretie of other of their good behauiour, but they bee repealed by the generall words of An. 3. Ed. 6. cap. 16.

2 For the redresse of the intollerable hurts that increase through the disorders in common Alehouses and other Tipling houses: Be it &c. That the Two Iustices of peace where of one of the quorum. Iustices of peace within euerie Shire, Citie, Borough, Towne corporate, Franchise or libertie within this Realme, or two of them at the least (whereof one to bee of the Quorum) shall haue full power and authoritie by vertue of this act, within euerie Shire, citie, borough, towne corporate, franchise, and libertie, where they be Iustices of peace, to remoue, discharge and put away common selling of Ale and Beere, in the saide common Alehouses, Put away Alehouses and Tipling houses, in such Towne or Townes and places, where they shall thinke meete and conuenient. And that none after the first day of May next comming shall be admitted or suffered to keep any common Alehouse or Tipling house, but such No Alehouses admitted. as shall be thereunto admitted and allowed in the open Sessions of the peace, or else by two Iustices of the peace, whereof one to be of the Quorum. And that the said Iustices of the Peace, or two of them ij Iustices of P. one of the quorum Recognisance (whereof one to be of the Quorum) shall take bond and suretie from time to time, by Recognisance, of such as shall bee admitted and allowed hereafter to keepe any common Alehouse or Tiplinghouse, aswell for and against the vsing of vnlawfull games, as also for the vsing and maintenaunce Vnlawfull games of

of good order and rule, to bee had and vsed within the same, as by their discretion shall bee thought necessarie and conuenient. For making of euerie which Recognisance, the partie or parties that shal bee so bound, shall pay but twelue pence. And the said Iustices shall certifie ẏ same Recognisance at the next quarter Sessions of the peace to be holden within the same Shire, Citie, Borough, towne corporate, franchise, or libertie, where such Alehouse or tipling house shall bee: The same Recognisance there to remaine of Recorde before the Iustices of Peace of that Shire, Citie, Borough, Towne corporate, Franchise or libertie, vpon paine of forfaiture for euerie such recognisance taken and not certified ỹ. li. vj. s. viij. pẽce. And it is &c. That the Iustices of Peace of euerie Shire, Citie, Borough, towne corporate, franchise, and libertie, where such Recognisance shall be taken, shall haue power and authoritie by this Act, in their quarter Sessions of the Peace, by presentment, information, or otherwise by their discretion, to inquire of all such persons as shall be admitted and allowed to keepe any Alehouse or Tipling house, and that hee be bound by Recognisance as is aboue said, if they or any of them haue done any Act or Acts whereby they or any of them haue forfeited the same Recognisance. And the saide Iustices in euery Shire and places where they bee Iustices, shall vpon euerie such presentment or information awarde proces against euerie such person so presented or complained vpon before them, to shewe why he should not forfaite his Recognisance, and shall haue full power and authoritie by this act, to heare and determine the same, by all such waies and meanes, as by their discretion shall bee thought good.

And it is &c. that if any person or persons, other then such as shall bee hereafter admitted and allowed by the saide Iustices, shall after ẏ said first day of May obstinately and vpon his own authoritie take vpon him or them to keepe a common Alehouse or Tipling house, or shall contrary to the commandement of the saide Iustices or two of thẽ, vse commonly selling of Ale or Beere: that then the saide Iustices of Peace, or two of them, (whereof one to bee of the Quorum) shall for euerie such offence commit euerie such person or persons so offending, to the common Gaole within the same Shire, Citie, Borough, Towne corporate, Franchise, or libertie, there to remaine without baile or mainprize by the space of three daies. And before his or their deliuerance, the said Iustices shal take Recognisance of him or them so committed, with two sureties, that he or they shal not keep any common Alehouse or Tipling house, or vse commonly selling of Ale or Beere, as by the discretion of the said Iustices shall bee seene conuenient. And the said Iustices shall make certificate of euery such Recognisance and offence at the next quarter sessions that shall bee holden within the same Shire, Citie, Borough, Towne corporate, franchise, or liberty, where the same shall be committed or done, which certificate shall bee a sufficient conuiction in the lawe of the same offence.

And the saide Iustices of Peace vpon the saide certificate made, shall in open Sessions assesse the fine for euerie such offence at twentie shillinges. Prouided alway, that in such Townes and places where any faire or faires shall bee kept, that for the time onely of the same faire or faires, it shal be lawfull for euerie person and persons to vse common selling of Ale or Beere in Bowthes, or other places there for the releefe of the kinges subiects that shall repaire to the same, in such like maner and sort as haue beene vsed and done in times passed: This act or any thing therin contained to the contrarie notwithstanding. Anno 5. Ed. 6. cap. 25.

3 Whereas the auncient, true, and principall vse of Innes, Alehouses, and Victualing houses, was for the receit, releefe, and lodging of way-faring people, trauelling from place to place, and for supply of the wants of such people as are not able by greater quantities to make their prouision of Victuals, and not meant for entertainment and harbouring of lewd and idle people to spend and consume their money and their time in lewde and drunken manner.

Bee it therefore enacted, &c. That if after fortie daies next ensuing after the end of this present Session of Parliament, any Inne-keeper, Victualler, or Alehouse-keeper within this Realme of England, or the Dominion of Wales doe permit or suffer any person or persons inhabiting and dwelling in anie Citie, Towne Corporate, Market Towne, Millage, or Hamlet within this Realme of England, or Dominion of Wales, where any such Inne, Alehouse, or Tipling-house, is, or shall bee, to remaine and continue drinking or tipling in the saide Inne, Victualing house, Tipling house, or Alehouse, other then such as shall bee inuited by any Trauailer, and shall accompany him onely during his necessarie abode there; and other then Labouring and Handicraftsmen in Cities and Townes Corporate, and Market Townes, vpon the vsuall working daies for one houre at Dinner time, to take their diet in an Alehouse; & other then Labourers and workemen, which for the following of their worke by the day, or by the great, in any Citie, Towne corporate, Market towne, or Millage, shal for the time of their saide continuing in worke there, soiourne, lodge, or victuall in any Inne, Alehouse, or other Victualing house, other then for vrgent and necessarie occasions, to bee allowed by two Iustices of Peace: that then euerie such Inne keeper, Victualler or Alehouse keeper, shall for euerie such offence forfeit ten shillinges to the vse of the poore of the Parish where such offence shall bee committed: The same offence beeing viewed and seene by any Maior, Bailiffe, or Iustice of Peace, within their seuerall limites, or proued by the oath of two witnesses, to bee taken before any Maior, Bailife, or anye other head Officer, or any one or more Iustice or Iustices of the Peace, who by vertue of this Act shall bee authorised to minister the saide Oath to any Person or persons, that can or will iustifie the same, beeing within the limits of their said

Com-

Discretion

xii. pence. Certifie Recognisace. Q. Sessiõs.

Remaine of record.

Forfait by Iustices of peace.

Iust. of P. in their quarter sessions.

Q. Sessiõs.

Enquire Discretion.

Awarde.

Determine. Discretion.

Stubborne Alehouse-keepers.

Two Iustices of peace one of the Quorum. Commit to goale.

Without baile for 3. daies. Recognisance. Sureties.

Discretion.

Certificat.

Q. Sessiõs.

Conuiction

Iust. of P. in their sessions.

Fines x. s.

Faires.

Labourers

Forfait.

Maior. Bailiffe. Iust. of P.

Commiſſion. And bee it further enacted &c. That if any Innekæper, Alehouſe kæper, or Victualler, ſhall at anie time vtter or ſell leſſe then one full Ale quart of the beſt Bære or Ale for a Peny, and of the ſmall two quarts for a peny: That then euerie ſuch Inne kæper, Alehouſe-kæper, or Victualler, ſhall forfeit for euery ſuch offence, being duely proued in manner aboue limited, twenty ſhillings, to the vſe aboueſaid: All & euerie the ſaid penalties to be leuied by the Conſtables or Churchwardens of the pariſh or pariſhes where the offence or offences ſhall be committed, by way of diſtreſſe to be taken and deteined for the ſaid forfeitures, and for default of ſatisfaction within fiue daies nert enſuing, the ſame then to be preſently appraiſed and ſold, and the ſaid ſurpluſage or remainder ouer and aboue to be deliuered to the partie of whom the diſtreſſe was taken: And for want of ſufficient diſtreſſe, the party or parties offending, to be by the Maior, Bailife, &c. committed to the common gaole, there to remaine vntill the ſaid penaltie or penalties be truly paied. And be it further enacted &c. That if the Conſtables or Churchwardens do neglect their dutie in leuying, or doe not leuy the ſaid ſeuerall penalties, or in default of diſtreſſe or diſtreſſes from time to time, doe neglect to certifie the ſame default of diſtreſſe, by the ſpace of xx. daies then nert enſuing, to the Maior, Bailife, &c. within whoſe iuriſdiction the offence is committed: Then euerie perſon and perſons ſo offending, ſhall forfeit for euery ſuch default xl.s. to the vſe of the poore of the pariſh, where ſuch offence ſhall be committed, to be leuied by way of diſtreſſe of the offendors goods, by warrant from any one or more Iuſtice or Iuſtices of the peace, Maior, Bailife, or other head officer, within the limits of their iuriſdictions reſpectiuely, vnder his or their hand and ſeale, to be taken and deteined for the ſaid forfeitures, for the ſpace of fiue daies, then nert enſuing: Within which time, if paiment be not made, the ſame goods to be preſently appraiſed & ſold, and the ſurpluſage and remainder ouer and aboue (if any be) to be deliuered to the party of whom the diſtreſſe was taken, & for want of ſuch ſufficient diſtreſſe, the Conſtables, churchwarden, or Churchwardens ſo offending, to be by the Maior, Bailife, &c. committed to the commmon Gaole, there to remaine vntil the ſaid penalty or penalties be truely paied: For all which penalties, which ſo ſhalbe leuied by the ſaide Conſtables or Churchwardens, they the ſaid Conſtables & Churchwardens ſhall be accomptable to their ſucceſſours, and other the pariſhioners, in ſuch ſort as they vſually be in other Church reckonings, or accompts. And for all forfeitures to be leuied, by reaſon of any neglect of the Conſtables, or Churchwardens, thoſe ſhall be accomptable, who by force of any warrant or precept doe leuy the ſame, or vpon the inlargement of perſons committed, do receiue the ſame. And be it further enacted, that al other Laws and Statutes touching Inne kæpers, Victuallers, and Alehouſe kæpers, ſhal ſtil remaine in their former force, and be put in due execution. This Act to continue to the end of the firſt Seſſion of the next parliament.

Quart for a peny.

Forfeit.

Conſtables. Churchwardens.

Forfeit.

Iuſt. of peace.

Common gaole.

Accompt.

Prouided alwayes, That the correction and puniſhment of ſuch as ſhal offend againſt this Act, or anie part thereof, within either of the two Vniuerſities of this Realme, or the precincts or liberties of the ſame, ſhall be done vpon the offendors, and Iuſtice ſhall be miniſtred in this behalfe, according to the intent and true meaning of this Lawe, by the Gouernours, Magiſtrates, Iuſtices of the peace, or other principall Officers of either of the ſame Vniuerſities, to whom in other caſes the adminiſtration of Iuſtice and correction and puniſhment of offendors, by the lawes of this Realme and their ſeuerall Charters doth belong or appertaine, and that no other within their liberties for any matter concerning this Law, contrary to their ſeuerall Charters, doe intermeddle. And that all penalties and ſummes of money to be forfeited or loſt by force of this Act, within either the Vniuerſities or the liberties or precincts of the ſame, ſhall be leuied by the officers or miniſters of either of the ſaid Vniuerſities, to be from time to time in that behalfe appointed by the Vicechancellors thereof for the time being reſpectiuely: And that all powers and authorities either of impriſonment, or otherwiſe, before giuen or appointed by this Act, ſhall by the Gouernours, Magiſtrates, and principall Officers aboueſaid of either of the ſaid Vniuerſities, be duly executed and done within either of the ſaid Vniuerſities, and the liberties and precincts of the ſame, according to the true intent and meaning of this Act. Anno 1. Iac. cap. 9.

Vniuerſities.

Penalties

4. For the better repreſſing of Alehouſes, Be it enacted &c. That no perſon or perſons by himſelfe, or by any other wayes or meanes, directly or indirectly, ſhal at any time after three months nert after the end of this preſent Seſſion of parliament, ſell, vtter, or deliuer, or cauſe to be ſold, vttered, or deliuered any Bære or Ale, to anie perſon or perſons, or into the houſe or celler of anie perſon or perſons, that then ſhall ſell or vtter Bære or Ale, as a common Tipler, or Alehouſe kæper, the ſame perſon not hauing any Licence then in force to ſell Ale or Bære (other then for the conuenient vſe, and expence of his, her, or their houſhold onely) vpon paine to forfeit for euerie barrell ſold, vttered or deliuered contrary to the forme and true meaning of this Act fiue ſhillings and eight pence, and ſo after that rate for a greater or leſſer quantitie. And be it further &c. That all offences to be done, or committed, contrarie to the true meaning of this Act, and all penalties aforeſaid, ſhall be enquired of, ſued for, heard, and determined in the Seſſions of the Peace for the countie, citie, or borough, towne, or liberty, or in the court of Record of the city, borough, towne, or liberty, wherein ſuch offence ſhall be committed, by action of debt, information, indictment, or preſentment, wherein no eſſoine, protection, or wager of law ſhalbe allowed to the Defendant: And the one halfe of all which forfeitures ſhal be to the vſe of the poore people inhabiting within the city, borough, hundred, towne, or liberty, where ſuch offence ſhall be committed from time to time, and the other halfe thereof to him, or them, that will ſue for the ſame. And

Licence.

Forfeiture.

Seſſions.

Wolry.

Poore.

to the end that the ſaid one halfe of the ſaid forfeitures aboue limited to be to the vſe of the ſaid poore people, may be truely imploied and beſtowed vpon them, according to the true meaning of this Act: Be it further enacted, that the Shirife, Bailife, or other officer or perſon that ſhall leuy or receiue any ſumme or ſums of mony forfeited & recouered according to the true meaning of this Act, ſhall & may by vertue of this Act, without further warrant, deliuer the one halfe of the ſame ſumme & ſums of mony by him or them ſo leuied or receiued, to ſome one or more of the Churchwardens & ouerſeers of the poore of the ſame parith where the ſame offence ſhal be committed, to be by them & euery of them diſtributed & beſtowed amongſt the ſaid poore people, according to the true meaning of this Act: who ſhall likewiſe haue authority by vertue of this Act to diſtribute and beſtow the ſame accordingly. And be it further enacted, that euery ſhirife, bailife, &c. which ſhal leuy or receiue any ſuch forfeiture or forfeitures aforeſaid, and ſhall pay ouer the moitie and one halfe therof according to the true meaning of this Act, ſhall be thereof diſcharged againſt the kings maieſty, his heires and ſucceſſors. And be it &c. that if any ſhirife, bailife, &c. ſhal refuſe to pay ouer the moity and one half of the ſaid mony by him or them leuied or receiued, or that the ſaid Churchwardens and Ouerſeers, to whom the ſaid money ſhall be ſo paid, ſhall not from time to time within conuenient time truely diſtribute and beſtow the ſame, to and amongſt the poore people, according to the true meaning of this Act, that then euery perſon ſo offending, ſhall forfeit double the value therof, to be recouered and imployed as aforeſaid. Anno 4. Iac. cap. 4.

Churchwardens Ouerſeers of the poore

Forfeit.

✠ 5 Whereas notwithſtanding all former lawes and prouiſions already made, the inordinate and extreame vice of exceſſiue drinking & drunkenneſſe doth more and more abound, to the great offence of Almightie God, and the waſtefull deſtruction of Gods good creatures: Be it &c. That if any perſon being an Alehouſe-keeper (after ſix weeks next enſuing this preſent Seſſion of Parliament) ſhall be lawfully conuicted for any offence or offences, committed againſt any of the branches of 2. former acts of parliament, made ſithence the beginning of this preſent parliament, the one intituled, An Act to reſtraine the inordinate haunting and tipling in innes, alehouſes, and other victualling-houſes, the other intituled, An act againſt the odious and lothſome ſinne of drunkennes, that then euery perſon or perſons ſo conuicted, ſhall for the ſpace of three yeres next enſuing the ſaid conuiction, be vtterly diſabled to keepe any ſuch Alehouſe.

Alienation without licence.

Knights ſeruice Licence Tenure

NOne that holdeth of the King in chiefe by knights ſeruice, may alien the more part of his lands, ſo that the reſidue thereof be not ſufficiēt to do his ſeruice, except he haue the kings licence: But this hath not beene vſed to be vnderſtanden of the members and little parcells of the ſame lands. Prærogatiua Regis ca. 7. Añ 17. Ed. 2.

Serieanty

2 Of Serieanties alienied without the kings licence, the King hath vſed to rate ſuch ſerieanties at a reaſonable extent thereof to be made. Prerogatiue of the King ca. 7. Anno 17. Ed. 2.

Aliens.

Sea Port Okendor

THe King ordaineth, that if any of his ſubiects attempt or offend vpon the ſea, or in any port within the ſaid realme vnder the Kings obeiſance, againſt any perſon or perſons ſtrangers being vpon the ſea, or in any port aforeſaid by way of amitie, league or truce, or by force of the kings ſafeconduct, or ſafegard, in any matter, and ſpecially in attaching of any ſuch ſtrange perſon, robbing or ſpoiling of him, his ſhip, or any other manner of goods, or againſt any other perſon of his liege people, the Chancellor of England for the time being (aſwell for the deliuerance of any ſuch perſon ſo attached to be made, as for the making of reſtitution to euerie ſuch perſon ſo robbed or ſpoiled of ſhip or goods, or of the value thereof) ſhall haue authority, calling to him anie of the Juſtices of the one bench or of the other, vpon a bill or billes of complaint to him made in this behalfe, to make ſuch proces out of the ſaid Chauncery, aſwell againſt all ſuch offendors, to bring them into the Kings Chancery, there to anſwer to the parties ſo grieued in this behalfe, as againſt anie other perſon or perſons, to whoſe hands any ſuch perſon ſo attached, ſhip or goodes ſhal come, as for the deliuerance and reſtitution by them to be made of the ſame perſon, ſhip and goods, as ſhall ſeeme to the ſame Chancelor moſt expedient and neceſſary, and vpon this proces ſo made out of the ſaid chancery, the ſaid Chancelor further to proceed in this matter if the caſe do ſo require by aduiſe of any ſuch Juſtice, to make the perſon and perſons ſtrangers ſo grieued, to haue full deliuerance & reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhips and goods, and alſo of all their coſts, erpences, & loſſes made and ſuffred by them in this behalf, and thereupon to make all maner of execution vpon the ſame out of the ſaid Chancery, in ſuch forme as ſhall ſeeme to the ſaid Chancellor moſt expedient and neceſſary for ſuch deliuerance and reſtitution to be had, calling to him anie ſuch Juſtice as aforeſaid. Añ 31. H. 6. cap. 4.

Gen Dor Okendor

Safecon. duct

Robbery Ships

Chancelor

Juſt. of the benches Bill Proces

Chancelor

Ships Coſts Damages

Execution

2 No perſon not borne vnder the obedience of the king, nor made denizē, of what nation or country that he be, the which ſhall come to this realme after the feaſt of Eaſter next comming, taking vpon him to be an artificer or handycraftſman, ſhal take vp or occupy any houſe or chamber, & therein dwel or ſoiorne with any other ſtrange perſon not borne vnder the obeiſance of the king as aforeſaid, neither exerciſe nor occupy any handicraft or the occupation of any handycraftſman in this realme of England, but that all ſuch perſons, which after the ſaid feaſt of Eaſter ſhal come into this realme, euery of them ſhall depart into their owne Country againe, or elſe be ſeruants to ſuch of the Kings ſubiects only, as be expert & cunning in ſuch feats, arts, and crafts, which the ſaid ſtrangers can occupy, vpon paine of forfeiture of al their goods, which ſhall

Denizens

Artificers

Seruants

Crafts

shall come and dwell in this realme, contrary to this Act, in whose hands soeuer they shalbe found. Also that no person, not borne vnder the Kings obeisance, nor made Denizon, being artificer or handycraftesman, after the said feast of Easter, nor yet none other for him, or to his vse, shall make any cloth, or put any woll to worke to make cloth in this realme, vpon paine to forfait the same cloth or clothes made contrary to this Act. Also that all persons not borne vnder the Kings obeisance, being artificers or handicraftesmen dwelling in this realme, and all other such artificers or handicraftsmen, which hereafter shall inhabite and dwell in the same, which after the feast of the Annunciation of our Lady next cõming, shal vse, exercise, or occupy the feat of marchandizing of anie maner wares within this realm, shal sel or barter the same wares or Marchandizes in grosse, & not by retaile, in the port, towne, or place where the same artificers be or shall be dwelling, and in none other place vpon paine of forfeiture of the value of all the Wares & Marchandizes sold contrary to this Act. Also that no person not borne vnder the kings obeisance, inhabiting, dwelling, or holding any great house or chamber in this Realme, & occupying any handycraft, or being artificer or handycraftesman, after the said feast of the Annunciation of our La. next comming, shall take an apprentice, seruant, or other person to worke with him, or to his vse, vnlesse it be his sonne or his daughter, other then such as at the said feast shall be apprentices or seruants with him, except that the same apprentices or seruants so to be taken, be the kings subiects borne, vpon paine to forfait and lose for euerie apprentice or seruant taken to the contrary xx.li. The one halfe of all the said fines, forfeitures and penalties, and euery of them, to be to the King, and the other halfe to be to him or them that will seise the same, or pursue for the same by action of debt, by Bill at the common Law, by Bill or Plaint after the custome of the city or towne where such fines, forfeitures or penalties hereafter shal fall or be, and that the defendant in any such action shal not be admitted to wage or do his law, nor no protection nor essoine of the kings seruice shall be allowed for anie such defendant in the same. Prouided alwayes that this Act, or any parcel thereof, nor none other act made or to be made in the said parliament in no manner shall extend or be preiudice, disturbance, damage, or impediment to any artificer or Marchant stranger, of what nation or countrey he be, or shall be, of, or for bringing into this realme, or selling by retaile, or otherwise, any maner of bookes written or printed, or for the inhabiting within this said realme for the same intent, or to any writer, Alumen or, Binder or Printer of such Booke which he hath, or shall haue to sell by way of Marchandise, or for their dwelling within the saide Realme for the exercise of the saide occupations: This Act or any part therof notwithstanding. An 1. R. 3. ca. 9. This last Prouiso is repealed by Ann 25. H. 8. ca. 15. as appeareth in Bookes 1.

3 No maner of stranger, borne out of the kings obeisance, be he denizen or not denizen, vsing anie maner of handycraft within this realme, shal take from henceforth any apprentice, except the same apprentice be borne vnder the Kings obeisance, vpon paine to forfait for euery apprentice that he shall take contrary to this Act x. l. The one halfe thereof to be to our Soueraigne Lord the king, the other halfe to him or them that will sue for it, be it by action of debt, bill, plaint, information, or otherwise, in which suit the Defendant shall not be admitted to wage his Laive, nc any essoine, licence, or protection to be allowed. Be it &c. and vnder like paine to be forfaited and recouered (as is aforesaide) that no straunger being alien borne, and vsing any maner of handycraft within this realme from the feast of all Saints next ensuing, shall in any maner of wise vse, take, retaine or kep into his or their services any maner of Journeman or couenant seruiant aboue the number of 2. at one time, except the same Journeman or couenant seruant be born vnder the kings obeisance.

And ouer this be it &c. that all maner of persons being aliens born, vsing any maner of handycraft, be they denizens or not denizens, and inhabiting within the citie of Lond or the suburbs of the same, within the town of Westminster, the parish of S. Martins in the field, the parish of our Lady of the Strond, S. Clement of Danes without Temple barre, S. Giles in the field, S. Andrews in Holborne, the town & borough of Southwark, Shorditch, White chappell parish, S. John streete, the parish of Clerken well, S. Butolphs parish without Algate, S. Katharines, Barmonsey streete, or within 2. miles compas of the said city of London, or the parishes aforesaid, shal be vnder the search & reformation of the wardens & the felowship of handicrafts within the said city of L. with one substantiall strager being an housholder of the same craft, by the same wardens to be chosen, that is to say, euery such stranger occupying any mistery or handicraft, as is aforesaid, shal be vnder the search and reformation of the wardens, & j. substantial stranger being an housholder of the craft that they shall so occupy. And that the wardens of the said citie of euery such handicraft, with j. stranger or housholder, as is aforesaid of the same craft, haue ful power and authority by this present Act to limit & appoint to euery stranger of the mysterie and handycraft that they be of, inhabiting within the said city, suburbs, places, or precinct aboue remembred, a proper marke, without taking any thing therfore, by the which their wares, vessels & workmanships that they make may be knowne. And that the wardens of euery such handicraft & mysterie aforesaid, calling to them one straunger of the mysterie and occupation that they be of, being an housholder, shal haue ful power and authority to search, view, and reforme, aswel within the said city of London, as in all other places and limits beforesaid, all maner of wares of workmanships, made by any maner of such handycraftsmen, being aliens borne as is aforesaid. And that no stranger borne out of the kings obeisance, vsing any of the mysteries or occupations of Smiths, Joyners, or Cowpers, shal make any maner of wares, or vessels concerning

Denizen Artificer

Cloth Woll Forf.

Artificers

Marchandize Wares

Grosse Retaile Port

Forf.

Handicraft

Apprentice

Forfeit, xx. pounds Fines

Action Bill Custome

Protection Essoine

Artificers

Bookes

Writer Alumenor Binder Printer

Denizen

Handicraft Apprentice

Forfeit x.li.

Licence

Journeman

Denizen London

London

Wardens

Marke Wares Workmanship. Wardens

Search London

Smithes Joyners Cowpers

the same misteries or occupations, except that they & euery of them put to such markes to euery of the same wares and vessels, before they shall be put to sale or vse, as the wardens of their occupations, crafts or mysteries shall limit and appoint, without taking any thing therefore, vpon paine of forfeiture the double value of the same wares and vessels: The one halfe of which forfeiture to be to the King our soueraigne Lord, the other halfe to the party that first will sue for the same, by action of debt, bil, plaint, or information, in which the defendant shal not wage his law, nor any essoine shal be cast, or protection allowed. And further it is &c. that if vpon any such search or view to be made by the wardens and one stranger of any craft or mystery beforesaid, after the forme of this statute, in vessels or wares to be found in the possessiõs of the workers or owners thereof, putting the same vessels or wares to workemanship of any straunger, falsely & deceitfully made to the hurt of the Kings liege people, and so adiudged by the said Wardens and one stranger: that then such worker or owner, in whose possession the same false and deceiptfull wares shalbe found, shall forfeit the same wares: The one halfe thereof to the King our soueraigne Lord, and the other halfe thereof to the first finder thereof, suing for the same in any of the K. courts by action of Detinue, in which action the defendãt nor defendants shall not be admitted to wage their law, nor protection ne essoine be to them therein allowable. Be it &c. That all wardens and maisters of fellowships, of all and euery such handycrafts, within any such city, borough, or towne corporate within this realme, where any such wardens happen to be, and in such boroughs and townes corporate, where no wardens of handycrafts are, the bailifes or the gouernor or gouernors of the same boroughs or townes so lacking wardens, shal haue like power & authority with the bailife or bailifes of the liberties with them where any such libertie shall be, being contented so to do, to view, search, and reforme straungers borne out of the Kings obeisance, inhabiting and vsing within any such city, borough, or towne corporat, any maner of handycraft, in as large and ample manner, as the saide wardens and felowships of the said city of London may do, by vertue of this present Act. And that all straungers vsing any of the said handycrafts in any of the said cities, boroughs, or townes corporate, be bounden to do and obey in euery thing, according to the tenor of this present Act, vpon like paines and forfeitures, as is aboue remembred, to be had and recouered, in forme aboue rehearsed. Prouided alway, that if the wardens of any felowship or mystery beforesaid, bailifes, gouernor or gouernors beforesaid, wrongfully will intreate any stranger, in executing of this Act, or any thing therein contained, that the the stranger so grieued, may by authority of this act, by bill or information, complain to the lord Chancelor and Treasorer of England, or to the Iustices of Assise in the Countie for the time being, which by their examination shall haue ful power & authoritie to heare and determine the the same complaint, & to award to the party complainant such amends, as by their discretions shal be thought reasonable. Prouided also that it shalbe lawfull for and to euery of the said strangers borne out of the kings obeisance being an housholder, to haue and to retaine aswel all and euery such straungers borne out of the K. obeisance, being the time of this Parliament with him retained as Iournemen, as to haue & retaine euery such straunger being born out of the kings obeisance, being apprentice with him the time of this parliament: this Act notwithstanding. This to indure vntill the last day of the next parliament. Prouided also that this Act extend not to the Inhabitants straungers that now be, or hereafter shalbe in the Universities of Oxf. or Camb. or within the sanctuary of S. Martins le grand, within the said city of London. Prouided alwayes, that if the said wardens of the said city of London, with a stranger or gouernor or gouernors of any citie or borough corporate within this realm, refuse to mark the wares of any stranger, after that they be required so to mark, that the it shall be lawfull to the same estranger or estrangers to whom such refusall shalbe made, to sell and put to sale his said wares so required to be marked and refused: this Act notwithstanding. Prouided also that this act extend not to any other handicraft then to the crafts of ioyners, powchmakers, cowpers and blacksmiths, for or concerning the fore-said article of marking of wares of the said estrangers. Also that it shalbe lawfull to any Lord of the parliament, and euery other of the kings subiects, hauing lands and tenements to the yerly value of 100. li. to take and retaine estrangers ioyners and glasiers in their seruice from time to time, to and for the exercising with them their crafts: this Act notwithstanding. Añ 14. H. 8. cap. 2. See this Act continued in the next that here followeth.

Forfeit.

Forfeit.

Wardens

Bailifes

Liberties

London

Chancellor Treasorer Iust. of Ass.

Iournemen

Apprentis

Orford Cambridg London

Wardens

Ioyners Powchmakers Cowpers Smiths Lord of the parliament

C. li.

Glasiers

A Decree in the Starre chamber made 20. Feb. Anno 20. H. 8.

4 Where of late our true and faithfull subiectes artificers & handicraftesmen borne vnder our obeisance, inhabiting within our city of London, & the suburbs of the same exhibited vnto vs a lamentable bill of complaint, containing &c. It is ordained, adiudged and decreed, that the 27. day of Febr. in this present Terme of S. Hillary, in the 27. yere of our raigne in our Starre-chamber by &c. that is to say, that according to the Act of parliãt made the said 14. and 15. yeres of our raigne (before 3.) that no stranger artificer, borne out of our obeisance, inhabiting within any city, town or borough, or any other place within this our realm of England, from thencefoorth shal kep in his or their house or houses any maner of seruants strangers borne out of our obeisance, but only two strangers seruants, & no more at one time. And that as many of the strãgers artificers now inhabiting within any city, towne, or borough corporate, or in any other place within our said Realme, that will be apprentices or seruants, to or with any of our subiects Artificers, borne within our obeisance, exercising new or old craftes, inhabiting within our said realme, shal be suffred so to abide & dwell with them without interrup-

London

Stranger Artificer

Seruant

Apprentic

interruption, as long as they wil so continue and abide with them, and can agrée togither. And furthermore it is decréed, that it shalbe lawful to all & euery of the said strangers artificers, now being housholders within our said realme, to take as many of our subiects borne within our obeisance, to be their seruants or apprentices, in the craft that they doe exercise, as they can lawfully get. And that all the strangers artificers now being housholders within our said city of L. suburbes, parishes, or compasse thereof, expressed in the said Statutes, or within vj. miles compasse of the said parishes. And also all and singuler strangers that now be, or hereafter shall be made denizens, that do or hereafter wil inhabite within our city of L. suburbs or parishes aforesaid, or within vj. miles compasse of the same, and kéep houses, and occupy their craft, shal be contributory to & with our subiects artificers within our city of L. paying, bearing, and sustaining such charges as hereafter shal be expressed, that is to say, aswel euery of the said strangers, being of the craft & mysterie of Cordwainers housholders, as denizens that now be, or hereafter shalbe made denizens, and shal inhabite within our said city, suburbs, parishes, or vj. miles compasse of the same, shall quarterly pay to the said Maister, Wardens, and cominalty of the said craft of Cordwainers within our said Citie of L. for the time being vj. d. And euery seruant stranger of the saide occupation of the saide Cordwainers, within the said City, suburbs and precinct, not being denizen, shall quarterly pay to the said maister, wardens, and cominalty iij. d. And that al other strangers artificers and denizens of euerie handicraft & mystery, inhabiting aswell within our saide city of L. as in any other citie or towne within this our realme shall pay, beare, and sustaine all such and like charges as our subiects of like craft & mysterie borne out of our obeisance, inhabiting within the City, borough or towne of their habitation at this time doe beare & sustaine. And also all strangers artificers and denizens exercising the craft and mysterie of Cordwainers, dwelling out of our city of L. in any other city or towne within this our realm, shal pay, beare and sustain scot, tares, tallages, subsidies, prests, and all other reasonable exactions from time to time, according as the said maisters, wardens, & companies of the said crafts for the time being, shall be bounden to pay, beare, and sustaine, when anie subsidy, tare, tallage or prest, or other reasonable charges shalbe by the maior and aldermen of our said city of L. and the Mayors & Alder. of our said other cities and towns, or by common counsell of the said cities and towns, of and for any charges or payments of mony, to be paid by the cõpanies of the said crafts and citizens of any city, for anie payment to be made vnto the K. highnesse or his heires, or else to be paied for any cause concerning the cõmonwealth of any our said cities or towns, or commonwealth of the said artificers, the said strangers shall pay all the same that they shall be assessed or tared to pay, as cõtributories with the said companies being our subiects, as our said subiects shall be assessed & tared to pay. And if any of them deny or refuse the same, or any part thereof, then he or they denying & refusing so to doe, shall not onely lose the benefite of this decrée, but also shall not any longer occupie any handicraft, vpon the paines, dangers, and perills specified in the aboue remembred acts & statuts. And that aswel al and euery of the said housholders strangers afore said, as al other strangers artificers, made or to be made denizens, that shalbe housholders, & inhabit & occupy any craft within our said city, suburbs or vj. miles compas of the same, as long as they shall remain & abide within the said city, suburbs, & vj. miles compas of the same, being reasonably required & warned by the wardens, and other persons gouernors in any city, towne, or borough corporate of their said crafts, within any of our saide cities or towns corporat, or by any of them for the time being, or by their lawful deputy or deputies, shal go with the said wardens or other gouernors there as no wardēs be, to make search, according to the aboue remēbred Actes of parl' made in the 14. & 15. yéars of our raign, which if they refuse to do, and that proued before the Chancelor of England, or before the Maior of L. and in other cities before the chief persons of the said cities or towns for the time being, that then the same housholder or housholders so offending, denying, or refusing the same, shall no longer the same his occupation, exercise or vse within this our realme, vpon pain, perill, and danger, expressed in the afore remembred acts and statutes. And that the same strangers artificers, denizens or not denizēs, housholders, which will remaine & abide within our said realm, shal vpon lawful notice to thē giuen by the Maister or wardens of their craft, or one of them, personally present themselues in the common hal or méting place of their said crafts, within our said cities & townes, there as they be inhabiting, and then & there euery of them to receiue & take their othes & be sworne vpon the holy Euangelist before the said M. and wardens of their said craft or mystery, within our said city and towns corporate, to be faithful and true to vs, and to our heirs kings of Engl. and to be obedient to vs & them, and to our and their laws, and to al acts, ordinances, and decrées made & confirmed by vs and our Counsel, or by our counsel, & duly and truly at all times when they shal be appointed by the wardēs of their fellowship, craft, or mystery for the time being or their deputies, to make search with thē, according to the purport, tenor, or effect of a Statute or Act of parl' made in the 14. and 15. yéere of our raigne, and haue warning & monition therof by the wardēs or any of them, or any other their sufficiēt deputy or deputies in that behalf to them made and giuen. And that they shall be ready to go with the said wardēs to make the same search, and that they shall not giue notice to anie stranger of the same search, vntil they with the same wardens come together to make the saide search, & that they shall wel, indifferently & truly behaue thē in the same, letting al affection, fauor, malice, and dread of any creature, & all fraud and deceipt

Apprentice

London

6. Miles.

Denizens

Cordwainers Denizen

Wardens

vj. 6. Cordwainer

iij. 6.

London

Tares Tallages Subsidies

Mayor

Denizens

Wardens

Refuse Chancelor

Mayor

Artificer Denizen

Othes

Lawes Decrees

Wardens

Search

apart, so help them God and all Saints, and by the holy Euangelist. And their Oath so receiued in forme aforesaid, the said strangers shal pay for their admission, according as our saide subiects haue alway vsed to pay. It is also further decreed that no Stranger, Artificer or handicraftesman, borne out of our obeisance not being Denizens, which at the day of the making of this Decree is not a housholder within this our realme, or keepeth any shop or shops within the said Citie & suburbs, or any other city, towne, or borough within this our realm, shal from that day forward, set vp or keep any house, shop or chamber within our city of Lõdon, suburbs or parishes before rehersed, or within any other City, towne, borough or village within this our realm, wherein he shal exercise and practise any handycraft or mystery, vpon pain to incurre & run in such penalties as be conteined in the statuts before this time made & enacted. And that none of the said strangers, artificers, or handicraftesmen, borne out of our obeisance, aswel denizens or other, shal assemble in any company, felowship, congregation, or conuenticle, but only in the common Hall of their crafts with our subiects which be of the cõpany of their said craft or crafts, at such time as they shalbe cõmanded & warned by the maister and wardens of the said craft or crafts, and at none other place or time, nor in any other maner, vpon pain afore expressed. Prouided alway that this decree & euerie part therof concerning the mystery of Cordwainers, shall extend aswel to them that worke old stuffe as new, within our city of London, the suburbs of the same, or in any other city, towne, borough or village within this our realme of England. Prouided also, that notwithstanding any words comprised in this decree, the strangers artificers, denizens or not denizens, inhabiting in the Vniuersities of Oxf. and Camb. and within the sanctuary of S. Martins le grand within the city of London, shal inioy al the benefits & aduantages reserued vnto them by reason of any prouision made by Act of parliament expressed in the stat made in the 14. & 15. yere of our raigne, so that the said strangers denizens or not denizens, inhabiting within the said sanctuary of Saint Martins le grand, be conformable to such direction & order as shall be taken by the reuerend Father in God Cutbert B. of London, sir Richard Broke knight chief baron of our eschequer, John Moyle knight, one of the Iustices of our bench, sir John Mancy, & sir Joh. Alien knights, to whom we haue of late directed our letters pat, & by the same giuen them power and authority, & commaunding them and euerie of them to cause the house of euerie stranger and denizen artificer inhabiting & dwelling within the said sanctuary, to be serched & viewed how many seruants he or they keepe, borne out of our obeisance, and they being all viewed & seene, then to appoint to euery of the said strãgers housholders, inhabiting within the said sanctuary, by them in forme aforesaid, so tried, to be within the bounds & limites of the said sanctuary, such number of seruants strangers, borne out of our obeisance, as they by their discretion shall thinke conuenient and sufficient, and not to be to any detriment vnto our subiects inhabitants within our said city. Also commanding in our name al & euery the said strangers denizens housholders, that they from hencefoorth do not keep within their houses, or in any other houses, shop, or chãber, within the said city of L. or the suburbs of the same, anie moe seruants being borne out of our obeisance, then shal be to them at that time by them appointed, as they wil auoid the danger & penalty of our lawes, and what they haue done in the premisses that they do certifie to vs and our Counsel in our Starrechamber at Westm. at the rv. day of Easter nert comming. In witnes whereof we will aswell the said decree, as all other the premisses shall be exemplified vnder our Seale.

Admission
Artificer Denizen
Shops
London
Handycraft
Denizen Assemblies Conuenticls
Wardens
Cordwainers
London
Vniuersity
London
Sanctuary
Bishop of London
Seruants
Denizen
London Seruants

The Act vpon the said Decree.

The said order and decree, had, giuen and made by our soueraigne lord the King, his most honourable counsel, and al and euery thing therein contained, specified, & declared, be holden & obserued firme and stable, & duely to be put in execution in euery point and article, in maner and forme as aboue rehersed, according to the purport, effect, and true meaning of the same. And be it &c. that the Act made in the parliament &c. in the 14. yere of the raigne of our said soueraigne L. the king that now is &c. ca. 2. (before 3.) concerning strangers artificers, for taking of apprentices, iornemen, & couenant seruants, and euery article & prouision contained in the same Act shal be from hencefoorth put in due execution according to the true intent, meaning & purport of the same aswell within the said city of Lon. as in all other cities, boroughs & towns corporate within this Realme, & the same to indure perpetually, any thing contained in the said act or decree to the contrarie notwithstãding. Prouided alwayes, that no artificer aliant or strãger, borne out of the kings obeisance being a housholder, or inhabiting within any of the vniuersities of Oxf. and Camb. or within the sanctuarie of S. Martins le grand within the city of L. shall from hencefoorth haue and retaine in their seruice, iournemen or apprentices being aliens or strangers borne aboue the number of v. persons at one time, vpon paine of the penalty contained in the said Act, made in the said 14. and 15. years of our said soueraigne Lord. The prouisions contained or specified in the same Act notwithstanding. An 21. H. 8. cap. 16.

Apprentices Artificers Iourneman
London
Artificer
Vniuersity
London Iourneman Apprentice
v. persons

5 Euery person or persons whatsoeuer they be, borne out of this Realme of England, out of the kings obeisance made or hereafter to be made denizens do pay your grace and to your heires, and to all and euery other person or persons of what estate degree or condition he or they be, and to all and singuler officers and ministers of cities, boroughs, and towns within this Realme of England, and to euerie of them, all such Subsidies, customes, tolles, dueties, and other summes of money for their wares, Marchandises, and other goods whatsoeuer, by whatsoeuer name or names

Denizen
Subsidies Customes Marchandise

Tolles

names the ſaid ſubſidies, cuſtoms, tolles, duties, and other ſummes of money, or anie of them bee named or called, as they ſhould or ought to haue payed before they were denizens, anie graunt or graunts to them made, or hereafter to bee made, or any act or acts, ſtatute or ordinance to the contrarie made or had notwithſtãding. Prouided alway that all and ſingular Officers and Miniſters of euerie Citie, Borough or Towne, wherein any ſuch cuſtomes, tolls, duties or ſums of mony ſhal be demãded, as is aboueſaid, on this ſide the feaſt of pẽtecoſt nert cõming ſhal ſet vp or cauſe to be ſet vp in open place & places of euerie ſuch citie Borough or Towne a table or tables by which the certainty and verie duty of euery ſuch cuſtom, toll, & dutie, or ſum of money of ſuch wares and Merchãdiſe to be demanded or required as is aboue rehearſed, ſhall and may plainely appeare and be declared, to ẏ intent that nothing be exacted otherwiſe then in old time hath bẽn vſed and accuſtomed, vpon paine of euerie citie not doing the ſame, to loſe v.li. and euerie towne corporate to loſe xl.s. for euery month, that the ſame table ſhall faile to bee ſet vp, after the ſame feaſt, ẏ moitie of which forfaiture to bee to the king our ſoueraigne Lord, and the other moitie to the partie that will ſue for the ſame, by writ, bill, plaint, or information, in which action ẏ defendant ſhall haue no eſſoine, wager of lawe, ne protection allowed. Prouided alway and bee it inacted by the authoritie aforeſaid, that this act, ne any other act or acts made or to be made in this preſent Parliament, concerning the premiſſes, bee not in any wiſe preiudiciall or hurtfull to the Marchants of the houſe of Almaine, nor to any of them hauing the houſe within the citie of London, commonly called Guildhal Theutonicorum, otherwiſe called the Merchants of the Stilliard in London, nor to their goods or other Merchandiſes, by whatſoeuer name or names, they or any of thẽ bee called but ẏ they & euery of thẽ ſhal haue & inioy all ſuch liberties, Franchiſes, Cuſtoms and priuileges, as they had the firſt day of this preſent Parliament: any thing or things ſpecified in this act or in any other act or acts, made or to be made in this preſent Parliament notwithſtanding. Prouided alway that the tables ſo to bee ſet vp in the Citie of London, touching Scauage within the ſame, ſhall firſt be viewed, examined and approoued by the Chancellour and Treaſorer of England, the Preſident of the kings Councell, the Lord priuy Seale, the Lord Steward of the kinges moſt honorable houſhold, and the two chiefe Iuſtices of the kings Bench, and Common place for the time being, or by foure of them at the leaſt, and by them ſubſcribed. An. 22. H. 8. cap. 8.

Denizens

Cuſtomes

Tables

Foꝛf.

Marchants of Almain.

Stilliard

Cuſtomes.

Tables Scauage

Chancellor Treaſorer

Iuſtices of both benches

6 All manner of Eſtrangers borne out of his graces obeyſance, which heeretofore haue beene made denizens, or that hereafter ſhall bee made denizens, from and after the firſt day of September next comming, ſhall bee bound and obedient by and to all the foreſaid Acts and eſtatutes (s. Anno 1. R. 3. cap. 9. (before 2.) Anno 4. H. 8. cap. 2. (before 3.) And Anno 21. H. 8. cap. 16. (before 4.) and to all the contents of the ſame, and to all other acts and ſtatutes of this Realme heeretofore made now being in their force, and not repealed, any letters patents or ordinances heretofore made, or heereafter to be made to the contrarie therof in any wiſe notwithſtanding. And that alſo in all and euerie letters pattents, of, or for the making of any denizen from & after the laſt day of this preſent parliament, to be made to any ſtranger, not being borne vnder the kings graces obeyſance ſhall be contained a Prouiſo: that he or they to whome ſuch letters patents ſhall be ſo made & granted, ſhal be bounden & obedient by & vnto all the acts & eſtatutes of this Realm as is aforeſaid, & to al and euerie the contents of the ſame, except it ſhall be the kinges moſte gracious pleaſure to grant to any ſuch alien, any ſpecial libertie or priuiledges, more or otherwiſe then is contained in ẏ ſaid eſtatuts, & in ẏ caſe all ſuch liberties & priuiledges ſo to be grãted to any ſuch alien, cõtrary to the forme of any of ẏ ſaid eſtatuts ſhal be plainly, wholy, & particularly expreſſed, ſpecified & declared by ſpeciall words, aſwell in the bill aſſigned with the kings graces hand, for obtaining of any ſuch grant, as in ẏ letters patents to be made out of the Chauncery for & concerning the ſame.

Letters P.

Denizen

Letters.

Libertie Priuiledge

Bill

Letters P.

And furthermore be it enacted by the authority aforeſaid, that no Alien nor ſtranger, denizen or not denizen, vſing any handicraft, being borne out of the kings graces obeyſance, inhabiting within the vniuerſities of Oxford or Cãbridge, or within the precinct of S. Martins le grand in London or within any other ſuch like places priuiledged, ſhall from the feaſt of S. Michael the Archangell nert comming, retaine, haue or kẽpe in their ſeruice any apprẽtice, iourneman, or ſeruant, beeing aliens borne out of the kings obeyſance, aboue the number of two perſons at one time, vpon paine & penaltie contained in the ſaid act, made in the ſaid xiij. & xv. yeres of his graces raign: any act or prouiſo heretofore made to the contrary in any wiſe notwithſtanding.

Denizen

Vniuerſitie

Apprentice Iourneman

And that it be alſo inacted by the authoritie aforeſaid, that euerie alien and ſtranger borne out of the kings obeyſance, not being denizen, which now or hereafter ſhall come in, or to this realme, or elſewhere within the kings dominions, ſhall after the ſaid firſt day of Septem. nert comming, be bound by and vnto the lawes & ſtatutes of this realme, & to al & ſingular the contents of the ſame. And that none of the kings ſubiects ſhall retaine or kẽpe togẽther at one time in his houſhold ſeruice or family, aboue the number of 4. ſtrangers, borne out of the kings obeyſance: nor ẏ any alien being denizen, & vſing no handicraft, ſhall retaine or kẽp in his houſhold ſeruice or family together at one time, aboue the number of 4. ſtrangers, vpon paine that the offendor & offendors contrary to this article, ſhall loſe & forfaite for euery ſtranger borne out of the kings obeiſance retained & kept aboue that number x.li. The moity of al which forfaitures ſhal be to the kings highnes, his heirs & ſucceſſors, & the other moity thereof to ſuch perſon or perſons as wil ſue for the ſame by original writ, bill, plaint or information in any of ẏ kings Courts, in which ſuit none eſſoine, protection or wager

Denizen

Denizen Handicraft

Paine

Foꝛf.

x.li.

Voit

wager of law shall be admitted or allowed. Prouided alway that this act nor any thing therin cõtained, shall be hurtfull or preiudicial to such proclamation as the kings Maiestie hath published & proclaimed for and concerning the paiment of custome for strangers, granted by the gwdnes of his Maiestie, to indure for certaine yeares, but that the same proclamation shall abide, be, and remain in the same plight & strength that it is, & as if this act had neuer bëne made, any thing in this act to the contrarie thereof notwithstanding. Prouided also that euerie Lord of the parliament may keepe the number of di. strangers borne out of the kings obeisance together at one time: any thing in this act to the contrarie notwithstanding. And it is further enacted by authoritie aforesaid, that all leases of any dwelling house or shop within this Realme, or any the kings dominions made to any stranger artificer, or handicraftsman, borne out of the kings obeysance, not being denizen, frõ & after the said feast of S. Michael the Archangel next comming, shall be void & of none effect. And that no stranger Artificer or handicraftesman, borne out of the kings obeisance, not being denizen, shal after the same feast take any lease of any dwelling house or shop, win this realme or in any other the kings dominions, vpon paine to lose & forfait for euerie time doing contrarie to this Acte C.s. And that no person after the same feast shall grant or let to farme any dwelling house or shops to any such stranger, artificer, or handicraftsmen, not being denizens, to the intent to dwell or inhabite in the same, vpon like paine of 100.s. The moitie of which paine and forfaitures to be to the king our Soueraigne Lord, and thother moitie to such as will sue for the same in maner & forme, as in this act is aboue expressed. An. 32. H. 8. ca. 16

Proclamation. Custome Lord of the Parliamẽt bi. Strangers Leases Artificer Denizen Void. Artificer Denizen Lease Forf. C.s. Grant Forf. Moitie

Amendments.

By the misprision of clerks in any place wheresoeuer it be, no proces shall be annulled or discontinued by mistaking in writing one letter or one sillable too much or too little, but as soon as the thing is perceiued, by challenge of the partie, or in other manner, it shall bee hastily amended in due forme, without giuing aduantage to ỳ party that challengeth the same, because of such misprision. An. 14. Ed. 3. cap. 6. Statut 1.

Mispriſion Proces Letter Sillable

2 Whereas for to take away the diuersities of opinions vpon the statute of 14. E. 3. (before 1.) it was enacted 9. H. 5. cap. 4. That the Justices before whom such plee or record is made or shall bee depending, aswell by adiournement as by way of error or otherwise shal haue power & authority to amẽd such record & proces aswel after iudgement giuen, as before by force of the said statut made in the time of the said king Edward, which ordinance should endure til ỳ next parliament, which should be first holden after the returne of the said king H. the father into Engl. frõ beyõd the sea, & which now is determined by the death of the said late king H. the father: Our Soueraigne Lord the king, by the aduise & assent aforesaid, hath ordained, and established, that the saide statute and ỳ effect of the same, made the said 9. yere, shal hold strength, force and effect, in euery record and proces of the same, aswell after iudgement giuen vpon a verdict passed, as vpon a matter in law pleaded, as a statute auaileable and effectuall in lawe to endure for euer. Prouided alwaies that this statute doe not extend to records & proces to the parties of Wales, nor to the records or proces whereby any person is or shall be outlawed at any mans suit. An. 4. H. 6. ca. 3. See hereafter 4.

Justices Adiornemẽt Error Record Proces

3 For error assigned or to bee assigned in any record, proces, or warrant of Atturney, originall writ, or iudiciall, panel, or returne, in any places of the same raised or interlined, or in any addition, subtraction, or diminution of words, letters, titles, or parcell of writs found in any such record, proces, warrãt of atturney, writ, panel, or return, (which rasings, enterlinings, addition, subtraction or diminution, at ỳ discretiõ of ỳ kings Iudges of the Courts and places, in which the said records & proces by writ of Error or otherwise bee certified doe appeare suspected) no iudgement nor Record shall be reuersed nor annulled. And that the kings Iudges of ỳ Courts & places, in which any record, proces, word, plee, warrant of atturney, writ, panell or returne, which for the time shall bee, shall haue power to examine such record, proces, word, plee, warrant of Atturney, writ, panell, & return, by them & by their Clerks, & to reforme & amend in affirmance of the iudgements of such records & processes, all that to them in their discretion seemeth to bee misprision of the clerke, in such records, processes, word, plee, warrant of Atturney, writ, panel, and returne, except appeales, indictments of treason, and of felonies, and the outlagaries of the same, and the substance of the proper names, surnames, & additions left out in originall writs, and writs of Exigend, according to the statute another time made the first yeare of king Henry, father to our Soueraigne Lord the king that now is, (which see before addition 1.) & in other writs containing proclamation, so that by such misprision of the Clerke, no iudgement shall be reuersed nor annulled. And if any record, proces, writ, warrant of atturney, returne or panell bee certified defective, otherwise then according to the writing which thereof remaineth in the Treasorie, courts, or places, from whence they be certified, the parties in affirmãce of the iudgements of such records, & proces, shall haue aduantage to alleage variance betwixt the same writing & the said certificat. And that found and certified that same variance shall be by ỳ said Iudges reformed and amended according to the first writing. And moreouer it is ordained, that if any record or parcel of the same, writ, returne, panell, proces, or warrant of atturney in the kinges court of Chancery, Exchequer, the one Bench or the other, or in his Treasorie, be willingly stolne, taken away, withdrawn or auoided by any clerk or other person, by cause whereof any iudgement be reuersed, that such stealer, taker away, withdrawer, & auoider, their procurors, councellors, & abbettors, being therof indicted, & by proces thereupon

Record Proces Iudgement Verdict Males Outlawe Error Proces Warrant atturney Writ Pannel Returne Interlining Addition Subtraction Rasing Reforme Mispriſion Appeales Indictment of Treaſon Proper names. Surnames Additions Proclamation Certifie Treaſorie Variance Reforme Chancerie Exchequer. Treaſorie Stolen Indicted Confeſſion

vpon made therof duely conuict by their owne cõfession, or by enquest to be taken of loyall men, whereof thone half shalbe of the men of same court of the same Courts, and the other halfe of other, shal be iudged for felons, and shall incurre the paine of felony, And that the Iudges of the said Courts, of the one bench, or of the other, haue power to heare and determine such defaults before them, and therof to make due punishment, as is aforesaid. Prouided alwayes, that if any such Record, proces, writ or warrant of atturney, panell or returne, or parcell of the same, be now or hereafter shall be exemplified in the Kings Chauncery vnder the great Seale, and such exemplification there enrolled of Record, without any razing in the same place, in the exemplification, and in the inrolment of the same, that then for any errour assigned or to be assigned in the said record, proces, writ, warrant of atturney, panell, or returne, in any letter, word, clause, or matter of the same, varying, or contrarie to the said exemplification & the inrolment, there shalbe no iudgement of the said Records and Proces reuersed nor annulled. Anno 8.H.6.cap.12.

Felony

Heare and determine

Record Proces Writ Warrant

Exemplified Great seale Razing

4 The Kings Iustices before whom any misprision or default shalbe found, be it in any records and proces, which now be or shalbe hanging before them, aswell by way of Error as otherwise, or in the returnes of the same made or to be made by shirifes, coroners, bailifes of franchises, or any other by misprision of the clerks of any of the said courts of the king, or by misprision of the shirifes, vndershirifes, coroners, their clerks, or other officers clerks, or any other ministers, in writing one letter, or one sillable too much or too little, shall haue power to amend such defaults and misprisions by their discretion, and by examination thereof by the saide Iustices to be taken where they shall thinke needfull. Prouided that this statute do not extend to the records and proces in the parts of Wales, nor to the processes and records of outlagaries of felonies and treasons, and the things depending vpon the same, Anno 8.H.6.ca.15. See before 2.

Misprision Records Proces

Error Returne Shirifes Coroner Bailifes Vndershirifes Clerkes

Letter Sillable

Wales Outlagaries

Amercements.

A Free man shall not be amerced for a small offence, but after the quantity of the offence. And for a great offence, after the maner thereof: sauing to him his tenement or freehold. And a merchant likewise shalbe amerced: sauing to him his marchandise. And any others villeine then ours, shalbe likewise amerced: sauing his wainage, if he fall into our mercie. And none of the said amerciaments shalbe assessed, but by the oth of good and loyall men of the vicinage. Earles and Barons shall not be amerced but by their equals, and after the quantity of their trespas. No man of the church shalbe amerced after the rate of his spirituall benefice, but after his lay tenement, and after the quantity of his trespas. Magn Ch.ca.14. Añ 9.H.3.

Freeman

Freehold Marchant Marchandise. Villeine Wainage

Othr Earles Barons Peeres

Spirituall persons

2 No escheator, commissioner or iusticer specially assigned to take certain Assises, or to heare and determine certaine matters, from henceforth shall haue power to amerce for default of the common summons, but only the chiefe Iustices, or the Iusticers in Eire in their circuits. Marlb.ca.18. Añ 52.H.3.

Escheator Commissioner. Iust. of Ass.

Sommons Dyer and determiner

3 No city, borough, towne, nor any man be amerced without reasonable cause, and according to the quantity of his trespas, that is to say, euery freeman sauing his freehold, a marchant sauing his marchandise, a villeine sauing his gainure, & that by his or their equals. West.1.ca.6. Añ 3.Ed.1.

City Borough Towne Freehold Freeman Marchant Villein Gainure Peeres

Annates and First fruits.

In the parliament begun Añ 21.H.8. and ended Añ 27.H.8. there was an act made not printed, against Annates and First fruits to be paied to the Pope by Archbishops & Bishops. And after Añ 25.H.8.ca.20. the former act was confirmed, and also further things enacted against the saide Annates and First fruits, and also an order appointed for the electing and consecrating of Archbishops and Bishops within this realme. But Añ 1.& 2. Ph.& M. cap.8. the said two Acts were repealed, and after reuiued Añ 1.Eli. which act of Añ 25. is in Rome 2.

Pope Archbishops Bishops

Consecration

Repealed

Apparance.

Because that diuers of the Kings liege people before this time haue ben outlawed & greatly vexed & molested in diuers suites, aswell before the King in his bench, as in the common bench, in the records of which suits the entries haue ben made, that the plaintifes in the same suits, obtulerunt se in propria persona sua, where the same plaintifes neuer appeered to such suits, nor neuer had knowledge of the same, to the great mischiefe of the saide liege people, if remedy be not prouided in this party. Our said soueraigne Lord the King, willing in this case to prouide cõuenient remedy, hath ordained & established by authority of this present parliament, that no maner Filizer, Erigenter, nor none other officer from hencefwrth shall make such entry in any maner suit except that the plaintif in the same suit, before that such entry be made, do appeer in his proper person before some of the saide Iustices of the place where the plee is or shal be depending, And there he shalbe sworn vpon a booke, that he is the same person in whose name the same suit is sued, or that some other credible person of the K. Counsell make such oathe for him. And this ordinance shall endure til the next parliament. Añ 10. H.6.ca.4. This Act is made perpetual, as appeareth by the next here 2.

Filizer Erigenter Officer

Entry Plaintife Appeare Iustices

Sworne

Suit

2 The said statute (of Añ 10.H.6.ca.4. before 1.) be affirmed, holden & kept to endure for euer. And that no Officer contained in the said Statute shall do to the contrary of the same, vpon paine of forfeiture of 1l. ſ. to the K. euery time that he of that shalbe attainted by due examination, made by anie of the Iustices of the same place, before whom any entry or record is, and that euery Atturney which hath not his Warrant entred of Record in all his suits, wherin proces of Capias & Exigent be awardable, the same term in the which the Exigent is awarded or before, & vpon that be attainted by like examination, for euery time that he so offendeth, he shal incurre the paine aforesaid. Añ 18.H.6.ca.9.

Officer

Forfeit.

Iustices

Atturney Warrant Proces Exigent Capias

Attaint

Paine

Appa-

Apparell.

Cloth Furres Repealed

ANno 11. Ed.3.cap.2.& 4. Cloth made out of the Realme, and Furres were forbidden to be worne, but it is repealed, vt patet infra 4.

2 Anno 37.Edw.3. cap. 8,9,10,11,12,13,& 14. certaine Actes were made for Apparell, but they were repealed by 38.Ed.3.cap.2.

3 Anno 3.Ed.4.cap.5. and Anno 22.Edw.4. cap. 1. seuerall actes for Apparell were made, but they were after repealed by 1.H.8. cap.4. and by 24.H.8.cap.13. vt patet infra 4.& 5.

4 Anno 1.H.8.cap.14. A long Act was made for Apparell, and thereby all former Actes for Apparell made void and repealed, and after, Anno 6.H.8. cap. 1. a long act was made for Apparell, but it was repealed by an other long acte made for Apparel, Anno 7.H 8.cap.7. And after that acte of 7.H.8. was repealed by another long acte made for apparell, 24.H.8.c.13. And after that another act for apparell was made 1.& 2. Phil.& Mar.ca. 2. But both these actes, and all other acts heretofore made concerning apparell are repealed 1.Iacob.cap.25.

5 Anno 5.Eli.cap.6. An act was made against the selling of forraine ware, concerning apparell, otherwise then for readie money, To endure to the end of the next Parliament, and so now it is expired.

¶ Appeales.

Imprison. Women

NO man shal be taken or imprisoned vpon the appeale of any woman, for the death of any other then of her husband. Magna Charta c.34.Añ 9.H.3.

Outlaw

2 Forasmuch as it hath bin vsed in some countries to outlaw persons being appealed of commaundement, force, aide and receipt, within the same time that he which is appealed for the deede is outlawed: It is prouided and granted by the king, that none be outlawed vpon appeale of commandement, force, aide, or receipt, vntill he that is appealed of the deed be attainted, so that one like law be vsed therein through the realme: Neuertheles, he that will sue appeale, shal not, by reason of this, intermit or leaue to commence his appeale at the next county, aswell against them, as against them which be appealed of the deed, but the Erigent against them shall remaine, vntill such as be appealed of the deede be attainted by outlawrie or otherwise. West. 1.cap.14. Anno 3.cap.1.

Outlawed Commaundement Force Aide Receit

Erigent

Attaint Outlawrie

3 It is prouided also, that no appeale shall be abated so sleightly as they haue bene heretofore, but if the appealor declare the deede, the yeare, the day, the houre, the time of the king, and the towne where the deed was done, and with what weapon he was slaine, then the appeale shall stand in effect. And an appeale shall not be abated for default of fresh suit, if the party sue within the yeere and day after the deed done. Glouc' ca.9.Anno 6.Ed.1.

Abate

Yeare Day Houre Time Towne Weapon Abate Fresh suit

4 Because that many doe maliciously procure false appeales to be sued by appealors of no substance. Be it &c. That when any being so appealed of felony surmised vpon him, doth acquite himselfe in due maner, either at the suite of the appealor, or of the king, the Iustices before whom the appeale shall be heard and tried, shall punish the appealor by a yeares imprisonment, and the appealors shal neuertheless restore to the parties appealed their damages, according to the discretion of the Iustices, hauing respect to the imprisonment and trouble that the party hath sustained by reason of such appeales, and to the slaunder and infamy that they haue incurred by the imprisonment, or otherwise, and shall neuertheless be grieuously raunsomed towards the king. And if the appealor be not able to recompence the damages, it shall be inquired by whose abetment and malice the appeale was commenced, if the party appealed desire it. And if it be found by the same Enquest that any man is abettor through malice he shall be at the suit of the party appealed, distrained by a iudiciall writ, to come before the Iusticers. And if he be lawfully conuict of such malitious abetment, he shalbe punished by imprisonment, and shall pay damages, as before is said of the appealor, West. 2.ca.13.Anno 13.Ed.1.

Felony Acquite

Iustices

Imprison.

Damages Iustices

Slaunder

Fine

Abbetment

Writ.

Conuict

Imprison. Damages

5 The kings pleasure is, that theeues and appealors (whensoeuer they will) may confesse their offences vnto priests, but let the confessors beware that they informe not such appealors erroniously, Articuli Cleri ca.10.Anno 9.Ed.2.

Theeues Confession Priests

6 Whereas certaine Iustices of late were assigned to take Assises in all Shires of the Realme, and also to deliuer the gaoles of the same Shires, at euery of their commings after the taking of such Assises, as more plainely is contained in a statute made by the King thereupon. Our Soueraigne Lord the King, at his parliament at Westminster the 28. yeare of his raigne, for more sure obseruation of his peace, and for felonies to be more quickly punished, and prisoners to be soner deliuered, hath granted, ordained, and prouided, that whosoeuer be appealed by prouors being in the prisons, which the same Iustices do deliuer (whersoeuer in our realme that such appealees be dwelling or lurking) that immediatly it shall be commaunded to the shirife in whose liberty the party so appealed is conuersant or may be found by the kings writ vnder the testimony of the same Iustices, that he doe take such persons appealed, and cause them to be brought to the gaoles where the appealors be kept that appealed them, and shall answer there before the same Iustices. And if they that be appealed will put themselues vpon the Country, it shall be commaunded in like manner by a Iudiciall writ, by the same Iustices to the shirife, in whose liberty the felonies were done, of which they are appealed, that he shall cause an Enquest of the Countrey to come before the same Iustices vnto the same place where the appealors be kept vnto a certaine day. And the shirifes and other (in whose keeping such appealors be detained) shall receiue without contradiction those that be appealed by such prouors, where the parties appealed be taken in forme aboue said, and brought to the same appealors, Statute of Appeales, Añ 28.Ed.1.

Iustices Assises Gaoles

Peace Felonies Prisoners

Prouors Iustices

Shirifes

Writ

Gaoles

Iustices Country

Shirifs

Enquest

7 Because of diuers great inconueniences and mischiefes

miſchiefs that haue happened diuers times by reaſon of diuers Appeales made within the Realme. It is &c. That from henceforth all the appeales to be made of things done within the Realme, ſhalbe tried & determined by the good lawes of the realme, made and vſed in the time of the Kings noble progenitors. And that all the appeales to be made of things done out of the Realme of England, ſhall be tried and determined before the Conſtable and Marſhall of England for the time being. And moreouer it is accorded and aſſented, that no Appeales be from henceforth made, or in any wiſe purſued in the parliament in any time to come. Anno 1. H. 4. cap. 14.

Conſtables Marſhals

¶ Appeales to Rome.

FOraſmuch as this realme is an Empire, whereof the King is ſupreame head, and conſiſteth of the Spiritualty and Temporalty, ouer which the King hath whole power and iuriſdiction, notwithſtanding the late vſurpation of the See of Rome. Be it &c. That all cauſes teſtamentarie, cauſes of Matrimonie and Diuorces, rights of tithes, oblations, and obuentions, the knowledge whereof by the goodneſſe of princes of this realme, and by the lawes and cuſtomes of the ſame appertaineth to the ſpirituall iuriſdiction of this realme, already commenced, moued, depending, being, happening, or hereafter comming in contention, debate, or queſtion within this Realme, or within anie the Kings Dominions or Marches of the ſame, or elſe-where, whether they concerne the King our Soueraigne Lord, his heires or ſucceſſors, or anie other ſubiects or reſiants within the ſame, of what degree ſoeuer they be, ſhall be from henceforth heard, examined, diſcuſſed, clerely, finally, and definitiuely, adiudged and be determined, within the Kings iuriſdiction and authoritie, and not elſewhere, in ſuch courts Spirituall and Temporall of the ſaue, as the natures, conditions and qualities of the cauſes and matters aforeſaid in contention, or hereafter happening in contention ſhall require, without hauing any reſpect to any cuſtome, vſe, or ſufferance, in hinderance, let, or preiudice of the ſame, or to any other thing vſed or ſuffered to the contrary thereof by any other manner perſon or perſons, in any manner of wiſe: any forreine inhibitions, appeales, ſentences, ſummons, citations, ſuſpenſions, interdictions, excommunications, reſtraints, iudgements, or any other proceſſe or impediments, of what nature, names, qualities or conditions ſoeuer they be, from the See of Rome, or anie other forreine Courts or Potentates of the world, or from and out of this Realme, or anie other the Kings Dominions or Marches of the ſame, to the See of Rome, or to any forreine Courts or Potentates, to the let or impediment thereof in any wiſe notwithſtanding. And that it ſhall be lawfull to the King our Soueraigne Lord, and to his heires and ſucceſſours, and to all other Subiects or reſiants within this Realme, or within anie the Kings Dominions or Marches of the ſame notwithſtanding that hereafter it ſhould happen any excommengement, excommunications, interdictions, citations, or any other cenſures of forreine proces out of any outward parts to be fulminate, promulged, declared, or put in execution within this ſaide Realme, or in anie other place or places, for anie the cauſes before rehearſed, in preiudice, derogation, or contempt of this ſaid Act, and the very true meaning and execution thereof, may and ſhall neuertheleſſe as well purſue, execute, haue, and inioy the effects, profits, benefits and commodities of all ſuch proceſſe, ſentences, iudgements and determinations, done or hereafter to be done in any the ſaid Courts Spirituall or Temporall, as the caſes ſhall require, within the limits, power and authority of the kings ſaide Realme and Dominions, and Marches of the ſame. And thoſe onely and none other to take place, and to be firmely obſerued and obeyed within the ſame: as alſo that all the ſpirituall Prelates, Paſtors, Miniſters, and Curats within this Realme, and the Dominions of the ſame, ſhall and may vſe, miniſter, execute, and do, or cauſe to be vſed, miniſtred, executed and done, all Sacraments, Sacramentals, diuine Seruices, and all other things within the ſaide Realme and Dominions, vnto all the Subiects of the ſame, as Catholike and Chriſtian men ought to doe: anie former citations, proceſſes, inhibitions, ſuſpenſions, interdictions, excommunications or appeales, for, or touching any of the cauſes aforeſaid, from or to the See of Rome, or any other forreine Prince, or forreine Courts, to the let or contrary thereof in any wiſe notwithſtanding. And if any of the ſaide Spirituall perſons, by the occaſion of the ſaid fulminations of anie of the ſame interdictions, cenſures, inhibitions, excommunications, appeales, ſuſpenſions, ſummons, or other forraine citations, for the cauſes beforeſaid, or for any of them, doe at any time hereafter refuſe to miniſter, or to cauſe to be miniſtred the ſaid Sacraments and Sacramentals, and other diuine Seruices, in forme as is aforeſaid, they ſhall for euerie ſuch time or times that they or any of them doe refuſe ſo to doe, or cauſe to be done, haue one yeares impriſonment, and to make fine and ranſome at the Kings pleaſure. And it is further enacted by the authority aforeſaid, that if any perſon or perſons inhabiting or reſiant within this Realme, or within anie the Kings Dominions or Marches of the ſame, or anie other perſon or perſons, of what eſtate, condition or degree ſoeuer he or they be, at anie time hereafter, for, or in any the cauſes aforeſaid, doe attempt, moue, purchaſe, or procure, from, or to the See of Rome, or from or to any other forraine Court or Courts out of this Realme, any manner forreine proceſſe, inhibitions, appeales, ſentences, ſummons, citations, ſuſpenſions, interdictions, excommunications, reſtraints, or iudgements, of what nature, kind, or qualitie ſoeuer they be of, or execute any of the ſame proceſſe, or doe anie act or acts, to the let, impediment, hinderance or derogation of anie proceſſe, ſentence, iudgement or determination, had, made, done, or hereafter

Teſtament Patrimonie Diuorce Tithes Oblations

Spirituall iuriſdiction

Marches

Determine

Spiritual Court

Cuſtome

Inhibitions

Rome

Excommunications Interdictions Citations

Proces Sentence Judgement Spirituall Courts

Marches

Prelates Miniſters Curates

Sacraments Diuine ſeruice

Rome

Spirituall perſons

Sacraments

Impriſon. Fine

Marches

Proces

hereafter to be had, done, or made in any Courts of this realme, or the Kings said dominions or marches of the same, for any the causes aforesaid, contrary to the true meaning of this present Act, and the execution of the same: that then euery such person or persons so doing, & their faultors, comfortors, abettors, procurors, executors & counsellors, & euery of them, being conuict of the same, for euery such default, shall incurre and run in the same paines, penalties & forfeitures, ordained and prouided by the statute of Prouision and Premunire, made in the sixteenth yere of the raigne of the right noble prince king Richard the second, against such as attempt, procure or make prouision to the See of Rome, or elsewhere, for any thing or things to the derogation, or contrary to the prerogatiue or iurisdiction of the crowne & dignity of this realme. And furthermore in eschueing the said great enormities, inquietations, delayes, charges & expences hereafter to be sustained in pursuing of such appeales & forreine proces, for & concerning the causes aforesaid, or any of them: do therefore by authority aforesaid, ordaine and enact, that in such cases, where heretofore any of the kings subiects or resiants, haue vsed to pursue, prouoke, or procure any appeale to the See of Rome, & in al other causes of appeales, in, or for any of the causes aforesaid, they may & shall from henceforth, take, haue & vse their appeales within this realme, and not elsewhere, in maner & forme as hereafter insueth, and not otherwise, that is to say: First, from the Archdeacon or his Officiall, if the matter or cause be there begun, to the Bishop Diocesan of the said See, if in case any of the parties be grieued. And likewise if it be commenced before the Bishop Diocesan or his Commissarie, from the Bishop Diocesan or his Commissarie, within xv. dayes next insuing the iudgement or sentence thereof there giuen to the Archbishop of the prouince of Canterbury, if it be within his prouince, & if it be within the prouince of Yorke, then to the Archbishop of Yorke, and so likewise to al other archbishops in other the kings dominions, as the case by order of Iustice shall require, and there to be definitiuely and finally ordered, decred and adiudged according to Iustice, without any other appellation or prouocation to any other person or persons, court or courts. And if the matter or contention for any of the causes aforesaid, be or shall be commenced by any of the kings subiects or resiants before the Archdeacon of any Archbishop or his Commissarie, then the party grieued shal or may take his appeale within xv. dayes next after iudgement or sentence there giuen to the court of the Arches or audience of the same archbishop or archbishops, and from the said Court of the Arches or audience within xv. dayes then next ensuing after iudgement or sentence there giuen to the archbishop of the same prouince, there to be definitiuely & finally determined without anie other or farther proces or appeale thereupon to be had or sued. And it is &c. that all and euery matter, cause & contention now depending, or that hereafter shall be commenced by any of the K. subiects or resiants for anie of the causes aforesaid, before any of the said Archbishops, that the same matter or matters, contention or contentions, shalbe before the same Archbishop where the said matter, cause or proces shalbe so commenced, definitiuely determined, decreed, or adiudged without any other appeale, procuration, or any other forren proces out of this Realme to be sued, to the let or derogation of the said iudgement, sentence, or decree, otherwise then is by this Act limitted and appointed. Sauing alwayes the prerogatiue of the Archbishop and Church of Canterbury, in all the foresaid causes of appeales, to him and to his successours to be sued within this realme, in such and in like wise, as they haue beene accustomed and vsed to haue heretofore. And in case anie cause, matter or contention, now depending for the causes be or rehearsed, or any of them, or that hereafter shall come in contention for anie of the same causes in any of the foresaide Courts, which hath, doth, shall, or may touch the King, his heires or successors kings of this realme, that in al and euery such case or cases, the party grieued as before is said, shall or may appeale from any of the said Courts of this realme, where the said matter now being in contention, as hereafter shall come in contention, touching the King, his heires or successours, as is aforesaid, shall happen to be ventilate, commenced or begunne, to the Spirituall Prelates and other Abbots and Priors of the vpper house assembled & conuocate by the kings writ in the Conuocation being or next ensuing within the prouince or prouinces where the same matter or contention is or shalbe begun, so that euery such appeale be taken by the party grieued, within xv. dayes next after the iudgement or sentence thereupon giuen, or to be giuen. And that whatsoeuer be done, or shal be done and affirmed, determined, decreed & adiudged by the foresaid Prelates, Abbots & Priors of the vpper house of the said Conuocation, as is aforesaid, apperteining, concerning or belonging to the king, his heirs and successors in any of these foresaid causes of appeale, shal stand & be take for a finall decree, sentence, iudgement, definition & determination, and the same matter so determined neuer after to come in question & debate, to be examined in any other court or courts. And if it shall happen any person or persons hereafter to pursue or prouoke any appeale cõtrary to the effect of this act, or refuse to obey, execute and obserue all things comprised within the same concerning the said appeales, prouocations, and other forreine processes to be sued out of this realme, for any the causes aforesaid: that then euery such person or persons so doing, refusing, or offending, contrary to the true meaning of this act, their procurors, faultors, aduocates, counsellors & abbettors, & euery of them, shal incurre into the pains, forfeitures & penalties, ordained & prouided in the said statute, made in the said xvj. yeare of king R. 2. & with like proces to be made against the offendors, as in the same statute made the xvj. yeare more plainely appeareth. Anñ 24. H. 8. ca. 12. This act was repealed Anñ 1. & 2. P. and M. and after renued Anno 1. of Queene Elizabeth, as appeareth in Crowne 6.

Forfeiture
Premunire.
Rome.
Archdeacon Bishop.
Officiall. xv. Dayes.
Archbishop. Canterbury Yorke.
Iustice.
Court.
Arches. Audience. Iudgement Sentence. Determine.
Proces.
Archbishop
Procuration.
Canterbury
Courts.
Abbots.
Writ.
Prouince
xv. Dayes
Iudgement
Prelates Vpper house Conuocation.
Examined Court.
Forfeiture
Proces.

Appren-

Apprentice.

ANno 12.R.2.cap.2. An act was made, that a child which had vsed husbandry till the age of xij. yeares, should abide still at the same labor. But it seemeth to be repealed by Anno 5.El.ca.4.after in Labourers 38.

2 Anno 2.H.4.cap.17. It was enacted, that none that could not dispend xx.s. by yeare, in land or rent, should put their children to be apprentices within any city or borough. But this is also repealed by Ann 5.El ca.4.after in Labourers 38.

Worsteed makers Norfolke Wardens

3 Euery person of the aforesaid occupations (s. of Worsteed, Sayes, and Stamin makers) within your county of Norfolke (the which the foure wardens of the said occupations within your foresaide county, yerely chosen, shall enable to keep a prentice) shall by this present Act, be at liberty to take and keepe at all times one or two apprentices, any person or persons hereafter put to the aforesaid occupation, so that he take not two at once at the most. And in likewise hereafter euery person shall be at his liberty to put any apprentice to the aforesaid occupations: any act or ordinance afore made to the contrary notwithstanding, Anno 12.H.7. cap.1. This Statute seemeth to remaine in force still by a speciall prouiso in 5.Eliz.ca.4. infra Laborers 38.

Liberty Occupation

4 Be it &c. That all summes of money, freely giuen at any time within three yeares last past, or hereafter to be giuen by any person or persons, to be continually employed for the binding out of apprentices, shall for euer from henceforth continue, and be from time to time vsed and employed to such vses, intents and purposes only, and by such persons, and in such manner and forme, as shall be hereafter by this present Act specified and declared, except the same haue been or shall be otherwise ordered or disposed by the giuers therof. That is to say, that all Corporations of al Cities, Boroughs, and Townes Corporate, by what name or names soeuer they shalbe knowne or incorporated, and in Townes or Parishes not incorporate the Parson or Vicar of euery such Towne or parish, together with the Constable or Constables, the churchwarden or churchwardens, collectors and the ouerseers for the poore for the time being, or the most part of them, where any such summe or summes of money are already giuen, or shall be hereafter giuen to be so employed, shall from time to time within the said seuerall cities, boroughs, townes, and parishes respectiuely, haue the nomination and placing of such apprentices, and the guiding and imployment of all such moneys, as haue beene heretofore so giuen, or which hereafter shall be giuen, to and for the continuall binding forth of such and so many apprentices, and in such sort as is already, or shall hereafter be so giuen and appointed, either by the last wil and testament, or by any writing or writings vnder the hands and Seales of any person or persons, which hath already or hereafter shall so giue any summe or summes of moneys vnto the good & godly purposes and intents aforesaid. And if the corporation of any such cities, boroughs or townes corporate, by what name or names soeuer they shall be called or incorporated, or any the person or persons in the other towns & parishes aboue mentioned, appointed by this Act to haue continually the guiding and imployment of such summes of moneys so already giuen, or hereafter to be giuen to the intents and purposes aforesaid, shall at anie time hereafter wilfully forbeare or refuse, according to their duties in this behalfe, to imploy such summes of moneys so giuen, or to be giuen as aforesaid, for the binding out of such apprentices, by meanes of which wilfull forbearance or refusing, the said money shall not be imployed accordingly, that then they and euery of them so offending contrary to this Act, shall forfeit for euerie such offence the summe of three pounds fiue shillings and eight pence lawfull English money, the one halfe thereof to be giuen to the poore of the town or parish where such fault or offence shal be done or committed, the other moity to the party that shall sue for the same. And that euerie man that will, may and shall be admitted to sue for the same moity for the vse and benefit of the said poore, and shal be also admitted to sue for the forfeiture of the other moitie in any of the K. maiesties Courts of Record, to his owne benefit and behoofe, by Action of debt, bill, plaint, or information, wherein no protection, wager of law, or essoigne shal be admitted or allowed.

And for that all moneis so giuen may the better continue to and for the purposes aforesaid: Be it &c. that the master, mistresse or dame of euery such apprentice or apprentices, that shall receiue anie such summe or summes of money as aforesaid, shal become bound with one or two sufficient sureties, by bond or obligation in double the summe, which they & euery of them shall so receiue with such apprentice or apprentices, as aforesaid, vnto the corporation of any such city or towne corporate, by what name or names soeuer they shall be called or incorporated, or to such person or persons in the other townes and parishes not incorporated, appointed by this act to haue continually the guiding and employment of all such summes of money so already giuen, or hereafter to be giuen, to the intents and purposes aforesaid respectiuely, vpon condition to repay such summe or summes of money, as he or she shall so receiue with anie such apprentice or apprentices, at the end of seuen yeares next ensuing the date of the saide Obligation, or within three moneths next after the end of the saids seuen yeares. And if such apprentice shall happen to die within the said space of seuen yeares, then within one yere after his or her said death. And if the master, mistresse, or dame, to whom any such apprentice or apprentices shall be bound, shal happen to die within the said space of seuen yeres, then within one yeare next after his or her said death: so as the said moneys may be again emploied for placing such apprentice with some other person of the same trade, to serue out the residue of the yeares of his or her former apprenticehip, by the discretion of the said persons, trusted, as aforesaid.

And be it &c. That euerie ſuch ſumme or ſums of money ſo giuen, or to be giuen in manner and forme, & to and for the good vſes and intents aforeſaid, ſhall alwayes be put forth and employed by the parties aforeſaid, that by this Act ſhall haue the diſpoſing and employment thereof, within three moneths at the furtheſt, after ſuch moneys ſhall come to the hands of the ſaid parties, that by the intent and true meaning of this Act, ought to diſpoſe and employ the ſame: And if at ſuch times there ſhall not be found fit and apt perſons to be bound out apprentices as aforeſaid, within the ſaid Cities, Townes and pariſhes, where ſuch ſummes of money are, or hereafter ſhall be giuen to be employed as afore is declared: Then ſuch of the pooreſt children of any of the Pariſhes next adioyning, ſhall be bound apprentices in manner as aforeſaid, as by the care and good diſcretions of the parties, which by this Act haue the diſpoſing and employment of the ſaid ſummes of money in the Cities, Townes and Pariſhes, where it was firſt giuen to be employed, ſhall be thought fit and conuenient, taking ſuch Bonds and Obligations of the perſons, that ſhall receiue the ſame ſummes of money ſo put forth, and with ſuch ſureties, and vpon ſuch conditions, as is aboue mentioned and declared.

Prouided alwayes, and be it &c. That choice from time to time be made of the pooreſt ſortes of children of euery ſuch Citie, Towne, or Pariſh, where ſuch Moneys ſhall be ſo giuen, and whoſe parents are leaſt able to relieue them. And that no ſuch apprentice ſhall be aboue the age of fifteene yeeres, when he or ſhe ſhall be ſo firſt bound out an apprentice.

And for the better execution of this Act, Be it &c. That all and euerie perſon and perſons appointed by this Act, to haue the employing and diſpoſing of anie ſumme or ſums of money ſo giuen, or to be giuen as aforeſaid, within any Towne or Pariſh not corporate, ſhall after the end of this preſent ſeſſion of Parliament, once euerie yeare in the Eaſter weeke, or within one moneth next after Eaſter day, make a true and perfect account before foure, three, or two Iuſtices of the Peace, dwelling in or next to euery of the ſaid Townes or Pariſhes, of all ſuch ſumme and ſummes of mony, as they or any of them haue employed in binding of apprentices, by vertue of this Act, and of all Bonds and Obligations taken for the payment thereof: And alſo of all ſuch ſummes of money as then ſhall happen to be remaining in their hands not employed. And alſo ſhall at the making and yeelding vp of the ſaid account, or within ten daies then next following, yeeld and deliuer vp vnto ſuch, as ſhall happen next to ſucceed them, or then to be in the ſaid comes or places, all ſuch Obligations and Bonds, as by them or any of them, haue beene before that time taken to the vſes aforeſaid: As alſo all ſummes of money, remaining in their or any of their hands to be employed as aforeſaid, and not employed at the time of the yeelding vp of the ſaide account.

And further be it &c. That if any of the parties appointed and truſted by this Act to haue the diſpoſing and employment of any of the ſaid ſummes of money ſo giuen or to be giuen, as aforeſaid, ſhall in any point or degree breake the truſt and confidence in them in this behalfe repoſed, or ſhall commit anie other miſdemeanour or offence in miſimploying of the ſaid ſummes of money, or anie part thereof, or in doing any other act or acts, contrary to their duety and the true intent and meaning of this Act, for which there is not by this act any penalty giuen or appointed, Then it ſhall and may be lawfull for any perſon or perſons whatſoeuer in the behalfe of the poore of ſuch city, borough, or pariſh, to exhibite his petition to the L. chancellor, or Lord Keeper of the great Seale of England for the time being, touching the ſame: Which lord Chancellor or Lord Keeper of the great Seale of England for the time being, ſhall thereupon haue full power and authority to award out a Commiſſion out of the high court of Chauncerie vnder the great Seale of England, to ſuch and ſo many perſons as his Lordſhip ſhal thinke meete, to enquire, heare and determine the ſaid offences, and euery of them. And if the ſaid Commiſſioners, or the moſt part of them ſhall finde, that anie ſumme or ſums of money ſo giuen or to be giuen are loſt, impayred, waſted, or diminiſhed: Then they or the moſt part of them ſhall likewiſe haue power by vertue of this Act, and of their ſaid Commiſſion, to rate, raiſe and collect the ſaid ſumme of money ſo loſt, impayred, waſted or diminiſhed, vpon ſuch perſon & perſons in places not incorporate, as by this act are appointed to haue the guiding and ordering of the ſaid moneys, if they or any of them haue failed in their ſaid dueties in that behalfe, or otherwiſe vpon the able inhabitants of ſuch City, Towne, or Pariſh, where the ſame ſhall ſo happen, as in the diſcretion of the ſaid commiſſioners, or the greateſt part of them ſhall be thought fitteſt, and to returne the ſaid Commiſſion and the manner of the execution thereof, into the ſaid high court of Chauncery within three months next after the execution thereof. And if any perſon or perſons ſhall find himſelfe grieued by any thing done by the ſaid Commiſſioners, then vpon complaint thereof made in the high Court of Chauncerie, the ſaide Lord Chancellor, or Lord Keeper for the time being, ſhall haue full power and authoritie to order and decree the ſame, as to his Lordſhip ſhall be thought moſt fit to ſtand with equity and good conſcience. 7. Iac. cap. 3. ✻

Appropriations.

BEcauſe that much harme hath come to the pariſhioners by appropriations of benefices. Be it &c. That in euery licence from henceforth to be made in the Chauncerie of the appropriation of any pariſh church, it ſhall be expreſly contained and comprized, that the Dioceſan of the place vpon the appropriation of ſuch Churches, ſhall ordaine according to the value of ſuch churches a conuenient ſumme of money to be paied and diſtributed yeerly of the fruits and profits of the ſame churches, by

Licence
Chancery
Church
Fruits

by those that shall haue the said Churches in proper vse, and by their successors to the poore parochians of the said churches in aid of their liuing and sustenance for euer: And also that the Vicar be wel and sufficiently endowed. An 15.R.2.ca.6.

Successors Poore

Vicar

2 An 4.H.4.ca.12. It was enacted, That the said statute of An 15.Ri.2.ca.6. (before 1.) should be kept and put in execution, and appropriations made since the statute contrary thereunto, to be reformed before a certaine time, or else to be void except Haddenham. And all Vicarages annexed or appropriated since An 1.R.2. to be void. And that from henceforth in euery church so appropriated, a lerned person be ordained Vicar perpetuall canonically instituted and inducted in the same, and conuenably indowed by the discretion of the Ordinarie, to do diuine seruice, and to informe the people, and to keepe hospitalitie there, (except the Church of Haddenham aforesaid) And that no religious be in any wise made Vicar in any church so appropried, or to be appropried by no way in time to come. An 4.H.4.cap.12.

Haddenham

Church Vicar

Diuine seruice

Hospitality Haddenham Religious

Approuements.

BEcause many great men of England (which haue infeoffed knights and their freeholders of small tenements in their great manors) haue complained that they cannot make their profit of the residue of their manors, as of their walks, woods, and pastures, whereas neuertheless the same feoffees may haue sufficient pasture there asmuch as appertaineth to their hold. Thus it is prouided & graunted, that whensoeuer such feoffees do bring an assise of Nouel disseisin for their common of pasture: and it is recognised before the Iusticers, that they haue asmuch pasture as sufficeth for their hold, and that they haue free egresse & regresse from their hold vnto the pasture, then let them be contented therewith, and they on whom they haue complained shall goe quite, for that they haue made their profite of their lands, walk, woodes, and pastures. And if they alleage that they haue not sufficient pasture, or not sufficient egresse and regresse as appertaineth to their hold, then let the trueth be inquired by Assise. And if it be found by assise, that the same forceors haue disturbed them of their egresse or regresse in any thing, or that they haue not sufficient pasture (as is aforesaid) then shall they recouer their seisin by the view of the Enquest, so that by their discretion and othe, the plaintifes shall haue sufficient pasture, and sufficient egresse and regresse, in forme aforesaid. And the disseisors shal be amerced, and shall yelde damages as they were wont before this prouision. And if it be found by the assise, that the plaintifes haue sufficient pasture with free and sufficient egresse and regresse, as before is said, let the other make their commodity of the residue, and go quite of the Assise. Merton ca.4. Anno 20.H.3.

Infeoffe Freeholders

Walk Woods Pastures

Feoffees Assise of Nouel disseis. Common of pasture Iustices

Egresse Regresse

Assise

View Enquest Othe

Disseisors Amerce Damages

Walk Woods Pastures Improue Egresse Regresse

2 As in a statute made at Merton (before 1.) it was graunted, that Lords of walk, woods, and pastures might improue the said walk, woods, and pastures, notwithstanding the contradiction of the tenants, so that the tenants had sufficient pasture to their holde, with free egresse and regresse to the same. And forasmuch as no mention was made betweene neighbor and neighbor, many lords of walk, woods, and pastures, haue ben let heretofore by the contradiction of the neighbours hauing sufficient pasture. And forbecause forreine tenants haue no more right to common in the walk, woods, or pastures of any Lord, then the Lords owne tenants: It is ordained, that the statute of Merton, prouided betweene the lord and his tenant, from henceforth shall hold place betweene Lords of walk, woods, and pastures, and neighbors: sauing sufficient pasture to their tenants and neighbors, so that the lords of such walk, woods, & pastures, may make improuements of the residue. And this shalbe obserued for such as claime pasture as pertaining to their hold: But if any doe claime common of pasture by speciall feoffement or graunt, for a certaine number of beasts, or otherwise then he ought haue of common right, seeing that couenants may abridge the laive, hee shall haue such recouerie as he ought to haue by forme of the graunt made vnto him, by occasion of a Windmill, berkarie, dairie, intarging of a necessary court or courtilage, from henceforth no man shal be grieued by Assise of Nouel disseisin of common of pasture. And where sometimes it chanceth, that one hauing right to improue, doth leuy a ditch or an hedge, and some by night, or at an other season when they hope not to be espied, doe ouerthrow the hedge or ditch, and it can not be knowen by verdict of the Assise or Iurie, who did ouerthrow the hedge or ditch, and men of the townes neere, will not indict such as be guilty of the fact, the Townes neere adioyning shall be distrained to raise vp the hedge or ditch again at their owne cost, and to yeld damages. West.2. cap.45. Anno 13. Ed.1.

Neighbors

Forrein tenants

Improuements

Common of pasture Feoffement

Will Windmill Berkarie Dairie Courtilage Assise

Improue Ditch Hedge

Indict

Distraine

Damages

3 The two Statutes aforesaid of Merton cap. 4. and West.2. cap.45. (before 1. and 2.) and all branches, clauses, articles, sentences, matters and points contained and specified in them and euerie of them, now not repealed, shall from henceforth be good and effectuall, and also stand and be in their full strength, force and effect. And because that such persons as shall bring Assise of Nouel disseisin vpon the said statutes, or vpon anie of them, shall by force of the same statute recouer but onely single dammages, which is thought to be a small recompence for the same. Therefore be it &c. That all such person and persons, as shall at anie time hereafter bring Assise vpon a braunch or article of the said statutes, or anie of them, and haue iudgement to recouer, shall haue his or their dammages treble, by the iudgement of the Court, where such Assise and iudgement shal be had. And where in diuers countries of this Realme there hath been builded vpon commons or walk grounds certaine necessary houses with ground, vnder the quantity of three acres, and not aboue three acres inclosed, to and with the same, and in some place there is inclosed a gardeine, orchard, or pond, out of, or in such walks or grounds, which exceed not the quantity of two acres, or thereabouts, which doth not hurt, and is much commoditie to the owner therof, and to others. Be it &c. That the said two former

Braunch of a Statute Iudgement th. damages

Commons Walk ground

th. acres Inclose

Gardein Orchard Pond th. acres

acts, nor any of them, nor any thing in them contained, shall extend to any such houses, ground, or other thing so inclosed, as is last herein before mentioned, ne shall cause anie person or persons to lose or forfeite anie paine, dammage or penaltie for the same. Prouided alway and be it enacted, that if any such house hath béene heretofore builded vpon any waste ground, as is aforesaid, and that there be aboue the number of three acres inclosed to the same, that then the said house and three acres parcell of the same inclosure, shall still remaine, stand, abide, and continue in like and the same forme and degree, as it now doth, that the ouerplus of the said three acres so inclosed, as is aforesaid, shal and may be laied open by the owner or owners of the same waste: any thing in this act, or in any of the said former acts to the contrary in any wise notwithstanding. An 3. Ed. 6. ca. 3. 43. El. ca. 11.

Inclosed

4. The Lord, or Lords, aswell bodies politique or corporate, as any other person or persons whatsoeuer, of all and euery the waste and commons aforesaid, and the most of the Commoners for their particular commons, and likewise the Owners, and such as haue or shall haue interest in any seuerall surrounded grounds, lying within or néere the the same, contract or bargaine for part of such commons, wastes, and seueralles aforesaide, with such person & persons, which will vndertake the draining and kéeping drie perpetually, the seueralles, wastes or commons of that qualitie: Which contract and bargaine, and conueiances thereupon made, shall be good and availeable in law to all constructions and purposes, against the said Lords of the saide soile, and Owners of seuerall, and their heires, successors, and assignes, and all the Commoners, and such as shall or might haue common or interest there afterwards according to the contracts, couenants, prouisions and agréements in those conueiances to be specified, and forsomuch of such commons, wasts or seuerals, as shalbe so contracted or conueyed, to hold and inioy in seueralty, to such person and persons, his or their Assignée or Assignées, as shall or haue vndertaken the same, in such manner and forme, as his or their estates and interest are or shalbe, by or vpon such contracts or agréements, by such conueiances limitted or appointed. Prouided notwithstanding, and be it enacted by the authority aforesaid, that in all cases, where your Highnes, your heirs or successors is or shalbe Lord or Owner of the freehold of the soile of such wastes or commons, or any part of the same, that the most part of the Commoners in such your Highnes soile, shall or may contract, bargaine, assigne, and set forth as is aforesaide, part of their common therein, to anie person or persons which will vndertake the draining of that whole common accordingly as the Lords and the most part of the Commoners in the surrounded wasts or commõs aforesaid of bodies politike or corporate may do, as is before declared: which shal bind, and be good and availeable against all the said Commoners, their heirs, executors or assignes, and all others that shal hereafter, by reason of any their reliancy, claime any common of pasture in the saide wastes or common grounds, whereof the soile doth or shall pertaine to your Maiesty, or and for all their interest or claime of common therein. To hold, according to the true intent and effect of such contract, bargaine, assignement and conueyances by writing indented, sealed and deliuered by the most part of such Commoners, as shall be made betweene the most part of such Commoners and such vndertakers: but shall not in any sort be of any effect or validity against your Highnesse, your heires, successors or assignes, or their estate or estates, in, or to the soile thereof, Except such conueiances be by writing indented in parchment, and one part thereof vnder the hands and Seales of most part of the Commoners so contracting the same, certified into your Highnesse high court of Chauncerie, if the wastes or soiles shall be of the possessions of your Highnesse Crowne of England. And except your Maiesties royal consent be obtained thereunto, and signified by and vnder your Highnesse priuy seale, or great seale, and enrolled in your Highnesse said court of Chancery: and after such assent so had, signified and enrolled, Then the same contracts & couenants shalbe good and availeable to all and euery such vndertakers, their heires and assigns, against your highnes, your heirs and successors, according to the prouisions, agreemẽts & couenants so assented vnto by your highnes, your heires & successors. And where they are of the possession of the Duchie of Lancaster, then the said contract, bargain, assignment, of or from your highnes, shall not be of any effect or validity against your highnes, your heirs, successors & assignes, except such contract and bargaine touching the premisses, & such assignement, & setting forth of such part to the said vndertakers to hold in seueraltie, be by writing indented in parchment sealed & deliuered by the saide Commoners, or the most part of them, and the said vndertakers, & one part thereof certified vnder the hands and seals of most part of the commoners, into your Highnes Court of the duchie of Lancaster, for the time being: And your Maiesties royall consent vnder the seale of the said duchy, obtained thereunto, & there enrolled in that court. Which consent royall being obtained for the soil of such wast, being of the possessions of the Crowne, and vnder the seale of the said duchie, of your highnes soile of such wastes as are of those possessions, the said vndertakers, & their heires and assignes, shal and may enioy in seueralty, the soile of so much wast and common, as was so contracted for, assigned, and set forth by the most part of your highnes commoners, in such sort and quality, as the said vndertakers shall hold and enioy the interest of common, to all intents & purposes. Prouided alwaies, & be it enacted, that this act, nor any thing therin contained, shal not extend to the empairing, diminishing, letting, taking away, or extinguishing of the interest of the commoners, or any of them, or of the Lords or Owners of the soile, of, in, or to any part of the residue of the wasts or commons, which is not, or shall not be so set forth, or assigned to the vndertakers, Nor to any franchises or liberties, or waife, stray, léete, law-day, nor other liberties to be vsed or taken in the

part

part ſo to the ſaid vndertakers aſſigned, but that aſwell the commoners, & lords and owners of that ſoile, ſhall and may enioy their commons in the reſidue therof. And the M. maieſty, her heirs and ſucceſſors, and the Lords and owners ſhall and may haue and inioy ſuch liberties and franchiſes in ſuch their part, as heretofore was lawfully vſed, and as they or anie of them ſhould or might haue done, if this act, or ſuch contract, bargaine & aſſignment had neuer béene, Any thing in this ſtatute contained to the contrary notwithſtanding. Prouided alwayes, and be it enacted, That this act, or any thing therein contained, ſhal not extend either to any bargain, ſale, agréement, grant, conueiance, or aſſurance, or to the inning, drayning, or laying drie of any commons, marſhes, or ſurrounded grounds, whereby or by the meanes whereof, anie of the hauens or ports of this realme of England may be in any ſort annoyed, empaired, or hindred: Nor to any grants within viij. miles of Yarmouth, or vj. miles of Lin, within the county of Norfolke. An. 43. Eli. ca. 11.

Archerie.

In the Statute of Weſtminſter, as appéereth in Robbery 2. An. 12. R. 2. ca. 6. It is enacted what perſon ſhall haue Bowes and Arrowes: But thoſe parts of thoſe ſtatutes that concerne hauing of Bowes and Arrowes be repealed by 33. Henr. 8. cap. 9. as appeareth in Playes and Games.

Bowes Arrowes

Repealed

2 Anno 3. H. 8. cap. 3. and Anno 6. H. 8. cap. 2. were two Statutes made for the maintenance of Archerie with long Bowes: But both thoſe Statuts be repealed by 33. H. 8. as appeareth in Plais and games. 2. And there is a good Statute made for the maintenance of Archery with long bowes. See the Statute.

Long bowes Repealed

Armour.

Edward by the grace of God, King of England, Lord of Ireland, Duke of Aquitaine, to his Juſtices of his Bench, gréeting: Whereas of late before certaine perſons deputed to treat vpon ſundrie debates had betweéne vs and certaine great men of our Realme, Amongſt other things it was accorded, that in our next parliament after, prouiſions ſhould be made by vs and by the common aſſent of the Prelates, Earles and Barons, that in all parliaments, treaties, and other aſſemblies, which ſhould be made in the realme of England for euer, that euerie man ſhall come without force and without Armour well and peaceably, to the honour of vs, and of the peace of vs and of our realme. And now in our parliament at Weſtminſter after the ſaid treatiſe, the Prelates, Earles, Barons and the Comminaltie of our realme there aſſembled to take aduiſe of this buſines, haue ſaid, That to vs it belongeth, and our part it is by our royall ſeignorie, ſtreitly to defend wearing of Armour, and all other force againſt our peace at all times when it ſhall pleaſe vs, and to punith them which ſhall doe contrarie, according to the lawes and vſages of our realme. And hereunto they are bound to aide vs as their ſouereigne Lord at al ſeaſons when need ſhall be. We commaund you that ye cauſe theſe things to be read afore you in the ſaid Bench, and there to be inrolled. Giuen at Weſtminſter the thirtieth day of October, the vij. yére of our raigne. Statute prohibiting of Armour Añ 7. Ed. 1.

Parliament

Peace

Armour

2 In Statute Armour. It is ordained how many Squires the Earles, Lords and Knights ſhall haue at torneis, and what ſignes, harneis, weapons and other things ſquires and heraulds and other ſhall beare at torneis, and what ſhall be forfeited and loſt at torneis. Tempore Ed. 1.

Eſquires Lords Torneis Signes Harnes Weapons Heraulds

3 The King will that no man from henceforth ſhall be charged to arme himſelfe, otherwiſe then he was wont in the time of his progenitors Kings of England. And that no man be compelled to go out of his ſhire, but where neceſſitie requireth, and the ſodaine comming of ſtraunge enimies into this realme. And then it ſhall be done as hath béen vſed in time paſt for the defence of the realme. Anno 1. Ed. 3. Statute 2. cap. 5.

Enimies

4 Be it enacted, That no man great nor ſmall, of what condition ſoeuer he be, (except the Kings ſeruants in his preſence, and his miniſters in executing of the Kings precepts, or of their office, and ſuch as be in their company aſſiſting them, and alſo vpon a crie made for armes to keepe the Peace, and that in ſuch places where ſuch acts happen) be ſo hardy to come before the kings Juſtices, or other of the kings miniſters doing their office, with force, nor to bring force in affray of the country, nor to goe nor ride armed by night or by day in faires, markets, nor in the preſence of the Juſtices, or other miniſters, nor in anie place elſewhere, vpon paine to forfeit their Armor to the King, and their bodies to priſon at the Kings pleaſure. And that the Kings Juſtices in their precincts, ſhirifes and other miniſters of the King in their Bailiwikes, lords of franchiſes and their Bailifes in the ſame, and Maiors, Bailifes of Cities and Boroughs, within the ſame Cities and Boroughs, and borowholders, and Wardens of the Peace within their wardes ſhall haue power to execute this Act. And that the Juſtices aſſigned at their comming downe into the countrey, ſhall haue power to enquire how ſuch Officers and Lords haue exerciſed their offices in this caſe, and to punith them whom they finde not to haue done, that that pertaine to their office. Añ 2. Ed. 3. ca. 3. Statute Northampton.

Peace

Armes

Forfeit. Impriſon.

Juſtices Shirifes Mayors Bailifes

Wardens of peace

5 The King prohibiteth, that from henceforth no man ſhall ride armed within the realme, contrary to the Statute of Northampton thereupon made, nor with lancegay within this Realme, the which launcegaies let them be clérely taken away within the ſaid Realme, as a thing prohibited by our ſouereigne Lord the King, vpon paine of forfeiture of the ſaid launcegaies, armor and other harneis whatſoeuer, in whoſe handes or poſſeſſions they be found, that beare them within the realme, contrary to the ſtatutes and ordinances afore ſaid, without the Kings ſpeciall licence. Anno 7. Ri. 2. cap. 13.

Armes

Lancegay

Forfeit.

Licence

6 It is accorded, That no ſeruant of huſban-

Seruant weare dagger, sword

drie nor labourer, nor seruant of artificer, nor of vitailer, shall hereafter weare any baselard, dagger, nor sword, vpon the forfeiture thereof, but in time of warre for the defence of the realme of England.

Master maisters

And then by the suruey of the arraiours that then shall be, or in trauelling through the countrey with their Masters, or in the message of their Masters.

Constables Arrest Seise

And that the shirifes, maiors, bailifes and constables shall haue power to arrest, and shall arrest all that shall do to the contrary, and shal seise and keep the said baselards, daggers, and swords, vntill the Sessions of the Iustices of Peace, and shall present the same before the said Iustices in their Sessions together with the names of those that did weare them. An 12.R.2.cap.6. Statute Cantabrigiæ. But see if this be not repealed by the generall repeale in the Statute Eli.cap.4. after in Labourers 38.

Present Sessions Iust of P.

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7 Be it enacted, that the statute of Northampton, Anno 2.Ed.3.cap.3. and of 7.Ric.2.cap.13. (before.4.& 5.) be fully holden and kept, and duly executed, and that the said launcegaies be wholy taken away, vpon the paine contained in the said Statute of Northampton, and also to make fine and ransome to the king. And moreouer, that no lord, knight, nor other, little nor great, shall go nor ride by night nor day armed, nor beare sallet nor scull of yron, nor other armor, vpon paine aforesaid: saued and except the Kings officers and ministers in doing their offices, An 20.R.2.cap.1.

Launcegaies

Fine.

Armed

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8 Anno 4.& 5.Phil.& Mar. Asmuch of all and euery act and statute concerning onely the keeping or finding of horse, horses, or armour, or anie of them before made or prouided, and all and euerie forfeiture and penalty concerning onely the same, are repealed and made voide: And a long Act is made for hauing and keeping horse, armour and weapon. But this act is repealed and made void Anno 1.Iac.ca. 25.

9 If any person or persons, hauing at any time hereafter the charge or custody of any armour, ordinance, munition, shot, powder, or habiliments of warre, of the Queenes maiesties, her heires or successors, or of any victualls prouided for the victualling of any souldiors, gunners, mariners, or pioners, shall for any lucre or gaine, or wittingly, aduisedly, and of purpose to hinder or impeach her Maiesties seruice, imbesill, purloine, or conuey away any the same armour, ordinance, munition, shot or powder, habiliments of warre or victualls, to the value of twentie shillings at one or seuerall times: that then euery such offence shall be iudged felony, and the offendor and offendors therein to be tried, proceeded on, and suffer as in case of felony. Prouided allwayes, and be it enacted by the authority aforesaid, that none shall be impeached for any offence against this statute, vnlesse the impeachment be prosecuted or begunne within the yeere next after the offence done. And that this act, nor any thing therein contained, nor any attainder or attainders of anie person or persons, for any offence made felony by this act, shall in anie wise extend, or be adiudged, interpreted or expounded, to make the offendor or offendors to forfeit or lose anie lands, tenements, or hereditaments, anie longer then onely during his or their life or liues, or to make anie corruption of blood to anie the heire or heires of anie such offendor or offendors, or to make the wife of anie such offendor, to lose or forfeit her dower, or title of dower, of, or in any lands, tenements or hereditaments, or her action or interest to the same: anie thing in this act contained, or anie attainder or attainders hereafter to be had for any offence made felony by this act, to the contrary notwithstanding. And that such person and persons as shall be impeached for anie offence made felonie by this estatute, shall by vertue of this act, be receiued and admitted to make any lawfull proofe that he can, by lawfull witnes, or otherwise, for his discharge and defence in that behalfe: any law to the contrarie notwithstanding. Anno 31. Eli.cap.4.

Armour

Victuals

Imbesill

Felony

Within the yeare

Forfeit. Lands

Corruption of blood

Dower

Proofe

Discharge

Arrowheads.

WHereas Arrow-smiths doe make faultie heads of arrowes and quarels not defensible, to the great preiudice of the people and realm. Be it &c. That all the heads for arrowes and quarels after this time to be made, shalbe wel boiled or braled, and hardened at the points with stele: and if any of the said arrow-smiths do the contrary, they shall forfeit all such heads and quarells to the king, and shalbe also imprisoned and make a fine at the kings will. And that euerie arrowhead and quarell be marked with the marke of him that made the same. And the Iustices of peace in euerie county of England, and also the Maior and Shirifes and Bailifes of Cities and Boroughes, within the same Cities and Boroughes, shall haue power to inquire of all such deceitfull makers of heads and quarels, and to punish them, as afore is said. Anno 7.H.4.cap.7.

Arrowes Quarels Braled

Forfeit. Imprison.

Marke Iust. of P. Maiors Shirifes Bailifes

Punish

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Arrests.

COncerning great men and their Bailifes and others (except the Kings ministers, vnto whom speciall authoritie is giuen so to do) which at the complaint of any, or by their owne authority, attach other passing their iurisdiction with their goodes, compelling them to answer before them vpon contracts, couenants and trespasses, done out of their power & iurisdiction, where indeed they hold nought of them, nor within the franchise where their power is, in preiudice of the King and his Crowne, and to the dammage of the people: It is prouided, that none from henceforth so do, and if any do, he shall pay to him that by this occasion shal be attached, his damages double, and shalbe greeuously amerced to the King. W.1.ca.34. Anno 3. Ed.1.

Bailifes

Attach Goods Contracts Couenants Trespas

Damages

Amerce

2 Because that complaint is made to our soueraigne Lord the King by the Clergie of his saide Realme of England, that aswell diuers Priests, bearing the sweet bodie of our Lord Iesu Christ to sicke people, and their clerks with them, as otherwise diuers other persons of holie Church, whiles they

Clergy

Priests

Clerkes

Sacraments Churches Church-yards.

they attend to diuine ſeruice in the Churches, churchyard and other places dedicate to God, be ſundry times taken & arreſted, by authoritie royal, and commandement of other temporall Lords, in offence of God, and of the liberties of holy church, and alſo in diſturbance of the diuine ſeruices aforeſaid. The ſame our Soueraigne Lord the king (who would be greatly diſpleaſed, if any ſhould do in ſuch manner) willeth and granteth, and defendeth vpon his grieuous forfeiture, that none do the ſame from henceforth, ſo that colluſion or feyned cauſe be not found in any the ſaide perſons of holy church in this behalfe. An. 50. Ed. 3. cap. 5.

Diuine ſeruice.

Colluſion

Prelates Prieſts

Cathedrall churches Church-yards

Sacrament

Priſon

Impriſ. Fine.

Sanctuaries Colluſion

3 Becauſe ỹ the prelates do complain theſelues, ỹ aſwell beneficed people of holy church, as other, be arreſted & drawne out, aſwell of cathedrall churches, as of other churches, & their churchyards, and ſometime whiles they be attending to diuine ſeruices, and alſo in other place, although they be bearing the bodie of our Lord to ſicke perſons, and ſo arreſted and drawne out, be bound and brought to priſon, againſt the liberty of the holy church: It is ordained, that if any miniſter of the king or other, doe areſt any perſon of holy church by ſuch maner, and therof be duely conuict, he ſhall haue impriſonment, and from thence be ranſomed at the kings will, and make gree to the parties ſo arreſted. Prouided alwaies, that the ſaide people of holy church ſhall not holde them within the churches or ſanctuaries by fraude or colluſion in any manner. Ann. 1 R. 2. cap. 15.

Artificers.

Gurney Juſtices

Oier and determiner

Treſpaſſes

Impriſ. Fine

Women Brewers Bakers Wooll Linnen cloath.

IT is ordained, that artificers and handicraftes people ſhall holde them euerie one to one myſterie, which he will chuſe, betwixt this and the ſaide feaſt of Candlemas. And two of euerie craft ſhall be choſen to ſuruey that none vſe other craft then the ſame which he hath choſen. And that Juſtices be aſſigned to enquire by proces, and to heare and determine in this article, as is ordained in the article aforeſaid: Sauing that the treſpaſſors in this article ſhall be puniſhed by impriſonment of two yeares, and moreouer to make fine and ranſome according to the quantitie of the treſpaſſe. And that the Surueiors by the diſcretions of the Juſtices to be appointed. But the intent of the king and of his councell is, that women, that is to ſay, Brewers, Bakers, Carders, and Spinners, and Workers aſwel of wol as of a lynnen cloth & of ſilk, brawdeſters and carders of wooll, and all other that do vſe and worke handy works, may freely vſe & work as they haue done before this time, without any impeachment, or being reſtrained by this ordinance. Anno 37. Ed. 3. cap. 6.

Aliens

Brewers Bakers Surgeons Scriueners

2 Where diuers eſtatutes penall heretofore haue beene made againſt ſtrangers artificers, for exerciſing of handicrafts within this Realme, and for keeping of houſes, Appentices, and ſeruants ſtrangers, as by ỹ ſaid ſeueral eſtatuts more plainly is rehearſed: Sithence the making whereof, Beerebrewers and Bakers, which been common victuallers, and alſo Surgeons and Scriueners being Strangers, inhabiting and dwelling within this Realme, haue beene put to trouble and great veration by occaſiõ of information brought againſt them vpon the ſaide ſtatute, ſuppoſing that ſtrangers vſing baking, brewing, ſurgerie or writing, ſhould be handicraftſmen: vpon the which information great doubts and ambiguities, haue riſen, whether ſtrangers vſing any of the ſaid myſteries or ſciences, ſhould be vnderſtand ſuch handicraftſmen as were intended by any of the ſaid ſtatutes. For plaine declaration whereof bee it enacted, &c. That no perſon or perſons ſtraungers, being a cõmon Baker, Brewer, Surgeon, or Scriuener, ſhall be interpreted or expounded handicraftſmen in, for, or by reaſon of vſing any of the ſaid Myſteries or Sciences of baking, brewing, ſurgerie or writing, and that all informations, ſuits, actions & proces, had, taken, or hereafter to be taken, vpon any of the ſaid ſtatutes againſt any ſuch ſtranger or ſtrangers being Bakers, Brewers, Surgeons, or Scriueners ſhall by authority of this preſent act be voide and of none effect. Anno 22. H. 8. cap. 13.

Handicraftſmen

Voide

3 For aſmuch as of late daies ſellers of Victuailes for their greater gaine, haue conſpired and couenanted together to ſell their victuals at vnreaſonable price: And Artificers, Handicraftſmen, and labourers haue made confederacies & promiſes, and haue ſworne mutuall othes, not onely that they ſhould not meddle one with anothers worke, and performe and finiſh that an other hath begun, but alſo to conſtitute & appoint how much worke they ſhall doe in a day, and what houres and times they ſhall worke, contrarie to the lawes and ſtatutes of this Realme, and to the great hurt and impouerithing of the kings Maieſties Subiectes. For reformation whereof it is enacted, that if ante Butchers, Brewers, Bakers, Poulters, Cookes, Coſtermongers, or Fruterers, ſhall at any time from & after the firſt day of March nert comming conſpire, couenant, promiſe or make any othes that they ſhall not ſell their victuals but at certaine prices. Or if any Artificers, workemen, or labourers, doe conſpire or couenant, or promiſe together or make any othes ỹ they ſhal not make or do their workes but at a certaine price and rate, or ſhall not enterpriſe to take vpon them to finiſh that an other hath begun, or ſhall doe but a certaine work in a day, or ſhall not worke but at certaine houres and times, that then euerie perſon ſo conſpiring, couenãting, ſwearing, or offending, being lawfully conuict thereof by witneſſe, confeſſion, or otherwiſe, ſhal forfeit for the firſt offence ten pounds to the kings highneſſe, and if he haue ſufficient to pay the ſame, and doe alſo pay the ſame within ſix daies next after his conuiction, or elſe ſhall ſuffer for the firſt offence twentie daies impriſonment, and ſhall onely haue bread and water for his ſubſtance. And for the ſecond offence ſhall forfeit twentie pound to the king, if he haue ſufficient to pay the ſame, and doe pay the ſame within ſixe daies nert after his conuiction, or elſe ſhall ſuffer for the ſecond offence puniſhment of the Pillorie. And for the third offence ſhall forfaite fortie pounds to the king, if he haue ſufficient to pay the ſame, and alſo do pay the ſame

Butchers Brewers Bakers Poulters Cookes Coſtermongers

Artificers Labourers Conſpire

Price

Firſt offece. Fort. l. li.

Impriſ.

2. offence 20. pound

Pillorie 3. offence 40 pound

Pillorie Looſe one eare. Infamous

ſame within ſire daies next after his conuiction, or elſe ſhall ſit on the pillorie, and looſe one of his eares, & alſo ſhall at all times after that be taken as a man infamous, and his ſayings, depoſitions, or othe, not to be credited at any time in any matter of iudgement. And if it fortune any ſuch conſpiracie, couenant, or promiſe to bee had and made by any ſocietie, brotherhood or company of any craft, myſterie or occupation of the victuallers aboue mentioned, with the preſence or conſent of the more part of them, that then immediately vpon ſuch act of conſpiracie, couenant, or promiſe had or made, ouer and beſides the particular puniſhment before in this act appointed for the offendor, their corporation ſhall be diſſolued to all intents, conſtructions and purpoſes. And it is &c. that all and ſinguler Iuſtices of Aſſiſes, Iuſtices of Peace, Maiors, Bailifes, & Stewards of Leets, at all & euerie their Seſſions, Leets, & Courts, ſhall haue full power and authoritie to enquire, heare and determine, all and ſinguler offences committed againſt this ſtatute, and to puniſh, or cauſe to be puniſhed the offendors, according to the tenor of this ſtatute. Anno 2. Ed. 6. ca. 15.

Conſpiracy

Corporatiõ

Corporatiõ diſſolued.

Iuſt. of aſſ. Iuſt. of P. Maiors Bailifes Stewards of Leets Heare and determine

Puniſh

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In the ſame Act was an Article, that none ſhall diſturbe certaine Artificers named in that Article to work in any of the crafts there named, in any citie, borough, or towne corporate with any perſon, though the Artificers doe not dwell, or be not free there &c. But this Article for the benefitte of the Citie of London is repealed by 3. Ed. 6. ca. 20. And learne if the generall words of 5. Eliz. cap. 4. (infra Laborers 38.) hath not repealed the reſt of this Statute concerning Artificers, workemen and Labourers.

Aſſault and Frayes.

Thrudder

Brooke Parliamẽt Somerſet

Waime Sauage

Proclamation

K. Bench

Attaint

Damages Iudges

Enquell Fine.

Parliamẽt.

BEcauſe that Richard Thedder Eſquire, which was come to this preſent Parliament with Thomas Brooke Knight, one of the Knightes choſen to the ſame parliament for the Countie of Sommerſet, and meniall Seruant with the ſaide Thomas, was horribly beaten, wounded, blemiſhed and maimed by one John Sauage: It is ordained and ſtabliſhed, that for ſo much as the ſame horrible deede was done, within the time of the ſaide Parliament, that Proclamation be made, where the ſame horrible deed was done that the ſaid John appeare and yeelde him in the Kings Bench within a quarter of a yeare after the proclamation made, and if he doe not, the ſame John Sauage ſhall be attainted of the ſaide deed, and pay to the partie grieued his double damages, to be tared by the diſcretion of the Iudges of the ſame bench, for the time being, or by Enquell if it need be, and alſo he ſhal make fine & ranſome at the kings will. Moreouer it is accorded in the ſame Parliament, that likewiſe it be done in time to come in caſe like. An. 5. H. 4. cap. 6.

2 If any aſſault or affray be made to any Lord ſpirituall or temporall, Knight of the ſhire, Citizen or Burgeſſe, comming to the parliament, or to the Councell of our ſoueraign Lord the king by his commandement, and there being and attending to the Parliament or councell of our Soueraigne Lord the king: that then proclamation ſhal be made in the moſt open place of the towne, by three ſeueral daies where the affray was made, that the partie that made ſuch affray or aſſault, yeeld him before the king in his bench, within a quarter of a yeare after the Proclamation made, if it be in the time of the terme, or otherwiſe, at the next day in the time of the terme following the ſaid quarter, and if he doe not, that he be attainted of the ſaid deed, and pay to party grieued his double damages, to be tared by the diſcretion of the Iuſtices of the ſame bench for the time being, or by enqueſt if it be needfull, and that he make fine and ranſome at the kings will. And if he come and be found guiltie by enqueſt, by examination, or otherwiſe, of ſuch affray or aſſault, then he ſhall pay to the partie thereby grieued his double damages found by the enqueſt, or to be tared by the diſcretion of the ſaide Iuſtices, and make fine and ranſome at the will of our Soueraigne Lord the king, as aboue is ſaide. Anno 11. Hen. 6. cap. 11.

Councell

Proclamation

Attaint

2. damages Iuſtices

Enquire Fine

Examination Affray

2. damages

Fine

Aſſiſes.

Mordancẽſter.

Chiefe Iuſtice.

Knights of ſhires.

Determine. Circuit

Difficultie

Eſcheator Sheriffe Bailife Warrant

Diſſeiſe Freehold

Office

Common law Attaint

2. damages

Amerced

Attaint Diſſeiſin Robbery Recognisance Iudgement

Damages

Freehold Fine

ASſiſes of Nouel diſſeiſin, and of Mordance-ſter, ſhall not be taken but in their Shires, & after this manner. Wee, or (if wee bee out of the Realme) our chiefe Iuſticer ſhall ſend out our Iuſticers through euerie countie once in the yere, which with the knights of the ſame Shires, ſhall take the ſaid Aſſiſes in thoſe Counties, and thoſe things that at the comming of our ſaid Iuſticers being ſent to take thoſe Aſſiſes in the ſaid counties, cannot be determined there, ſhall be ended by them in ſome other place in their circuit. And thoſe things which for difficultie of ſome Articles cannot be determined by them, ſhall be referred to our Iuſticers of the bench, and there ſhall bee ended. Magna Charta cap. 12.

2 That no Eſcheator, Sherife, nor other Bailife of the king, by colour of his office, without ſpeciall warrant or commandement, or certaine authoritie pertaining to his office, diſſeiſe any man of his freehold, nor of any thing belonging to his freehold. And if any doe, it ſhall be at the election of the diſſeiſee, whether that the king of his office ſhall cauſe it to be amended at his complaint, or that hee will take the common law by an Aſſiſe of Nouel diſſeiſin, and he that is attainted thereof ſhall pay double damages to the plaintiſe, and ſhall be grieuouſly amerced vnto the king. Weſt. 1. ca. 24. An. 3. Ed. 1.

3 It is prouided alſo and agreed, that if any man be attainted of diſſeiſin done in the time of the king that now is, with robberie of any manner of good or moueable by recogniſance of Aſſiſe of Nouel diſſeiſin, the iudgement ſhall be ſuch, that the plaintiſe ſhall recouer his ſeiſin and his damages, aſwel for the goods & moueables aforeſaide, as for the ſoile, & the diſſeiſor ſhall make fine whether he

Imprit.

he be present or not, so as if he be present he shall be first awarded to prison. And in like maner it shall be done of disseisin with force and armes, although there be no robberie done. West. 1. cap. 36. Anno 3. Ed. 1.

Mortdancester. Darreine presentment. Advent Lent

4 Assises of Nouel disseisin, Mortdancester, and Darreine presentment, shall bee taken in Advent, Septuagesima and Lent, euen as well as Enquests may be then taken. West. 1. cap. 48.

5 See Execution 2. of Assise by tenant by Elegit. And See Recognisance 2. of Assise by tenant by statute Merchant. And See Staple 8. of Assise by tenant by statute Staple.

Chancerie Plaintife Nouel diss. Justice Delaies

6 For asmuch as there is no writ in the Chancerie, whereby plaintifes can haue so speedie remedie as by a writ of Nouel disseisin: Our soueraign Lord the king to the intent that Justice may be more speedily ministred, & delaies in plees may be abridged and taken away, graunteth that a writ of Nouel disseisin shall hold plate in moe cases then it hath done heretofore. And graneteth that for Essouers of wood, & profit to be taken in woods by gathering of Nuts, Acornes, and other fruites, for a Corodie, and deliuerie of corne and other victuals and necessaries, and money to be receiued yerely in a place certaine, for toll, tronage, passage, pontage, pawnage, and such like to be taken in places certaine, for keeping of woods, parks, forests, chases, warrens, yates, and other Bailiwikes, and offices in fee, from henceforth an assise of Nouel disseisin shall lie, and in all cases afore rehearsed, the writ shall be as it was wont to be, De libero tenemento. And as before times it hath lyen and holden place for common of pasture, so shall it from henceforth hold place for common of turueland, fishing, and such like commons, which any man hath appendant to his freehold, or without free hold by speciall deed, at the least for terme of life. In case also when any holding for terme of yeares, or in ward, alieneth the same in fee, and by such alienation the freehold is transferred to the feoffee, the remedie shal be by a writ of Nouel disseisin, and aswell the feoffor as the feoffee shall be held for disseisors, so that during the life of any of them, the saide writ shall hold place. And if by the death of the parties remedie happen to faile by that writ, then remedy shall be had by a writ of Entre. And albeit that aboue mention is made of some cases wherin a writ of Nouel disseisin held no place before, let no man thinke therfore that this writ lyeth not now where it hath lyen before. And though some haue doubted whether remedie may be had by this writ, in case where one feedeth the seuerall ground of another, let it be held for certaine, that a good and a sure remedy is giuen in that case by the said writ. And let them that be named disseisors, beware from henceforth, that they alleage no false exceptions, whereby the taking of the Assise may be deferred, saying that another time an Assise of the same land passed betweene the same parties, or saying vntruly that a writ of more high nature hangeth betweene the same parties for the same land, and vpon these and like matters doe vouch Rolles or Records to warrantie, to the end that by the same vouching they may take away the vesture of the land, and receiue the rents and profittes, to the great damage of the plaintife. And whereas before, none other paine was to be had against him that falsely had alleaged such vntrue exceptions, but onely that after such false surmises disproued the Assises should bee taken: Our Soueraigne Lord the king (to whome such false exceptions be odious) hath ordained, that if any being named disseisor do personally alleage that exception, if at the day to him giuen he faile of the warrant that he hath vouched, he shall be adiudged for a disseisor without taking of the Assise, and shall restore the damages before enquired of, or to be enquired of after, to the double, and shall nuertheless haue a yeares imprisonment for his falshood. And if the exception bee alleadged by a Bailife, the taking of the Assise shall not be delayed therefore, nor the iudgement vpon the restitution of the landes and damages. Prouided neuertheless, that if the Maister of such a Bailife that was absent, come afterward before the same Iusticers that took the assise, and offer to prone by the Record or Roll, that at another time an Assise passed betweene the same parties for the same land, or that the plaintife at an other time, did withdraw his suite in a like writ, or that there is a plee hanging by a writ of more high nature: a writ shall bee made for him for the same Record: & when he shall haue the same, & the Iusticers doe perceiue that the Record so sent, would haue bin so auaileable to him before iudgement, that the plaintife by force of the same should haue beene barred of his action, the Iusticers shall award immediately a Sci. fac. against him that first recouered, ỹ he appeare before them at a certain day, at the which day the defendant shall recouer againe his seisin and his damages (if he haue payed any by the first iudgement) with the damages also that he hath sustained after the first iudgement giuen, which hee shall recouer to the double, as before is saide, and he that first recouered shall be punished by imprisonment after the discretion of the Iustices. In the same manner if the defendant against whome the assise passed in his absence, shew any deeds or releases, vpon the making whereof the Iurie were not examined, nor could bee examined, because there was no mention made of them in pleading, and probably they might be ignorant of the making of those writings: The Iustices vpon the sight of those writings, shall award a Scire facias to the partie that recouered, that he appeare before them at a certaine day, and shall cause the Iurors of the same Assises to come before them. And if he proue those writings true by their verdict, or by the inrolment of them, he that purchased that assise contrarie to his owne deed, shall be punished by the paine aforesaid. Neither shall the Sherife from henceforth take an ore of the disseisee, but of the disseisor onely, and if there be many disseisors named in one writ, yet shall he be contented with one Ore, or shall aske any Ore but of 5. shillings price, or the value. West. 2. cap. 25. An. 13. Ed. 1.

Vesture Profits

Exceptions

Adiudged Disseisor Damages

Imprit.

Bailifes

Iudgement

Master

Iustices

Prone

Plaintife

Certificat.

Barre Action

Scire facias.

Defendant Damages

Iudgement.

Imprit.

Absent Deeds Releases Iurie Examine Pleading

Scire facias.

Iurors

Verdict Inrolment

Paine

Sherife Ore

Essouers of wood Nuts Acornes Fruits Corodie Toll Tronage Passage Pontage. Pawnage Woods Parkes Forests Chases Warrens Bailiwikes Offices.

Common of Pasture Turueland Fishing

Freehold

Alienation

Writ

Seuerall

Disseisors False exceptions

Rolles Records Vouch

7 Where one hauing no right to common vsurpeth common, what time an heire is within age,

Common Vsurpe

Infant Woman Dower Tenant by the curtesie

age, or what time a woman is couert, or whilst the pasture is in the hands of tenants in dower, by the curtesie or otherwise, for terme of life, or yeares, or in fee taile, and the pasture bee long vsed, many holde opinion that such pastures ought to be said to pertain to his freehold, and that the possessioner ought to haue action by a writ of Nouel disseisin, if he be deforced of such pasture: but from henceforth this must be holden for lawe, that such as haue entred within the time that an assise of Mortdancester doth lye, if they had no common before, shall haue no recouerie by a writ, of Nouel disseisin, if they be deforced. W. 2. cap. 46.

Appurtenāt

Writ Deforce

Mortdancester.

Attorneies

8 Where tenants in Assise of Nouel disseisin might not make Attorneies heretofore: It is agreed, that the tenants in Assise of Nouel disseisin frō henceforth may make Attorneies: Yet the king intendeth not hereby but that the tenants and defendants in Assises of Nouel disseisin, shall pleade by Bailifes at their owne pleasure, as they haue done heretofore. Statut. Eborū cap. 1. An. 12. E. 2.

Bailifes

Joint

Deeds

Auerre

9 For asmuch as it chanceth many times in assises of Nouel disseisin, that the tenant doth plede against the plaintife, that he holdeth the lands beeing in demaund iointly with his wife, not named in the writ, and sometime with a straunger, who likewise is not named in the writ, and sheweth forth a deede testifying the same, and demaundeth iudgement of the writ: It is agreed and ordained, that if the plaintife will offer to auerre by Assise that the day of his writ purchased, he that alleadged the exception was sole tenant, so that neither his wife nor any other had any thing in the said lands, then the Iustices before whome the Assise is arraigned shall retaine the same deed safely in their kéeping, vntill the assise be tried between them thereupon. And they shall by our writ vnder their Teste let the partie absent, whome the déede testifieth to haue beene iointly enfeoffed with the tenant that is present, to vnderstand, that he be present at a certaine day with the other tenant, for to answer vnto the partie plaintife, aswell vpon the exception alleadged, as of the lands demanded and put in view, if it shall so séeme expedient to him: At which day if both they that are named tenants doe come in, and doe iustifie the same feoffement, they shall answere and maintaine the exception alleadged by one of them, and further shall answere vnto the assise, as though the originall had beene purchased against both of them iointly. And if it be proued by Assise, that the exception was alleadged malitiously for to delay the plaintife of his right, so that they held not the same land iointly the day of the writ purchased, then albeit the same assise do passe for the tenants, and against the plaintife, yet they that alleage the exception shall be punished by one yeares imprisonment, from whence they shall not be deliuered without a grieuous ransome. And let Iustices be wel aduised, that from henceforth they doe not allow such an exception alleaged by the bailifes of any such tenants. And if hee that alleageth the exception absent himselfe at his day, and the other that is named iointenant doe appeare, although he disauow the same deede, and say, that he hath nothing in the foresaide lands &c. neuertheles the assise shall be awarded against him that is absent by the default. And if it be found by the assise that they were not iointly seised, the day of the writ purchased, and likewise that the tenant against whom the writ was purchased, or any other named in the writ did disseise the plaintif, then hauing regard to the exception that was falsely and malitiously alleaged to the hurt of the partie, and to the disseisin that was made, the plaintife shal recouer his seisin and double damages, and they that alleaged the false exception, shall haue the punishment aforesaid: But if neither of the tenants doe come in at the day, then vpon their default the assise shall be awarded against them. And if it bée found that the same exception was lawfully and truely alleaged, and that they that alleaged it, were iointly seised before the plaintif purchased his writ against them, the assise shall passe no further, but the writ shall be abated. The same shall be obserued if both or one doe appeare, if it be found by assise that the exception was truely alleaged, as before is saide. The same order shall be obserued in assises of Mortdancester, and writs of Iuris vtrum if on the first day that the parties appeare in court the tenant alleage the saide exception against the demaundant, shewing a deed thereupon, and the demandant will offer to auerre by the assise or Iurie, that the day of his writ purchased, hee that alleaged the exception was sole tenant, then the same manner of proces shall be vsed in the assises of Mortdancester, and writs of Iuris vtrum as before is ordained in the assises of Nouel disseisin, and like punishment shall be awarded vpon the offendors. But in other writs whereby landes are demanded, such proces shall be made at the first day that the parties appeare in court, if the tenant doe alleage the foresaide exception of a ioint feoffement, and the demaundant will offer to auerre by the Countrey, that the day of the writte purchased he that alleaged the exception was sole tenant, then the same maner of proces shall be obserued betwixt the parties, vntill a Iurie haue passed betweene them thereupon. And if it be foūden by the Iurie that the same exception was truely alleaged, then the writ of the demaundant shall abate. And if it be founden by the Iurie that the same exception was falsely & malitiously alleaged, to the hinderance of the party, then the demandant shal recouer his seisin of the lands in demand, & the tenant shal be punished by the pain abouesaid in a writ of Nouel disseisin, as to the imprisonment, & as to the damages according to the discretion of the Iustices. An. 34. E. 1. Sta. de Con. Feoff.

Justices

Writ

Exception

View

Feoffement

Originall Joint

Punish Imprisl.

Fine. Justices

Bailifes

Default

Disseise

2. Damages

Default

Writ Abate

Mortdancester. Iuris vtrum

Auerre

Sole tenāt

Proces Writ

Iurie

Abate

Imprisl. Damages

10 An assise of Nouel disseisin shall be from henceforth graunted and made of rent behinde, due out of tenements being in diuers counties, to be holden in the confine of the counties, within which the tenements be. And thereupon the assise to be taken and tried by people of the said counties in the same maner as is don of a cōmon of pasture being in one county, & appendant to tenements in another county. And that aswell of disseisins done in times past, as of disseisins yet to be done, and

Rent

Confines

Common of pasture Appendant

Disseisin

that

Writs that Writs thereupon at the ſuite of the plaintifes be made from henceforth in the Chauncerie without any maner of contradiction in a due forme. An 7.R.2.cap.10.

Patents Entrie Diſſeiſed 11 In caſe any lands or tenements be graunted by the kings patent without title, found by Enqueſt, or otherwiſe, there where the Kings entrie is not giuen by the Lawe: Theythat be put out or diſſeiſed of their freehold, ſhall haue a ſpeciall aſſiſe of the Chauncellors graunt, without other ſuite to be made to the king in that behalfe, and if the perſons hauing the kings letters patents, doe pray in aide, a Writ of Procedendo ſhall be graunted by the ſaid Chauncellor, without making other ſuite to the king. And in caſe that they which be put out or diſſeiſed, do recouer againſt the perſons hauing ſuch patents, that then they which be ſo put out or diſſeiſed, ſhall recouer their treble damages. And that this ordinance and ſtatute hold place as well after the kings arriuall into England, as in all time to come. Anno 1.H.4.cap.8.

Writ Procedendo iii. damages

Forcible entries 12 Whereas daily the great men of the realme doe make forcible entries into other mens lands, and put out the poſſeſſors of the ſame, claymyng ſometime in their owne right, where their entrie is not lawfull, and ſometime in an others right, where they haue nothing in reuerſion, in right, nor in demeſne, nor there is no affinity nor coſinage betweene them and thoſe in whoſe right they haue entred, and alſo take their goods and cattels in maner of robbery, ſo that oftentimes they be in ſuch manner put out, and ſpoiled of their goodes and cattels, that they haue nought to purſue for their right, and ſo by ſuch forcible entries and maintenances, the land tenants and poſſeſſors be vtterly diſherited and deſtroied: Our ſaid ſoueraigne lord the king, minding to do equall right to all his liege people, aſwel to the ſmall, as to the great, and that his lawes be duely executed, at the grieuous complaint of the ſaid commons, by the aduiſe and aſſent of all the Lords aforeſaide, for to puniſh and chaſtice ſuch riots and forcible entries ſo made, and hereafter to be made againſt the Lawes of the land, hath ordained and ſtabliſhed, that if any man great or ſmall, of what eſtate or condition that hee be, make any ſuch forcible entry in his owne right, or to his owne vſe, or in anothers right, or to an others vſe by way of maintenance, or take or carry away any goodes after ſuch forcible entry, from the poſſeſſor of the freehold, that if the party grieued, or other lawfull man will make oathe in his name, that the entrie was made in ſuch forcible manner, that the Chancellor of England for the time being, ſhall haue power by his diſcretion, to grant a ſpeciall Aſſiſe in this caſe to the partie grieued, of whatſoeuer value the tenement be, without ſuing to the king. And if ſuch diſſeiſor be attainted of ſuch diſſeiſin made in ſuch forcible maner, he ſhall haue one yeares impriſonment, and yelde to the party grieued his double damnages. And if hee be conuicted by the ſame Aſſiſes, that he hath taken or carried away any goods or cattels of ſuch diſſeiſees, the Juſtices of the ſame Aſſiſe ſhall haue power for to heare and determine, aſwell for our ſoueraigne Lord the king, as for the party, of the goodes and cattels ſo carried away, and to award to the ſame party ſo grieued his damages. And that in euerie ſuch eſpecial Aſſiſe be named one of the Juſtices of the one Bench, or of the other, or the chiefe Baron of the Eſchequer, if he be a man of the Lawe. And that hereafter no Writ of Superſedeas be granted to the contrary of ſuch eſpeciall Aſſiſes. Anno 4. H.4.cap.8.

Goods Robbery Riots Maintenance Chancellor Diſſeiſor Attaint Impriſonment ii. damages Conuict Goods Juſtices Diet & ter. Damages Superſedeas

13 Anno 9. Henr.5. cap.3. The King commaunded that his Juſtices ſhould holde the Aſſiſes through his Realme by the manner accuſtomed. Juſtices

14 Anñ 9.H.5.cap.3. and Anñ 4.H.6.cap.2. and Añ 8.H.6.ca.13. and Anno 14.Ed.4.cap.2. foure ſeuerall acts were made to endure for certain yeares, wherein were enacted, that Recoueries in Aſſiſe ſhould not be preiudiciall to them in the reuerſion which were beyond the Sea with the king in his ſeruice, if they were not named in the Aſſiſe. Recouerie Reuerſion

15 The panells of eſpeciall Aſſiſes ſhall be arraied, and a copie indented of the ſame by the Sheriffe deliuered to the plaintifes, tenants, and defendants, ſix daies at the leaſt before the Seſſion of the Juſtices, if they the ſame demaund. And as to the returne or anſwere of the Bailifes of franchiſes, they ſhall make their returnes or anſweres to the Shiriſes of ſuch ſpeciall Aſſiſes, ſixe dayes before the Seſſion, in the manner as afore. And that vpon paine of forfie pounds, to be paied by the ſaid Shiriſes or Bailifes to the King, as often as they or anie of them doe contrarie to this ordinance or ſtatute. Anno 6.H.6.cap.2. Panell Shirife Returne vi Daies Paine Bailifes

16 Whereas diuers perſons oftentimes doe ſue Aſſiſes of Nouel diſſeiſin before Juſtices aſſigned, againſt diuers perſons, and by craft and colluſion for to haue their Writs of their ſaide Aſſiſes directed to the Coroners of the counties where the tenements be, for to make execution of the ſaide writs, doe name in their ſaid Aſſiſes, the Shiriffes of the ſame County one of the diſſeiſors, where hee is not nor neuer was diſſeiſor, nor tenant of the tenements in demaund, whereby oftentimes the ſaid Aſſiſes be awarded by the fault of the tenants, which haue no knowledge of thoſe Aſſiſes, in ſo much as they found not anie Aſſiſe againſt them on the file of the Shirife, nor haue no ſuſpition of any ſuch Aſſiſe taken againſt the ſhirife and them: Our ſoueraigne lord the King, willing in this caſe to prouide remedy, of the aſſent and authority aforeſaid, hath ordained, that in all ſuch Aſſiſes purchaſed at this time hanging, or hereafter to be purchaſed betweene any perſons whatſoeuer they be, before any ſuch Juſtices, in which Aſſiſes any ſuch Shirifes be named diſſeiſor, if the tenants in the ſaid Aſſiſes, or any of them will auerre, that the ſaid Shirife is not, nor neuer was diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, the auerment ſhalbe receiued. And if it be found by the ſaid aſſiſe, that the ſaide Shirife is not, nor neuer was diſſeiſor nor tenant of the tenemẽts, but was named diſſeiſor by colluſion, then the ſaid Juſtices ſhall do to be abated the ſaid writ purchaſed, or to be purchaſed in the forme aboue- Colluſion Writs Coroners Shirife Fils Auerre Juſtices Abate

aboueſaid. And that the plaintiſe or plaintiſes be in the greeuous mercy of the King. Añ 11. H. 6. ca. 2. See the like Statute in Coniſance Añ 9. H. 4. cap. 5. and Anno 8. H. 6. cap. 26.

Abridge

17 That the plaintiſe in euerie Aſſiſe from henceforth may at his pleaſure ſeuer and abridge his plaint, of any part or partes, whereunto anie barre is pleaded, in ſuch like manner as he or they might doe in caſes that plées in barre had beene had and diuided to any certainty or number of acres in the plaint, and that the plaint for the reſidue of the part or parts of the lands not abridged, ſhall be and ſtand good and effectuall in the Law. Añ 21. H. 8. cap. 3.

Attainder.

ANno 11. Rich. 2. cap. 5. &c. certaine perſons were attainted by parliament.

2 Anno 5. H. 4. ca. 1. and Anno 7. H. 4. ca. 12. certaine perſons were attainted by parliament.

3 See Vſes 8. of attainder of Empſon and Dudley.

4 Anno 25. H. 8. ca. 12. an Act was made concerning the attainder of treaſon of Elizabeth Barton Nunne of Canterbury, Richard Maſker, Edward Boking Monke, John During, and Hugh Rice, and Richard Riſbie obſeruant Friers, and

Miſpriſion

Henry Gold, of miſpriſion of treaſon of John Fiſher Biſhop of Rocheſter, Thomas Gold, Thomas Laurence, John Adeſtone, and Thomas Abel &c.

5 See Crowne 4. of the Attainder of Anne Bollen, and her brothers, and others.

6 Anno 33. Hen. 8. cap. 21. an Act was made

Treaſon

for the attainder of treaſon of Quéene Katherine Hayward, the Lady Rochford, Culpeper and Derham, and of the attainder of Miſpriſion, an Act of treaſon of the Ducheſſe of Norfolke, the Counteſſe of Bridgewater, Lord William Hayward, and diuers other men and women.

7 In Anno 2. Ed. 6. cap. 17. an Act was made

Treaſon

for the attainder of treaſon of Sir William Sherrington knight, and after, Anno 3. Ed. 6. ca. 13. he

Reſtored

was reſtored to his blod.

8 In Anno 2. Ed. 6. cap. 18. a great long Act is

Treaſon

made for the Attainder of treaſon of ſir Thomas Seimor Lord Admirall, and after, Anno 3. Ed. 6.

Reſtored

cap. 14. Mary Seimor his daughter was reſtored to her blod.

9 In Añ 1. Ma. 1. parliamento, 2. Seſſione, ca. 16. an Act was made for the confirmation of the

Treaſon

attainder of treaſon of John Dudley duke of Northumberland, Thomas Cranmer Archbiſhop of Canterbury, William Marquelle of Northampton, John earle of Warwike, ſir Ambroſe Dudley knight, Guilford Dudley Eſquier, and Jane his wife, Henry Dudley Eſquier, ſir Andrew Dudley knight, ſir Jo. Gate knigt, and ſir Thomas Palmer knight, with diuers articles concerning that matter.

10 Anno 13. Eli. Reg. ca. 16. an Act was made for the confirmation of Attainder of Charles earle of Weſtmerland, Thomas earle of Northumberland, and many other knights, eſquiers and gentlemen.

11 Anno 28. El. cap. 1. an Act was made for the confirmation of attainder of Thomas Paget late lord Paget, Frances Engleſield knight, and many other eſquiers and gentlemen.

12 Anno 35. Eli. cap. 5. an other act was made for confirmation of the attainder of the ſaide Sir Frances Engleſield, with an explanation and confirmation of the Quéenes maieſties title to his lands and tenements.

Attainder of diuers offendors in the Powder treaſon.

13 Anno 3. Iacobi cap. 2. an act was made, whereby all and euery the conuictions and attainders of Robert Winter, Thomas Winter, Guy Fawkes, Ambroſe Rookwoode, Iohn Graunt, Robert Keyes, Thomas Bates, and ſir Euerard Digby, be approued and confirmed. And it is thereby further enacted, That aſwell the ſaide Robert Winter, Guy Fawkes, Ambroſe Rookewood, Iohn Graunt, Robert Keys, Thomas Bates, and ſir Euerard Digby, as alſo Robert Catesby, Thomas Pearcie, Iohn Wright, Chriſtopher Wright, Hugh Owen, and Frances Treſham, and euery of them for their moſt abhominable and deteſtable Treaſon in conſpiring and preparing the blowing vp of the Parliament houſe with gunnepowder, ſhall ſtand and be adiudged, conuicted, and attainted of high treaſon: And that ſuch and ſo many of the ſaid offendors and perſons as are attainted by the courſe of the Common Lawes of this Realme, as is aforeſaid, ſhall loſe and forfeit to the King, & to his heirs & ſucceſſors, all their manors, meſſuages, lands, tenements, rents, reuerſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, fées, annuities, and all other their hereditaments, goodes, chattells, debts, and other things, which they the ſaide offendors, or any of them had, or any other perſon or perſons, to their or any of their vſe, or vſes had, the day of their ſeuerall treaſons, ſpecified in their ſeuerall indictments, committed, or at any time ſithence. And that the ſaid Robert Catesby, Tho. Pearcie, Iohn Wright, Chriſtopher Wright, Hugh Owen, and Frances Treſham ſhall forfeit to the King, his heires, &c. all their manors, meſſuages, lands, goods, &c. which they, or any of them, or any other perſon or perſons to their, or any of their vſe or vſes had, the dayes and times of their ſeuerall treaſons, by them and euerie of them committed: that is to ſay, the ſaid Robert Catesby, Thomas Pearcie, Iohn Wright, and Chriſtopher Wright, the twentieth day of Maie, Anno ſecundo Regis Iacobi, The ſaid Hugh Owen the twentieth day of Maie laſt paſt, and the ſaid Frances Treſham the foureteenth day of October laſt paſt, or any time ſithence. And that all and ſingular ſuch manors, meſſuages, lands, goodes, &c. of the ſaid offendors, as ſhall be forfeited, ſhall be in the actuall and reall poſſeſſion of the King, without any office or inquiſition thereof to be taken or found. With a Sauing of the right of other men, &c. Anno 3. Iacobi cap. 2.

Sauing of the right of other men, &c. Anno 3. Iac. cap. 2.

Attaint.

THe King of his office will from henceforth graunt attaints vpon inquests in plee of land, or of freehold, or of any thing touching freehold whe it shall seeme necessarie. West. 1. cap. 37. Anno 3. Ed. 1.

Freehold

2 Concerning proces to be awarded in Juries of foure and twentie men, because that by the lawe hitherto vsed, the Iustices haue not taken such Juries vntill all the first Jurors which were alive did appeare before them in court. And those Jurors doubting to be attainted, would rather lose their issues then appeare in court, by means wherof the Plaintifes were greatly delayed, and false othes seldome times punished: It is therefore ordained & established, that if the first Jurors which shall be liuing appeare not in court before the Iustices which shall be assigned such Juries to take, at the first grand distresse vpon them returned, or that returne then be made that they haue nothing whereby they may be distrained, that then by their absence, there be no delay made of the Jurie, obseruing in all other things the proces in such Juries heretofore vsed. Westm. 4. Statut. de Attinct. 13. Ed. 2.

Juries
Iustices
Jurors

Appeare

Grand distresse

Proces

3 A writ of Attaint shall be graunted as well vpon the principall, as vpon the damages in a writ of Trespasse. And that the Chancellor which shalbe for the present time, shal haue power to grat such writs of attaints without speaking therefore to the King. And in such and all other cases of attaints, the Iustices shall not let to take the attaints though the damages be not paied. Anno 1. Ed. 3. cap. 6.

Principall
Damages
Trespas
Chancellor

Iustices

4 Whereas Jurors haue the lesse doubted to be periured, by reason of the long delayes that haue beene in attaints, before the Iustices of the one Bench and of the other, and before other Iustices: It is enacted, that no essoine of the Kings seruice nor protection shall be from henceforth allowed in such Juries, no more then in assises of Nouel disseisin. And that fiue daies in the yeare be giuen before the Iustices of the common Bench in the saide Juries at the least. And that a Nisi prius be as well giuen in such writs as in other. And whereas it is contained in a Statute late made at Westminster, in the first yeare of the raigne of our Soueraigne lord the King that now is after his Coronation, (before 3.) that attaints should be graunted in writs of Trespasse: It is accorded and established, that writs of attaint shall be from hencefoorth graunted as well in plees of trespasse moued without Writ as by Writ, before Iustices of Record, if the damages iudged doe passe foortie shillings. Anno 5. Ed. 3. cap. 6. & 7.

Juries of Periurie

Iust. of both Benches

Essoine
Protection
Juries

Iust. of the common B. Nisi prius

Writs of Trespas

Damages

5 The Writ of Attaint shall be graunted from henceforth, aswell vpon a bill of Trespasse, as vpon a writ of Trespasse, of inquests which be to be taken in time to come, without hauing regard to the quantitie of the damage. Anno 28. Ed. 3. ca. 8.

Bill of Trespas

Damages

6 Euery man against whom they passe, may haue the attaint as well in plee reall as personall. And that the attaint be graunted to the poore people (which will sweare that they haue nothing whereof to raise the fine sauing their countenance) without fine, and to all other by an easie fine. Ann 34. Ed. 3. ca. 7.

Reall
Personall
Poore people
Fine

7 It is accorded and assented, that if the tenant for terme of life, tenant in dower, tenant by the curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and plead to an inquest, and lose by the oath of twelue, or that they lose by default, or in other manner, that he to whom the reuersion of the tenements so lost pertaineth at the time of such iudgement giuen, his heires and his successors shall haue an action by Writ of Attaint, to attaint the same oath, if they will assigne the same oath to be false, and also by Writ of Errour, if errour be found in the Record of such iudgement, as well in the life of such tenants that doe so lose, as after their death. And if such iudgement erroniously be reuersed, or such false oath be found, that the tenaunt that did lose by the first iudgement (if hee be in life) shall be restored to his possession of the tenements so lost, with the issues in the meane time, and the partie pursuing, to the arrerages of the rent, if anie be due of the same tenements. And if any such tenant be dead at the time of the iudgement giuen vpon such writs of Attaints and of Errour, that then restitution of the saide tenements be made to the party pursuing, with the issues after the death of the said tenant, together with the arrerages of the rent, if anie to him were due in the life of the tenant. Prouided neuertheless, that although the tenant, which so did lose by the first iudgement be in life, and the partie pursuing will alleadge, that the same tenant was of couin, and of the assent of the demaundant which recouered, that such tenements ought to be lost, that restitution of the same tenements be made to the same partie pursuing, with the issues and arrerages, as afore is said. Sauing to such tenant his action by Writ of Scire facias out of the same iudgement so reuersed or giuen, in the Writ of Attaint, if he will trauerse the couin and assent aforesaid, and otherwise not. Anno 9 R. 2. cap. 3.

Tenant for life
T. in dower
T. in curtesie
T. in taile
Enquest

Oath

Errour

Reuers

Issues

Arrerages

Restitution

Couin

Restitution

Issues
Arrerages
Scire facias

Trauers
Collusion

8 See Anno 13. R. 2. cap. 1. how that of a verdict taken before the maior and bailifs of Lincolne, attaint shall be sued in the Kings Bench or Common Place, and the Jurie shall be of the county of Lincolne.

Verdicts
Bailifes
K. Bench
Common place
Lincolne

9 See Anno 3. H. 5. cap. 5. how that of a verdict taken before the maior and bailifes or shiriffe of Lincolne, Attaint shall be sued in the Kings bench or Common place, and the Jurie shall be of the Countie of Lincolne, though Lincolne were made a countie by it selfe.

10 Our Soueraigne Lord the King, by the grieuous complaint of his Commons, considering the great mischiefes had within the Realme, and yet not remedied, and also the great damage and disinheritance that commeth by the vsuall periurie of Jurors, impanelled in Enquests, aswell

Periury
Jurors

in the Courts of our Soueraigne Lord the King, as of other, the which periury aboundeth and increaseth daily more then it was wont, by reason of the great gifts that such Iurors take of the parties to the pleas sued in the said Courts, insomuch that the greater part of the people that haue to sue in the said Courts, leaue their suits for the mischiefe aforesaid, especially for cause of the delayes that be in the writs of Attaint, for that in times past in writs of Attaint when the grand Iurie had appeared in Court, and were ready to passe, one of the tenants or defendants, or of the petty Iurors named in such Writs, sometime haue pleaded false & faint pleas, which were not triable by the graund Iury of the attaint, and by that cause delayed the taking of such graund Iuries, till such pleas were tried: And afore such pleas tried and found for the plaintife, another of the Iurors, tenants or defendants, might pleade another such false & faint plea, after the last continuance in the same attaints, and so euery of the defendants, Iurors or tenants after other might pleade such false and faint plea, and delay the grand Iury when it was ready to passe. And though that all such false and faint pleas were found against them which pleaded them, no paine was giuen to them by the common Law: for cause of which delayes the graund Iuries in Attaints haue bene greeuously vexed and trauailed, and the plaintifes in such attaints put to so great costs, & therby impouerished, that they could not sue forth their said suits, wherefore the Iurors be the more incouraged to be periured & make their false oaths in such cases. Our said soueraigne Lord the King, willing vpon that to prouide remedy, at the request of the said Commons, and by the assent of the Lords aboue said, hath ordained and stablished, that the parties plaintifes in all such attaints, shall recouer their damages and costs against all such tenants, Iurors, and defendants, which they shall sustaine in that behalfe. Anno 11. H. 6. cap. 4. See here following 11.

Delayes

Grand Iury

Petty Iury

Faint Pleas

Recouer damages

11 No Sherife, Baylife of franchise, nor Coroner in actions or writs of Attaint of plee of land, of the yeerely value of forty shillings, or more, nor in action of Attaint of deeds, concerning lands or tenements of like value or more, nor in personall action, whereof the iudgement of the recouery shal extend to the summe of forty pounds, or more, shal returne or impanell in any inquisition or inquest, any persons but such as be inhabiting within his Bayliwike, which haue estate to their owne vse, or such to whose vse other persons haue estate, of fee simple, fee taile, or freehold, in lands and tenements of the yearely value of twenty pounds or more in his Bayliwike, out of auncient demesne, the fiue Portes, and the tenure of Gauelkinde: Nor shall returne in the Kings Court lesse issues in the said actions of Attaint then forty shillings at the first writ of Distresse, and an hundred shillings at the second writ of Distresse, & the double at euery other writ of Distresse against the persons impanelled and returned to be sworne in the same actions. And that no person of lesse sufficiencie of freehold then of the yeerly value of xx.l. in forme aforesaid, shall be sworne in the Kings court vpon any issue in the said actions of Attaint, if he be for the same by the plaintifes in due forme challenged. And that also as often as any Sherife, baylife of franchise, or coroner, do contrary to this ordinance, he shal pay, and by this Statute be bound to pay to the King x.l, and to the plaintifes in the said Actions and Writs of Attaint for their delay, other x.l. And if any of the said forreine answeres and pleas be tried and found against of the said defendants, that then the same iudgement against the same defendants, and for the said plaintifes, shall be giuen by the Kings Iustices, and the consideration of his Courts, as by the Law should be giuen against the same defendants, in case that the graund Iury in the said Actions and Writs of Attaint vpon the points and articles of the same Writs had passed against the same Defendants, and with the said Plaintifes. And that by the same iudgements none other of the said Defendants, but they against whom the aforesaid forreine answers and pleas be found and tried, shall be hurt or endamaged. And that this Statute touching the office of Sherifes, Baylifes of franchises, & Coroners, in returning of the said persons of the sufficiency of freehold, of the yeerely value of twenty pounds, And that no person of lesse sufficiencie of freehold be sworne in the said Actions, and Writs of Attaint, shal not extend to cities and boroughs within the said Realme, nor to the inhabitants in any of them. Prouided alwais, that if in any of the said counties there be not persons inhabiting vnder the estate of a Baron, of possessions of lands and tenements of the yeerly value of xx. pounds in the same County in the forme aforesaid, to suffice the number to be impanelled and returned in the said actions and writs of Attaint, that then the sherifes and baylifes of franchises, and coroners of the same county shal impanel and returne in the same Actions and Writs, persons there inhabiting, of the most sufficient of possession of yeerely value of lands and of tenements within the value of twenty pounds in the same County, in the forme aforesaid. And that to such persons the said challenge shall not extend, that he is not of possession of lands and tenements of the yeerely value of twenty pounds in the same County. And that as often as any of the same Sherifes, or Baylifes, or Coroners do contrary to this Article, he shall pay to the King ten pounds, and to the plaintifes ten pounds in forme aforesaid. Anno 15. H. 6. cap. 5.

Sherifes Bailifes Cozoners

Returne Panell Enquest

xx. pounds

v. Portes Gauelkind Returne Issues

Writ of distresse Impanell Returne Sworne Freehold xx. pounds

Challenge Shirife Bailifes Cozoner

Fine

Forreine plee

Iudgement

Courts

Grand Iury

Returne xx. pounds

Baron

Sherifes Bailifes Cozoners

C.H.

xx. pounds

Fo. 1.

12 Those men that haue estate to their owne vse, and also they to whose vse other men haue estate of fee simple, fee taile, or freehold in lands or tenements of the yeerely value of xx.l of the tenure of Gauelkind, shalbe returned and impanelled in all such Attaints as be aboue recited (before 11.) which attaints be not now hanging, but may hang in time to come, in the same maner and forme, as any other person may be returned and impanelled, by force of the said statute made in the said fifteenth yeere. Anno 18. H. 6. cap. 2.

Gauelkind Impanel

13 No person ne persons hereafter be impaneled, summoned, or sworne in any Iury or enquest in

Sworn

Iurie

London

xl Markes Impanell

100. marks

Challenge

Iudges) Default. Fork. Iſſues xii. d. ii. Default

Iſſues doubled Maiors court Fork.

Mr Sheriffes court Forfarmer

Falſe verdicts Courts Bill Huſtings Common pleas Maior Precept Aldermen

Certifie

C.li.

Maior

xiii Aldermen

Sufficient Indifferent

Iurors Petty Iurie

Huſtings

Default Challenge Tales

in Court within the ſame citie (videlicet of London) except he be of lands, tenements, goods or cattels, to the value of fortie marks. And that no perſon nor perſons hereafter be impanelled, ſummoned or ſworn in any Iury or Enqueſt in any court within the ſaid citie, for lands or tenements, or action perſonall, wherein the debt or damages amounteth to the ſumme of forty markes, or aboue, except he be in lands and tenements, goodes or cattelles, to the value of a hundred markes, and the ſame matter and cauſe alleadged by any of the ſaide parties by way of challenge, and ſo found, ſhall be admitted and taken in euery of the ſame courts as a principall challenge. And that euery ſuch perſon hereafter to be impanelled or ſummoned to appeare in anie Iurie or Enqueſt before anie of the ſaides Iudges of the ſame Citie, making default at firſt ſummons, loſe and forfeit in iſſues twelue pence, and at the ſecond default two ſhillings, and ſo at euery ſuch default after that, the iſſues and penalties to be doubled. And all ſuch iſſues loſt in the maiors court, ſhall be forfeited, leuied and perceiued to the vſe and behoofe of the Maior and Communaltie of the ſaide Citie. And all ſuch iſſues loſt in the ſhirifes court or courts, ſhall be forfeited, leuied, and perceiued to the vſe of the ſhirifes of the ſame Citie for the time being, toward their ferme. And alſo be it enacted by like authority, that the partie grieued by anie vntrue or falſe verdict hereafter to be giuen in anie of the courts of the ſaid Citie, ſhall and may haue and ſue Attaint by Bill in the Huſtings in London, holden for Common Pleas before the Maior & Aldermen of the ſame city for the time being, and thereupon a Precept to be awarded and made by the ſame Maior to euery Alderman of the ſaid Citie, or his deputy in his abſence, to preſent and certifie the names of foure indifferent and diſcreet perſons of good fame, and euerie of them of ſubſtance of a hundred pounds or more, citizens of the ſame city dwelling in his ward, to the Maior and aldermen of the ſaid citie for the time being, at the Huſtings of common pleas within the ſame citie, then next inſuing to be holden, of which perſons ſo preſented and certified, the ſaid Maior and ſix Aldermen, or moe, holding the ſame court of Huſtings, ſhall take, name, and impanell eight and fortie by their diſcretion, thought moſt able, ſufficient and indifferent, and the Maior and his ſucceſſors Maiors of the ſaid Citie, ſhall doe to be ſummoned the ſaid eight and fortie perſons ſo by the ſaid Maior and aldermen named and impanelled, and alſo the Iurors of the pettie Iurie, and the party or parties named as tenants or defendants in the ſaid Bill of Attaint, to appeare before the Maior and aldermen of the ſame Citie, at the Huſtings of common pleas then next to be holden in the ſame citie. And if the ſame Attaint then, or any other time happen to remaine vntaken, for, or by default of Iurors, by challenge, or otherwiſe, that vpon euerie Tales graunted, the ſaid Maior and aldermen ſhall impanel the ſaid perſons which were certified by the ſaid aldermen or their deputies, and omitted out of the ſaid panel, or put therein other perſon or perſons being citizens of the ſaid citie, and of the ſubſtance of an hundred pounds or more. And alſo that all the plee and plees to be alleaged or pleaded, by, or for the tenant or defendant, tenants or defendants, or by any of the Iurors of the petty Iurie in the ſame Attaint, and triable by any Iury or Enqueſt, ſhalbe tried within the ſame citie, and by the Enqueſts of the ſame, and in none other place ne county. And that none of the ſaid petty Iurie, ne other parties named in any ſuch bill of Attaint, ſhall or may haue any challenge to the aray, or to any perſon or poll therein being impanelled, for lacke of ſufficient of goods or of lands. Quer that be it prouided and enacted, that the iudgement in any ſuch attaint, ſhall not extend to any lands or tenements, ne to other puniſhment of the petty Iurie, ne other proces to be in the ſame Attaint, then is limited and appointed in this preſent act. And if the foure and twenty perſons of the ſaid eight and forty perſons ſworne in the ſame Attaint, find that the Iurors named in the petty Iurie, haue made and giuen an vntrue verdict: That then the iudgement ſhall be againſt the party defendant in the ſame attaint, as is vſed in attaint ſued by Writ at common Lawe. And furthermore the iudgement in the ſame Attaint ſhall be againſt the petty Iurie, that euerie of the Iurors of the ſame petty Iurie, ſhall forfeit and loſe twentie pounds, or more, by the diſcretion of the Maior and Aldermen of the ſaid citie, keeping the ſame Huſtings, or any other Huſting of common plees, to ſuch vſe and behoofe, as other iſſues and penalties herein forfeited and loſt in any action or plaint commenced before the maior and aldermen of the ſame city, and his body to be impriſoned, there to remaine without baile or mainprize ſixe moneths, or leſſe, by the diſcretion of the Maior and Aldermen of the ſame citie for the time being, and to be diſabled for euer to be ſworne in any Iurie before anie temporall Iudge.

And ouer that, be it enacted by the ſame authoritie, that if it be founden by the graund Iurie in the ſame attaint, that the petty Iurie haue giuen a true verdict: that then the graund Iurie ſhall haue authoritie and power to enquire if anie of the petty Iurie toke or receiued anie ſumme of money, or other reward, or promiſe of money, or other reward, of the named defendants or tenants in the ſame Attaint, or of any other perſon or perſons by the commaundement, coun, or aſſent of any of them, to, or for the intent of their verdict giuen, whereupon the ſame attaint is grounded. And after any ſuch corruption by the ſaid graund Iurie founden: that then the Iuror or Iurors of the ſaid petty Iurie that is founden ſo defectius in taking and perceiuing any ſummes of money, or other reward, or promiſe of reward, ſhall loſe, forfeit, and pay to the plaintife or plaintifs named in the ſame Attaint, tenne times the value of the ſumme or other reward ſo taken, perceiued, or promiſed, in forme aboueſaid, and to ſuffer impriſonment without baile or mainprize ſix moneths, or leſſe, by the diſcretion of the ſaid Maior & Aldermen, and to be diſabled for euer to be ſworne in any Iurie before anie temporall Iudge.

C.li. Plees

Petty Iurie

Challenge Aray Poll Inſufficient

Iudgement

Puniſhment

Proces

Petty Iurie Falſe verdict Iudgement

Writ

Fork. xx. li.

Act

Impriſe Mainprize

Diſabled Temporall Iudge

Grand Iury True verdict

Enquire

Reward Money

Corruption

Fork.

x. Times

Impriſon.

Mainprize

Diſables

Defendant

Forf.

x. Times

Imprison.

Debt Damages

False serement Recouery

Action of debt

Maior Aldermen Record Nonsuit Seremene Imprison.

Fine

Enabled

Defendants

Grand Jury

Default Forf.

y. Default Proces

Grand Jury Petty Jurie

Common law

Summons

Issues Forf.

Maior Protection

And ouer that be it enacted, That such Defendant or tenant, defendants or tenants in the same Attaint, shall lose, forfeit and pay, to such vse and behoose, as other penalties beene forfeited within the same city, tenne times the value of the summe of money, or other reward, by him or them so giuen to any of the said pettie Jurie. And the same Defendant or tenant, Defendants or tenants to be imprisoned, there to remaine without baile or mainprise, during sixe moneths, or lesse, by the discretion of the said Maior and Aldermen. And if any debts and damages, or costs be recouered in Action whereupon such Attaint is grounded, and by the same Attaint it be found, that the petty Jurie haue giuen a false serement, that then for the recouery and restitution of the same debt and damages and costs, the plaintise or plaintises in euery Attaint shall and may sue an Action of Debt against the same Defendant or tenant, by Writ, Bill, or Plaint, in euery of the Kings Courts, wherein the same Defendant or tenant, and euery of them, shall not be receiued to doe his Lawe. And ouer that be it enacted, that if any plaintise or plaintises in any such Attaint commenced before the said Maior and Aldermen, vpon any Record remaining within the same Citie, and therein be nonsuite, or if the first serement therein be affirmed, that then he or they shal haue imprisonment, and make fine by the discretion of the Maior and Aldermen of the said Citie for the time being, and that fine to be and goe to the Maior and Comminalty of the said City. And if there be two or more plaintises in any such Attaint ordained by this estatute, and any of them die, or be nonsuite, the other by this Act shall be enabled to sue for the proceeding in the same Attaint, and notwithstanding the death of the Defendant or tenant, Defendants or tenants, or any of the petite Jury named in the said Attaint, so that there be two of the same petite Jurie aliue, the same Attaint shall not abate. And also be it ordained by the same authority, that if any of the Jurors of the same graund Jurie impanelled and summoned in forme aforesaid, at the summons make default, so that the Attaint remaineth to be taken for the default of Jurors: that then euery of the same Jurors so making default, lose and forfeit for the first default forty shillings, and at the second default fiue pounds, and at euery default after that, tenne pounds, and like processe to be made and sued there against the graund Jury and the petty Jury, and the party and parties as is to be made and sued in Attaint sued at the common Lawe. And that the same processe be made returnable at euerie Hustings of Common Plees, and that the Attaint remaine not to be taken after the first summons returned, for, or by the default of the Defendant or tenant, Defendants or tenants, or of anie of the petty Jurie named in the same Attaint by this Act ordained, and that the said issues and penalties forfeited by any of the said graund Jurie, be forfeited, leuied and perceiued, to the vse of the Maior and Comminaltie of the said city, and that no protection nor essoine be allowed in this Attaint by this Act purueied. Prouided alway, That vpon all Attaints hereafter to be commenced within the citie vpon any Record, wherein the triall and enquest was by halfe tongue, that the said Maior and Aldermen shall impanell the graund Jury in the same Attaint, the one halfe of strangers of good fame, & of the substance of goodes to the value of a C.l, and more, inhabiting within the same city at large, and the residue of the same Jury to be of like value and substance of goods impanelled of Citizens, as is aforesaid. And ouer this be it enacted by the same authority, That no Act of attaint of the petty Jury made in this present parliament, nor nothing therein contained other then this present Act, nor none other penalty or punishment in any other Act then is before contained in this present act, be hurtfull, nor extend to any Jury or enquest hereafter to be taken before any Judge, of, and within the same city. Añ 11.H.7.ca.21.

Record Triall Medietas ling.

Jury

14 Añ 11.H.7.ca.24. An act for Attaints was made to endure the next Parliament. And after Añ 12.H.7.c.2. it is continued to endure the next Parliament. And after Añ 19.H.7.ca.3. it is continued to the next Parliament. And after Añ 1.H.8.ca.11. it is continued to the next Parliament.

Untrue verdict Writ Justices Verdict Forty poun

Attaint

15 Vpon euery vntrue verdict hereafter giuen betwixt party and party, in any suit, plaint, or demaund, before any Justices or Judges of Record, where the thing in demand and verdict thereupon giuen, extendeth to the value of xl.l, and concerneth not the ieopardy of mans life, the party grieued by the same verdict shall haue a writ of Attaint against euery person hereafter so giuing an vntrue verdict, and euery of them, and against the partie which shall haue iudgement vpon the same verdict. And that in the same Attaint there shal be awarded against the petty Jury, the party, and the graund Jury, summons, resummons, and distresse infinit, which graund Jury shall be of like number, as the grand Jury is now in attaint, and euery of them that shall passe in the same, shall haue lands and tenements to the value of xx. marks by the yeare of freehold out of the ancient demesne. And vpon the distresse which shalbe deliuered of Record vpon the same open Proclamation to be made in the Court where the distresse shall be awarded more then xv. daies afore the returne of the same distresse, and euery such distresse shall be made vpon the land of euery of the said grand Jury, as in other distresses is and hath been vsed. And if the said party defendant, or the petty Jurors, or any of them appeare not vpon the distresse, then the grand Jury to be taken against them, & euery of them that so shall make default. And if anie of the said petty Jurie appeare, then the partie complainant in that behalfe shal assigne the false serement of the first verdict vntruely giuen, whereunto they of the petty Jurie shal haue no answere, if they be the same persons, & the writ, proces, returne, and assignement good and lawfull, except that the demandant or plaintise in the same attaint hath before bin nonsuit, or discontinued his suite of Attaint taken for the same, or hath for the same verdict in a writ of Attaint had iudgement against the said petty Jury, but only that they made true serement, which issue shalbe tried by 24. of the grand

Summons Resummons Distresse infinite

xx. Marks

Proclamation xv. Daies Distresse

Defendant

Petty Jury Grand Jury

Default

Assigne False serement

Writ Proces Returne Assignment

Nonsuit Discontinu

Judgement True serement

grand Jury, & the party shall pleade, that they gaue true verdict, or any other matter, which shall be a sufficient barre of the said Attaint. And that plee notwithstanding, the grand Jury to be taken without delay, to enquire, whether the first Jury gaue true verdict or no. And if they finde that the same petty Jury gaue an vntrue verdict, then euery of the said petty Jury to forfeit xx.l. whereof the one halfe shall be to the King our soueraigne Lord, and thother halfe to the party that sueth. And ouer that, That euerie of the said petty Juris shall seuerally make fine & ransome, by the discretion of the Justices, before whom the said false serement shall be found, after their seuerall offences, defaults, & sufficiencie of euery of the said petty Jurie. And after that, that those of the said petty Jury so attainted, shall neuer after be in any credence, nor their oathe accepted in any court. And if such plees as the party pleadeth (which is a barre of the said attaint) be found or deemed against him that so pleadeth, then the party that so sueth shall haue iudgement to be restored to that he lost, with his resonable costs and damages. Forseene alway, that any vtlary in action or cause personall, or excommunengement pleaded or alleaged in the party plaintife or demandāt, shall be taken but as void plee, and to that he shall not be put to answere. And that in all the forsaid proces, such day shalbe giuen as in a writ of dower, & none essoine or protection to lie nor to be allowed in the same. And if the said grand Jury appeareth not vpon the first distresse had against them, so that the Jury for their default doe remaine, he that maketh default shal forfeit to the king xx.s, and vpon the second distresse xl.s, & after making default, for euery such default v.l. And like penaltie & forfeitures to be against them, and euery of them that shalbe named in the Tales, as is afore expressed, against euery of the said grand Jury aforesaid. And that for and by the death of the party, or any of the said petty Jury, the said attaint shall not abate, nor be deferred against the remnant, as long as ij. of the said petty Jury be aliue. And if hereafter any false verdict be giuen in any action, suit, or demand, afore any Justice or Judge of Record, of any thing personall, as debt, trespas, and other like, which shalbe vnder the value of xl.l, that then the party grieued shall haue attaint, with such processe and plees, as is afore rehersed, and delays to be taken away, as is afore remembred except that in this case of attaint, euery person of the grand Jury that may dispend v. marks by the yeare of freehold out of ancient demesne, or is worth an C. markes of goods and cattels, shalbe able to passe in the same attaint. And if the petty Jury be attainted, that then they shall in this case of attaint, euery of them forfeit v.l, whereof one halfe shall be to the King, and the other halfe to the party after the forme afore rehearsed. And ouer that to make fine and ransome by the discretion of the Justices, as is aforesaid. And if there be not persons of such sufficiencie within the shires or places where anie of the said attaints shall be taken as may passe in the same: Be it ordained by the authaurite aboue sein, that then one Tales shall be awarded into the shire next aboutning, by the discretion of the Justices afore whom the same attaints shall be taken, which shall be warned to appeare vpon like paines, as is aforesaid, and enabled to passe in the said attaints, as if they were dwelling in the shire where the same attaint shall be taken. And that the same lawes, actions, and remedie ordained by this present act be kept, for, and to all them that shall be grieued by such vntrue verdicts, of any inheritance in descent, reuersion, or remainder. And if the party in attaint giuen by this act, be nonsuite, or the same discontinued: That then the same party so nonsuite, or so discontinuing the said attaint, make fine and ransome by the discretion of the Justices, afore whom the said attaint shall be taken and depending. And that all attaints hereafter to be taken, shall be taken before the King in his Bench, or afore the Justices of the Common Place, and in none other Courts. And the Nisi prius shall be graunted by the discretion of the Justices vpon the distresse, and euery of the said petty Jury may appeare and answer by Attorney in the said Attaint. And that the moity of the said forfeiture of the petty Jury shall be leuied to the vse of our Soueraigne Lord by Capias ad satisfaciendum, or Fieri facias, or Elegit, or by action of Debt, against euery person of the petty Jury so forfeiting, and against his executors, and administrators, hauing then sufficient goods of their said Testators not administred, and the other moity shall by like Processe be leuied to the vse of the party that sueth any Attaint giuen by this Act against euery of the said pettie Jurie, and his executors, or administrators, hauing then sufficiencie of goods, as afore said, not administred. And the iudgement of Restitution to the partie grieued, suing this Act and Execution of the same to be had, and like iudgement for the partie Defendant or tenants to be discharged of Restitution, as afore this present Act (in case of a grand Attaint) had beene vsed. And if the remainers Plaintifes or Demaundants in Attaint, that the nonsuite or release of anie of them, shall not be in anie wise hurtfull or preiudiciall to the residue, but that they and euery of them in anie such cases may be summoned and severed, like as it is vsed when there be diuers demaundants in action reall.

Be it also ordained &c. That in euery Writ of Attaint hereafter to be taken, by or vpon this Act, the which shall be such as other Writs of Attaints be, and after the Teste of the same Writ shall be written these words, Per Statutum continuatum vsque annum 23. Domini Henrici octaui, Dei gratia Angliæ & Franciæ Regis fidei defensoris, & domini Hiberniæ.

And also it is enacted, That this Act shall take effect for verdicts hereafter to be giuen, and to continue to the last day of the next parliament.

Prouided alwayes, That this Act be not preiudiciall to a Statute made in the eleuenth yeare of the late King of famous memory King Henrie the seuenth (1.Cap.2.before 13.) for punishment of Periurie in vntrue verdicts, giuen in plaints sued in the Courts of the City of London, but that it shall be at the liberty of all persons, for, and vpon any

Barre

Fyne. Moity

Fine Justices

Disabled

Barre

Judgemtnt

Damages Vtlagarie Excommengement Reid

Pleets Day Essoine Protection

Distresse

Default Forfeit.

Fyne.

Tales

Debt Trespas

Barkes

C. Marks

Fyne. Moitie

Fine

Sufficiencie

Tales

Shire

Nonsuite Discontinuance Fine

K. Bench Common place Nisi prius

Attorney Moitie

Capias Scire facias Elegit Action of debt Forfeit. Executors

Judgement Restitution

Grand attaint

Nonsuite Releas

Action reall

Writs

Teste

Verdicts

Periury London

any vntrue verdict giuen in any courts of the same City, to sue their attaint vpon this statute, or else vpon the said statute made in the said 15. yeare, at their owne pleasures and wills. Ann 23.H.8.ca.3. This Act is continued 28.H.8.cap.9. 31.H.8.ca. 7. 37.H.8.ca.23. 7.Ed.6.ca.11. 1.M.2.Parl.ca.13. 1.M.2.Parl.ca.12. 1. and 2.P.& M.ca.16. and 2. & 3.P.& M. and 4. and 5.P.& M.ca.9. it is continued to the last day of the next Parliament. And it is continued 1.Eliza.ca.19. vnto the end of the next Parliament; which beganne 5.Eli. and ended 8.Eli. And this Statute then discontinued was reuiued 13.Eli.ca.25. and made perpetuall.

Reuiued

London

400. marks Shirifes

Verdicts Challenge Insufficiencie

Iustices Guildhall

Sweare

16 All and euery maner person and persons being citizens of your said Citie (of London) and being in value of goods and cattels to the summe of 400. markes, may be impanelled and returned by the sherife of your said City in euery Attaint hereafter to be brought by vertue of the said statute (of Ann 23.H.8.cap.3. vpon verdicts hereafter to be giuen by your said citizens, without anie challenge for the insufficiencie of freeholde of anie of them, to be made by anie of the said parties in anie such Attaint, vpon such verdicts hereafter to be giuen: And that the Iustices for the time being, shall sit only at the Guildhal of the same city, or at some other conuenient place within the same Citie, and there to sweare the graund Iuries, and to take the verdicts in such attaints hereafter to be taken. And that the said citizens hereafter be not compelled nor distrained to appeare in any such Attaint hereafter to be taken vpon any vntrue verdict giuen, as hereafter to be giuen in London, but onely within the limits of the said city, of, and for the triall of the same: The same former Act, or anie thing therein contained to the contrarie in anie wise notwithstanding. Ann 37.H.8.cap.5.

London

Triall

Attourney.

Freemen County Tithing Hundred Wapentake

EVery Freeman which oweth suite to the county, tithing, hundred, and wapentake, or to the court of his Lord, may freely make his Atturney to do those suits for him. Merton ca.10. Ann 20.H.3.

Circuit

2 The king graunteth of his speciall grace, that such as haue land in diuers shires where the Iustices make their circuites, and that haue land in shires where Iustices make not their circuit, that feare to be impleaded, and are impleaded of other lands in the shires where they make not their circuit, as before the Iusticers at Westminster, or in the kings Bench, or before Iusticers assigned to take Assises, or in any county before sherifes, or in any Court baron, may make a generall attorney to sue for them in all pleas in the circuit of the Iusticers moued or to be moued, for them or against them, during the circuit, which Attorney or Atturneys shal haue full power in al pleas moued during the circuit, vntill the ples be determined, or that his maister reuoke him, yet shall they not be excused thereby, if they shall be put in Iuries and Assises before the same Iusticers. West.2.ca.10. Anno 13.Ed.1.

Impleade

K. Bench Sheriffes Court baron

Iuries Assises

See Mortmaine 4. That Attorneyes may be made by writ out of the Chancerie, and for whom, and for what things.

Chauncery

4 Ann 7.R.2.cap.14. It was enacted, That they that were gone ouer, might answer in Premunire by their Attorneys, and those persons which from henceforth shall passe by the Kings licence, and be of good fame, that at their request, the chancellor by the aduise of the Iustices, may grant to them to make their generall Attorneys in the Chauncerie by the Kings Patent before their passage, to answer aswell in the said writs of Premunire facias, as in other Writs and Plaints, in which case expresse mention shall be made at all times of the Writs and Plaints of Premunire facias. And this Patent so made, the said Atturneys from henceforth in absence of their Maisters, may answer for them, and make other attorneys vnder them before any Iudge of the realme, to do and receiue in the said cause asmuch as in any other cause or matter, notwithstanding any Statute made to the contrary heretofore. Anno 7.R.2.cap.14.

Premunire

Licence

Chancellor Iustices

Patent

Premunire

Absence

5 For the sundry mischiefes that haue happened to diuers by the great multitude of ignorant and vnlearned Atturneys, more then heretofore: Be it ar. That all the Atturneys shal be examined by the Iustices, & by their discretions their names to be put in roll, and they that be good and vertuous, and of good fame, shalbe receiued and sworne, well and truly to serue in their offices, and especially that they make no suite in a forreine Countie. And the other Atturneis shal be put out, by the discretion of the said Iustices. And that their Maisters, for whom they were Atturneys be warned to take others in their places, so as in the meane time, no damage nor prejudice come to their said Maisters. And if any of the said Atturneys do die or cease, the Iustices for the time being by their discretion, shall make one other in his place, which is a vertuous man, and learned, and sworne, in the same manner, as afore is said. And if any such Attorney be hereafter notoriously found in anie default of Record, or otherwise, he shall forswear the Court, and neuer after be receiued to make any suite in any Court of the King. And this ordinance be holden in the Eschequer after the discretion of the Treasorer, and the Barons there. Anno 4.H.4.cap.18.

Examine Iustices

Good fame Sworne

Forreine county

Die Iustices

Abiure

Eschequer Treason

6 No Steward, Bailife, nor Minister of lords of franchises, which haue returne of Writs, be Attorney in anie plee within the franchises or bailiwike, whereof he is or shall be Officer or Minister in any time to come. Ann 4.H.4.cap.19.

Steward Bayliffes

7 Whereas many of the kings liege people be outlawed, and many vexed by erroneous proces, and be so impotent in their bodies by diuers maladies and infirmities, that they cannot come in their proper persons before the King in his Bench, there to make their suite, to reuerse such erroneous proces: It is ordained and stablished, that euerie Iustice of the one Bench, and of the other, and also the chiefe Baron of the Eschequer, shall haue power to examine the same persons, hauing such maladies, & diseases openly knowne, and thereupon may the same Iustices & the Baron, and euery of them by their discretion, record their Attorney in this case.

Outlawed

Impotent

Iust. of both Benches

Examine

Prouided

Capias ad satisfaciendum.

Prouided alwaies, that in the writ of Capias ad satisfaciendum, the common law shall hold place. An.7.H.4.cap.13.

Hundreds Mapetake, Court Baron

8 An.5.H.5. It was enacted, that all persons vntill the next Parliament might make their Attornies in Hundreds, wapentakes, and court barons.

Abbot Religious Lancashire Yorkshire

9 An.5.H.5.cap.1. It was enacted to endure to the next Parliament, that all Abbots and other religious in Lancashire and Yorkeshire, might make Attorneys in Wapentakes. And after An.9.H.6.cap.10. this Act was continued during the kings pleasure.

10 An.2.H.6 cap.3. It was enacted that the Duke of Bedford (then ouer the Sea) might sue & be sued by his Attorney.

Yorkshire

11 An.15.H.6.cap.7. It was enacted to endure at the kings pleasure, that all Abbots & other Religious, might make Attorneys in Wapentakes in Yorkeshire.

Abbot of Fountaines

12 An.33.H.6.cap.6. It was enacted, that the Abbot of Fountaines and his successors, might wage their law in court barons and Wapentakes by Attorney, and doe their law by a deputie.

☞

13 Whereas in times past there were but fiue or eight common Attorneis in the Cities of Norwich, and the Shires of Norfolke and Suffolke, & now there be more then eighty, the greater part of them hauing nothing else to liue on, and being vnskilfull, and yet haunt Faires and Markets, & stir men to suit for trifling causes, triable in court barons to the great disquiet of the countrey. Be it ex. that there shall be but fiue common Attorneys in the said Countie of Norfolke, and vj. common Attorneys in the said Countie of Suffolke, and two common Attorneys in the said Cities of Norwich, to be Attorneyes in Courts of record. And that all the saide fourteene Attorneyes be elect and admitted by the said two chiefe Iustices of our soueraigne Lord the king for the time being, of the most sufficient and best instructed by their discretions. And that the election and admission of all Attorneis which shall be elect and admitted by the said Iustices for the time being, aboue the said number in the said Counties, shall be void and of none authoritie or record. And if any person or persons, vsurp or presume to be Attorney in court of record, in the said Counties or Cities, otherwise then before is specified, and that found by inquisition taken before Iustices of peace in the said citie or Counties (which shall haue power by vertue of this ordinance, to enquire therof in their sessions,) or in any other manner lawfully proued: that then he or they that so presume, if they be thereof lawfully conuict, shall forfeit twentie poundes, as often as he or they be so conuict: The one halfe therof to be taken to the kings vse, and the other halfe to his vse which for the same will sue. And he that therefore will sue, shall haue an action of debt against any such person which so presumeth to be Attorney And such proces and recouerie in the same, as vseth in an action of debt at the common lawe vpon an obligation. Prouided alwaies, that the said ordinance begin and take effect at the feast of Easter next comming, and not before, if the same ordinance seeme reasonable to the Iustices. An.33.H.6.cap.7. But it seemeth that the Iustices thought it not reasonable, because it hath not beene put in vre.

6. Norfolke

6. Suffolke

2. Norwich

Elect Iust.

Election

Void.

Iust. of P.

Forf. Pottle

Action of debt

Proces

Common law.

14 An.7.H.7.ca.1. It was enacted, that they that should go with the king in his warres, in the voyage that then was toward, should make generall Attorneys, or speciall Attorneys.

Warres

15 Be it inacted &c. That no Attorney, Sollicitor, or seruant to any, shal be allowed from his client, or master, of, or for any fee giuen to any sergeant or Counsellor or Law, or of, or for any sum or summes of money giuen for copies to any Clerke or Clerks, or officers in any court or courts of record at Westminster, vnlesse he haue a ticket subscribed with the hand and name of the same Sergeant or Counsellor, clerke or clerkes, or officers aforesaid, testifying how much he hath receiued for his fee, or giuen, or paid for copies, & at what time, and how often: And that al Attorneys and sollicitors shall giue a true bill vnto their masters or clients, or their assignes of all other charges, concerning the suites which they haue for them, subscribed with his owne hand, & name, before such time as they, or any of the shal charge their clients with any the same fees or charges. And that if the attorney, or Sollicitor do, or shall willingly delay his Clients suits to work his owne gaine, or demand by his bill any other sums of money or allowance vpon his accompt of any mony which he hath not laid out or disbursed: that in euerie such case, the party grieued shal haue his action against such Attorney, or Sollicitor, and recouer therin costs and treble damages: And the said Attorney and Sollicitor, shall be discharged from thencefoorth from being an Attorney or Sollicitor any more. And be it enacted &c. That none shall from henceforth be admitted Attorneys in any the kings courts of Record aforesaid, but such as haue beene brought vp in the same Courts, or otherwise well practised in solliciting of causes, & haue beene found by their dealings to be skilful & of honest disposition: & that none to be suffered to sollicite any cause or causes in any the Courts aforesaid, but only such as are knowne to bemen of sufficient & honest dispositiō: And ỹ no Attorney shal admit any other to follow any suit in his name, vpon paine that both the Attorney, and he that followeth any such suit in his name, shall each of them forfeit for such offence twenty pounds: The one moitie whereof to the king, his heires and successors, and the other to the partie grieued, to be recouered in any ỹ said courts of record aforesaid, by originall writ of Debt, Bill, plaint, or information, wherin no maner of essoin, wager of law, or protection shall be allowed: And that the Attorney in such case shall be excluded from being an Attorney for euer thereafter. An.3. Iac.ca.7.

Tickett

True bill of charge

Delay Vndue demand.

Attorneys

Sollicite

Name

Forf.

Pottle

Auditours.

ANno 33. Henr. 8. cap. 39. An Act was made for the erection of the Court of generall

Surueyors

generall Surueyors of the kings landes, with diuers matters concerning the Auditors of those lands. And see thereof in Courts 2. diuers matters concerning the kings Auditours.

Auowrie.

Lands

WHereseuer any Mannors, Landes, Tenements, and other Hereditaments bee holden by any manner person or persons, by Rents, Cuskomes, or seruices, That if the Lord of whome any such Mannors, Landes, Tenements, or Hereditaments be so holden, distrains

Distraine

vpon the same Manors, Lands, or Tenements for any such rents, Cuskomes, or seruices, and

Replevin

repleuin thereof be sued, that the Lord of whom the same Lands, tenements, or Hereditaments

Auow

be so holden, may auow, or his Bailise or Seruant make cognisance, or iustifie for taking of the said distresse vpon the same Landes, Tenements, or hereditaments so holden, as in landes or Tenements within his fee, or Seigniorie, alleaging in the said auowrie, cognisance, and iustification, the same Mannors, Lands, and Tenements, to be holden of him without naming

Tenant

of any person certaine to be Tenant of the same, and without making any auowrie, iustification or cognisance, vpon any person certaine. And likewise the Lord, Bailise, or Seruant, to make auowrie, iustification, or cognisance, in like maner and forme vpon enerie writ

Writ

sued of Second deliuerance. And also be it enacted by the said authoritie, that euerie Auowant and euerie other person and persons that make any such auowrie, iustification, or cognisance, as

Bailife

bailise or seruant to any person or persons, in any Replegiare or Second deliuerance, for Rents,

Customes Seruices Damage feasant Distres

Cuskomes, Seruices, or for damage feasant, or other rent or rents, vpon any distres taken in any Lands or Tenements, if the same auowrie, cognisance, or iustification be found for them, or the

Nonsuit

plaintises in the same be nonsuit, or otherwise barred: that then they shall recouer their damages

Damages Costes

and costs against the said plaintises, as the same plaintises should haue done or had, if they had recouered in the Replegiare or Second deliuerance, found against the said defendants. And bee it also ordained, that the said plaintises and defendants in the said writs of Replegiare, or writs of Se-

Writs

cond deliuerance, and in euerie of them shall haue

Ayre Pleas

like pleas, and like aide and prayers in all such auowries, cognisances, and iustification (pleas of

Disclaime

disclaime onely except) as they might haue had before the making of this act, and as though the said auowrie, cognisance, or iustification, had beene made after the due order of the common law. And it is further enacted by the said authoritie, that all such persons as by the order of the cõmon law may lawfully ioin to the plaintifs or defendants in the said writs of Replegiare, or Second deliuerance, aswel without proces as by proces, shall from hence-forth ioine vnto the said plaintises or defendants, aswell without proces as by proces, and to haue

Auantages

like plees and like auantages in all things, (disclaime onely except) as they might haue done by the order of the common law before the making of this Act. An. 21. H. 8. cap. 19.

Aduowsons.

VVHeras for Aduowsons of churches, there be but three originall writs, that is to say, one writ for the Right, and two for the possession, which be the Darrein presentment, and the Quare impedit, and hitherto it hath beene vsed in the Realm, that when any hauing no right to present, had presented to any church, whose Clerke was admitted, he that was the verie patron could not recouer his aduowson, but onely by a writ of Right, which should be tried by battaile, or by the great assise, whereby heires within age, either by fraud, or else by the negligence of their wardeins, & heires both of ful age & within age, either by negligence or else by fraud of tenãts by the curtesie, tenãts in dower, or otherwise, for term of life, or for yeres, or in fee taile, were many times disherited of their Aduowsons, or at the least (which was their best helpe) were driuen to their writ of Right, and in case were hitherto altogether disherited: It is prouided, that such presentments shall not be so preiudiciall to the right heires, or to them vnto whome such Aduowsons ought to reuert after the death of such persons, as is aforesaid: But that as often as any hauing no right doth present during the time that such heires are in ward, or during the estates of tenants in dower, by the curtesie, or otherwise, for terme of life, or of yeares, or in taile, at the next auoidance after that the heire shall bee come to full age, or that after the death of the tenants before named, the aduowson shal reuert vnto the heire being of full age, he shal haue the same action and exception by a pollesorie writ of Aduowson, which the last ancestour of that heire being of full age should haue had at the last auoidance happening in his time before his death, or before the demise was made for terme of life, or in fee taile, as before is saide. The same shall be obserued in presentmẽts made vnto churches being of the inheritance of women, what time they shall bee vnder the power of their husbands, who shall be aided by this statute, by the remedie aforesaid. Also Religious men, Archbyshops, Bishops, Archdeacons, Parsons of churches, and other ecclesiasticall men, shal be aided by this statut, in case any hauing no right to present vnto the Churches belonging to their houses, prelacies, dignities, or parsonages, what time such houses, prelacies, spiritual dignities, or personages be vacant. Yet shal not this act be so largely vnderstanden, that such persons for whose remedie this statute is ordained, shall haue the recouerie aforesaid, saying that the Gardiens of the heirs, the tenants by the curtelie, tenãts in dower, for terme of life, or for yeres, or the husbãds did faintly defend the plees moued by the, or against them, because the iudgements giuen in the kings courts, shall not be annulled by this statute, but the iudgement shall stand in force, vntill it be reuersed in the estate of the

Writs
Darrein presentment
Quare impedit.
Present
Clerke
Patron
Writ of Right
Battaile
Graud Assis
Infants.
Collusion
Right
Presentments.
Tenants
Life
Peres
Auoidance
Action
Church.
Women
Religious
Aide
Vacation
Faint
Judgement

Error Aſſiſe

Quare imp. Attaint

Darrein preſentment.

Plenartie 6. Monthes

Fine

Roll

Diſturd

Concord

Sherife Warning

30. daies

Deme Recouer.

Damages

Dower Woman

Heire Void

Damages 6 Monthes Biſhop Patron Damage 2. Yeres

Half a yeres value

Laps

the king as erronious, if error be found therein, or the Aſſiſe of Darrein preſentment, or the enqueſt in the Quare impedit (if any hath paſſed) be annulled by attaint, or by certification, which ſhall be freely granted. And from henceforth one forme of pleading ſhal be obſerued amongſt the Iuſticers in writs of Darreine preſentment, and Quare impedit, as to this, that if the defendant alleage plenartie in the church of his owne preſentation, the plee ſhall not ſtay by reaſon of that plenartie, ſo as the writ be purchaſed within ſixe moneths, though hee cannot recouer his preſentation within ſixe moneths. And ſometimes where a fine is leuied betweene many claiming one Aduowſon, and is inrolled before the Iuſticers in the roll or fine, in this forme, that one of them ſhal preſent the firſt time, and at the next auoidance an other, and the third time another, and ſo of more, in caſe there be more: And when one hath had his preſentment, according to the forme of their ſaid agreement and fine, and at the next auoidance, he to whome the ſecond preſentation belongeth, is diſturbed by any that was partie to the ſaid fine, or in his ſtéede: It is prouided, that from henceforth he that is ſo diſturbed, ſhall haue no néed to ſue a Quare impedit, but ſhall reſort to the roll or fine. And if the ſaid concord or agréement be found in the Roll or fine, then the Sherife ſhall be commanded, that he giue knowledge vnto the diſturbor, that hée bee readie at ſome ſhort day, containing the ſpace of fifteene daies or three weékes (as the place happeneth to be néere or farre) for to ſhew if he can alleage any thing wherefore the partie that is diſturbed ought not to preſent: And if hée come not, or peraduenture doth come, and can nothing alleage to barre the partie of his preſentation, by reaſon of any déede made ſince the fine was leuied, or inrolled, hée ſhall recouer his preſentation with his damages. And where it chanceth, that after the death of the anceſtor that preſented his Clerke vnto a Church, the ſame aduowſon is aſſigned in Dower to any woman, or to tenant by the curteſie, which doe preſent, and after the death of ſuch Tenants, the true heire is diſturbed to preſent when the Church is void: It is prouided, that from henceforth it ſhall bee in the election of the partie diſturbed, whether he will ſue by a writ of Quare impedit, or of Darreine preſentment. The ſame ſhall be obſerued in Aduowſons demiſed for terme of life, or yeares, or in fée taile. And from henceforth in writs of Quare impedit, and Darreine preſentment, damages ſhall be awarded, that is to wit, if the time of ſixe Months paſſe by ſuch let, ſo that the biſhop doe preſent, and the true Patron leeſeth his preſentation for that time, damages ſhall be awarded for two yeares value of the Church. And if tho ſixe Monethes be not paſſed, but that the preſentment be recouered within the ſaid time, then damages ſhall be awarded to the halfe yeares value of the Church. And if the diſturbor haue not whereof he can recompence the damages (in caſe where the Biſhop preſenteth by Laps of time) hée ſhall be puniſhed by two yeares impriſonment. And if the Aduowſon be recouered within the halfe yeare, yet the diſturbor ſhall be puniſhed by the impriſonment of halfe a yeare. And from henceforth writs ſhall be graunted for Chappels, Prebendes, Vicarages, Hoſpitals, Abbies, Priories, and other houſes which be of the Aduowſons of other men, that haue not béene vſed to be granted before. And when the parſon of any Church is diſturbed to demaund Tythes in the next parith by a writ of Indicauit, the Patron of the parſon ſo diſturbed, ſhall haue a writ to demand the Aduowſon of the Tythes in demaund, and when that is tried then ſhall the plea paſſe in the Court chriſtian, as it is tried in the kings Court. When an Aduowſon diſcendeth vnto Parcerners, though one preſent twice, and vſurpeth vpon his coheire, yet he that was negligent, ſhall not be clearely barred, but another time ſhall haue his turne to preſent when it falleth. Weſt. 2. cap. 5. An. 13. Ed. 1.

Impett.

Writs

Tythes Indicauit.

Spirituall Court

Parceners.

Turne

2 Of Churches being vacant, the Aduowſons whereof belong to the king, and others preſent to the ſame, whereupon debate riſeth betweene the king and others, if the king by award of the court doe recouer his preſentation, though it be after the laps of ſixe Moneths, from the time of the auoidance, no time ſhall preiudice him, ſo that hee doe preſent within the ſpace of ſixe Moneths. Prærogatiua Regis cap. 8. Anno 17. Ed. 2.

Vacation King

Award

Laps 6. Monthes

6. Monthes

3 An. 14. E. 3. pro Clero cap. 2. It was enacted that the king ſhould not preſent in an others right, but within three yeares after the auoidance. But that act was after repealed by 25. Ed. 3. pro Clero cap. 2.

King Preſent

Repealed

4 An. 14. E. 3. pro Clero cap. 2. and An. 25. E. 3. pro Clero cap. 1. It was enacted that the king nor his heires ſhould not preſent by a title in an others right in none of his progenitors time: Sauing to the king and his heires preſentments in others right in his own time, and in the time comming.

King Preſent

5 Whereas before this time our Soueraigne Lord the king hath taken title to preſent at the ſuggeſtion of many Clerkes, where the title hath not bin true, and by ſuch preſentments, & iudgements thereupon giuen, the Clerkes haue beene receiued by the Ordinaries of the places, againſt God and good faith, & in deprejudition of them which had therof a good and true title to the ſaide benefices: The king will, and granteth, that at what time he ſhall make collation or preſentment from henceforth to any benefice in any others right, that ỹ title wherupon he groundeth himſelfe ſhal be well examined that it be true. And at what time before iudgement the title be found by good information vntrue or vniuſt, the collation or preſentment thereof made ſhall be repealed. And the Patron or poſſeſſor which ſhall ſhew and proue the falſe title, ſhal haue thereupon writs out of the Chancerie, as many as to him ſhall be needfull. Anno 25. Edw. 3. cap. 3. Statut. 3.

King Preſent

Collation

Examine

Iudgement Vniuſt Repealed

Writs Chancery

6 When Archbiſhops, biſhops, or other Ordinaries haue giuen a benefice of right deuolute to him by Laps of time, and after the king preſenteth & taketh his ſuite againſt the patron, which percaſe will

Laps

will ſuffer that the king ſhall recouer without action tried in deceipt of the ordinarie, or the poſſeſſor of the ſaide benefices, that in ſuch caſe, and al other caſes like, where the kings right is not tried, the Archbiſhop, or Biſhop, Ordinaris or poſſeſſor, ſhall be receiued to counterplead the title taken for the king, and to haue his anſwer, and to ſhew, and defend his right vpon the matter, although that he claime nought in the patronage in caſe aforeſaide. Anno 25. Ed. 3. cap. 7. pro Clero Statut. 3.

Collusion

Title

Bankes.

Towne Freeman Diſtres

NO Towne nor Freeman ſhall be diſtrained to make Bridges or Bankes, but ſuch as of olde time, and of right haue bene accuſtomed to make them in the time of king Henrie our graundfather. Magna Charta cap. 15. Anno 9. Henr. 3. cap. 44.

2 No bankes ſhall be defended from henceforth, but ſuch as were in defence in the time of king Henry our grandfather, and in the ſame places, and by the ſame bounds as they were wont to be in his time. Magna Charta cap. 16. Anno 9. H. 3.

☞ 3 Whereas in the parliament holden at Weſtminſter in the ſecond and third yeres of the raigne of the late king Philip and Queene Marie one act was made and ordained for the amending & maintaining of High waies, which ſaide act hauing no longer continuance but for ſeauen yeres after the end of the ſame Parliament, was afterwards by one other act of Parliament made in the fifth yere of the Queenes Maieſties raigne that now is, reuiued, to haue further continuance for a certaine time yet induring, in which ſaide act made in the ſaid fifth yeare, and other act made in the viij. yeare of her Maieſties raigne, there were contained diuers further additions and ordinances, tending to the amendment and maintenance of the ſaid high waies. And whereas the ſea bankes and workes in ſundrie parts of the Sea coſtes within the Countie of Norfolk (not being within the particuler charge of any perſon or perſons, or of anie Townelhip, or to be maintained by any other cõmon charge) are by the working of the Sea ruined and decayed, to the great hurt and preiudice of many Townelhips, within three miles of the ſaid bankes and Seaworkes, and likely daily more and more to grow in ruine and decaie, if conuenient remedie be not prouided in that behalfe. And whereas the high waies within three miles of the ſaid ſea bankes and Sea workes be ſo grauely and ſandie, as neither need nor require for the amendment of the ſame, ſo many of the ſaide day workes, as be limitted and appointed by the ſaid ſtatutes, the ſurpluſage of which ſaid day workes if it might bee yearely imployed towards the repairing, amending, and maintaining of ſuch of the ſaid ſea banks and ſea workes, as are not, or ought not to be made and maintained at the particuler charge of any perſon or perſons, or at the charge of any Townelhip, or by acrelhot, or other common charge, would be a ſinguler benefit and helpe to the aforeſaide Townelhips, within three miles of the ſaide Sea bankes and Seaworkes, ſo yerely to be made and maintained. For remedie whereof bee it enacted & ordained by authoritie of this preſent parliament, that from and after the feaſt of Pentecoſt now next inſuing, the Juſtices of Peace within the ſaide Countie of Norfolke, ſhall and may yearely at any generall Seſſions to be holden within the ſaide Countie, for and towards the making and amending of any the ſaide Sea bankes, or Seaworkes, (now being, or that hereafter ſhall be in ruine or decay) limit and appoint ſo many of the aforeſaide day workes, as by their diſcretions ſhall be thought ſuperfluous and not needfull to be imployed towards the amendment of the aforeſaid highwaies, within three miles of the ſaide Sea bankes, or ſea workes, which ſhall needfully require any ſuch reparatiõ or amendment. And be it further enacted, ỹ euerie perſon & perſons, dwelling within three miles of the ſaid ſea banks & ſea workes needfully to be amended, as is aforeſaid, ſhall yearely vpon reaſonable warning giuen, during ſo many daies as ſhall be limited and appointed in the ſaid Seſſions, in reſpect of his and their labour and carriages, ſtand and be in that degree charged and chargeable towards the making, repairing and amending of the ſaid Sea bankes, or Sea workes, as by the aforeſaide ſtatutes they ſtand charged and chargeable for the amendment of any highwaies. And that they, and euerie of them, for the not doing and performing the ſame, ſhall incurre the like pain, penaltie, and forfeiture, as is contained in the aforeſaid ſtatutes, made for the amendment of highwaies, and euerie of them. And that the ſaid Juſtices likewiſe in their aforeſaid generall ſeſſions, ſhal and may nominate and appoint the high conſtables of euerie hundred that ſhall be charged or chargeable by force of this act, towards the making or amending of the ſaid Sea bankes, or Sea workes, to be Surueyors of the ſaid Sea workes, and Sea bankes. And that they and euerie of them ſhall take vpon them the execution of the ſaid charge & office, & duly perform the ſame, vpon ſuch a like paine and forfeiture, as by the ſaid Statutes or any of them be impoſed vpon anie ſurueior, or ſurueiors, for not taking vpon him or them the office of Surueior for the amendment of the high waies. And that euerie perſon & perſons which ſhall be yearely charged to the making and maintenance of the ſaid bankes or ſea workes, ſhall be diſcharged of ſo many daies towards ỹ making of the highwaies, as ſhal be imployed and beſtowed towards the making and amending of the ſaid Sea workes & ſea banks. All the ſaide penalties & forfeitures to be leuied in maner & forme, as in the ſaide ſtatutes are limited or appointed. This act to indure & cõtinue for the ſpace of 5. yers, & from thence forth vnto the end of the Parliament next inſuing the ſaid fiue yeres. An. 27. Eliz. ca. 24. An. 35. Eliz. cap. 7. This ſtatute is reuiued and continued to the end of the Parliament next enſuing. And an. 1. Iac. cap. 25. it is continued to the end of the firſt Seſſion of the next parliament.

Seabanks

Juſt. of P.

Hygh Conſtables

Surueyors

Bankrupts.

WHereas diuers and sundrie persons craftily obtaining into their handes great substance of other mens goods, do suddenly flie to parties vnknowne, or keep their houses, not minding to pay or restore to any their creditors, their debt and duties, but at their owne wils and pleasure, consume the substance obtained by credite of other men, for their owne pleasures, and delicate liuing, against all reason, equitie, and good conscience. Be it therefore enacted by authoritie of this present parliament, that the Lord Chauncellour of England, or keeper of the great Seale, the Lord Treasorer, the Lord President, Lord Priuie Seale, and other the kings most honourable priuy Councell, and the chiefe Iustice of either bench for the time being, or three of them at the least, whereof the Lord Chancellor, or keeper of the great seale, Lord Treasorer, Lord President, or the Lord priuie Seale to be one, vpon euerie complaint made to them in writing, by any parties grieued concerning the premisses, shall haue power and authoritie by vertue of this act, to take by their wisdome & discretion such orders and directions, as well with the bodies of such offendors aforesaide, whersoeuer they may be had, as wel in their houses as elsewher, by imprisonment of their bodies, or otherwise, as also with their lands, tenements, fees, annuities, and offices, which they haue in fee simple, fee taile, terme of life, terme of yeares, or in the right of their wiues, as much as the interest, right, & title of the same offendors shall extend or be, & may then lawfully be departed with, by the said offendor, & also with their money, goods, cattels, wares, merchandizes, and debts, wheresoeuer they may be found or knowne. And to cause their saide landes, tenements, fees, annuities, offices, goods, cattels, wares, Merchandizes, and debts, to be searched, viewed, rented, and appraised, and to make sale of the saide lands, tenements, fees, annuities, and offices, asmuch as the same offendor may then lawfully giue, graunt, or depart with, or otherwise to order the same for true satisfaction and paiment of the said creditors a portion, rate and rate like, according to the quantitie of their debts. And that euery direction, order, bagaine, sale, & other things done by the said Lords, authorised, as is aforesaide, in writing signed with their hands, by authoritie of this act, shall be good and effectuall in the law, to all intents, constructions, and purposes, against the said offendors, their heires and executors for euer, as though the same order, direction, bargain, & sale had bin made by ỹ said offendor or offendors, at his, or their owne free will and libertie, by writing indented, inrolled in any the kings courts of record. And be it &c. that if after any such act or offence committed, and complaint thereof made to the said Lords, as is aforesaide, any partie grieued concerning the premisses, knowing, supposing, or suspecting anie of the goods, Cattels, Wares, Merchandizes, or debtes of such offendor or offendors to bee in custodie, vse, occupying, keeping, or possession of anie person or persons, or any person or persons to be indebted to any such offendor or offendors, do make relation thereof to the said Lords, to whome authoritie is giuen by this present act, as is aforesaid, that then the said Lords shal by vertue hereof haue ful power and authoritie to send for, and conuent afore them, by such proces, waies, or meanes, as they shall think conuenient by their discretiõs, all & euerie such person & persons, so knowen, supposed, or suspected to haue any such goods, cattels, wares, merchãdizes, or debts, in his or their custody, vse, occupation, keeping or possession, or supposed, or suspected to be indebted to such offendor or offendors, & vpon their apparance to examin them & euerie of them aswel by their othes, as otherwise, by such waies & meanes, as the said Lords by their discretions shal think mete & conuenient, for & vpon the specialty, certainty, true declaratiõ & knowledge of all and singuler such goods, cattels, wares, merchandizes, and debts of any such offendors as be supposed or suspected to be in his or their custodie, vse, occupation, or possession, & of all such debts as by them, or any of them shall be supposed or suspected to be owing to any such offendor. And if any such person or persons vpon such examination do not disclose, plainely declare, & shew the whole truth of such things as he or they shal be examined of, concerning ỹ premisses, then euery such person or persons so examined, and not declaring the plain & whole truth concerning the premisses, vpon due proofe thereof to be made before the saide Lordes therefore authorised, as is aforesaid, by witnes, examination or otherwise, as to the same Lords shall seeme sufficient in that behalfe, shall lase & forfeit double the value of all such goods, cattels, wares, merchandizes, and debts by them or any of them so concealed, and not wholy and plainely declared and shewed: which forfaiture shall bee leuied and recouered by the said lords, hauing authority as is aforesaid, by such waies and means as to them shal seeme requisite and conuenient. And the same forfeiture to be distributed and imployed to and for the satisfaction and paiment of the debts of the said creditor or creditors in such like maner, rate, and forme as is afore declared concerning the order of the goods and cattels of the saide offendors, keeping their houses, or flying to places vnknowne as is aforesaid. And be it &c. that if, after any such person or persons shall keepe his or their houses, or flie to parts vnknown, as is aforesaid, any person or persons doe fraudulently by couin or collusion, claime or demaund any debt, duetie, or other thing, by writing or otherwise, of any such offendor or offendors, other then such as he or they can and do proue to be due by right and conscience, in forme aforesaid, before the said Lords, hauing authoritie by this present act, as is aforesaide, and the same to proceede bona fide without fraud or couin: that then euerie such person or persons so craftily demãding or claiming any such debt, duty, or other thing as is aforesaid, shal forfeit and loose double as much as hee or they shall so claime

Chancellor L. Keeper L. Treasorer L. President L. Priuie Seale Iust. of both benches — Complaint — Power — Orders — Impris. Lands Annuities Offices. — Sale — Payment Rate like — Order — Effectuall — Complaint — Keeping — Relation — Power Proces — Examins Othes — Specialty — Proof. — Forf. — Distribute — Flie — Collusion — Forf.

Forf. claime or demaund. And the same forfeiture to be levied, recouered, and imployed, in manner and forme as is aforesaid. And be it &c. that if any such person or persons, which shall keepe his or their houses, or flie to parts vnknowne as is aforesaid, of intent to delay or defraud their creditors disceitfully by couin or collusion, suffer, or cause any other person or persons to recouer against him or them any debts, goods, cattels, wares, or merchandises, without iust cause and title so to do, proceeding bona fide, without fraude or couin, that then vpon complaint thereof made to the saide Lordes, hauing authoritie by this present act, as is aforesaide, the same Lords shall haue power and authoritie by vertue hereof, to conuent and call before them the said recoueror or recouerors, and after such fraud, disceit, couin, or collusion, shall plainly appeare, or be duely proued before the saide Lords authorised, as is aforesaid, all the said goods and cattels of the said offendor so recouered, shal be chargable, imployed, ordered and deliuered toward the paiment of true and due debts of the said creditor, after the maner, forme, and rate, as is before specified, by the discretion of the said Lords, hauing authoritie by this present act, the foresaide false & fained recouerie notwithstanding: so that alwaies such false and fained recoueries shal not be in force or any execution therby had, of or vpon any goods, cattels, lands, or tenements of any such offendor or offendors, vntil such time as al his, or their true & due debts & duties shalbe fully satisfied, cõtented, & paied to his or their creditors. And neuertheles, after that the same true debts & duties shal be fully satisfied and paied, as is aforesaid, alwel the body of the said offendor, as his lãds, tenements, goods, and cattels shal be charged and liable to the execution of the said recouerie, according to the tenour, force, and effect of the same. And be it &c. that if any person or persons which shal be indebted, do withdraw himselfe out of this Realm, & other the kings dominions, into any forreine realme or Country, to thintent therto abide and remaine, in defraud of his creditors, that then vpon complaint in writing, concerning the premisses therof made to the saide Lords, hauing authoritie, as is aforesaide, the same Lords shall by vertue and authoritie of this present act, haue power and authoritie to award Proclamations to be made in such places as to them shall be thought meet and conuenient, commanding by the same such offendor in the king our Soueraigne Lords name, to returne with all conuenient speed into this Realme, and to yeeld his bodie before the said Lords, hauing authority as is aforesaide, or one of them. And if the said person within 3. monthes nert after hee shall haue knowledge of such Proclamation, or as sone after as he conueniently may, doe not repaire and yeeld his bodie, as is aforesaid: that then the bodie of all and euerie such offendor & offendors, shall be adiudged, taken, and deemed to all intents and purposes out of the kings protection. And that also all goods, cattels, lands, tenements, and debts of euery such offendor, shal be by the order & discretion of the said Lords, imployed and distributed amongst his creditors equally and indifferently, rate for rate, in like manner and forme as is afore declared. And that also euery person and persons that shall willingly helpe to aide, imbezil, or conuey any such person or persons, their goods, cattels, wares, or Merchandizes out of this Realme, and other the kings dominions, into any forreine Realme or place, knowing the saide person or persons to depart, or withdraw themselues, or conuey their said goods, cattels, wares & merchãdises, for the cause & intent aforesaid, shall suffer such paines by imprisonment of their bodies, or pay such fine to our soueraign Lord the king his heires or successors, as to the said Lords (hauing authoritie by vertue of this present act) shall seeme meete & conuenient for their said offence or offences. Prouided alwaies, & be it &c. that if the creditors of any such offendor or offendors, which shall keep his or their house, or houses, or which shall absent or withdraw themselues into places vnknowne, for the causes aforesaid, be not fully satisfied and paied, or otherwise contented for their debts and duties, by the waies and meanes afore specified & declared: That then the saide creditor and creditors, and euerie of them shall and may haue their remedie for the recouerie and leuying of the residue of their saide debts or duties, whereof they shall not be fully satisfied and paied, or otherwise contented in forme aforesaide, against the said offendor or offendors, in like manner and forme as they should or might haue had before the making of this act. And that the said creditor and creditors, and euerie of them shall be onely barred and excluded by vertue of this act, of, and for all and euerie such part and portions of the saide debts & duties, as shal be paid, satisfied, distributed or deliuered vnto him or them by ỹ said Lords hauing authoritie as aforesaid, & of no more portion or parcell thereof: any thing herein specified, that may be taken or construed to the contrarie notwithstanding. An. 34. H. 8. cap. 4.

Rate like

Aidors

Impriſt.

Creditors

Excluded

2 Be it enacted, that if any Merchant, or other person vsing or exercising the trade of Merchandise, by way of bargaining, exchange, rechange, bartrie, cheuisance, or otherwise, in grosse or by retaile, or seeking his or their trade of liuing, by buying and selling, & being subiect borne of this realme or of any the Queenes dominions, or denizen, sithen the first day of this parliament, hath, or at any time hereafter shall depart the Realme, or begin to keep his or her house or houses, or otherwise to absent him or her selfe, or take Sanctuarie, or suffer him or herself willingly to be arrested for any debt, or other thing not growne or due for money deliuered, wares sold, or any other iust or lawful cause or good consideration or purposes, hath, or wil suffer him or herselfe to bee outlawed, or yeeld him or her selfe to prison, or depart from his or their dwellinghouse or houses, to the intent or purpose to defraud or hinder any of his or her creditors, being also a subiect borne, as is aforesaid, of the iust debt or dutie of such creditor or creditors, as shall be reputed, deemed, and taken for a Bankrupt. And be it enacted by the authoritie aforesaid, that the Lord Chancellor of England, or L. Keeper of the great seale

Marchant

Denizen

Sanctuarie Arrest

Outlawed

Defraud

Chancellor L. Keeper

Complaint

Power. Commissio.

Power

Sanctuary.

Impris. Lands

Joint

Alt

Money Goods Merchandize

Fees Annuities Offices Praised Deed indented Sale

Ratelike

Heires

Lords of Mannors

Seuerall of England for the time being, vpon euerie complaint made to him in writing against any such person or persons being bankrupt, as is afore declared, shall haue full power & authoritie by commission vnder the great seale of England, to name, assigne, and appoint such wise and honest discreete persons, as to him shall seeme good, who, or the most part of them, by vertue of this act, and of such Commission shall haue full power and authoritie, to take by their discretions, such order and direction with the bodie and bodies of such person, where soeuer he or shee may be had, either in his or her house, houses, Land or Lands, or elsewhere, aswell by imprisonment of his or her bodie or bodies, as also with all his or her lands, tenements, and hereditaments, aswell copie or customarie holds, as freehold, which he or shee shall haue in his or her owne right before he or shee became bankrupt: And also with all such lands, tenements and hereditaments, as such person shall haue purchased, or obtained for money, or other recompence iointly with his wife, children or childe, to the only vse of such offendor or offendors, or of, or for such vse, interest, right, or title, as such offendor or offendors then shall haue in the same, which he or shee may lawfully depart with all, or with any person or persons of truth to any secret vse of such offendor or offendors, and also with his or their money, goods, cattels, Wares, Merchandizes, and debts, wheresoeuer they may be found or knowne, and cause the said lands, tenements, fees, annuities, offices, goods, cattels, Wares, Merchandizes, and debts, to be searched, viewed, rented, and praised to the best value they may, and by deede indented, inrolled in one of the Queenes Maiesties courts of Record, to make sale of the said lands, tenements, and hereditaments, and of all deeds, writings, and euidences, touching onely the same, belonging to such offendor or offendors, debtor or debtors, and also of all fees, annuities, offices, goods and cattels, or otherwise to order the same for true satisfaction & paiment of the said creditors, that is to say, to euerie of the said creditors a portion, rate rate like, and according to the quantitie of his or their debts. And that euerie direction, order, bargaine, sale and other thinges done by the said persons so authorised as is aforesaid, in form aforesaid, shal be good & effectual in the law, to all intents, constructions, & purposes against the said offendor or offendors, debtor or debtors, his or their wife or wiues, heire and heires, childe and children, and such person and persons, as by such ioint purchase with the said offendor or offendors, as is aforesaid, haue and shall haue any estate or interest in the premisses, and against all other person and persons, claming by, from, or vnder such offendor or offendors, debtor or debtors, by any act or acts, had, made, or done after any such person shall become bankrupt as is aforesaid: and also against the Lords of the Mannors whereof the saide Copihold or customarie lands beene holden, their heires, successors and assignes, and euerie of them. Prouided alwaies, and be it enacted by the authoritie aforesaid, that all and euerie person or persons to whom any such sale of copihold or customarie lands or tenements, shall be made, shall before such time as they or any of them shall enter or take any profit of the same lands or tenements, agree and compound with the Lords of the Mannors of whom the same shall be holden for such fines or incomes, as heretofore hath been vsuall and accustomed to be yelded or payed therefore, and that vpon euerie such agreement or composition, the said Lords for the time being, at the next Court to be holden at or for the said Mannors, shall not onely grant vnto the said vendee or vendees vpon request, the same copy or customary lands or tenements by copie of Court Roll of the same manors, for such estate or interest as to them shal be so sold, and reserving the auncient rents, customes, and seruices: but also in the same court admit them tenants of the same copy or customary lands, as other Copiholders of the same manors haue bin wont to be admitted, and to receiue their fealty accordingly. Prouided alwaies, and be it enacted by authoritie aforesaid, that such of the said Commissioners as shall put the saide Commission in execution, shall vpon lawfull request to them made by the said bankrupt, not only make a true delaration to the same bankrupts of the imploying and bestowing of their said lands, tenements, offices, fees, goods, cattels, and debts so paied and satisfied, to their said creditors, but also make payment of the ouerplus of the same (if any such shal be) to the said bankrupts, their executors administrators or assignes. And be it further enacted by authoritie aforesaid, that if after any such act or offence committed, and complaint thereof made to the saide Commissioners so to be appointed as is aforesaid, or the more part of them, by any party grieued, as is aforesaid, concerning the premisses, knowing, supposing, or suspecting any of the goods cattels, wares, Merchandizes, or debts of such offendor or offendors, debtor or debtors, to be in custodie, vse, occupying, keeping, or possession of any person or persons, or any person or persons indebted to any such offendor or offendors, doe make relation thereof to the said commissioners so to be appointed, or the more part of them that then the said Commissioners, or the most part of them, shall by vertue hereof and of the said Commission, haue full power and authoritie to send for, and to call before them, by such proces, waies and means, as they shall thinke conuenient by their discretiõs, all and euerie such person and persons so knowne, suspected, or supposed to haue any such goods, cattels, wares, merchandizes, or debts, in his or their custodie, vse, occupation, keeping or possession, or supposed or suspected to be indebted to such offendor or offendors, and vpon their appearance to examine them, & euery of them, aswell by their othes, as otherwise, by such waies and means, as the said Commissioners, or the more part of them, by their discretion shall thinke meete and conuenient, for & vpon the specialty, certainty, true declaration, and knowledge of all and singuler such goods, cattels, wares, merchandises, and debts, of any such offendor or offendors, as be supposed or suspected

Sale

Compound

Fines

Tender

Rents

Fealty

Commissio

Declaratiõ

Ouerplus

Power

Proces

Examine Othes

Mr

to be in his or their custody, vse, occupation, or possession, and all such debts as by them or any of them, shall be supposed or suspected to be owing to any such offendor or offendors. And if any such person or persons vpon such examination, do not disclose and plainly declare and shew the whole truth of such things as he or they shal be examined of, cõcerning ẏ prẽmisses, to his knowledge

Deny

or deny to sweare: then euerie such person or persons so denying to sweare, or being examined doe not declare the plaine and whole truth concerning the prẽmisses, vpon due proofe thereof to bee made before the Commissioners or the more part of them so to be appointed, as is aforesaide, by witnesse, examination, or otherwise, as to the same cõmissioners or the more part of them shall seeme sufficient in that behalfe, shall lose and forfait double the value of all such goods, cattels, wares, marchãdises and debts, by them or any of them so concealed, and not wholly and plainly declared and shewed: Which forfaiture shal be leuied by the said Commissioners or the more part of them of the lands, tenements, hereditaments, goods and cattels, of such persons so denying to sweare, or not disclosing the whole truth as is aforesaid, by such waies and meanes, and in such maner and forme as is before limited and appointed, for the principall offendor or offendors, debtor or debtors, and the same forfaiture or forfaitures, to be distributed or imploied, to and for the satisfaction and payment of the debts of the said Creditor or creditors, in such like manner, rate and forme, as is aboue declared concerning the ordering of the lands and tenements, offices, fees, goods and cattels of such offendor or offendors, debtor or debtors, as is aforesaid. And be it further enacted, that if at any time before or after that any such person or persons departeth the Realme, or shall keepe his or their house or houses, or otherwise absent him or themselues, or take Sanctuarie, or suffer him or themselues to be arrested, outlawed, or yeld his or their bodies to prison as is aforesaid, any person or persons doe fraudulently by couin or collusion, claime, demaund, recouer, possesse, or deteine any debts, duties, goods, cattels, lands, or tenements, by writing, trust or otherwise, which were or shall be due, belonging, or appertaining to any such offendor or offendors, other then such as hee or they can and doe proue to bee due by right and conscience in forme aforesaid, for money paied, ware deliuered, or other iust consideration or cause reasonable to the iust value thereof, before the said commissioners so to be appointed, or the more part of them, as is abouesaid, and the same to proceed bona fide without fraud or couin: that then euery such person or persons so craftily demanding claiming, hauing, possessing or detaining, any such debt, duty, or other thing as is aforesaid, shal forfeit and lose double as much as he or they shal so claim, demand, detain or possesse, which saide forfeiture, shall be leuied, recouered & imployed in maner and forme as is afore rehearsed. Prouided also, & be it enacted by authority aforesaid, that if it shal fortun the creditors of any such bankrupt, as is aforesaid to be satisfied and paied of their debts and duties, of or with the proper lands, tenements, goods, cattels and debts of the said bankrupts, or of or with the same & some part of the forfeitures of the saide doubles values to be forfeited as is aforesaid, & that there shall remaine an ouerplus of the saide forfeiture of the said double value: that then the one moitie of the said ouerplus of the said forfeitures of the double value so remaining, shall be by the saide commissioners so executing the said Commission within conuenient time after the leuying thereof, payed vnto the M. Maiestie, her heires & successors, & the other moity thereof shall be by the commissioners imployed & distributed to & amongst the poore within the hospitals in euery city, towne or county where any such bankrupt shall happen to be: any thing in this act to the contrary thereof notwithstanding. And be it further enacted by authority aforesaid, that if any such person or persons, which is or shal be indebted, do of purpose withdraw him or themselues out, or from his or their vsuall mansion house or houses: ẏ then vpon complaint thereof made to the said commissioners hauing authoritie as is aforesaid, the same commissioners or the more part of them, shal by vertue and authority of this present act, haue full power and authority to award fiue proclamatiõs to be made in ẏ Quẽns name, vpon 5. sundry market daies, in such places nere the place where such bankrupt hath most cõmonly dwelled or made his abode, cõmanding him or thẽ by ẏ same proclamatiõs in ẏ M. name to return with al cõuenient spẽd, & to yeld his or their body before the said cõmissioners, hauing authority as is aforesaid, or one of thẽ, at such time & place as by the said proclamation shall be appointed: & if ẏ said person do not according to such proclamation, repaire & yeld his or their body, as is aforesaid, ẏ then the body of al & euery such offendor or offendors shal be adiudged, take & deemed to al intents & purposes, out of the Quẽns protection: And that also euery person & persons that shal willingly and wittingly help to hide or conuey, or shal willingly & wittingly receiue, detaine or kẽp secretly any person or persons so demanded by proclamation as is aforesaid, shal suffer such pain by imprisonment of his or their bodies, or pay such fine to our soueraign Lady ẏ M. Maiestie, her heires & successors, as to the said L. Chãcellor or L. Keeper of the great (being informed therof) by the commissioners so to be appointed, as is aforesaid, or ẏ more part of thẽ, shal seeme meet & cõuenient for their said offence or offences. Prouided alwaies & be it further enacted, ẏ if the creditors of any such offendor or offendors, debtor or debtors (which so do depart ẏ realm, kẽp his or their house or houses, or otherwise absent or withdraw him or thẽselues into places vnknown, or take sanctuary, or wil suffer him or themselues to be arrested or outlawed, or yeld his or their bodies into prison purposely, & for ẏ causes aforesaid) be not fully satisfied, or otherwise contented for their debts & duties by the waies & meanes before specified & declared: ẏ then the said creditor or creditors, and euerie of them shall and may haue their remedy for the recouerie and leuying of the residue

Fees

Offices Goods

Sanctuarie Arrested Outlawed Imprisõ. Collusion

Commissioners

Forf. Double value

Ouerplus

Writs

Imployed

Commissioners

Proclamation

Return

Out of protection

Detaine

Imprisõ. Fine

Chancelor

Creditors

Sanctuary

Outlawed

due of their said debts or duties whereof they shall not be fully satisfied, paied or otherwise contented in forme aforesaid; against the said offenders or offendors in like maner & forme, as they should & might haue had before the making of this act. And ỹ the said creditor or creditors, & euerie of them shall be onely barred and excluded by vertue of this act, of and for euerie such part and portion of the saide debts and duties, as shall be payed, satisfied, distributed or deliuered vnto him or them by or ouer of the said persons as is aforesaid, & of no more portion or parcell thereof, any thing herein specified, that may be taken or construed to the contrary notwithstanding. Prouided alwaies, and be it also enacted by authority aforesaid, that if any person or persons, which is or shalbe published and declared to be a bankrupt, by vertue of this act, shal at any time after purchase any lands, tenements, hereditaments, free or copy, or offices, fees, goods or cattels: or that any lands, tenements, hereditaments, free or copy, offices, fees, goods, or cattels shall discend, reuert, or by any meanes come to any such person or persons being bankrupts, as is aforesaid before such time as their debts due to their creditors shal fully be satisfied & paied, or otherwise agreed vnto: that then ỹ said lands, tenements, hereditaments, aswel free as copy, offices, fees, goods, & cattels shall by vertue of this act, be by the said commissioners to be appointed, as is aforesaid, or the more part of them, bargained, sold, extended, deliuered & vsed, for & towards the payment of ỹ saide creditors, in such like maner & forme as other the lands, tenements, hereditaments, free or copy, offices, fees, goods and cattels of the said bankrupts which they had when they were declared first to bee bankrupts, should or might haue been bargained, sold, disposed, or vsed by vertue of this act. Prouided alwaies that this act shall not extend to any lands, tenemts or hereditaments, free or copihold, which heretofore hath beene assured by any such bankrupt, or hereafter shall be assured by any bankrupt, before he become bankrupt, so alwaies that such assurance be made bona fide, & not to the vse of the bankrupt himself only or his heires, and that the parties to whose vse such assurance hath or shall be made, be not at or before the making of such assurance, priuie or consenting to the fraudulent purpose of any such bankrupt to deceiue his creditors. An. 13. Eliz. ca. 7.

3 Be it enacted &c. That all & euery such perso & persons, bing or that shal vse the trade of Merchãdise, by way of bargaining, exchange, bartrie, cheuisance, or otherwise in grosse, or by retaile, or seeking his, her, or their trade of liuing by buying and selling, and being a subiect born of this realm, or any the kings dominions, or denizen, who at any time sithence the first day of this present parliament, or at any time hereafter shal depart ỹ realm or begin to keep his or her house or houses, or otherwise to absent him or her selfe, or take Sanctuary, or suffer him or herself willingly to be arrested for any debt, or other thing, not grown or due for money deliuered, wares sold, or any other iust or lawful cause or good cõsideration or purposes, or hath, or will suffer him or herselfe to bee outlawed, or yeeld him or her self to prison, or willingly or fraudulently hath, or shall procure him or her selfe to be arrested, or his or her goods, money, or cattels to be attached or sequestred, or depart from his or her dwelling house, or make, or cause to bee made any fraudulent grant or conueyance of his, her, or their lands, tenements, goods, or chattels, to the intent, or whereby his, her, or their Creditors being subiects borne as aforesaid, shall or may bee defeated, or delaied for the recouery of their iust and true debts, or being arrested for debt, shall after his or her arrest, lie in prison fiue monthes or more, vpon that arrest, or vpon any other arrest, or detention in prison for debt, and lie in prison six months vpon such arrest or detention, shall be accompted and adiudged a Bankrupt to all intents and purposes. And be it further enacted &c. That the like commissions, orders, benefits, and remedies which are, and bee prouided and limitted by the act of parliament, made in 13. Anno Elizabeth Reginæ, against any bankrupt therein described, or for or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes, & debts, or any of them, shall be had pursued, taken, & expounded against such person & persons that are herein expressed to be bankrupts, his, her, & their lands tenemts, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes and debts, in such like manner and forme, as the same ought or might haue been, if the persons herein described to be bankrupts, had beene described to bee bankrupts, according to the intent of the said former statute. And that it shall be lawfull for any of the Creditors of the saide Bankrupt within foure moneths after any such Commission shall be sued forth, and vntill distribution shall be made by the said cõmissioners, for the payment of the Bankrupts debt, as in such case hath been vsed to partake and ioine with the other Creditors, that shall sue forth any such Commission, for satisfactiõ and payment of his, her, or their debts, to him or them owing, without any hinderance, let, or disturbãce of any of the same commissioners, or of any of the other Creditors of any such Bankrupts, the same creditors so cõming in to contribute to the charges of the said Commission: And that if the Creditors come not in within foure Moneths, then the commissioners to haue power to distribute. Be it further enacted, That if any person which hereafter is or shall be a Banckupt, by intent of this statute, shall conuey, or procure or cause to be conueied to any of his children, or other person or persons, any mannors, lands, tenements, hereditaments, offices, fees, annuities, leases, goods, chattels, or transferre his debts into other mens names, except the same shall be purchased, conueyed, or transferred, for or vpon marriage of any of his or her children, both the parties married being of the yeares of consent, or some valuable consideration: it shall bee in the power and authoritie of the Commissioners on this behalfe to be appointed, or the more part of them, to bargaine, sell, graunt, conuey,

Forred

Purchase

Discend

Lands assured before bona fide

Merchant

Denizen

Sanctuaris Men

Outlawed

Bankrupt

Commissions

Creditors

Transferring his lands, goods &c.

Commissioners.

demise, or otherwise to dispose thereof, in as ample manner, as if the saide Bankrupt had been actually seised or possessed thereof, or the debts were in his owne name of the like estate or interest to his or their owne vse, at such time as he or she became bankrupt: And that euerie such grant, bargain, sale, conueiance, & disposition of the said commissioners, or of the greater part of them, shall be good & availeable to all intents, constructions, and purposes in the law against the offendor or offendors, his heires, executors, administrators, and assignes, & such children & persons as shall be subiect to this statute, & against all other person & persons claiming by, frō, or vnder such offendor or offendors, or such said other persons, to whom such cōueiance shal be made by ỹ said bankrupt, or by his meanes or procurement. And be it further enacted &c. that the said commissioners may call before them, or the greater part of them, the said bankrupt: & if vpon lawfull warning left or made in writing at 3. seuerall times at the dwelling place or house where the said bankrupt, his wife or family, or the most part of his abode, did lodge or remain, within one yeare next before hee, she, or they became bankrupt, the said bankrupt shall not appear before the said commissioners, or the greater part of them: That then and from thenceforth it shall be lawfull for the greater number of the said commissioners, to appoint to proclaime the said party a bankrupt, at such publike place or places, where the said Commissioners, or the greater part of them shal thinke meete, warning him, her, or them to appeare before them vpon the said commission, at some time appointed. And that if vpon 5. seuerall Proclamations made in some publike place, the party offending, appeare not before the said commissioners, and yeld his, her, or their bodies to them, or some of them, the said Commissioners, or the greater part of them, shall or may award a warrant to such fit person or persons, as they thinke meete, to apprehend the bodie and bodies of the said offendor and offendors, and to bring him, her, or them so offending before the said commissioners, whersoeuer the said party or parties offending may be found, in place priuileged or not, to be examined by the said commissioners, or the greater part of them. And that it shal be lawful for the said commissioners, or the greater part of them, to examine the said offendor or offendors, vpon such interrogatories, touching the lands, tenements, goods, chattels, debts, billes, bonds, bookes of accompt, and such other things, as may tend to disclose, his, her, or their estate, or the secret graunts, conueyances and eloyning of his, her, or their lands, tenements, goods, money and debts, as they shall thinke meete. And that if therein the offendor or offendors shall refuse to be examined, or to answere fully to euery Interrogatorie, to him to be ministred by the said Commissioners, or the greater part of them, it shall bee lawfull for the saide Commissioners, or the greater part of them, to commit the said offendor or offendors, to some strait or close imprisonment, there to remaine vntill hee, shee, or they shall better conforme him or her selfe. And that if vpon his, her, or their examination it shall appeare, that he, shee, or they haue committed any wilfull or corrupt periurie, tending to the hurt or damage of the Creditors of the said Bankrupt, to the value of ten pound of lawfull money of England, or aboue, the party so offending, shall or may thereof be indicted in any of the Kings Maiesties Courts of record, and being lawfully conuicted thereof, shall stand vpon the Pillorie in some publike place by the space of two houres, and haue one of his eares nailed to the Pillorie and cut off. And be it further enacted &c. That if any person or persons being knowne, supposed, or suspected to haue or detaine any part of the lands, tenements, or hereditaments, goods, chattels, or debts of the saide Bankrupt, or to be indebted to or for the benefit of the said Bankrupt, shall after lawfull warning to the saide person or persons giuen to come before the saide Commissioners, or to the greater part of them, to be examined according to the intent of the said Statute, refuse to come, or shall not come before the said Commissioners at the time appointed, hauing no lawfull impediment, (such as shall be admitted and allowed of by the saide Commissioners, or the more part of them, and which shall be then signified or made knowne to the saide Commissioners at the time of their assemblie.) Or that any such person or persons hauing knowledge or warning of any other assemblie or meeting of the said Commissioners agreed, shall not come and appeare before them at such time as hee or they lawfully may come, hauing no such lawfull impediment as shall be then made knowne to the said Commissioners, and by them admitted and allowed of as aforesaid. Or being come before them, shall refuse to be sworne and to make answere to such Interrogatories as shall be ministred vnto him or them, according to the true intent and meaning of the said Statute made in the said thirteenth yeare of the Raigne of our saide late Soueraigne Lady Queene Elizabeth, or of this present act: That then it shall bee lawfull for the saide Commissioners, or for the greater part of them, to commit to such ward and prison, as to them, or to the greater part of them shall be thought meete, all such person and persons as shall so refuse to be sworne, and make answere to such Interrogatories as shall be so ministred as aforesaid, and also to direct their warrants to such person or persons as to them or the greater part of them shall be thought meete to apprehend and arrest such person or persons as shall refuse to come, or shall not come and appeare before them as aforesaid, & to bring him, her, or them before the said Cōmissioners, or the greater part of them to examined as aboue said, and vpon his, her, or their refusall to come or to bee examined before the said Commissioners as aforesaid, to commit the said party so refusing, to such prison as the said Commissioners, or the greater part of them shall thinke meet, there to remaine without

Goods
Commissioners
Warning
Appeare
Proclamation
5. Proclamations
Warrant
Examine
Interrogatories
Refuse
Imprison.
Periury
Pillory
Examination
Refuse to sweare
Prison
Arrest
Refusall

Baile denyed

without baile or mainprize, vntill such time as the saide person so refusing to come, or to be sworne to answere before the saide Commissioners, shall submit him or herselfe to the said Commissioners, and be by them examined, according to the true intent of the said statute, and of this present Act.

Witnesses allowed their charges.

Prouided alwaies, that such witnesses as shall so be sent for, shall haue such costs and charges as the Commissioners in their discretions shall think fit: The same charges to be ratably borne by the Creditors of the said Bankrupt, according to the proportion of each of their seuerall debts. And if any person or persons, other then the Bankrupt, either by suborination, vnlawful procurement, sinister persuasiõ, or means of any others, or by his owne act, consent or agreement, shall vnlawfully and corruptly commit any manner of wilfull periurie by his deposition to be taken before the said Commissioners, or the greater part of them, as aforesaid: That then the party or parties so offending, and all and euerie person and persons, that shall vnlawfully and corruptly procure any such vnlawful, wilfull, and corrupt periurie, shall or may therfore bee indicted in any of the kings Maiesties Courts of Record, and after his or their conviction thereof, shall incurre such forfeiture, and receiue and suffer such paines and punishment, as are limitted by the Statute made concerning Periurie, in the fift yeare of the raigne of our said late Soueraigne Lady Quéene Elizabeth. And be it further enacted, that all and euery summe and summes of money, which shal be forfeited by force of this present Act, shall be sued for, and recouered by the said Creditors onely, or any of them that will sue for the same, by Action of debt, bill, plaint, or information, in any of the kings Maiesties Courts of record, and the summe or summes of money so recouered, the charges of suit being deducted, shall bee distributed and diuided towards the payment of the said Creditors of the Bankrupt. And be it further enacted &c. That the Commissioners of Bankrupts, or the greater part of them, shall haue power to grant and assigne, or otherwise to order or dispose, all or any of the debts due, or to bee due, to or for the benefit of the saide Bankrupt, by what person or persons soeuer, or in what maner and form soeuer, to the vse of the Creditors of the saide Bankrupt, according to the true intent of the said former recited statute of Bankrupts: And that the same graunt, assignement, or disposition of the said debts, in forme aforesaid to bee made by the said Commissioners, or the greater part of them, shal so vest the propertie, right, and interest of the said debt, and debts, in the person or persons, or him, her, or them to whome it shall be granted, assigned, or ordered by the said cõmissioners, or the greater part of them, as fully to all intents & purposes, as if the said bil, bãd, bands, statutes, recognizances, iudgements, or contract, whereupon the said debt or debts, deed or deeds, shall arise or grow, had beene made, to or with, or for the said person or persons to whome the same shall be so granted, assigned, or disposed by the said Commissioners, and that after such graunt, assignement, or disposition made of the said debts, that neither the bankrupt, nor any other to whome any such debt shall bee due, shall haue power to recouer the same, nor to make any release, or discharge thereof, neither shall the same be Attached, as the debt of the bankrupt, or such said other person or persons, to whom ỳ same shal be due, by any other person or persons according to the custome of the citie of L. or otherwise: But ỳ the partie or parties to whõ the same debts shal be assigned, shal haue like remedy to recouer the same, as fully and lawfully in the name or names of the person or persons to whom the same shall be so granted, assignèd, or ordered by the said commissioners, in all respects and purposes, as the partie himselfe might haue had: Any Law, statute, vse, or custome to the contrarie thereof in any wise notwithstanding. Prouided alwaies, that no debtor of ỳ bankrupt bee hereby indangered, for the payment of his or her debt, truely and bona fide, to any such bankrupt, before such time as he shall vnderstand or knowe that he is become a bankrupt. Prouided also, and be it further enacted, that such of the said Commissioners as shall put the said Commission in execution, shall vpon a lawfull request to them made by the said Bankrupt, not onely make a true declaration to the said bankrupts, of the imploying and bestowing of his, her, or their said landes, tenements, and hereditaments, offices, fees, goods, wares, money, chattels, and debts, which shall be paid & satisfied to their said creditors, as is in like case limited & appointed by the said former statute made in the said 13. yere of the said late M. Maiesties raigne, but also make payment of the ouerplus of the same, if any shall be, to the said Bankrupts, their executors, administrators or assignes. And that the said Bankrupts, after the full satisfaction of the said Creditors, shall haue power and authoritie to recouer, and receiue the residue and remainder of the debts to them owing: any thing in this act contained to the contrarie in any wise notwithstanding. Be it further enacted, that if any action of trespasse, or other suit, shall happen hereafter to be brought against any Commissioner authorised by the statute made in Anno 13. of our late Soueraigne Lady Quéene Elizabeth for bankrupts, or any other person or persons, hauing authoritie by vertue or vnder the Commission, authorizing the said Commissioner for the doing or executing of any matter, by force of the said statute, or this present statute: that the defendant or defendants, in any such actiõ or suit, may plead Not guiltie, or otherwise inforce that the act or thing whereof the plaintife or plaintifes complained, was done by the authoritie of the saide Act made in the 13. of Eliz. or in this present Act respectiuely without expressing or rehearsall of any other matter of circumstance conteined in either of the said Actes, and without inforcing him or them to shew forth their Commission authorizing

Periurie

Fine.

Assignment of debts due to Bankrupts

Property

Release

Debtor

Declaratiõ of the imployment of Bankrupts lands and goods.

Ouerplus

Action of Trespasse

Not guiltie

the ſaid act, or thing: whereunto the plaintife ſhall be admitted to reply, that the defendant did the ſaid fact, ſuppoſed in the declaration of his own wrong, without any ſuch cauſe alleadged by the ſaid defendant: whereupon the iſſue in ſuch Action ſhal be ioyned to be tried by verdict of 12. men, & vpon ẏ triall of that iſſue, the whole matter to be giuen on both parties in euidence, according to the verie truth of the ſame. And if verdict vpõ ſuch iſſue ſhall paſſe for the defendant the defendant to haue his coſts. Prouided alwaies, &c. That if after any Commiſſion of Bankrupts hereafter ſued forth, and dealt in by the commiſſioners, the offendor happen to die, before the Commiſſioners ſhall diſtribute the goods, lands, and debts of the offendors, or any of them, by force of the foreſaide ſtatute of the 13. yeare of the raigne of our late ſoueraigne Lady Queene Elizabeth and this ſtatute, or either of them: That then neuertheleſſe, the ſaid Commiſſioners ſhall and may in that caſe proceed in execution, in, and vpon the ſaid Commiſſion, for, and concerning the offendors goods, lands, tenements, hereditaments, and debts, in ſuch ſort as they might haue done, if ẏ party offendor were liuing. Anno 1. Iac. cap. 15.

Coſts.

Baſtardie.

TO the kings writ of Baſtardie, whether one being borne afore Matrimony may inherit in like manner as hee that is borne after Matrimony, All the biſhops anſwered, that they would not, nor could not anſwere to it, becauſe it was againſt the common order of the church. And all the biſhops deſired the Lords that they would conſent, that all ſuch as were borne afore Matrimony, ſhould be legitimate as well as they that be borne within Matrimonie, as to the ſucceſſion of inheritance, for ſo much as the Church accepteth ſuch for legitimate. And all the Earles & Barons with one voice anſwered, that they would not change the lawes of this Realme, which hitherto haue beene vſed and approued. Merton cap. 9. Anno 20. H. 3.

Inherit

2 If the ſaid Aliandur the wife of James be certified Mulier in any court before this time, that no manner certificate heretofore made for the ſaid Alianour wife of James, ſhall in any wiſe be preiuditiall, indamage, nor conclude any perſon or perſons but him or his heires that was made partie to the plée. And that from henceforth all Iudges, of or in the Courts where any plée is or ſhal be depending, taken, or moued, in which plées ſo depending, taken, or moued Baſtardy is or ſhall bee alleadged againſt any perſon party to the ſame plée and thereupon an iſſue ioyned, which by the law is to be certified by the ordinarie, that the Iudges or one Iudge, of or in the Courts, where the ſaide plée is or ſhall bee depending, taken, or moued, before the time that any writ of certificate paſſe out of the ſame Court to the ordinary, to certifie vpon the iſſue ſo ioyned, or to be ioyned, ſhall make a remembrance vnder the Seales or his ſeale, at the ſuit of the demandant or tenant, plaintife or defendant in the plée, in which the baſtardie is or ſhall bee alleadged, reciting the iſſue that is ioyned in the ſame plée of baſtardy, and ſhall certifie the ſame to the Chancellor of the king of England for the time being, to the intent that thereupon proclamation be made in the ſaide Chancery by 3. months, once in euery moneth, that all perſons pretending any intereſt to obiect againſt the partie, which pretendeth himſelfe to be Mulier, that they be before the Ordinary to whom the writ of certificat is or ſhall be directed to make their allegations & obiectiõs againſt ẏ party, which pretendeth him to be Mulier, as the law of holy Church requireth. And the ſaid Chancellor hauing notice of the ſaid remembrance and iſſue ioyned, & required by the ſaid demandant or tenant, plaintif or defendant hauing the ſaide remembrance, to make the ſaid proclamation, as afore is ſaid, the ſame Chancellor for the time being, ſhall do make proclamation in the forme aforeſaid. And ſhall certifie the proclamation ſo made into the court where the ſaid plée, in which the baſtardy is alleaged, ſhall be then depending. And that the Iudges of, or in the Court where the ſame plée is or ſhal be depending, taken or moued, ſhal one time before any proclamatiõ ſo to be made into ẏ Chancery, make ſuch a proclamation openly in the ſame court. And alſo another time when the proclamation ſhall bee certified by the Chancellor of England, and made in ẏ forme aboue rehearſed. And then ẏ ſaid Iudge ſhall award the ſaid writ of certificate to the Ordinarie to certifie vpon the iſſue ſo ioyned, or to be ioyned. And if any writ of certificate be made or granted before that all the proclamations in the forme aforeſaid bee made and certified: that then the ſaid writ of certificat, and the certificate of the Ordinarie thereupon made or to be made, ſhall be void in law and of none effect. And if any writ before this time be directed to any Ordinarie to certifie, if the ſaid Alianor wife to James be a baſtard or not, and at this time is not certified, if it be certified hereafter by vertue of the ſaid writ, that yet the ſame certificate of the ſaid Ordinarie ſo made, ſhall be void and of none effect. An. 9. H. 6. ca. 11.

Mulier Certificate

Iudges

Iſſue.

Writ.

Remembrance Seale

Chancellor

Proclamation

Mulier

Certificate

Demandant

Ordinary

Certifie

Void

Bathe and Wells.

ANno 34. H. 8. ca. 15. An Act is made concerning grants and writings to be made by the Biſhop of Bathe and Welles, to be confirmed by the Deane and chapter of Welles,

Battaile and graund Aſsiſe,

TOuching the othes of Champions, it is thus prouided, becauſe it ſeldome happened but ẏ the Champion of the demandant is ſworne, in that he ſweareth, that he or his father ſaw the ſeiſin of his Lord, or of his auncеſtor, and that his father commanded him to darrein the right: That from henceforth the Champion of the demandant ſhall not be compelled ſo to ſweare, neuertheleſs his oth ſhall be kept in all other points. Weſt. 1. cap. 40. Anno 3. Ed. 1.

Othe Champion

Beaupleder

Beaupleder.

Iustices Counties courts Hundreds Court barons Fines

IT is prouided also, That from henceforth neither in the circuit of the Iusticers, nor in county Courts, Hundreds, nor court barons, any Fines shall be taken of anie man for faire pleading, nor that there be any quarell for them. And it is to be knowne, that by this Act the fines certaine, or the Lones assessed since the time that our Soueraigne Lord the King first passed into Britaine till now, are not taken away. Marl.ca.11.Añ 52.H.3.

2 That nothing be taken for faire pleading, as it hath beene prohibited heretofore in the time of King Henry, father to our Soueraigne Lord that now is. West.1.ca.8.Añ 3.Ed.1.

Sherifes

Extortion

3 Whereas some of this Realme haue grieuously complained, that they be greeued by Sheriffes, that make themselues the Kings approuers, and take money by extortion to saue men from the punishment for beaupleder: The King willeth that the statute of Marlebridge (before 1.) shall be obserued and kept in this point. Añ 1.Ed.3.cap.8. Stat 2.

Berwike.

Merchants Scotland Ireland Wales Marchandizes

ALl Marchants which shall carry or bring any Marchandize out of Scotland or the Iles of the same, into this realme of England, or into Ireland or Wales, first shal bring the same Marchandise to the said towne of Berwike. And that none of the Kings liege people, nor none other person vnder the kings obeisance, shall buy any marchandize brought out of Scotland, and carry the same, or cause it to be carried into this Realme of England, or any other place vnder the kings obeisance, but that the same marchandize be bought, sold and customed at this said towne of Berwike, except to the city of Carlile, and the ports and creekes pertaining to the west marches. And that no manner marchant, denizen or stranger, vnder the kings obeisance, shall carry or conuey to sell, any manner marchandize being within England, Ireland, or Wales into Scotland, or the Isles of the same, which be not vnder the kings obeisance. And that none vnder the kings ligeance and obeisance, sell any manner marchandize of England, Ireland, or Wales, to any of the inhabitants of Scotland or Isles of the same, in any place within England, Ireland or Wales, sauing onely to the said towne of Berwike & Carlile aforesaid. And that no marchandize shalbe shipped in any creeke or other place betwixt Tinmouth and the said town of Berwike, but onely in the port or hauen of the said towne of Berwike. And that no manner person or persons, sauing the Burgesses and freemen of the said town of Berwike, shall cause any Salmon to be solde, which shall be taken in the water of Tweede. And if any person or persons offend, or do with any manner marchandize aforesaid, contrary to any of the said ordinances, the same person or persons shall forfeit all the said marchandize. And that it shalbe lawfull to any of the kings liege subiects, to seise all such marchandize so forfeit, or else to pursue in his owne name an Action of debt against the same person or persons, which so shal forfeit containing the summe of the value of the said goodes. And in the same Action to haue like proces, iudgement and execution, as is vsed in other Actions of Debt by the course of the kings lawes. And that in none of the suites and actions, any protection or essoine of the kings seruice be allowed, nor any Defendant admitted to doe his law. And our Soueraigne Lord the King to haue as well the one halfe of all such marchandize forfeit and seised, as the one half of all such summes of mony which shall be recouered by the Action, in the forme aforesaid, to be pursued for the value of any such goods so forfeit. And the person or persons which shall seise and pursue in the forme aforesaid, to haue the other halfe of the same. And by the said authority it is ordained and enacted that the Marchants and freemen of the said towne, may of the grace of our soueraigne Lord the King, haue to ferme al waters royall, and fishing places, within the said towne of Berwike and Seignioric of the same, paying for the same as much as anie other person will do. And that the same marchants and freemen, and euery of them, may from henceforth haue, occupy and inioy to them, their heires and successors for euer, all liberties, franchises and customes, which at any time before pertaineth to the said towne. And that they may ship all maner of goods and marchandizes there, and carry them to what place or places, port or ports, that they will, and there discharge, and the same recharge with corne or any other vitaile or marchandizes, and bring the same to the said Towne of Berwike for vitailing thereof. Prouided alwayes, That this Act, nor none other Act made or to be made in the said parliament do not extend nor be preiudicall to W. Bishop of Durham, nor to his successors, in, or for any manes thing pertaining, or in any wise belonging to him. Anno 22.Ed.4 ca.8.

Prores

Protection Essoine

Woll's

Ferme Fishing

Liberties

Shipping

Corne

Bishop of Durham

2 Añ 1.Iac.ca.28. An Act was made for confirmation of the Kings Letters Patents, dated at Westminster 30.Aprilis Añ 2.Iac. graunted to the Maior, Baylifes, and Burgesses of the Borough of Berwike vpon Tweede, and their successors: and of the franchises, priuiledges, & customes of the said Borough.

Bishops and Bishoprickes.

BEcause before this time in the time of king Edward, father to the king that now is, he by euill Counsellors caused to be seised into his hands the temporalty of diuers Bishops, with all their goods and cattels therein found, without any cause, and the same held in his hands by a long seison, & continually thereof toke the profits, to the great damage of the same bishops, and wast and destruction of all their cattels, manors, parks, and woods: The King willeth and graunteth, that from henceforth it shall not be done. Añ 1.Ed.3.cap.2.Stat 2.

Temporalties Goods

2 We will and grant for vs and for our heires, that from henceforth we nor our heires shall not take, nor do to be taken into our hands the temporalties of Archbishops, Bishops, Abbots, Priors, or other of what estate or condition they be, without a true & iust cause, according to the law of the land, and iudgement thereupon giuen. Anno 14 Ed.3.

Temporalties

pro

pro Clero ſtat 3.

Crime

3 That no Archbiſhop nor Biſhop ſhall be impeached before our Juſtices for any criminal cauſe, vnleſſe we ſpecially do command them, till other remedy be therefore ordained. Anno 18.Ed.3.pro Clero ca.1.Stat 3.

Temporalties

4 Whereas the Temporalties of Archbiſhops and Biſhops haue bẽ oftentimes taken into the kings hands, for contempt done to him vpon writs of Quare non admiſit, and for diuers other cauſes, whereof the ſaid Prelates haue prayed the King, that no ſuch taking ſhall from henceforth be made, ſith they be Peeres of the land. The King willeth and graunteth in the ſame parliament, That all Juſtices, which from henceforth ſhall haue iudgement againſt any Prelate of the Land in ſuch caſe or like, that they in ſuch caſe may freely receiue, and from henceforth ſhall receiue for the contempt ſo iudged, a reaſonable fine of the partie ſo condemned, according to the quantitie of the treſpaſſe, and after the qualitie of the contempt, incontinently at the time of the iudgement, if the partie offer the ſame, or otherwiſe after the iudgement, at what time the party will offer himſelfe: And if it need, the Chancell. & the Treaſorer, ſhalbe called to the receit of the ſaid fines. Añ 25.E.3.pro Clero ca.6.Stat 1.

Quare non admiſit

Biſhops Peeres

Juſtices

Fine

Contempt

Lord Chancellor

Lord Treaſorer

5 Albeit that ſince the beginning of this preſent Parl. good and honorable ordinances & ſtatuts haue bin made & eſtabliſhed for elections, preſentations, cõſecrations, & inueſting of Archbiſhops & Biſhops of this realme, & in all other the kings dominions, with all ceremonies appertaining vnto the ſame, as by ſundry Statutes thereof made more at large is ſpecified: yet neuertheleſſe no prouiſion hitherto hath beene made for Suffragans which haue bene accuſtomed to be had within this Realme; for the more ſpeedy adminiſtration of Sacraments, and other good wholeſome and deuout things, and laudable ceremonies, to thincreaſe of Gods honour, and for the commodity of good and deuout people. Be it therefore enacted by authority of this preſent parliament, That the townes of Thetford, Ipſwich, Colcheſter, Douer, Gilford, Southamptõ, Taunton, Shaftſbury, Polton, Marleborough, Bedford, Leiceſter, Glouceſter, Shrewſbury, Briſtow, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, and the Townes of Pereth and Berwike, Saint Germaines in Cornewall, and the Iſle of Wight, ſhall be taken and accepted for Sées of Biſhoppes Suffragans to be made in this Realme, and in Wales, and the Biſhoppes of ſuch Sées ſhall bee called Suffragans of this Realme. And that euerie Archbiſhop and Biſhop of this Realme, and of Wales, and elſewhere within the Kings dominions, being diſpoſed to haue any Suffragan, ſhall and may at their liberties name and elect, that is to ſay, euery of them for their particular dioceſſe, two honeſt and diſcreet ſpiritual perſons, being learned and of good converſation, and theſe two perſons ſo by them to be named, ſhall preſent to the Kings Highnes by their writing vnder their Seales, making humble requeſt to his Maieſtie, to giue to one ſuch of the ſaid two perſons, as ſhall pleaſe his Maieſtie, ſuch title, name, ſtile and dignitie of Biſhop of ſuch of the ſaid Sées aboue ſpecified, as the Kings Highneſſe ſhall thinke moſt conuenient for the ſame. And that the Kings Maieſty vpon euery ſuch preſentation, ſhall haue full power and authoritie to giue to one of thoſe two perſons ſo to his Highneſſe to be preſented, the ſtile, title, and name of a Biſhop of ſuch of the Sées aforeſaid, as to his Maieſtie ſhall be thought moſt conuenient and expedient, ſo it be within the ſame prouince, whereof the Biſhop that doth name him is. And that euery ſuch perſon to whom the Kings Highneſſe ſhall giue any ſuch ſtile and title of anie of the Sées aforenamed, ſhalbe called Biſhoppes Suffragan of the ſame Sée whereunto he ſhall be named. And after ſuch title, ſtile, and name ſo giuen, as is aforeſaid, the Kings Maieſtie ſhall preſent euery ſuch perſon by his Letters Patents vnder his great Seale to the Archbiſhop of Canterburie, if the towne whereof he hath his title bée within the prouince of Canterbury. And likewiſe to the Archb. of Yorke, if the towne whereof hée hath his title bée within the prouince of Yorke, ſignifying and declaring by the ſame Letters Patents the name of the perſons preſented, and the ſtile and title of dignitie of Biſhop ſike, whereunto hée ſhalbe nominated, requiring the ſame Archbiſhop to whom ſuch Letters Patents ſhalbe directed, to conſecrate the ſame perſon ſo nominated & preſented to the ſame name, title, ſtile, and dignity of Biſhop, that he ſhall be nominated & preſented vnto, and to giue him all ſuch conſecration, benedictions & ceremonies, as to the degrée and office of a biſhops ſuffragan ſhall be requiſite. And be it alſo enacted by authority aforeſaid, that all and euery ſuch perſon and perſons, as ſhalbe nominated, elected, preſented & conſecrated, as is aforeſaid, ſhalbe taken, accepted, and reputed in all degrees and places according to the ſtile, title, name & dignity that he ſhall be preſented vnto, and haue ſuch capacitie, power, and authority, honour, preheminence & reputation, in as large and ample maner, in & concerning the execution of ſuch commiſſion, as by any of the ſaid Archbiſh. or Biſhops within their dioceſſe ſhalbe giuen to the ſaid ſuffragans as to ſuffragans of this realm heretofore hath bin vſed & accuſtomed. And be it further enacted by authority aforeſaid, that euery Archbiſhop of this realme, to whom any the Kings letters patents in the caſes afore rehearſed, ſhalbe directed, hauing no lawfull impediment, ſhal performe and accompliſh the effects & contents of this Act, within the time of three moneths, next after ſuch letters patents ſhall come to their hands: any vſage, cuſtoms, forreine lawes, priuiledges, preſcriptions, or other thing or things heretofore vſed, had, or done, to the contrary hereof notwithſtanding. Prouided alwais, that no ſuch Suffragans wich ſhalbe made and conſecrate by vertue and authoritie of this Act, ſhall take or perceiue any manner of profits, of the places and Sées whereof they ſhall be named, nor vſe, haue or exercute anie iuriſdiction, or epiſcopall power or authority within their ſaid Sées, nor within anie Dioceſſe or place of this Realme, or elſe-where, within the Kings dominions, but onely ſuch profits,

Thetford Ipſwich

Berwike

Iſle of Wight

Sées Suffragans

Preſent

Preſentations

Biſhops Suffragan

Letters P. Great ſeale

Conſecrate

Three moneths.

Profits

ties, iuriſdictions, power and authority, as ſhall be limited and limited to them to take, doe, and execute by any Archbiſhop or Biſhop of this Realme within their Dioceſſe, to whom they ſhall be Suffragans by their Commiſſion, vnder their Seales. Anie that euerie Archbiſhop and Biſhop of this Realme, for their owne peculiar Dioces, may and ſhall giue ſuch Commiſſion or Commiſſions to euerie ſuch Biſhops Suffragan, as ſhall be ſo conſecrated by authority of this Act, as hath beene accuſtomed for ſo manie Suffragans heretofore to haue, or ſuch Commiſſion as by them ſhall be thought requiſite, reaſonable and conuenient. And that no ſuch Suffragan ſhal vſe any iuriſdiction, ordinary, or epiſcopal power, other wiſe nor longer time then ſhalbe limited by ſuch Commiſſion to him to be giuen, as is aforeſaid, vpon paine to incurre into the paines, loſſes, forfeitures and penalties, mentioned in the ſtatute of Præmunire, made in the xvj. yeere of king Rich. 2. Prouided alwayes, That the Biſhop that ſhall nominate the ſuffragan to the kings high nolle, or the ſuffragan himſelfe that ſhalbe nominate, ſhall prouide two Biſhops or Suffragans to conſecrate him with the Archbiſhop, and ſhall beare their reaſonable coſtes. Prouided alſo, that the reſidence of him that ſhall be Suffragan vnder the Dioceſſe where he ſhall haue Commiſſion, ſhal ſerue him for his reſidence, as ſufficiently, as if he were reſident vpon any other his benefice: any Act heretofore made to the contrary notwithſtanding. Be it further enacted, that all ſuch Suffragans, as ſhall hereafter exercile the Offices aforeſaid, by the Commiſſion of the Biſhop, for the better maintenance of his dignitie, may haue two benefices with cure: Any former Act made to the contrary notwithſtanding. Anno 26. H. 8. cap. 14. This Act was repealed by 1. & 2. P. & M. and renued by 8. Eli. cap. 1.

6 Anno 31. H. 8. ca. 9. An Act was made, authorizing the King to make Biſhops, and tranſlations of Biſhops by his Letters Patents. But it is repealed by 1. & 2. P. & M. ca. 8. as appeareth in Rome 5.

7 Añ 33. H. 8. ca. 31. An Act was made, diſſeuering the Biſhoprick of Cheſter and Man from the iuriſdiction of Canterbury, to the iuriſdiction of Yorke.

8 Añ 37. H. 8. ca. 16. An Act was made concerning exchange betweene the King and the Archbiſhop of Canterbury and Yorke and the Biſhop of London, for certaine lands.

9 Anno 1. Ed. 6. cap. 2. Was an Act, that the Biſhops ſhould be made by the Kings Letters Patents, and not by the election of the Deane and Chapter, and that they ſhould make their proceſſe & writings in the kings name, and not vnder their owne names, and that their Seales ſhould be the Kings Armes. But after, this Act is repealed in Añ 1. M. 1. Parl. ca. 2. Seſſ. 2. And that Act of M. is repealed by 1. Iac. cap. 25.

10 Añ 3. Ed 6. cap. 2. It was enacted, That ſuch forme of making and conſecrating of biſhops and prieſts, as by ſir prelates, and ſire other to be appointed by the King ſhould be deuiſed & ſet forth vnder the great Seale, ſhould be vſed, and none other. And after a booke was printed of ſuch maner of conſecrating and making of Prieſts. But after this Act was repealed by 1. M. 1. Parl. Seſſ. 2. And that Act of 1. M. is repealed by 1. Iac. ca. 25.

11 Añ 1. & 2. P. & M. ca. 8. All Biſhoprickes be conſirmed, as appeareth in Rome 5.

12 Be it now declared and enacted by the authority of this preſent Parliament, That the ſaid Act and ſtatute made in the firſt yeere of the raigne of our ſaid Soueraigne Lady the Queenes Maieſtie, (which See in Seruice 5.) whereby the ſaid booke of Common prayer, and the adminiſtration of Sacraments, with other rites and ceremonies, is authoriſed and allowed to be vſed, ſhall ſtand and remaine good and perfect to all reſpects and purpoſes. And that ſuch order and forme for the conſecrating of Archbiſhops and Biſhops, and for the making of Prieſts, Deacons, and Miniſters, as was ſet forth in the time of the ſaid late King Edward the firſt, and added to the ſaid Booke of Common prayer, and authoriſed by Parliament in the firſt and firſt yeare of the ſaid late King, ſhall ſtand and be in full force and effect, and ſhall from henceforth be vſed and obſerued in all places within this Realme, and other the Queenes Maieſties Dominions and Countries. And that all Acts and things heretofore had, made, or done, by any perſon or perſons, in, or about any conſecration, confirmation, or inueſting of any perſon or perſons elected to the office or dignitie of any Archbiſhop or Biſhop within this Realme, or within anie other the Queenes Maieſties Dominions or Countries, by vertue of the Queenes Maieſties Letters Patents or Commiſſion, ſithence the beginning of her Maieſties raigne, be, and ſhall be by authoritie of this preſent Parliament declared, iudged and deemed, al, and from euery of the ſeuerall times of the doing thereof, good and perfect to all reſpects and purpoſes: Anie matter or thing that can or may be obiected to the contrary thereof in any wiſe notwithſtanding. And that all perſons that haue beene, or ſhall be made, ordered, or conſecrated Archbiſhoppes, Biſhoppes, Prieſts, Miniſters of Gods holy Word and Sacraments, or Deacons, after the forme and order preſcribed in the ſaid order and forme, ſhall Archbiſhoppes, Biſhoppes, Prieſtes, Deacons and Miniſters ſhould be conſecrated, made, and ordered, be in verie deede, and alſo by authoritie hereafter declared and enacted to be; and ſhall be Archbiſhoppes, Biſhops, Prieſts, Miniſters, and Deacons, and rightly made, or decreed, and conſecrated: Anie Statute, Law, Cannon, or anie other thing to the contrarie notwithſtanding. Prouided alwayes, and neuertheleſſe be it enacted by the authoritie aforeſaide, that no perſon or perſons, ſhall at anie time hereafter be impeached or moleſted in bodie, lands, liuings or goodes, by occaſion or meane of anie Certificate by anie Archbiſhop or Biſhop heretofore made, or before the laſt daie of this preſent Seſſion of Parliament to be made, by vertue of an Acte made in the firſt Seſſion of this preſent Parliament, touching or concerning the

Seales

Seruice Sacraments

Fuſion.

Commiſſion

Cheſter Man

Exchange

Patent Dones

the

the refusall of the Oth, declared and set forth by act of parliament in the first yeare of the raigne of our soueraigne Lady Quéene Elizabeth: any thing in this Act or Statute heretofore made to the contrary notwithstanding. And that all tenders of the said oath made by any Archbishop or Bishop aforesaid, or before the last day of this present Session to be made by authority of any Act established in the first Session of this present parliament, and all refusals of the same oath so tendred, or before the last day of this present Session to be tendred by any Archbishop or Bishop, by authority of any act established in the first Session of this present parliament shall be void and of none effect or validitie in the Lawe. Anno 8. El. cap. 1.

Oath

Deprivation

13 Be it enacted, That all and every deprivation, and deprivations, and all and euerie sentence and sentences of deprivation whatsoever, had, pronounced, or given, at any time betweene the beginning of the raigne of the Quéenes most excellent maiestie that now is, and the 1. day of November in the 4. yeere of the same, against any person or persons, which was, or take upon him to be Archbishop or Bishop of any See or Bishoprike, or deane of any deanry within this realme, or any the dominions thereof in the raigne of the said late Quéene Mary, from such See or Bishopricke, be adiudged, deemed, and taken good and sufficient in Law to all intents & purposes, and so shall remaine and continue: any appeale, exception, or other matter or thing whatsoeuer to the contrary thereof in anie wise notwithstanding. And be it further enacted by the authority aforesaid, that all such Archbishops, & Bishops, and Deans, as were or haue or shall be by the authority or licence of the Q. maiesty that now is, at any time betweene the beginning of her raign, and the said 1. day of November in the 4. yeere of her Maisties raigne, shall be taken and adiudged to be lawfull Archbishop, or Bishop of the See, or Bishopricke, and deane of the deanrie vnto the which he was so preferred, assigned, or appointed: And that the same See of archbishoprike, or bishoprike, and deanry, vnto the which he was so preferred, assigned, or appointed, shalbe deemed and adiudged to be meerely voide to all respects and purposes before such preferment, appointment, or assignement so made as aforesaid: anie ambiguitie or question in that behalf heretofore made, or hereafter to be made to the contrary in any wise notwithstanding. Ann. 39. Eli. ca. 8.

Deane

Appeale

Quenes licence.

Void

14 Be it enacted &c. That euerie Archbishop, and Bishop within this realme, and their, and euery of their successors shal be from and after the end of this present Session of parliament, for euer wholy and vtterly disabled in Law, to make, do, leue, or suffer any act or acts, thing or things, whereby, or by means whereof any of the honors, castles, manors, lands, tenements, or hereditaments, parcell of the possessions of his Archb. or Bishopricke, or vnited, appertaining, or belonging to any of the same, or any part of the or any of the, shall or may be aliened, allured, giuen, granted, demised, charged, or in any sort conueied to our soueraigne Lord the King, his heires or successors: And that all alienations, assurances, gifts, graunts, leases, charges, and conueiances whatsoeuer, from and after the end of this present Session of parliament, to be done, suffered, or made to our said soueraigne Lord the king, his heires or successors, of, or out of any of the said possessions, or of, or out of any part or parcell of them, or any of them: and all and euery confirmation and confirmations of the same, shall be from and after the end of this present Session of Parliament, vtterly void, and of none effect, to al intents, constructions and purposes: any former law, statute, act, ordinance, or other matter or thing to the contrary notwithstanding. Anno 1. Iac. cap. 3.

Possessions of Archbishoprickes and Bishoprickes

Alienations

Void

Bookes and Images.

THe said prouiso made the said first yeere of the said King Richard the third (5. cap. 9. concerning Bookes, which is in Aliens 2.) from the feast of the Nativitie of our Lord God next comming shall be void and of none effect. And further be it &c. That no person or persons, resiant or inhabitant within this realme, after the said feast of Christmas next comming, shall buy to sell againe, anie printed Bookes, brought from any parts out of the Kinges obeisance, readie bounden in boordes, leather, or parchment, vpon paine to lose and forfeit for euery Book bound out of the said Kings obeisance, and brought into this realm, and bought by any person or persons within the same to sell againe, contrary to this Act vj. s. viij. d. And be it further &c. that no person or persons, inhabitant or resiant within this realme, after the said feast of Christmas shall buy within this Realme, of any stranger borne out of the Kings obeisance, other then of Denizens, any maner of printed Bookes, brought from any the parts beyond the Sea, except only by ingrosse, and not by retaile, vpon pain of forfeiture of vj. s. viij. d for euery booke so bought by retaile, contrary to the forme and effect of this statute, the said forfeiture to be alwayes leuied of the buyers of any such bookes contrary to this Act: The one halfe of all the said forfeitures to be to the vse of our soueraigne Lord the king, and the other moity to be to the party that will seise or sue for the same in ante of the Kings Courts, be it by Bill, Plaint, or Information, wherein the Defendant shall not be admitted to wage his Law, or Protection, ne essoine shall be to him allowed. Prouided alwayes, and be it &c. that if any of the said Printers, or Sellers of printed Bookes, inhabiting within this realme, at anie time hereafter happen in such wise to inhaunce and increase the prices of any such printed books in sale of binding, at too high and vnreasonable prices, in such wise as complaint be made thereof vnto the King Highnes, or vnto the Lord Chancellor, Lord Treasorer, or any of the chiefe Iustices of the one Bench or of the other: That then the same Lord Chauncellor, Lord Treasorer, and two chiefe Iustices, or two of any of them, shall haue power and authority to inquire thereof, as well by the oathes of twelue honest and discréte persons, as otherwise by due examination by their discretions. And after the same inhancing and increasing of the said prices of the said Bookes and binding, shalbe found

Aliens

Printed bookes

Foyl.

Denizens

Ingrosse Foyl.

Wolfe

Printers

Lord Chancellor Lord Treasorer Chiefe Iu.

Examined

so

so by the said iij. men, or otherwise by examination of the said L. Chancellor, L. Treasorer, & Justices, or two of them: That then the same lord Chancellor, Lord Treasorer, & Justices, or two of them at the least, from time to time, shal haue power and authoritie to reforme and redresse such inhauncing of the prices of printed Bookes, from time to time by their discretions, and to limit prices as well of the Bookes, as for the binding of them. And ouer that, the offendor or offendors thereof being conuicted by the examination of the same lord Chancellor, Lord Treasorer, and two Justices, or two of them, or otherwise, shall lose and forfeit for euerie booke by them sold, whereof the price shalbe inhanced for the booke or binding thereof iij. s. iiij. d. The one halfe thereof shalbe to the Kings highnesse, and the other half vnto the party greeued, that wil complaine vpon the same, in manner and forme before rehearsed. Añ 25. H. 8. cap. 15.

Prices

Binding

Forf.

Moitie

2 Añ 34. H. 8. ca. 1. Was an Act against reading of the Bible in English, & other English bookes of doctrine, and against plaies, songs, and tunes, and against preaching and teaching of doctrine. But that statute was repealed by Anno 1. E. 6. cap. 12.

3 Añ 3. E. 6. ca. 10. It was enacted, That all Bookes of the seruice of the Church in Latine, and Images of Saints, that were or had beene in anie such Church or Chappell, should be abolished and destroyed, and the Bookes burned. But this Act was after Añ 1. Ma. 1. parliament. cap. 2. repealed. And that Act of repeale is repealed by anñ 1. Iac. cap. 25.

Bowes and Bowstaues.

FOr the remedy of the great scarcitie, and excessiue price of Bowstaues, whereby Archerie is decayed. Be it &c. That euery Marchant stranger, and euery, or some one of their factors, attourneys, or seruants, which at any time after the feast of Saint Michaell the Archangell next comming, shall bring, send, or conuey into this land any marchandize, in carracke, galley, or ship, of the citie or countrie of Venice, or of any other citie, towne, or country, from whence anie such Bowstaues haue beene before this time brought, sent, or conueyed into this land, at euery time of their bringing, sending, or conueying of any such marchandizes into this realme, shall bring, send, or conuey into this realme with the said marchandizes in the same carracke, galley, or ship, wherein any such marchandizes shall be hereafter brought, sent, or conueyed, for euerie tun weight of such marchandizes which hereafter shall be contained in euery carracke, galley, or ship, foure Bowstaues, vpon paine of forfeiture to the King for euery default of bringing of euery such Bowstaffe vj. s. viij. d. And also that the said Bowstaues to be brought, sent, or conueyed by the said Marchants, their factors, attourneys, or seruants into this realme, be searched and surueyed by the Maior, Sheriffes, Bailifes, or chiefe Gouernors of such cities or towns within this realm, where any such carracke, galley, or ship, shall hereafter come to safe port. And the said Maiors, Sheriffes, Baylifes, or chiefe Gouernors, shall assigne two men most expert to search the said staues. And the said two men shalbe sworne to the said Maiors, Sheriffes, Baylifes, or chiefe Gouernors, to the intent that they shall truely and indifferently marke the staues that be not good and sufficient, after the manner as such staues in times past were wont to be marked, to the intent that all the Kings liege people may haue knowledge of the without fraud. Anno 12. Ed. 4. ca. 2. See this statute in some part inlarged by 13. Eli. ca. 14. after 8.

Marchant strangers

Venice

Tunne weight

Foure Bowstaues forf.

Searched Maior

Sheriffes Bailifes

Sworne

2 No Bowyer nor other person vsing to sell, or put to sale, or which hereafter shall vse to sell, or put to sale any long Bow, or Bowes of Ewe, shall sell any of the same bowes to any of the Kings liege people, aboue the price of iij. s. iiij. d. a bow: and long bowes of ewe vnder the value of the same price, as the seller and the buyer thereof may reasonably agree and accord, vpon pain to forfeit for euery long Bow of Ewe otherwise sold aboue the said price of iij. s. iiij. d. xx. s. The one halfe thereof to our Soueraigne Lord the King: and the other halfe to anie of his liege people that will therefore pursue and proue the said forfeiture, by action or actions of Debt, wherein like processe, iudgement, and execution shalbe had, as is commonly vsed in Actions of Debt sued at the common Law. And that no defendant in any such Action or Actions shall be admitted to wage his law. Añ 24. Ed. 4. ca. 3. This is repealed, as you may see after 7.

Bowyer

Price three shillings foure pence

Forf.

Moitie

Proces

3 For the remedy of the excessiue price & badnes of Bowstaues, which partly is growen because the Marchants will not suffer any garbling or sorting of them to be made. Be it enacted &c. That no Marchant of Venice, nor other which vseth to repaire into this realme with Marchandizes of those parts, shall bring nor conuey into this realme anie marchandizes, vnlesse the same Marchants doe bring with euery Butte of Maluesey, and with euery Butte of Tire, tenne Bowstaues of good and able stuffe, vpon paine of forfeiture of xij. s. iiij. d. for euery Butte of the said wines so brought and conueyed, and not the said number of Bowstaues with the same Butte. The one halfe of the same forfeiture to be to our Soueraigne Lord the King, and the other halfe to the party which will therefore sue. And that no such Bowstaues be sold vngarbelled, and but onely to such person or persons which is or shall be borne vnder the Kings obeysance. This Act to beginne and to take effect at the feast of Saint Michaell next comming. Anno 1. R. 3. cap. 11. See Plaies 2.

Marchant

Butte of Malueseie 10. Bowes Forf.

Moitie

✠

4 That if any person or persons after the feast of the Purification of our Ladye next comming, sel any long bows ouer the price of iij. s. iiij. d. then the seller or sellers of such Bowes, shall forfeit for euery Bow so sold ouer the said price forty shillings to the King: hee that will sue for the same may haue an Action of Debt therefore against such seller, or make information in the Kings Eschequer therof: The King to haue execution of the moity thereof: and hee that sueth the other moitie, and that in such Action of Debt the Defendant haue no essoine

Eschequer

Moitie.

ne

ne protection for him allowed, and be not admitted to wage his law. Anno 3. H. 7. cap. 13. This Statute is repealed, as you may see after 7.

Custome — 5 That no custome be paied after the making of this Act, for any sufficient Bowstaue or Bowstaues, containing the length of six foot and a halfe, or aboue, that shalbe brought into this your realme by any Marchant stranger, or other, betweene this and the nert parliament. But that all maner Marchants for bringing into this your Realme of any sufficient Bowstaues of the length of six foote and a halfe, or aboue, be discharged of all customes for the same Bowstaues during the said time. Añ 19. H. 7. cap. 2.

Length

Discharge

6 Anno 6. H. 8. cap. 11. English men were by this Act discharged of the act of 1. R. 3. cap. 11. of bringing in of Bowstaues with Malueseys, til the next parliament.

7 At the humble suite of the Bowyers within the City of London, and the suburbes of the same, forasmuch as no Bowes of other wood then Elme be vsed there, and the prices of Bowstaues haue diuers waies been greatly raised: Be it enacted &c. That the said estatutes of king Edw. 4. (before 2.) and king H. 7. (before 4.) concerning the prices of Bowes, and all the branches contained in the said statute of king Henry the 8. (after in Plaies 2.) so farre forth as the same extendeth to the price of Bowes therein expressed, onely from the first day of this present parliament, and so for euer, be thereby cleerly repealed and made void and frustrate, to all intents, constructions, and purposes. And also all and euery clause and sentence of the said statute of king H. the 8. before recited, tending to the making of the Bowes of Elme, Witch-hasell, Ashe, and other woods, besides Elues before rehearsed, or any penalty therein contained, for any the said last rehearsed premisses, from henceforth for euer, shall not be extended, construed, or taken to extend to anie Bowyer now dwelling or inhabiting, or which hereafter shall happen to dwell or inhabite within the Cities of London and Westminster, or the suburbes of any of them, or in the Borough of Southwarke in the County of Surrey: The said statutes, or anie thing in them, or anie of them contained in anie wise to the contrarie notwithstanding. And be it further enacted by the authoritie aforesaid, That all and euery of the said Bowyers within the said Cities and suburbes of London and Westminster, and Borough of Southwarke, shal from henceforth from time to time, and at al times hereafter prouide and haue in his or their custodie, the number of fifty good and able Bowes of Elme, Witch-hasell, or Ashe, at the least, well and substantially made and wrought, vpon paine that euery of the said Bowyers, which by the space of xx. dayes shall not haue in his custodie such number of the said Bowes of Witch-hasell, Elme, or Ashe, ready made and meete to be sold and vsed as aforesaid, shall hereafter for euerie Bow lacking of the number aforesaid, forfeit tenne shillings. The one moitie of which forfeiture shal be to our soueraigne Ladie the Quenes maiestie, and the other moitie thereof shall be to him or them, vsing the Art of an Armourer or Fletcher, or maker of Bowstrings, that will sue for the same by Action of Debt, Bill, Plaint, or otherwise in anie Court of Record, in which Action and Suit, no protection or wager of Law, shall in any wise be admitted or allowed for the Defendant. Prouided alwayes, and be it enacted by the authority aforesaid, that if any Bowyer after the first day of Maie nert comming, do sell any Bowe meet for mens shoting, being outlandish Ewe, and of the best sort, ouer and aboue the price of vj. s. viij. d. or do sell any Bowes meet for mens shoting, being of the second sort, ouer and aboue the price of iij. s. iiij. d. or shall sell any Bowes meet for men, as is aforesaid, being of the course sort called Liuery Bowes, for and aboue the price of two shillings a peece, or that shall after the said first day of Maie, sell anie Bowes being English Ewe, ouer and aboue the price of x. s. the peece: that then the seller or sellers of such Bowes, shall forfeit for euery Bow so sold ouer and aboue the price aforesaid xl. s. The one moitie thereof to the Quenes Maiestie, her heires and successors, and the other moitie to the partie vsing the Art of an Armourer, Fletcher, or maker of Bowstrings, that will sue for the same in any court of Record, by action of debt, bill, plaint, or otherwise, wherein no wager of law, essoine, or protection shall be admitted or allowed: any thing in this Act, or in any other Act contained to the contrary in any wise notwithstanding. This Act to continue vntill the last day of the first Session of the next parliament. Añ 8. El. ca. 10. This statute was continued 13. Eli. ca. 22. vntill the end of the next parliament, & 14. El. ca. 11. vntil the end of the next Parliament after that. This Stat. was reuiued & continued Añ 27. Eli. cap. 11. vnto the end of the next Parliament. And Añ 28. El. ca. 5. it was continued to the end of the next Parliamẽt. And 31. Eli. ca. 10. it was continued vnto the end of the next Parliament. And Añ 35. Eliz. cap. 7. it was continued to the end of the next Parliament. And Añ 39. Eliz. cap. 18. this Act of 8. Eliz. was continued to indure in effect vntill the end of the next Parliament. And anno 43. Eli. ca. 9. this Act was continued vntill the end of the first Session of the next Parliament. And Anno 1. Iac. cap. 25. it is continued vntil the end of the first Session of the next Parliament.

Repeale

Time Bowes

London Westminster Southwark

Fort.

Moitie

Bowstrings

Price

Liuery Bowes

Fort.

Moitie

Armorer Fletcher Bowstring maker

8 Because the vse of Archerie, a singular defence of this Realme, is greatly decayed by the excessiue price of Bowstaues, & the scarcitie of them: Be it enacted, that all the statutes made in 12. E. 4. ca. 2. (before 1.) concerning bringing in of certaine numbers of bowstaues, according to the weight or valew of other wares to be brought into this realme, shall from henceforth be duly put in execution. And be it enacted and declared by this present statute, that all marchant strangers, vsing to bring wares into this realme from the East parts, aswell as from the Ivry. hance townes, be comprised and meant vnder the names of, and bound as the marchants mentioned and bound by the said statute, to bring in Bowstaues, vpon like paines and forfeitures, as by the said statutes are appointed. And where the greatest cause of not putting the said statute

Marchants of the East

tute in execution hath bin, that the forfeitures thereby limitted are by the said statute duely giuen to the Quenes Maiestie, her heires or successors, without any reward to the person that shall sue for the same, Be it enacted, that from henceforth all the forfeitures appointed by the said statutes, shall be imployed in forme following, that is to say, the one halfe thereof to the Quenes Maiestie, her heires and successors, the other halfe to such person as shal sue for the same in any Court of Record, wherein no Essoine, Protection, nor Wager of Law for the defendant shall be admitted or allowed. And it may please the Quenes most excellent Maiestie, that it be on her Highnesse part straitly charged and commaunded, that all the Statutes now remaining in force for repressing of vnlawfull games, and for the maintenance and vse of Archerie, shall be duely put in execution for euer, vnder the paines in the said statutes contained. Anno 13. Eliz. cap. 14.

Moitie

Archerie

*

Brasse, Latten, Copper, and Bell mettall.

ANn 21. H. 8. cap. 10. An act was made against carrying of Brasse, Latten, and such Mettall, To indure vnto the next Parliament. And after Anno 28. H. 8. cap. 8. it was continued. And after 31. H. 8. cap. 7. it was continued, to indure to the end of the next Parliament, and then it expired.

2 No person nor persons from henceforth shall carrie or cõuey by water, or otherwise, any Brasse, Copper, Latten, Bell mettall, Pan mettall, Gunne mettall, nor Shrowse mettall, whether it be cleane or mixt (Tinne and Lead onely excepted) into any parts beyond the sea, or into any outward Realme or Dominion, whatsoeuer it be, vpon paine to forfeit the double value of the same Mettall so carried or conueyed: the one halfe thereof to be to the king our Soueraigne Lord, and the other to the partie that will sue for the same by Writ, Bill, Plaint, or Information, in the which no Essoine or Protection shall be allowed. And further be it &c. for the true meaning of this Statute, that the arriuall, discharge, and deliuerie of the said Mettals in any parts beyond the Sea, or in any other forraine Realme or Dominion, shall be tried and determined within this Realme, in such Countie or place where the said Mettall or Mettals were shipped or first carried, with like proces and determinations, as all other informations or actions be tried & adiudged within this Realme, or as the same fact had bin done within this Realme and Dominion. And be it further &c. that no person or persons at any time hereafter, shall ship or carrie any of the said Mettals afore rehearsed, to carrie or discharge the same in any part of this Realme, vnlesse such person or persons before the shipping thereof, doe declare and manifest vnto the Customer of such Port or Creeke where the same Mettall shall be shipped, the true weight of all such Mettall as shall be shipped, and also shall make a sufficient Obligation in the law, in the which he shall be bounden to the said Customer to the Kings vse, in such summe as shall amount to the double value of the said Mettall so declared & manifest, with condition that the same shall be discharged at some Port or Creeke within this Realme, and none other place, vpon paine to forfeit the same, in manner & forme aboue rehearsed. And that euerie such person or persons that shall ship such Mettals, and be, and shalbe bounden as is aforesaid, shall within eight moneths next after the shipping thereof, bring a true certificat from the Customer of the Port, Creeke, or place where he or they shall happen to discharge the same Mettall, testifying that the same Mettall so shipped, and the true weight thereof is there discharged: which certificat the Customer of such place, where the said Mettall shall be discharged, shall vpon the discharge thereof make and deliuer to the partie so discharging, or to his fact or without any delay. And be it further enacted, that if any Customer, or his deputie, by couin or by any other vndue meane doe make any false or vntrue certificat concerning the said discharging of such Mettall, contrarie to the true meaning of this Act, that then such Customer so falsely or vntruly certifying, as is aforesaid, shall lose his office, and also the value of the goods so concealed out of the said certificat. Prouided alway, that if the said Mettall by tempest of weather be drowned, or by enemies or pyrats robbed and spoiled, and that sufficiently proued without fraud or couin, before the Customer and Controller, or their sufficient deputies, in the Port where the partie or parties so shipped the Mettals aforesaid, or any of them, by the said partie or parties, or their executors: that then he or they so bringing such sufficient proofe, shall haue his Obligation to him deliuered, or else he and his executors thereof to be acquited and clerely discharged: any thing in this act to the contrarie contained notwithstanding. Ann. 33. H. 8. cap. 7.

Forf.

Moitie

Pyrats

3 No person or persons shall carrie or conuey, or ship, to the intent to carrie or cõuey any Brasse, Copper, Latten, Bell mettall, Pan mettall, Gunne mettall, or Shrowse mettall, whether it be clere or mixed (Tinne and Lead onely excepted) into any part beyond the sea, or to any outward Realme or Dominion whatsoeuer it be, vpon paine to forfeit the double value thereof, and x. l. for euerie thousand weight of the same Mettall so carried & conueyed, or shipped, to the intent to be carried or conueyed: The triall whereof shall be in like manner and forme, as in the said former Act (s. Ann. 33. H. 8. cap. 7.) is expressed. And be it further enacted, that no person or persons, after the said feast, shall ship or carrie any of the said Mettals prohibited by this statute to carrie or discharge the same in any part of this Realme, vnlesse such person or persons before the shipping thereof do declare and manifest to the Customer of such Port or Creeke where the same Mettall shall be shipped, the true weight of all such Mettall as shall be shipped, and shall also before the shipping thereof make a sufficient Obligation in the law, in which he shall be bounden to the said Customer to the Kings vse, in such summe as shall amount to the double value, and x. l. for

Ship

Tinne, Lead

Forf.

Triall

Shipping

Customer

Obligation

euery thousand weight so declared and manifested, with condition as in the said statute (s. 33. H. 8. cap. 7.) is appointed and enacted, and shall make certificat of the discharge thereof, in like manner as in the said statutes is further ordained and enacted. And be it further enacted, that if any Custo-
Comptroller ner, Controller, or his or their deputie or deputies, by couin, or by any other vndue meane, will suffer any person after that the Mettall is shipped or carried, contrarie to the meaning of this act, to make Obligation or Obligations without dates, for the discharge and certificat of their Mettall, as is aforesaid: that then such Customer so suffering
Office forf. or receiuing such Obligations shall lose his office, and the value of the Mettall so shipped or carried. And be it further enacted, that if any Master, Owner, Purser, or Boteswain of any ship, do willingly permit or suffer any of the Mettals abouesaid to be shipped contrarie to the tenor of this act, or elle perceiuing any such Mettall to be shipped, doe not
Disclose disclose the same within three dayes after knowledge had to the Customer or Controller of ỹ same Port, to his or their deputie or deputies, where the same is shipped: that then euerie such Owner, Master, Purser, or Boteswain, so willingly put-
Concealing ting the same Mettall to be shipped, or concealing the same, when he perceiueth it to be shipped, shall
Forf. forfeit the double value of the same Mettall so shipped or carried. And if any Customer or Searcher do willingly suffer any of the Mettals aforesaid to be shipped contrarie to the meaning of this act, or els hauing knowledge that it is secretly shipped or carried, doe not seise the same to the Kings vse: then euerie Customer or Searcher so offending
Office forf. shall lose his office, and the value of the Mettall so shipped or carried. And be it further enacted, that no person or persons shall after the said feast, lade, ship, or carrie into any part beyond the sea, any of the Mettals aforesaid, but onely out of such Port or Creeke where the Customer or his deputie is
Forf. resident and dwelling, vpon paine of forfeiture of the said Mettall, & x. l. for euery thousand weight so shipped or carried: The moitie of all which for-
Moitie feitures shall be to our Soueraigne Lord the King, and the other moitie to him or them that wil sue for the same, by Bill, Plaint, Information, Action of Debt, or otherwise, in any of the Kings Courts, in which no Essoine or Protection, or wager of Law shall be admitted or allowed. And be it further enacted, that the said statute made in the said 33. yere of the raigne of the said late King Henry the viij. (s. 33. H. 8. cap. 7.) and euerie article and prouiso, being not altered by this statute, shall be good and effectuall. An. . . E. 6. cap. 37.

Breakers of Leagues and Truce.

FOrasmuch as before this time diuers people, compriled within the Truce, made as well by our Soueraigne Lord the King which now is, as by his noble father, and also diuers other people
Safecon-ducts hauing safeconducts, as well of our Soueraigne Lord the King that now is, as of his noble father,
Robbed haue bin slaine, robbed, and spoyled by the kings liege people and subiects, as well vpon the maine Sea, as within the ports and coasts of the Sea of England, Ireland, and of Wales, whereby the Ports Ireland Wales said truce and safeconducts haue bin broken and offended, to the great dishonor and slaunder of the king, and against his dignitie. And the said manslayers, robbers, spoylers, and offendors of the said Truce, and the kings Safeconducts, as before is declared, haue beene by diuers of the kings liege people and subiects within the coasts of diuers Counties receiued, abetted, procured, concealed, hired, sustained, & maintained. Our Soueraigne Lord the king by the advice and assent aforesaid, and at the prayer of the said Commons, hath ordained and declared, that such manslaughter, robberie, Robberie spoyling, breaking of truce, and safeconducts, and voluntarie receit, abbetment, procurement, con- Abbettors cealing, hiring, sustaining, and maintaining of such persons, to be done in time to come by any of the kings liege people and subiects within the Realme of England, Ireland, and Wales, or vpon the maine Sea, shall be adiudged and determined for Sea high Treason, done against the kings Crowne and Treason his dignitie. And in euerie Port of the Sea bee made and assigned from henceforth by the king, by his Letters Patents, one lawful man called a Cõ- Letters patents Conseruator. seruator of the Truce and the kings Safecõducts, pl. l. Land which shall haue xl. pound land by yere at the least. And that the said Conseruator haue power and authoritie by the said Letters Patents, and also by Commission of the Admirall of England, to in- Cõmission Admirall quire of all such Treasons and offences to be done against the truce and the kings safeconducts vpon the maine Sea, out of the bodie of the Counties, and out of the franchises of the fiue Ports of the v. Ports king, as the Admirals of the kings of England before this time reasonably after the old custome and law vpon the maine sea vsed, haue done or vsed. And also that the said Conseruator haue like and the same power to punish all them which be, or shal Punish be indicted or accused before him aswel in the kings Indict suit, as at the parties, of any thing to be done against the truce and the kings safeconducts, vpon Safecon-duct the maine sea, out of the bodies of the counties and liberties of the Realme of England, and out of the said franchise of the v. Ports, by such proces, Proces Examination examination, proues, determination, iudgement, and execution, as the Admirals of the kings of England before this time reasonably, according to the old custome and law vpon the maine Sea vsed, haue done or vsed: Saue that the determination of the death of a man in this behalfe, and the execution Execution of the same, shall be alwayes reserued to the said Admirall Admirall, or to his generall Lieutenant, out of the Lieutenant franchises of the said fiue Ports. And that the said Conseruator haue full power and authoritie to in- Inquire quire as well within the liberties and franchises, as without, by men inhabiting within the bodie of the countie and libertie where the said Port is, of all such Treasons and offences to be done against Treasons the truce, and the kings safeconducts, within the bodie of the countie and libertie where the said Port is, and to make against those persons before him so indicted, such Proces as here followeth, that

Capias Exigend

that is to say, by Capias and Exigend, which shall as well goe into the Counties, of which such men so indicted be supposed to be, as into the Counties where such Indictments be taken, which Capias and Exigend aforesaid, in both Counties, shall be returned at one day, and that the first Capias in both Counties haue day of returne by a moneth at the least. And in case that the Capias and Exigend be awarded in this behalfe, that the names and surnames of such persons so indicted, and the towne, and the Countie and mysterie whereof they be, shal be specified and declared in the Indictments and Processes of the same. And that the said Conseruator haue full power to heare at euerie mans suit, which will complaine before himselfe, or his Lieutenant, of any offence done to the party against the said Truce and safeconducts. And that two men learned in the Law, be named and associate in euerie Commission of our soueraigne Lord the King, to be made to such Conseruator, and that the said Conseruator, and the said men learned in the law, in the Commission to him associate and assigned, haue full power & authoritie to make deliuerance, according to the law and vsage of the land, of such men so indicted before the said Conseruator, of things so to be done within the bodie of the Countie or Libertie where the said Port is, against the said Truce, and the Kings safeconducts. And to determine such suits commenced at any mans suit, which will complaine before the said Conseruator, of any offence to him done against the said Truce and safeconducts, and thereof to make due redresse and remedie. And that the said two men to the said Conseruator so associate, be assisting & attending to the said Conseruator, to make the deliuerances and determination, in manner & forme aforesaid, when they be by the said Conseruator reasonably required. And that the said Conseruator, and the said two men of law, be sworne, that they, nor none of them shall take fee, gift, hire, wages, reward, or brocage, of any other then of the king, in any wise in this behalfe, to the let of due execution and punishment of such Traitor and offendors aforesaid. And that the said Conseruator shall be resiant in the Port and places where he shal be Conseruator assigned, as is aforesaid. And euery Conseruator shall take yearely for the said office rl. P. of the King at the least. And that they be sworne, that if any person, of what estate or condition soeuer he be, procure, excite, or abbet to do any thing contrary to this ordinance and oath aforesaid, that euerie of them shall make due relation to our Soueraigne Lord the King, or to the Chancelor of England for the time being, as speedily as he well may, without concealement in any point, vpon paine of imprisonment, and to make fine and ransome at the Kings pleasure. And that the said Conseruator haue a Seale of our Soueraigne Lord the King, ordained for the said Office. And that the Maister of euerie Ship, Barge, or Balingar, or other vessels in the said Port be sworne, and the owner also (if he be present) before the said Conseruator, before that he passe out of the said Port, that he shall not attempt to doe any thing against the said Truce and the Kings safeconducts. And also that the said Conseruator shall doe to be inrolled of record before him, as well the names of such owners and Maisters, as the names of their Ship, Barge, Balingar, or other vessell, together with the number of the Mariners in the same being. And if they take any thing of the Kings enemies, or of any other, they shall do to be brought such things taken into the Port, and thereof make full information to the said Conseruator, before that they thereof make discharge or sale, except that by force of winde, tempest, or of enemies, or some other reasonable cause, such Ship, Barge, Balingar, or other vessell, shall enter into any other Port for the saluation of the same vessell, or other cause reasonable: and that then they shall make full information to the said Conseruator, or to the Conseruator of the Port, in which the said vessels shall arriue or enter, of the said taking, and of the quantitie of the same, taking a letter testimoniall vnder the said Seale of the aforesaid Conseruator, by the which the Conseruator of the said Port, whereof the vessell or vessels shall goe out, may haue notice of the quantitie, and also of the value of the goods and chattels so taken. And if any owner or Maister of any ship or other vessell goe out of any Port of the Realme of England, or discharge his ship or vessell against the forme of this ordinance, that such ship or vessell, together with the thing taken in the same, duely made, be forfeited to the King, and the bodie of the owner or Maister of such ship or vessell committed to prison, there to remaine vntill he hath made fine and ransome to the King. Prouided alwaies, that no owner of ships going out of any Port, shall make no fine nor ransome, nor haue imprisonment of bodie, if the said owners be not in the same ship at the time of the offence done against this ordinance. And the said Admirall shall haue the forfeitures in all cases out of the said franchise of the v. Ports aforesaid, as he hath had, and hath bin accustomed of right to the office of the Admirall of England, before the making of this ordinance. And that all such Conseruators to be made within the said v. Ports, haue the same authoritie and power, by the Kings letters patents, & commission of the Warden of the same Ports for the time being, to inquire of such offences to be done vpon the maine Sea within the franchises of the v. Ports, out of the bodies of the Counties, and to punish all them so indicted or accused, which shall be before the said Conseruator of the same offences by like proces, examination, proues, determination, iudgement, and execution, as the said Admirals reasonably, according to the old custome and laid vpon the Sea vsed, haue done and vsed out of the said franchise of the fiue Ports, except that the determination of the death of a man in this behalfe, and the execution of the same, be within the same franchise of the v. Ports reserued to the said Warden, or to his generall Lieutenant there. And that the same Warden haue all the forfeitures there, in all such cases as he hath had, and haue bin accustomed of right to the office of the Warden of the v. Ports aforesaid, before this time.

Condition

Lawyers Associate

Bodie delibertie

Determine

Sworne

No reward

Resident

Rl. P.

Sworne

Relation Chancelor

Imptif. Fine

Seales

Shipmaster Sworne

Inroll

Informe

Testimoniall

Value

Port.

Imptif. Fine

Admirall Fork. v. Ports

Letters patents

Punish

Warden

Fork.

And that the said Conseruators, and euery of them, haue power to make full execution of this ordinance in the forme aforesaid. And this ordinance shall hold place and force, for things to be done or attempted against this same ordinance, after the Proclamation proclamation of this ordinance and declaration made. An. 2. H. 5. cap. 6. And after An. 14. H. 6. cap. 8. this Statute was put in suspence for seuen yeares. And further Anno 20. H. 6. cap. 11. this Statute was put in suspence till the next Parliament. See here 4. and Treason 20.

2 Of all attempts made by his enemies vpon any of his faithfull leige people, against the tenor of any truce taken before this time, wherein is no Marque expresse mention made, that all Marques and reprisals shall cease: The same our Soueraigne Lord the king will graunt Marque to all them that feeleth them selfe in this case grieued in due forme. And our said Soueraigne Lord the king will doe likewise to all his liege people that feele them grieued, against the tenor of any truce, which betwixt him and any of his enemies, shalbe newly taken hereafter. And to the greater comfort of his said faithfull liege people, to the intent that they may the more readily, and without long delay, haue remedie in this case. The same our soueraigne Lord the king will, that if he or they that feele them grieued, against the tenor and forme of such truce within Marches of Scotland in the Realme of England, out of the said Marches of Scotland, or vpon the sea, or in the parties beyond the Sea, shall complaine to the Keeper of the priuie Seale, which for the time shall be, who after such complaint heard and perceiued, thereof shall make to the partie complainant (if he the same require) letters of request, vnder the priuie Seale, in Letters of request a due forme, and if after such request made the partie required do not make within a conuenient time due restitution and satisfaction to the partie grieChauncelor ued, then the Chauncelor of England for the time being, shall doe to be made to such partie grieued, Letters of Marque (if he it demaund) letters of Marque vnder the great Seale, in a due forme. And as for remedie to be ordained for the kings liege people and subiects, that feele them grieued in the Realm of Scotland, or in England, or the Marches ioyning to Scotland Scotland, against such forme of such truce, as is aforesaid, our Soueraigne Lord the king shall giue Commissio Wardens East march Westmarch power by Commission to the Wardens, as wel of the East Marches, as of the West Marches towards Scotland, and to euerie of them, to heare the complaints of all them his liege people and subiects, which be, or shall be grieued, and to doe thereupon to be made request by letters, to be deliuered to him which hath done, or shall do such grieuance, or to the Wardens of the Marches, or Conseruator of ỹ truce of the parties of Scotlãd, if he may the same well doe, or otherwise to make Proclamation Proclamation in the open places vpon the Marches, that he or they, which haue done such grieuances against the truce, shall make due restitution or satisfaction to Restitution the partie grieued. And if they doe not within a conuenient time, that at the instance of euerie of the kings liege people and subiects, which thereof feeleth, or shall feele himselfe grieued in such case, letters of Marque bee giuen in due forme, vnder the Seales of the said Wardens, or vnder his Seale to whom the complaint shall bee made in this case, without any difficultie. Anno 4. H. 5. cap. 7. Letters Marque

3 Anno 29. H. 6. cap. 2. the Statute of An. 2. H. 5. cap. 6. is confirmed, and it is in the said Statute of 29. H. 6. further enacted, that the Chauncelor, and one of the chiefest Iustices, should execute the Statute of 2. H. 5. cap. 6. of breaking of Truce, vnder a certaine forme there expressed in the said Statute of 29. H. 6. to indure for fiue yeares.

4 All Statutes and ordinances made before the iij. day of March, in the first yeare of his raigne, by authoritie of any Parliament not repealed, against the offendors & breakers of amities, truce, leagues, and safeconducts aforesaid, be, and shall be in their full force and effect. And that euerie of the same Statutes and ordinances be put in execu- Execution of statutes tion in all things before the Iudge or Iudges, person or persons, ordained by the same Statute and ordinances, or any of them, according to the tenors and effects of euerie of them: Any graunt or confirmation by act of Parliament, or otherwise, vse, or custome made, had, or vsed, to the contrarie notwithstanding. Prouided alwayes that this act extend not to any act or ordinance made for the punishment of any such offendors in the second yeare of king Henrie the fifth (See before 1.) late in deed and not of right king of England. Anno 14. Ed. 4. cap. 4.

Bridges.

THe Iustices of peace in euerie shire of this Realm, Franchise, Citie, or Borough, or foure Iust. of p. of them at the least, whereof one to be of the Quorũ, shall haue power and authoritie to inquire and One of the Quorum. determin in the kings generall Sessions of the peace, Determin Sessions Nusans of all manner of annoyances of Bridges broken in the highwayes, to the dammage of the kings liege people, and to make such proces and paines vpon Proces euerie presentment afore them, for the reformation of the same, against such as ought to be charged for the making or amending of such bridges, as the kings Iustices of his bench vse commonly to doe, or as it shall seeme by their discretion to be necessa- Discretion rie and conuenient for the speedie amendment of such bridges. And where in many parts of this Realme it cannot be knowne and proued what Hundred, Riding, Wapentake, Citie, Borough, Towne, or Parish, nor what person certain, or bodie politicke ought of right to make such bridges decayed, by reason whereof such decayed bridges for lacke of knowledge of such as ought to make them, for the most part lyen long without any amendments, to the great annoyance of the kings subiects. For remedie thereof be it enacted, that in euerie such case the said bridges, if they be without Citie or Towne corporate, shall be made by the inhabitants of the Shire or Riding, within the Inhabitãts Shire Riding City Towne corporate which the said bridges decayed shall happen to be. And if it bee within any Citie or Towne corporate, then by the inhabitants of euerie such Citie or Towne Corporate, wherein such Bridges

shall

shal happen to be. And if any part of any such bridges so decayed happen to be in one shire, riding, citie, or towne corporate, and the other part thereof in another shire, riding, citie, or towne corporate, or if part be within the limits of any citie or towne corporate, and part without, or part within one riding, and part within another, that then in euerie such case the inhabitants of the shires, ridings, cities, or townes corporate, shall be charged and chargeable to amend, make, and repaire such part & portion of such Bridges so decayed, as shall lye and be within the limits of the shire, riding, citie, or towne corporate wherein they be inhabitants, at the time of the same decayes. And be it further enacted, that in euery such case where it cannot bee knowne and proued, what persons, lands, tenements, and bodies politicke ought to make and repaire such bridges, that for spedie reformation and amending of such bridges, the Justices of Peace within the shires or ridings wherein such decayed bridges bin out of the cities and townes corporate, and if it be within cities or townes corporate, then the Justices of Peace within euerie such citie or towne corporate, or foure of the said Justices at the least, whereof one to be of the Quorum, shall haue power and authoritie within the limits of their seuerall Commissions and authorities, to call before them the Constables of euerie towne & parish being within the shire, riding, citie, or towne corporate, as well within liberties as without, wherein such bridges or any parcell thereof shall happen to be, or else two of the most honest inhabitants within euerie such towne or parish within the same shire, riding, citie, or towne corporate, by the discretion of the said Justices of Peace, or foure of them at the least, whereof one to be of the Quorum. And at and vpon the apparance of such Constables or inhabitants, the said Justices of Peace, or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, shall haue power and authoritie to tare and set euerie inhabitant in any such citie, towne, or parish within the limits of their Commissions and authorities, to such reasonable aid and summe of money, as they shall thinke by their discretions conuenient and sufficient for the repairing, reedifying, and amendment of such bridges. And after such taxation made, the said Justices shall cause the names and summes of euery particular person so by them tared, to be written in a Roll indented: and shall also haue power and authority to make two collectors of euery hundred, for collection of all such summes of money by them set & tared, which collectors receiuing the one part of the said Roll indented vnder the seales of ỳ said Justices shall haue power and authoritie to collect and receiue all the particular summes of money therein contained, and to distraine euerie such inhabitant as shal be tared and refuse payment thereof, in his lands, goods, and cattels, and to sell such distresse, and of the sale thereof, retaine & perceiue all the money tared, and the residue (if the distresse be better) to deliuer to the owner thereof. And that the same Justices or foure of them, within the limits of their Commissions and authorities, shall also haue power and authoritie to name and appoint two Surueyors, which shall see euerie such decayed bridge repayred and amended from time to time, as often as neede shall require, to whose hands the said Collectors shal pay the said summes of mony tared, and by them receiued. And that the Collectors & Surueyors, & euerie of them, & their executors & administrators of the, & euerie of them, from time to time shal make a true declaration and accompt to the Justices of peace of the Shire, Riding, City or Towne corporate, wherein they shal be appointed Collectors or Surueyors, or to foure of the same Justices, whereof one to be of the Quorum, of the receipts, payments and expences of the said summes of mony. And if they or anie of them refuse that to doe, that then the same Justices of peace, or foure of them from time to time by their discretions, shal haue power and authority to make proces against the said Collectors and Surueyors, and euery of them, their executors and administrators, and the executors & administrators of euery of them, by attachments vnder their seales retournable at the generall Session of peace. And if they appeare, then to compell them to accompt as is aforesaid, or else, if they or any of them refuse that to doe, then to commit such of them, as shall refuse, to ward, there to remaine without baile or mainprise, til the said declaration and accompt be truly made. And where any bridge or bridges lyen in one shire or riding, and such persons, inhabitants, bodies politike, lands or tenements, which ought to be charged to the making and amending of such bridges, lyen and abiden in an other shire or riding, or where such bridges beene within any city or towne corporate, and the persons, inhabitants, bodies politike, lands or tenements that ought to make or repaire any such bridges, lyen and beene out of the said Cities or Townes corporate: Be it enacted, that in euery such case, the Justices of peace in the shire, citie, or town corporat within the which such decaied bridges, or any part thereof shall happen to be, shall haue power to inquire, heare and determine all such annoyances, being within the limits of their Commissions or authorities. And if the annoyances be presented, then to make proces into euerie Shire within this Realme, against such as ought to make or amend any such bridges so presented before them to be decayed, to the annoyances & let of the passage of the K. subiects, and to doe further in euerie behalfe in euerie such case, as they might doe by authoritie of this Act, in case that the persons or bodies politicke, lands or tenements, which ought to be charged to the amending or making of such bridges, or any part thereof, were within the same shire, riding, citie, or towne corporate, where any such annoyance shall happen to be. And that all Shiriffes and Bailifes of liberties & franchises, shall truely serue & execute such proces, as shall come to their hands from the said Iust. of P. afore whom any presentment shall be had for any such annoyance, according to the tenor & effect of the said proces to them directed, without fauor, affection, or corruption, vpon paine to make such

Jus.of P.

Jus.of P.

Constables

Inhabitants

Discretion

Tare

Discretion Repairing

Roll

Collectors

Distraine

Surueyors

Executors Administrators Accompt

Refuse Just. of P.

Discretion

Proces

Attachment

Sessions of peace

Refuse Imprif. Mainprise

Just. of P.

Determine Nuisance

Proces

Shiriffes Bailifes Execute

Fine
Discretion
5. Portes
Wardens Maiors Bailifes Iurats
Determine Nulance Pleces
Iust. of P.
4. Iust. of p.
Costs. Surueyors Collectors.
Walles
High waies
300. foote
Iust of P.
Nulance
Rochester Bridge
Wardens

fine as shall be set vpon them, or any of them, by the discretion of the said Iustices. Prouided alwaie, that this act nor any thing therein contained bee not preiudiciall to the liberties of the cinque Portes or members of the same. And for reformation of annoyances of bridges within the said portes & members: Be it &c. that the Wardens, Maiors, and Bailifes elected, and Iurates of the same Portes, and euerie of them, haue power, and authoritie, to inquire, heare and determine, all manner of common annoyances of bridges within the same Portes and members, and to make such proces, paines, taxations, and all other things within the same Portes and members, as the Iustices of Peace may doe in other Shires or places out of the same Portes by vertue and authoritie of this present act in euerie behalfe. And be it &c. that the Iustices of peace or foure of them shall haue full power and authoritie, to allow such reasonable costes and charges to the said Surueyors & Collectors, as by their discretion shal be thought conuenient. And for asmuch as albeit bridges decayed were amended and repaired, according to the tenor of this act, yet neuertheless, if spedie remedie for the amendment of the walles next adioyning to euerie of the ends of such bridges should not be had and made, the kings subiects should take little or none auaile or commodity in many parts of this Realme by the making of the Bridges: In consideration whereof be it &c. that such part and portion of the high waies in euerie part of this Realm, aswell within franchise as without, as lie next adioyning to any ends of any Bridges within this Realme, distant from any of the said ends by the space of 300. foote, be made, repaired, and amended as often as need shall require. And that the Iustices of the Peace in euerie Shire of this Realm, Franchise, citie or borough, or foure of them at the least, whereof one to be of the Quorum, within the limits of their commissions and authorities, shall haue power and authoritie to enquire, heare, and determine in the kings generall Sessions of peace, all manner of annoyances, of & in such high waies so being and lying next adioyning to any ends of Bridges within this Realme, distant from any of the ends of such Bridges three hundred foot, and to doe in euery thing and things concerning the making, repairing and amending of such high waies, and euerie of tham, in as large and ample manner as they mought and may doe, to, & for the making repayring, and amending of Bridges by vertue and authoritie of this present act. Anno. 22. H. 8. cap. 5.

2. For the good repaire and perpetuall maintenance of Rochester Bridge in Kent, and for the good order of the rents and reuenues, aswell of the lands giuen for the maintenance of the said bridge, as of the lands of ancient time contributorie to the repaire of the same bridge: Be it ordained and enacted by the authoritie of this present Parliament, that on the morrow after the generall Quarter sessions of the peace holden in the said county of Kent, next after the feast of Easter next comming, the Wardens and Comminalty of the landes contributorie to the said Rochester bridge, or as many of the as conueniently may, shal assemble themselues at the Castle of Rochester, neere to the said Rochester bridge, and there by the most number of their voices then present, to make an electiō of two persons of the same comminaltie, to be the Wardens of the said Rochester bridge, such as then shall bee most commonly resident and house keeping within the said County of Kent, and then not knowne to be of any such debility or sicknesse, but that they may execute the same office, and of twelue persons of the said comminaltie to be assistants to the said two Wardens, for one whole yere after the first day of Pentecost then next ensuing, and so from thenceforth for euer, at the said day and place, yearely election to be made of two wardens for the saide Bridge, and of twelue assistants. And the two Wardens so chosen (for that yeare wherein they are to serue as Wardens) shall doe their diligent indeuor for the benefit of the said bridge, at or after the said prefired day for election of the said two Wardens and twelue assistants. All other Officers needfull concerning the said bridge and their stipends and Wages also from time to time shal be appointed by the discretion of the said two elected Wardens. And that euerie yere on ỹ Thursday in the Whitson weeke, the two former Wardens of the saide Bridge for the yeare, ending at the feast of Pentecost then last past, their Executors or Administrators, shall in presence of the newe and last chosen Wardens, or of one of them, and before such foure of the saide Assistants, as shall be chosen and assigned for Auditors by the saide wardens & Comminaltie, at ỹ said prefired day for election of wardens then last past, or the more part of them, yeeld vp a true accompt in writing in the house called the Crowne Inne in Rochester, neere to the said bridge, and parcell of the possessions of the said bridge, or at some other place conuenient, at the same prefired day of election to bee limitted, of all their receipts, paiments, and doings, concerning the said bridge. And the arrerages vpon them found, ouer and aboue such allowances as by such accomptants shal be demanded vpon his oath, shal pay in such forme as shall bee to them limited by the said new Wardens and Auditors, or the more part of them. And further, that none of the said Assistants or Auditors chosen and assigned in forme aforesaid, shall vpon reasonable notice and request refuse to come and accomplish that which by the intent and meaning of this act is limited for him to doe, vpon like paine and forfeiture to all intents and purposes, as vpon the Wardens elected and refusing to become bound, is before limited. And for the good order of the said Lands belonging to the saide bridge: Be it ordained and enacted by authoritie of this present Parliament, that no Lease hereafter to be made by the said wardens and Cōminaltie, shal be made of any Lands and tenements assured for the maintenance of the said bridge, but both the Wardens chosen, as aforesaid, & the said xij. Assistants, or the more part of the same assistants shall first consent, & also subscribe

Assistants
Elected
Officers
Stipends
Executors & Administrators
Auditors
Accompt
Crowne Inne
Arrerages
Othe
Refuse
Forf.
Least
Consent

ſcribe to the ſame leaſe, after it is ingroſſed, and be-
fore it ſhall be inſealed, and the conſent and ſubſcri-
bing of the two Wardens, and of ſuch number of
aſſiſtants, ſhall be in Law the conſent of the whole
Wardens and Comminalty aforeſaid. And euery
Regiſter ſuch Leaſe to be entred and regiſtred in a Regiſter
Booke, to be kept by the Wardens for the time be-
ing in a Cheſt, with the common Seale and Cui-
dences of the lands of the ſaid Bridge, in ſome
place conuenient. And after ſuch Leaſe aſſented
vnto, ingroſſed and ſubſcribed, as aforeſaid, then
Common ſeale it to be ſealed by the common ſeale of the ſaid war-
dens and comminaltie, and deliuered for a ſuffici-
Leaſes ent leaſe in law. Prouided alwayes, that no leaſe
of anie the ſaid lands belonging to the Bridge ſhall
hereafter be made, but of ſuch forme and effect, as
tenant in taile is warranted lawfully to make by
the Statute made in the two & thirtieth yere of the
raigne of King Henry the eight: ſauing for houſes
not hauing aboue three acres of land belonging to
them, whereof Leaſes may be made by the aſſents
aforementioned for terme of fifty yeares or vnder.
Leaſes Prouided alſo, that the Leaſes of the premiſſes ſhal
Incomes not be made for anie Fines or In-comes, but for
rents reaſonably to be aduaunced for the profit of
the ſaid Bridge. And that by the tenor of euery
ſuch Leaſe at the end of euerie ſeuenth yeare, a true
tenor of all the lands and rents ſo demiſed, ſhall
Wardens be brought and deliuered to the Wardens for that
time being. And that the ſaid Wardens ſhall
Survey haue authoritie by Inquiſition of Iuries, from
time to time, to ſuruey and finde out the particu-
lars & contents, not onely of the lands properly be-
longing to the ſaid bridge, but alſo of the ſaid other
lands contributorie to the ſaid bridge. Prouided
Fermors furthermore, That ſuch as be the preſent Fer-
mors of any of the ſaid lands properly belonging
to the bridge, ſhall haue the preferment in taking
new Leaſes, ſo as they will giue for the profit of the
Bona fide ſaid Bridge, as much as any other Bona fide will.
And moreouer, that if any preſent Fermor, not li-
king to giue as an other will, ſhall not take a new
Leaſe, but an other ſhall fortune to haue the ſame
new Leaſe, that then the old Fermor ſhall for his
Recom- bettering or buildings, haue ſuch recompence, as
pence ſhall be thought reaſonable by agreement betweene
the ſaid Wardens and aſſiſtants, and the ſaid Fer-
mor, and in default of agreement betweene them,
Chancelor then ſuch recompence as ſhall be thought meete by
Treaſorer the Lord Chauncellor, or the Lord Treaſorer of
England for the time being. Prouided alſo, That
Actions this Act nor anie thing therein contained, extend
not to alter any thing, but that in actions & ſuites,
touching the lands or rents, or other intereſts and
dueties concerning the ſaid Bridge, the Wardens
alone, without the aſſiſtants or any of the Commi-
nalty, be and ſhall be able to ſue and be ſued, accor-
ding to the meaning of the Statute in that behalfe
made in the ninth yeare of the raigne of King Hen-
ry the fift. Prouided alwayes, and be it enacted
by the authoritie afore, that none of the owners or
tenants of anie the lands or tenements of auncient
time contributorie to the repayre or maintenaunce
Taxed of the ſaid Bridge, hereafter be taxed, aſſeſſed, or
otherwiſe compelled to pay any contribution, mo-
ney, or other duety towards the repayre or main- Rent
tenance of the ſaid Bridge, but in default, and at
ſuch time and times onely, as the rents or other
profits of the lands proper and belonging to the
ſaid Bridge, from time to time due and payable to
the Wardens and Comminaltie of the ſaid bridge,
ſhal not be ſufficient to accompliſh the repayre and
maintenance of the ſaid Bridge: Anie thing to the
contrary notwithſtanding. Anno 18. El. ca. 17.

3 Albeit one Act of Parliament was made in
the xvij. yeare of the raigne of our late Soueraigne
Lord of famous memory King Henry the eight, in-
tituled, An Act concerning repairing and amen-
ding of Bridges in highwaies, (before ſet.) in which
Act amongſt other things it is enacted, that if part
of anie decayed Bridge happen to be in one ſhire,
riding, city, or towne corporate, and the other part
thereof in another ſhire, riding, citie, or towne cor-
porate, or if part be within anie limits of anie citie
or towne corporate, and part without, or part
within one riding, and part within another, that
then in euery ſuch caſe, the inhabitants of the
ſhires, ridings, cities, or townes corporate, ſhall be
charged and chargeable to amend, make, and re-
paire ſuch part and portion of ſuch Bridges ſo de-
cayed, as ſhall lie and be within the limites of the
Shire, Riding, or Towne corporate, wherein they
be inhabited, at the time of the ſaid decayes, as by
the ſaid Act amongſt other things more plainely
doth and may appeare: Yet for that at the time of
the making of the ſaid ſtatute, the foreſaid parihes
of Tiddenham and towne of Chepſtow, were not Tidden-
as then vnited and annexed to the ſaid Counties of ham
Glouceſter and Monmoth, but ſithence in the 27. Chepſtow
yeare of the ſaid late king Henry the eight, by force
of one Act, intituled, An act for the Lawes and Iu-
ſtice to be miniſtred in Wales, in like forme as it is
in this Realme, and now by reaſon of certaine
words contained in the ſaid laſt Act, as alſo by rea-
ſon of the great powertie of the inhabitants of the
foreſaid towne of Chepſtow, diuers queſtions and
doubts haue riſen, how, and by what meanes the
foreſaid Bridge ſhall be repaired, amended, or new
made. For declaration and explanation whereof,
and for remedie in the premiſſes, be it enacted &c.
that the Shire or Countie of Glouceſter, and the
Shire or Countie of Monmouth, ſhall ſtand for e-
uermore chargeable for the maintenance, repai-
ring, amending, and new making of the foreſaid
Bridge, when, and as often as need ſhall require,
videlicet, euerie of them for ſuch part and moitie
as lyeth in the middle of the ſtreame of the foreſaid
water of Wye, on the ſides of the foreſaid Lord- Wye
ſhips of Chepſtow and Tiddenham aforeſaid, and
that for the aſſeſſement, rating, collection, gathe-
ring, and imploying of the moneyes thereupon to
be ſpent, ſuch forme and order ſhall be obſerued, as
is appointed by the foreſaid Act made in the xvij.
yeare of the ſaid king H. 8. And for the more ſpeedy
performance of the premiſſes, be it enacted by the
authoritie aforeſaid, that if the Iuſtices of the peace Iuſtices of
of the aforeſaid ſhires of Glouceſter or Monmoth, peace
or any of them, do make any default in not appoin- Default
ting,

ting, executing, and obseruing the order appointed by the said act, for the assessement, collection, and imployment of the moneyes so to be collected, according to the meaning of the said act, by the space of three Monethes next after this present Session of Parliament, that then they and euerie of them being resident, and inhabiting in the said Shires, shall forfeit for such default, the summe of x.l. a peece, to be recouered before the Queenes Maiesties Counsell in the Marches of Wales, by information, to be imployed to and for the vse and reparation of the foresaid bridge, An 18. Eliz. cap. 18.

Forf.

☞ 4 Euerie person and persons, resiant, dwelling, or inhabiting within the compasse, circuit or precinct of v. miles of your highnesse Vniuersitie and citie of Oxford, or franchises of the same, hauing in his or their hands or occupation, to the vse of himselfe or any other, the quantitie of one yard land or vpward, in tillage, pasture, or other ground, or hauing, keeping, vsing, or occupying a draught, cart, plough, or waine, at his and their own proper costs and charges, shal find and send, or cause to be found and sent, for and to the mending, repairing and vpbuilding of the decayed Bridges, wayes, and passages, scituate, lying & being within one mile of the said citie of Oxford, for euerie yard land, one wain, draught, or cart, furnished after the custome of the countrey, with oxen, horse, or other cattell, with all other necessaries meet and conuenient to carrie things for such manner of purpose, with able men to load and vnload the same draught, cart, or wain.

Oxford

Yard land

Cart Plough Waine

Bridges Highwayes

Cart

Householder

And euerie other householder, cottager, or labourer, dwelling or inhabiting within the foresaid compasse, precinct, or circuit, (being no hired seruant) shall by his or their selues, or other sufficient labourer, hauing with them sufficient toles, at their like proper costs and charges, find and send, in, and to the mending, repairing, and vpbuilding of the decayed bridges, wayes, causies, and passages, one sufficient man or labourer, to worke and labour in, and vpon the aforesaid decayed premisses. And that euerie person or persons, that by the meaning of this act, is chargeable with cart, carriage, worke or labour, shal by the commaundement or commaundements of certaine Superuisors, hereafter to bee appointed and nominated by the Vicechauncelor and Maior, with other Iustices of the Vniuersitie and citie of Oxford for the time being, by the space of six whole dayes, shall doe their carriages, keepe their worke, fetch their carriages, and doe their labour, at such place and places, and in such workes, as to them, or any of them shall be nominated and appointed. And vpon paine that euerie person or persons making default aboue said, for euerie daies default, or any part thereof, shall lose and forfeit v. shillings, to be leuied and imployed onely to the mending of the said bridges and causies. And that it shall be lawfull, to and for the aforesaid Superuisors for the time being, for the more speedie amendment of the aforesaid decaies, in such place and places, as by the discretion of the Vicechancelor, Maior, or Superuisors, shall be thought necessarie, to digge, or cause to bee digged within the seuerall grounds of any person or persons, for grauel, sand, rubbish, stone, or scinder, and other things, according to the Statute made in the second and third yeare of king Philip and Queene Marie for high wayes. (This seemeth to be mistaken, for this authoritie is giuen by 5. Eliz. cap. 13. as you may see in Highwayes 4. and 5.) And that the aforesaid six dayes carriages, workes, or labours, according to the true meaning, intent, and purport of this present act, shall be done, finished, and performed, by all manner of person or persons by this act chargeable, betweene the feast of S. Iohn Baptist, next after this present Session of Parliament, and the feast of all Saints next after that, and vpon xij. dayes warning, giuen or sent in writing from the Vicechauncelor and Maior of the citie of Oxford for the time being, or from either of them, to the Constable or other officer of any Borough, Parish, head officer, or gouernour of euerie other place whatsoeuer, that by this act ought to serue. And for the performance of this act, Be it enacted, that if any person or persons shall make any default as is aforesaid, hauing not made any maner of reasonable composition or agreement for the same fault: that then it shall be lawfull for the Vicechauncelor, and the Maior of the citie of Oxford for the time being, or other their Officers appointed, to distrain within any the Boroughes, Townes, Parishes, or other places where such person or persons dwelleth, that maketh default or refuseth, and the same distresse to lead, driue, and carrie away, & the same to withhold, till they and euerie of them haue or shall pay the forfeitures limited and appointed in this present act, as also the charges of keeping of such distresse so taken. Prouided alwayes, and be it enacted, that this act shall endure for the space of seuen yeares, next ensuing the end of this present Parliament then next following, and no longer. An. 18. Eliz. cap. 20. An. 35. Eliz. cap. 7. The said Statute is continued vntill the end of the Parliament next ensuing. In An. 39. Eliz. cap. 18. this Act of 18. Eliz. was continued in force vntill the end of the next Parliament, according to the Statute made in 35. Eliz. cap. 7. and in An. 43. Eliz. cap. 9. this Act made in 18. Eliz. was continued to remain in force vntill the end of the first Session of the next Parliament, with this Proviso added, videlicet: Prouided alwayes, &c. that the said Act, nor any thing therein contained, shall not charge with any thing towards the amending of the said Bridges and highwayes, any person or householder inhabiting within fiue miles of the Vniuersitie and Citie of Oxon, not hauing in possession one yard land. And that euerie person hauing one yard land or more in his possession, lying within the said fiue miles, shall pay yearely the summe of iiij. s. onely for euerie yard land before the feast of Pentecost, vnto the Vicechauncelor and Maior for the time being, or their deputie or deputies, towards the amending of the said bridges and highwaies, and no other penaltie, with like remedie by distresse for euerie summe of iiij. s. which shall be due and not payed as aforesaid, as is contained in the said Statute for any penaltie therein limited, An. 35. Eliz. cap. 7. And after Anno 1. Iac. cap. 25. the Act 18. Eliz. cap.

One labourer

Superuisors Vicechauncelor Maior

vi. dayes

Forf. v. s.

Superuisors

Seuerall grounds

Xij. dayes warning

Constable

Default

Distraine

v. miles

One yard land iiij. s. yearly

Distresse

cap. 20. is continued vntill the end of the first Session of the next Parliament.

Cardife Bridge

5 Whereas the Bridge lately standing vpon the riuer of Taffe, neere the towne of Cardife, being an auncient Borough in the Countie of Glamorgan in Southwales, and the only chiefe Shire towne of the same Countie, is presently in vtter ruine and decay: The poore estate of the said towne of Cardife being considered, & the vnabilitie thereof to performe so great a charge, though of right the building of the said bridge had properly belonged vnto them, without all doubt or controuersie, though there hath beene some question moued thereupon, and vpon the words of the Statute of 22. H. 8. cap. 5. (before 1.) Be it &c. for the auoiding of further controuersies, that the said town & countie shall ioyntly together after the rate and proportion herein specified, proceed to the reedifying of the said bridge, (that is to say) that the Countie shall alwayes bestow fiue parts of the charges thereunto belonging, and the towne of Cardife one part, and so for euerie fiue pounds payable by the Countie by this act, the towne of Cardife and liberties of the same, shall alwayes stand charged with xx. shillings, vntill the whole summe be defrayed, and the bridge newly reedified and builded. And to the intent that ouer long delay may not be vsed in setting forward of so necessarie & charitable a worke, and also that the Countie may haue all necessarie & conuenient assistance in that behalfe: Be it likewise enacted by like authoritie, that the said bridge shalbe wholly builded and finished within the space of two yeares next after the end, dissolution, or prorogation of this present Session of Parliament, vpō pain of forfeiture of the summe of one hundred pounds for euerie yeare after the said two yeares, that the said worke or bridge shall happen to be behind, vnfinished, and vnperformed, whereof the Countie shal lose and pay lxx. pound, and the Corporation or Towne of Cardife xx. l. the moitie whereof shall be to the Queenes Maiestie, her heirs and successors, the other moitie to him that will sue for the same in any the Queenes Maiesties Courts of Record, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shall be admitted or allowed. And that all other Boroughes, Corporations, and liberties within the said Countie of Glamorgan, (the towne of Cardife and liberties of the same onely excepted) shal be contributors, and beare the ratable and reasonable portions towards the same, ioyntly & together with the countrey, or whole Countie of Glamorgan. And for the spedie leuying of all such summes of money, as shall be necessarie and requisite in this behalfe, Be it hereby enacted by the authoritie aforesaid, That the Justices of Peace of the Countie aforesaid, or any foure, three, or two of them, whereof one to be of the Quorum, out of the liberties of the said towne of Cardife, and the Maior and Bailifs, or any two of them within the said towne, iurisdiction, and liberties of the same, shall hereby haue full power and authoritie at all times hereafter, and from time to time, as often as need shall require, vntil the said Bridge shall be fully reedified, to rate and assesse the Countie aforesaid, with the seuerall Hundreds, and euerie Towne corporate, parish, village, and hamlet within the same, and euerie inhabitant and dweller within euerie, and any of them, to such reasonable summe and summes of money, as to them shall be thought meet and conuenient, in due and proportionable manner, according as rates, tares, and tallages haue been afore this time vsed to be there rated and leuied, or as neere thereunto as they can. And that such person and persons as they shall appoint for the gathering, leuying, or rating thereof, shall haue hereby full power & authoritie by way of distresse, vpon deniall, refusall, or nonpayment, to leuie the same, and to make sale of such distresses according to the Statute of the two and twentieth yeare of king Henrie the eight aforesaid. And the same moneyes so leuied to be deliuered ouer and payed, so much thereof as shall be leuied within the Countie aforesaid, out of the liberties of the Towne of Cardife aforesaid, to the said Justices, or two of them, whereof one to be of the Quorum, or to such persons as they shall appoint: And so much as shall be leuied within the liberties of the said towne of Cardife, to be deliuered ouer to the said Maior & Bailifes, or any to be appointed by the consent of them, or any two of thē, who shal imploy the same with as much spēd as conueniently may be, for the purpose aforesaid. And if any within the Coūtie or liberties aforesaid, who shalbe tared or rated to pay any sum or summes of money, in forme aforesaid, doe refuse the paiment thereof, or otherwise withstand their distresses, or if any other that shall be charged to tare, rate, gather, leuie or pay ouer any the monies aforesaid, shall refuse, withstand, denie, or impugne to accomplish the commaundement in that behalfe, to further the spēdie executing, paying, and doing that shall be to them appointed in manner aforesaid: Then euerie such person and persons if they be out of the liberties of the said towne of Cardife, shal be imprisoned without baile or mainprise, by the discretion of the said Justices, or any two of them, whereof the one to be of the Quorū, if within the said liberties, then by the discretion of the said Maior and Bailifes, or any two of them, vntill such time as they shall be conformable to abide the order of the said Justices, Maior and Bailifes, for the said offences. And moreouer be it enacted by the authoritie aforesaid, That if the said Justices, Maior and Bailifes, or any one of them within their seueral limits, not being letted by sicknesse, or some other true and reasonable excuse, shall be negligent, or doe not by all waies and meanes they can, procure the executing hereof by the space of two yeres next after the end or prorogation of this present Parliament, or hauing receiued any summe or summes of money aforesaid, towards the reedifying of the said Bridge, doe detaine the same, or any part therof in his or their hands, or doe not imploy the same thereupon, with all conuenient spēd, and without any delay, but shall vse the same to his or their owne priuate profits, commodities, or behoses, to the hinderance of the said worke: that then euerie such Justice, Maior, and Bailifes, for euerie

Repaire

Pyde towne & countrey

6. yeares

Fyne.

Moitie

Corporatis

Iust. of P.

Maior

Rate

Collectors

Distraine

Sell

Refuse

Imprisō.

Iust. of P.

Negligent

Forf. euerie default shall forfeit and lose the summe of xl. l. One moitie whereof shall be imployed towards the building of the said Bridge, and the other moitie to him that shall sue for the same in any of the Quenes Courts of Record, by action of debt, bill, or information, wherein no essoine, protection, or wager of law shall be admitted or allowed. And forasmuch as the building and reedifying of the said Bridge, shall or may stand to small purpose, if prouision for repairing and maintaining thereof from time to time, and as often as need shall require, be not foreseene and duely considered: Be it therefore hereby enacted by authority aforesaid, that both the Towne of Cardife, and whole Countie of Glamorgan, shall ioyntly together from time to time, and as often as need shall require, defray all such charges as shall be necessarie in that behalfe, in maner and forme, and in like proportion, as is beforesaid, vpon the like paine aforesaid, if materiall default be made by the space aforesaid. An. 23. Eliz. cap. 11.

Moitie

Ioine hereafter

6 Whereas by the former part of the Statute made in the 18. yeare of the Quenes Maiesties raigne, and by the Prouiso in the end of the same Statute, the intent and meaning is, That the contribution money of the lands and tenements contributorie to the repaire and maintenance of Rochester Bridge in the Countie of Kent, ought from time to time to be tared by the two Wardens and twelue Assistants of the said Bridge, or by the more part of them (when need of such contributiō should require) for supplie of those reparations of the said Bridge, which the reuenewes of the lands proper and belonging to the said Bridge will not suffice to doe. And whereas the said two Wardens and twelue Assistants, be euerie yeare elected of the owners of lands contributorie as aforesaid, and the accounts of all receipts and paiments are by the two Wardens euerie yeare duely made, and the money duely imployed as is limited by the said late Statute, yet for want of expresse words, limiting that the said Wardens and Assistants should tare the said contributorie lands in such case of want, as aforesaid, the same Wardens & Assistants hitherto haue beene doubtfull, and haue forborne to make such tare, and thereby haue beene forced vpon their owne credits and friendships to procure the want aforesaid, to be supplied by some beneuolent loanes and gifts of sundrie persons, a matter verie difficult, and not to be trusted vpō for perpetuall maintenance of the said bridge: Be it therefore declared, explained, ordained and enacted by authority of this present Parliament, that from time to time hereafter, as often as the rents or other profits of the lands proper and belonging to the said bridge, shall not be sufficient to beare the charge of reparations of the said bridge, the said two Wardens & twelue Assistants for the time being, being elected (of the owners of lands contributorie) or the said two Wardens together, with the more part of the said Assistants, shall and lawfully may tare all the said contributorie lands and tenements, rating euerie parish where those lands doe lye, reasonably and proportionably at such summe of money, and to be paied in such manner and forme, as by the said two Wardens and twelue Assistants, or the said Wardens with the most part of the twelue Assistants, as aforesaid, (assembled at the accustomed place of election) shall be limited and appointed in writing vnder their hands and Seales: for due leuie and satisfaction whereof, it shall be lawfull to any person by the said two Wardens and Assistants, or two Wardens with the most part of the twelue Assistants, as aforesaid (vnder their hands & seales in writing authorized) to leuie the same money tared, to take and seise the goods and cattels of any of the inhabitants or owners of contributorie lands, in the parish where any part of the said money so tared shall be vnpaied, and to leuie the same money by sale of the said goods and chattels, and if the goods and chattels so taken, seised and sold, shall amount to more value then the said taration shall come vnto, that then the residue of the said money, ouer and aboue the said taration, shall be deliuered vnto the person or persons, whose goods or chattels shall bee so sold. And for a conuenient assemblie to make a due election of such Wardens and Assistants yerely, as will be carefull for maintenance of the said bridge, It is further ordained and enacted by authoritie aforesaid, That euerie yeare at the said election of the said two Wardens and twelue Assistants (by the said former statute limited) two at the least of housholders inhabitants of euerie parish, in which there are foure housholders at the least within seuen miles of the said bridge, and wherein any of the said contributorie lands doe lye, shall be present to giue their voices at the same election, vpon paine of ten shillings to be forfeited by the inhabitants of euerie such parish, making default of such apparance, the same penalties to be leuied in forme as afore is limited, for leuying of the contribution money tared, as aforesaid, and to be imployed vpon the reparations of the said bridge. And the expences of the said Wardens, Assistants, or inhabitants at the said election day, to be paied or borne at their owne charges, euerie man to beare his owne charge. Anno 27. Eliz. cap. 25.

Wardens

Seise

Housholders

Forf.

7 That the inhabitants in the Shire, and countie of Monmouth, shall stand for euermore chargeable for the maintenance, repairing, amending, and new making of the bridges of Newport and Carlion, and either of them, when and as often as need shall require: And that for the assessement, rating, collection, gathering, & imploying of the moneyes therupon to be spent, such order and direction shall and may be obserued and kept, as is appointed by the Act, made in the two and twentieth yeare of the said king Henrie the eight cap. 5. (before 1.) for repairing of bridges in highwayes, and for the more speedie performance of the premisses, and preuenting of further losse and charges: That it may likewise be enacted by the authoritie aforesaid, that if the Iustices of Peace of the foresaid Shire and Countie of Monmouth, or any of them doe make any default in the not appointing, executing, and obseruing the like order for the repairing of the said two bridges of Newport and Carlion, as by the said Act in the two and twentieth yeare of king Henrie

Monmouth

Newport Carlion

Iust. of P.

Tare

Henrie the eight, and by this Statute is limited, expreſſed and declared, for the aſſeſſement, collection, and imployment of the moneyes ſo to be collected, according to the meaning of the ſaid Acts, by the ſpace of three monethes next after this preſent Seſſion of Parliament: That then they and euery of them, being reſident and inhabiting within the ſaid Shire of Monmouth, ſhall forfeit for ſuch default the ſumme of ten pounds apeece, to be recouered before the Quenes Maieſties Councell in the Marches of Wales, by information, to be imployed to and for the vſe and reparation of the foreſaid bridges of Newport and Carlion. Prouided alwayes, that this Act, nor any thing therein contained, ſhall extend to giue power or authoritie to the Juſtices of peace of the ſaid Countie, to charge any towne or townes corporat within the ſaid countie, that are alreadie by Law bound to amend, repaire, or reedifie any bridge ouer any maine riuers or ſtreams within the ſaid Countie, with any contribution towards the amending, repairing, or reedifying of the bridges in this Act mentioned, other then the townes of Newport and Carlion, Any matter or thing in this ſaid Act mentioned, or in the ſaid Act had & made in the two and twentieth yeare of king Henrie the eight, in this preſent Act mentioned, to the contrarie in any wiſe notwithſtanding. 39. Eliz. cap. 23.

8 Be it enacted, that a conuenient bridge of ſtone or timber, or both, ſhall be made, ſet vp, erected and builded at Wilton vpon Wye in the Countie of Hereford, ouer the riuer of Wye, by the inhabitãts of the ſaid Countie of Hereford, in ſuch place there, as by the Juſtices of peace of the ſaid Countie of Hereford, or by any three of them, whereof one to be of the Quorum, to be nominated by the Juſtices of peace of the ſaid Countie, or the more part of them in their generall Quarter Seſſions, after the end of this Seſſion of Parliament to be holden ſhall be appointed. And that the ſame Bridge ſhall bee wholly made, erected, builded and finiſhed within the ſpace of ſeuen yeares next after the end, diſſolution or prorogation of this preſent Parliament, which was 9. Febr. 1597. vpon paine of forfeiture of one hundred pounds, for euerie yeare after the end of the ſaid ſeuen yeares, that the ſaid worke or bridge ſhall happen to be vnfiniſhed and vnperformed: That one moitie whereof to be paied to the Quenes Maieſtie, her heires or ſucceſſors, by the inhabitants of the ſaid Countie of Hereford, and the other moitie thereof to him or them that will ſue for the ſame in any of the Quenes Maieſties Courts of Record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of law ſhall be admitted or allowed. And for the ſpeedie leuying of all ſuch ſummes of money as ſhal be neceſſarie or requiſite in this behalfe, Be it hereby likewiſe enacted by the authoritie aforeſaid, that the Juſtices of peace of the ſaid Countie of Hereford, or any foure, three, or two of them, whereof one to be of the Quorum, out of the liberties of the citie of Hereford, in their ſeuerall diuiſions to be nominated or agreed on by the Juſtices of peace of the ſaid Countie, or the more part of them, in their generall Quarter Seſſions, ſhall hereby haue full power and authoritie at all times hereafter & from time to time as often as need ſhall require, vntil the ſaid bridge ſhall be fully made, erected and builded, to rate, tare and aſſeſſe the ſaid Countie of Hereford, with the ſeuerall Hundreds, and euery Towne corporat, Parrith, Village, and Hamlet, within the ſame (other then the ſaid Citie of Hereford) and euerie inhabitant and dweller within euery or any of the ſaid Hundreds, Townes corporate, Villages and Hamlets (other then the ſaid Citie) to ſuch reaſonable ſumme and ſummes of money, as to them the ſaid Juſtices ſo nominated as aforeſaid ſhall be thought fit and conuenient. And that the Juſtices of peace of the ſaid Cuntie of Hereford, or the more part of them, at their Quarter Seſſions ſhal at all and euerie time and times hereafter haue full power and authoritie by this preſent Act, to nominate and appoint ſuch perſon and perſons as they ſhall thinke fit, to collect and gather the ſaid ſeuerall ſummes, and that ſuch perſon and perſons as the ſaid Juſtices ſo ſhall appoint for the gathering and leuying thereof, ſhal haue hereby ful power and authoritie by way of diſtreſſe, vpon deniall, refuſall, or nonpaiment, to leuie the ſame, and to make ſale of ſuch diſtreſſes, according to the Statute, intituled, An Act concerning repairing and amending of Bridges in highwaies, made at the Parliament holden by prorogation at Weſtminſter the ſixteenth day of Januarie, in the two and twentieth yeare of the raigne of our late dread Soueraigne Lord king Henrie the eight, (22. H. 8. before ſet) and the ſame money ſo to be leuied, to be deliuered ouer, and paied to the ſaid Juſtices of peace, or to any two of them, whereof one to bee of the Quorum, the ſame two Juſtices to be nominated by the Juſtices of peace of the ſaid Countie, in their generall Quarter Seſſion, or to ſuch perſon or perſons, as the ſaid two Juſtices ſo nominated ſhall appoint, who ſhall imploy the ſame with as much ſpeed as may be for the purpoſe aforeſaid: And if any perſon or perſons within the ſaid countie of Hereford, who ſhall be tared or rated to pay any ſumme or ſummes of money in forme aforeſaid, doe refuſe the paiment thereof, or otherwiſe withſtand their diſtreſſes, Or if any other that ſhal be charged to tare, rate, gather, leuie, or pay ouer any the moneyes aforeſaid, ſhall refuſe, withſtand, denie or impugne, to accompliſh the order or commaundement of the ſaid Juſtices of the ſaid Countie of Hereford, or any two of them, whereof one to be of the Quorum, in that behalfe, then euerie ſuch perſon and perſons ſhall be impriſoned without baile or mainepriſe, by the diſcretion of the ſaid Juſtices, or any two of them, whereof one to bee of the Quorum, vntill ſuch time as they and euerie of them ſo offending, ſhall be conformable to perform and abide the order of the ſaid Juſtices, or any two of them, whereof one to be of the Quorum for their ſaid offences. And moreouer, be it enacted by the authoritie aforeſaid, That if the ſaid Juſtices, or any one of them, within their ſeuerall limits, hauing receiued any ſumme or ſummes of money aforeſaid, towards the erecting and making of the ſaid bridge,

doe

Detaine doe detaine the same or any part thereof in his or their hands, or doe not imploy the same with all conuenient speed as aforesaid, but shall vse it to his or their owne priuate profits, commodities, or behoues, to the hinderance of the said worke, that then euerie such Iustice of peace so offending, for euerie such default shall forfeit and lose the summe of one 100.l. hundred pounds, one moitie whereof shall be imployed toward the building and repairing of the said Bridge, and the other moitie to him or them that will sue for the same, in any of the Queenes Maiesties Courts of Record, by action of debt, bill, plaint, or information, wherin no essoine, protection, or wager of law shall be admitted or allowed. And that it shall and may be lawfull to and for all and euerie such person and persons of the said Countie of Hereford, as by the said Iustices of the said Countie, or the more part of them in their generall Quarter Sessions shal be nominated or ap-
Collectors pointed, to aske, receiue and take, of any of the Queenes Maiesties subiects within the principali-
Wales tie of Wales, and the Marches of the same, all such summe and summes of money as they or any of them without compulsion, will willingly giue towards the building & erecting of the said bridge, the same summe and summes of money to be paid ouer by the said person or persons so by the said Iustices to be appointed as aforesaid, and to be imployed as aforesaid, towards the said worke, vpon such paines and penalties, as before hereby is limited. And that from and after the time of the making and finishing of the said bridge from time to time,
Pontage and at all times for euer then after pontage shall be paied, leuied and taken, at the said bridge, in maner and forme following, and not otherwise, viz euery person or persons that shall driue any waine, carre, or cart loaden ouer the said bridge, shall pay for e-
ij.s. uerie such waine, carre, or cart so by him or them to be driuen ouer the same bridge, two pence, and euerie one that shal lead or driue any horse or horses loaden with any pack, or any sheep, or other beasts of what kind soeuer, ouer the said bridge, shall pay
I.s. for euerie such horse and pack one penie, and for e-
ij.s. uerie ten sheep or vpwards to the number of twen-
iij.s. tie, two pence, and for twentie sheepe three pence,
iij.s. and for euerie fiue beasts of all other kind, to the number of twentie, two pence, and for euerie
vi.s. twentie beasts, six pence, and so proportionably for all horses and packes, waines, carres, carts loaden, sheepe and other cattell according to the same rate, which pontage shall be collected and gathered yearely as followeth, viz That two such sufficient Burgesses of the said Towne of Rosse, with two such sufficient Freeholders of the said Countie of Hereford, as shall be yearely elected and nomina-
Iust. of P. ted by the Iustices of peace of the said Countie of Hereford, or the more part of them, and by the
Stewards Rosse & his Deputis Steward of the said towne of Rosse for the time being, or his deputie, at the generall Sessions of the peace, to be yearely holden for the said Countie of Hereford, next after the feast of S. Michael the Archangell, to be Collectors for the same Pontage. And the deputie and deputies of the same two Burgesses, and two freeholders as aforesaid, and euerie one or moe of them, shall haue full power and authoritie hereby from the time of the same election, for one whole yeare then next following, and so vntill two other Burgesses, and two other Freeholders shall be elected and chosen to the same Office of Collectors in forme aforesaid, to collect, gather, and receiue the said pontage at the said Bridge, after the rate aforesaid. And if any shall denie, refuse, or impugne the paiment thereof, then that it shall and may be lawfull to and for the said Collectors, and to and for euerie or any of them, and the Deputie and deputies of them, and euerie of them for the time being, to take such oxen, horses, sheepe, and other cattell, or as much of them as they shall thinke fit, as any person or persons so denying, refusing or impugning to pay, shall driue or lead, or offer to driue or lead ouer the said bridge, into the custodie of them the said Collectors, or their Deputies, as aforesaid, and the same to de-
Distrein taine and keepe as a distresse in common pound, vntill the same pontage after the rate aforesaid, shal be fully satisfied and paied. And that they the said Collectors so as aforesaid, to be yearely elected and chosen, shal out of the issues and profits of the same pontage, pay yearely to Charles Bridges Esquier, his heires and assignes, the summe of ten pounds 10.l. of lawfull money of England, at the feast of Saint Michael the Archangel for euer, which said summe of ten pounds, he the said Charles Bridges, his Charles Bridges heires and assignes, shall and may sue for, haue and recouer against the said Collectors for their time, or the survivor or survivors of them, if any of them happen to die, or against the heires, executors or administrators of them, or any of them, in any of her Maiesties Courts of Record, by action of debt, Debt bill, plaint, or information, wherin no essoine, protection, or wager of law shall be admitted or allowed. And moreover, they the said Collectors and their Deputies, shall yearely from time to time for euer hereafter, at such time or times as they or any of them shall be thereunto required, at or after the end of one yeare next after their said election, by the said Iustices of Peace, and by the Steward of the said Towne or Borough of Rosse for the time being, or his Deputie, or any two of them, whereof one of the said Iustices to be one, as aforesaid, before the said Iustices, or before one or more of them, to be nominated by the Iustices of the said countie in their Quarter Sessions, and before the Steward or his Deputie, make and yeld vp a true and perfect account vpon their othes, of all the issues and profits of the pontage of the said bridge, for the time of the said Accomptants: vpon which Account account the said summe of x.pounds to be yearely paid to the said Charles Bridges, his heires and assignes, shall be allowed to the said Accomptants. And all such summe and summes of money as the said Accomptants shall disburse, in or about the reparations of the said bridge, and the causies thereunto adioyning, or in and about the reparations of any other bridges or causies in the said countie of Causies & other Bridges Hereford, by warrant from the said Iustices, at their quarter Sessions, or in, or about any of them, and reasonable allowance to the same Accomptants

tants for them and their deputies for their trauels and paines, in collection of the same Pontage, and twentie shillings yerely to be paid to the Steward of the said Towne or Borough, or his Deputie for the time bing, for his paine in hearing and determining of the same accompt, shal be to them allowed vpon their said accompt. And further vpon the determination of euerie such accompt, the said Accomptants shal pay ouer all such summe & summes of money, as shall be thereupon found to remaine in the hands of the said Accomptants of the same their collection, to their new Collectors for the time being, to remaine in their hands as a stocke, towards the reparation of the said bridge and cause, and of any other bridge or cause in the said countie of Hereford, to be disbursed and imployed according to the order of the said Justices, in their Quarter Sessions. And if any person or persons which shall be elected by the said Justices, and Steward, or his Deputie, to be Collector or Collectors as aforesaid, refuse to take vpon him or them the same office, or being Collector or Collectors, shall misdemeane him or themselues in the said office, or being called to accompt as aforesaid, shall refuse to yeeld the same, or accounting as aforesaid, shall misdemeane him or themselues in the same accompt, or shall refuse to pay, or not pay all such summe and summes of money, vpon the determination of the same accompt, as shall fall out vpon the same accompt, to remaine in the custodie of the said Accomptants, vpon euerie such accompt as aforesaid: Be it enacted by the authoritie aforesaid, That then and so often it shall bee lawfull hereby to the said Justices of peace of the said Countie in their Quarter Sessions, or the most part of them, to imprison euerie such Collector or Collectors, and their Deputies, and euerie or any of them, so refusing, misdemeaning themselues, not accounting, or not paying, without baile or mainprise, vntill he or they so offending, shall performe the order of the said Justices. And also that euerie such Collector and Collectors, and their Deputies, and euerie of them so offending, shall forfeit and lose for euerie such contempt and offence, the summe of v. pounds of lawfull money of England, to be imployed to the vse of the said bridge, to be built as aforesaid, and to be leuied by the other Collectors succeeding, by distresse and sale thereof, if the said summe of fiue pounds be not payed within foure dayes next after the taking of the said distresse: Prouided neuertheless, and be it enacted by the authoritie aforesaid, That all and euerie person and persons, owners or occupiers of any lands or tenements in the said Countie of Hereford, which doe yerely pay any corne, graine, or other profit in certaintie, in respect of the same lands or tenements to the keeper of the said passage, for their passage ouer the same riuer, and their heires and assignes of the same lands and tenements, shall bee free and discharged of payment of the Pontage aforesaid: So alwayes as they and euerie of them, shall yerely pay to the said Collectors for the time being, to be accounted for, and imployed as aforesaid, such and so much corne and graine, and other profits as vsually haue beene paied to the keepers of the said passage, by the occupiers of the said lands and tenements, in respect of the same lands or tenements: For which corne and graine, and other profits so yearely to bee paied or receiued by the said Collectors, the said Collectors and euerie of them for their time, shall duely accompt, as aforesaid, in forme aforesaid, vpon the paines and penalties aforesaid. Anno 39. Elizab. cap. 24.

9 The Shire or Countie of Cumberland shall be charged and stand chargeable, for the erecting, maintaining, repairing, amending and new making of the bridges called Eden bridge and Pzestbecke, when and as often as need shall require, and that for the assessement, rating, collectiō, gathering, and imploying of such workes, summe & summes of money, as from time to time shall be needfull for the building and repairing of the said bridges, such forme and order shall be obserued in all things by and through the said Countie, as is appointed by the Act made in the two and twentieth yere of king Henrie the eight (cap. 5.) to be obserued for the repairing and amending of bridges in seuerall Kidings in like cases. Prouided alwayes, that this Act or any thing therein contained, shall not extend to giue power or authoritie to the Justices of Peace in the said Countie of Cumberland, to charge any the inhabitants of the Lordship of Millam within the said Countie (that are alreadie, and time out of mind haue beene bound to amend, repaire, or rectifie the bridges vpon and ouer the riuers and streams in the said Lordship at their own charges) with any contribution towards the repairing or rectifying of the bridges called Eden bridge and Pzestbecke bridge aforesaid. 43. Elizab. cap. 16.

Cumberland

Millam

10 A Repeale of the Statute of 18. Eliz. for repairing of Chepstowbridge ouer the riuer of Wye. And be it further enacted &c. That the Countie of Gloucester, and the Countie of Monmouth, shall for euermore stand chargeable respectiuely and seuerally, for the erecting, building, new making vp, and continuall reparation and maintenance of the said bridge, when, and as often as need shal require: viz. The said countie of Gloucester, from the middest of the said bridge, or from the place, where the middest of the said bridge stood in the said riuer, for that part or moitie of the said bridge, which lyeth on that side, vnto the Lordship of Tiddenham, and the said countie of Monmouth from the middest of the said bridge, or from the place where the middest of the said bridge stood, in the said riuer, for that part or moitie thereof which lieth on that side, vnto the Lordship of Chepstow: And that the Justices of Peace, or any foure of them, in either of the said counties, whereof one to be of the Quorum, seuerally and respectiuely, shall haue power and authoritie by this Act, to taxe, assesse, and rate all and euerie the Inhabitants of the said seuerall counties of Gloucester and Monmouth, seuerally and respectiuely as well within Liberties as without, to such reasonable summe and summes of money, from time to time, as to the said Justices, or any foure of them in either of the said counties

Chepstow bridge

4. Iust. of p.

ſeuerally and reſpectiuely, whereof one to be of the Quorum, ſhall be thought fit, needfull and conuenient, for the building, new making vp, and erecting of the ſaid bridge, and for the continuall reparation thereof: and after ſuch taxation made, the ſaid Iuſtices or any foure of them in either of the ſaid counties, whereof one &c. within the limits of their authorities, commiſſions and diuiſions, ſhall cauſe the names and ſummes of euerie particular perſon in either of the ſaid counties ſo by them taxed, to be written in ſeuerall Rolls indented: and ſhal alſo haue power & authoritie, to appoint Collectors of euerie Hundred, in either of the ſaid counties ſeuerally and reſpectiuely, within the limits of their ſaid authorities, commiſſions, and diuiſions, for the ſeuerall collection of all ſummes of money by them taxed: Which Collectors, in either of the ſaid counties, receiuing ſeuerall parts of the ſaid Rolls indented, vnder the hands and ſeales of the ſaid Iuſtices or any foure of them, within the limits of their authorities and commiſſions, whereof one &c. ſhall haue power and authoritie to collect and receiue all the particular ſummes of money therein contained, and to diſtraine euerie ſuch Inhabitant as ſhall be taxed, and refuſe to make payment thereof, in his lands, goods, and chattels, and to ſell ſuch diſtreſſes, and of the ſale thereof retaine and perceiue all the money taxed, and the reſidue (if the diſtreſſes be better) to deliuer to the owner thereof. And that the ſame Iuſtices, or foure of them, in either of the ſaid counties, whereof one &c. within the limits of their commiſſions and authorities, ſhall alſo haue power to name and appoint foure ſufficient perſons out of the ſaid ſeuerall counties, to be Surueyors from time to time, as need ſhall require, to ſuruey and ſet forward the worke for building and repairing of the ſaid bridge: viz. two to be Surueyors for the countie of Glouceſter, and two to be Surueyors for the countie of Monmouth, into whoſe hands the ſaid Collectors of the ſaid counties, ſeuerally and reſpectiuely, ſhall pay the ſummes of money by them leuied and collected, to be imployed for the building, erecting, and repairing of the ſaid Bridge from time to time, as need ſhall require, and ſhall make Rolls indented, to be ſubſcribed interchangeably between them and the ſaid Surueyors, in either countie reſpectiuely, mentioning the times and paiments thereof. And that the ſaid Collectors and Surueyors, and euerie of them, and the executors and adminiſtrators of euerie of them, from time to time when they ſhall be thereunto required, ſhal make true declarations and accompts in writing to the Iuſtices of Peace, in either of the ſaid counties wherein they are appointed Collectors or Surueyors, or to any foure of them, whereof one to bee of the Quorum, of the receits, payments, imployments, and expences, of all the ſummes of money by them in that behalfe receiued or beſtowed. And if they, or any of them ſhall refuſe ſo to doe, or to pay (without delay to the vſe aforeſaid) ſuch part thereof as ſhall bee found to remaine in their hands, to ſuch perſon or perſons, as by any foure of the ſaid Iuſtices of Peace in either countie, at their Quarter Seſſions reſpectiuely, ſhall bee nominated or appointed in that behalfe; That then the ſaid Iuſtices of Peace, or any foure of them, in either of the ſaid counties, whereof one to bee of the Quorum, from time to time by their diſcretions, ſhall haue power and authoritie within the limits of their Commiſſions and diuiſions, to make Proceſſe againſt the ſaid Collectors and Surueyors, and euerie of them, and the Executors and Adminiſtrators of euerie of them, by Attachment or Capias, vnder their Seales, for their apprehenſion, returnable at the generall Seſſions of Peace in either of the ſaid counties, and if they appeare, then to compell them to accompt and pay as aforeſaid: or elſe if they, or any of them refuſe ſo to doe, then to commit ſuch of them as ſhall ſo refuſe, to ward, there to remaine without baile or mainprize, vntill their ſaid declaration and accompt bee truely made, and vntill they make payment of ſuch money as ſhall appeare to be by them detained and not imployed. And that the ſaid Iuſtices of Peace, or any foure of them, in either of the ſaid counties, reſpectiuely ſhall take order, that one part of all the ſeuerall Rolls, containing all taxations, collections, and accompts of euerie of the ſaid Collectors and Surueyors, from time to time in either of the ſaid counties (being ſubſcribed as well by the ſaid Iuſtices, as alſo by the ſaid Collectors and Surueyors) may remaine and be ſafely kept amongſt the Records of the generall Seſſions of the peace in either of the ſaid counties reſpectiuely, whereby it may alwaies appeare how much money is taxed, collected, and employed from time to time in that behalfe. And be it alſo enacted &c. That euery of the Iuſtices of Peace of the ſaid countie of Monmouth from time to time (being reſident and inhabiting in the ſaid countie) and alſo euerie of the ſaid Iuſtices of Peace of the ſaid countie of Glouceſter, (being reſident and inhabitant in the ſaid countie, or within the countie of the citie of Glouceſter) omitting or neglecting the due execution of this Statute, according to the power and direction thereby to them giuen (after requeſt made in that behalfe by any two of the Inhabitants in either of the ſaid counties reſpectiuely) ſhall forfeit and loſe the ſumme of fiue poundes apeece monethly for euerie moneth (after the expiration of eight weekes next enſuing the end of this preſent Seſſion of Parliament) in which no aſſeſſement, collection, imployment of money, or other effectuall proceeding towards the building of the ſaid Bridge, ſhall be by them done or vſed, or procured to be done or vſed according to the intent and true meaning of this act, vntill the ſaid Bridge be fully, firmely, and ſufficiently made vp, built, and erected: and afterwards ſhall loſe and forfeit xl. ſhillings apeece, for euery monethly negligence or default by them committed, after like requeſt made in that behalfe, in not taking order for reparation thereof from time to time, as neceſſitie ſhall require, in manner, as by this Act is preſcribed and limited. And be it alſo enacted &c. That it

Rols

Collectors

Diſtraine

Surueyors

Accompt

Rols

Forf.

Iust. of

Forf.

Iust. of

Forf.

ſhall

shall and may be lawfull to and for euerie such person and persons, as well in the said Countie of Glouc̃ester, as also in the said Countie of Monmouth, as by the said Justices of Peace, or any foure of them, in either of the said Counties respectiuely (whereof one to bee of the Quorum in each Countie) in their generall Sessions of the Peace, shall be nominated and appointed in that behalfe, to aske, receiue, and take of any of the Kings Maiesties subiects of South Wales, of the citie of Bristol, or any other person or persons trauelling by that way or passage where the said Bridge is to be built (any Act or Statute to the contrarie in any wise notwithstanding) all such summe and summes of money or beneuolence, as they or any of them without compulsion, will willingly giue towards the building and erecting of the said Bridge, vntill the same be fully built and erected, and that true accounts vpon oath shall be made and deliuered by euerie of the said persons monethly of all such summe or summes as shall be so receiued or collected: And that the money thereupon due, shall bee by euerie of them likewise monethly paied ouer vnto any two of the Justices of Peace respectiuely in either of the said Counties wherein they were so nominated and appointed, whereof one to bee of the Quorum, by seuerall writings indented to be subscribed interchangeably betweene the said Justices and the said Accomptants, vpon paine that euerie of the said persons shall forfeit and lose forty shillings for euerie default by them committed, in not making such accompt and paiment: and the said money so receiued, to bee by the said Justices respectiuely disposed and imployed towards the building of the said Bridge, and that such parts of the said writings of Accompts and paiments as shall bee from time to time deliuered to the said Justices in either Countie, shall remaine and bee kept amongst the Records of the Sessions of the peace in either of the said Counties respectiuely, whereby it may appeare how much is giuen and receiued towards the said Bridge, and as well the persons to be appointed in either of the said Counties, for receiuing the said gifts and beneuolences, as also the Collectors and Surueyors afore mentioned in either Countie, shall and may haue such reasonable allowance towards their paines and seruices in the premisses, as by the more part of the Justices of Peace at their Quarter Sessions respectiuely in either of the said Counties, shall bee ordered and set downe vnder their hands in that behalfe. And moreouer, Be it enacted, &c. That if the said Justices of Peace in either of the said Counties, or any of them, or any other to his or their vse, haue, or hath heretofore had, or receiued any summe or summes of money giuen, tared, or collected, or shall at any time hereafter take or receiue any money giuen, tared, or collected towards the erecting and new making of the said Bridge, or the reparation thereof, and shall and doe detaine the same, or any part thereof in his or their hands, and doe not imploy it towards the building or reparation of the said Bridge with all conuenient speed, vpon request to him or them in that behalfe made: That then euerie such Justice of Peace, or other person so offending, for euerie such default or offence shall forfeit and lose the summe of fortie pounds. And if any of the said Justices of Peace, or any other person or persons whatsoeuer, which haue had or gotten, or hereafter shall haue or get into his hands any money giuen, tared, receiued, or collected, for or towards the building or reparation of the said Bridge, shall conceale, detaine, or conuert the same to his or their owne vses, and shall refuse to make paiment thereof to bee imployed accordingly vpon request made in that behalfe, that then it shall and may be lawfull for any person or persons, to sue the partie or parties (detaining such money) in the high court of Chauncerie, or any other court of Equitie by English Bill, for recouerie thereof, and the same being recouered by decree or order of that Court, shall bee imployed towards the building or repairing of the said Bridge, by direction of the said Court, and that such allowance or costs shall bee ordered by the said Court, to bee paied to such as shall so sue for the same, towards his or their charges and paines bestowed therein, as shalbe thought meet and conuenient. And be it likewise enacted &c. That all and euerie of the said forfeitures herein before mentioned, shall and may be recouered against the said Justices of Peace, or other person so offending, and euerie or any of them, by Action of debt, Bill, Plaint, or Information, in any of the Kings Maiesties Courts of Record at Westminster; wherein no Essoine, Wager of law, or Protection shall be admitted or allowed: And that euerie of the said forfeitures, which shall be recouered, being diuided into foure parts, one part thereof shall remaine, and be to the vse of such person or persons, as shall sue, complaine, or informe for the same, towards his or their charges therein, and the other three parts thereof after such recouerie, shall be imployed and bestowed toward the making and repairing of the said Bridge from time to time by direction & order of the court, wherein the same shall be so recouered. An. 3. Iac. cap. 23.

Beneuolence.

Accompts

Fo.

Iust. of P.

Fo.

Fo.

Fo.

11 Be it enacted &c. That the Bridge ouer the riuer of Seuerne, nere the Towne of Upton vpon Seuerne, shall be wholly made, erected, builded, and finished, within the space of three yeares after the end of this Session of Parliament, by the inhabitants of the Countie of Worcester, (other then the citizens of the citie of Worcester, inhabiting in the said citie, and that onely concerning the lands, goods, and chattels within the said citie, and their liberties thereof) vpon paine of forfeiture of 100. pounds for euerie yeare, after the end of the said three yeares, that the said Bridge shal happen to be vnfinished, to be payed by the inhabitants of the said Countie, (other then the said citizens as aforesaid) The one moitie thereof to bee employed towards the rectifying and repairing of the said Bridge, the other moitie to him or them that will sue for the same in any of the K. Maiesties Courts of Record, by Action of debt, Bill, Plaint, or Information,

Bridge ouer Seuerne vpon Seuerne

Fo.

Moitie

formation, wherein no Eſſoine, Protection, or Wager of law ſhall be admitted or allowed. And be it further enacted &c. That the Juſtices of peace of the ſaid county of Worceſter, or any three, foure, or more of them to be nominated and agréed on by the Juſtices of the peace of the ſaid countie, or the more part of them in their generall Quarter Seſſions, ſhall haue full power and authoritie from time to time, as often as néed ſhall require, vntill the ſaid Bridge ſhall bée fully reedified and buil-
Rate ded, to rate, tare, and aſſeſſe the ſaid countie of Worceſter, and ſeuerall Hundreds, Townes, Pa-
rithes, Villages, and Hamlets within the ſame,
Inhabitant and euerie Inhabitant or dweller within any the ſaid Hundreds, &c. (other then the ſaid citie of Worceſter and citizens aforeſaid, concerning their lands, goods, and chattels aforeſaid) to ſuch reaſo-
nable ſumme and ſummes of money, as to the ſaid Juſtices ſo nominated as aforeſaid, or any three, foure, or more of them ſhall be thought fit and con-
uenient. And that the Juſtices of peace of the ſaid Countie of Worceſter, or the more part of them, at their Quarter Seſſions, ſhall at all and euerie time and times hereafter haue full power and au-
thoritie by this preſent Act, to nominate and ap-
point ſuch perſon and perſons as they ſhall thinke
Collectors fit to collect and gather the ſaid ſeuerall ſummes. And that ſuch perſon and perſons as the ſaid Juſti-
ces ſo ſhall appoint for the gathering and leuying thereof, ſhall haue hereby full power and authori-
Diſtreſſe tie by way of diſtreſſe vpon deniall, refuſall, or nonpaiment, to leuie the ſame, and to make ſale of the ſame diſtreſſe or diſtreſſes according to the ſaid Statute made in the two and twentieth yere of H.8. (cap.5.) and the ſame money ſo to be leuied, to be deliuered ouer and paied to the ſaid Juſtices of Peace ſo nominated as aforeſaid, or to ſuch per-
ſon or perſons as the ſaid Juſtices of Peace ſo no-
minated ſhall appoint, who ſhall imploy the ſame with as much ſpeed as may be for the purpoſe a-
foreſaid. And if any perſon or perſons within the ſaid countie of Worceſter, who ſhall bée tared or rated to pay any ſumme or ſummes of money in
Refuſe forme aforeſaid, doe refuſe the paiment thereof, or otherwiſe withſtand their diſtreſſe or diſtreſſes, or if any other that ſhall bée charged to gather, le-
uie, or pay ouer any the ſaid ſummes of money, ſhall refuſe, withſtand, denie, or impugne to ac-
compliſh the order or commaundement of the ſaid Juſtices of Peace, or of the more part of them in their Quarter Seſſions, or of the ſaid Juſtices of Peace ſo nominated, as aforeſaid: Then euerie
Impriſ. ſuch perſon and perſons ſhall bée impriſoned with-
out baile or mainprize, by the diſcretion of the ſaid Juſtices, or any two of them, vntill ſuch time as they and euerie of them ſo offending ſhall be con-
formable to performe and abide the order of the ſaid Juſtices ſo to bée taken as is aforeſaid for the ſaid offences. And bée it further enacted &c. That if the ſaid Juſtices, or any of them, or any o-
ther perſon or perſons ſo to bée appointed as a-
foreſaid, hauing receiued any ſumme or ſummes of money aforeſaid, towards the erecting and ma-
Ditaine king of the ſaid Bridge, doe detaine the ſame, or any part thereof in his or their hands, or doe not imploy the ſame with all conuenient ſpéd, as is aforeſaid, That then euerie ſuch Juſtice of Peace, and euerie ſuch perſon or perſons ſo offen-
ding, for euerie ſuch default ſhall forfeit one hun- Fol.
dred pounds, the one moitie thereof to be imploy- Poſſit
ed towards the reedifying and building of the ſaid Bridge, to be leuied by diſtreſſe as is aforeſaid, and the other moitie to him or them that will ſue for the ſame in any the Kings Maieſties Courts of Record, by Action of debt, Bill, Plaint, or In-
formation, wherin no Eſſoine, Protection, or Wa-
ger of law ſhall be admitted or allowed. An. 3. Iac. * cap. 24.

Brittons.

ANno 3. H. 5. cap. 3. It was enacted, That all Brittons ſhould auoid the Realme vpon paine of death.

Broderers.

ANno 4. H. 7. cap. 22. An Act was made to endure to the next Parliament, concerning Broderers, for Venice, Florence, and Jean gold, to kéepe a weight, and to be as good within, as the outward ſhew is.

Brokers.

BE it enacted &c. That no ſale, exchaunge, pawne, or Morgage of any Jewell, Plate, Apparell, Houſhold ſtuffe, or other goods of what kind, nature, or qualitie ſoeuer the ſame ſhall bée of, and that ſhall bée wrongfully, or vniuſtly purloyned, taken, robbed, or ſtollen from any perſon or perſons, or bodies Politique, and which at any time hereafter ſhall bée ſold, vttered, deliuered, exchanged, pawned, or done away with-
in the Citie of London, or Liberties thereof, or within the Citie of Weſtminſter in the Countie of Middleſex, or within Southwark in the Coun-
tie of Surrey, or within two miles of the ſaid Ci-
tie of London, to any Broker or Brokers, or pawn takers, by any way or meanes whatſoeuer, direct-
ly, or indirectly, ſhall worke, or make any change
No alter- or alteration of the propertie or intereſt, of, and on of the from any perſon or perſons, or bodie Politique, propertie from whom the ſame iewels, plate, apparell, houſ-
hold ſtuffe, or goods were, or ſhall be wrongfully purloined, taken, robbed, or ſtollen: any law, vſage, or cuſtome to the contrarie notwithſtanding. And for the better maintaining of true and honeſt deа-
ling, and for the eſchewing and auoiding of falſe-
hood, fraud, and deceit, in ſuch kind of Brokers and Pawne takers, Be it further enacted, &c. that if any perſon or perſons, or bodies Politique, from whom any iewels, plate, apparell, houſhold ſtuffe, or any kind of goods whatſoeuer, ſhall be wrongfully purloyned, taken, ſtollen, or rob-
bed, ſhall require and demaund, of any ſuch Bro-
ker or Pawne taker, to declare whether any ſuch goods, be come to his or their poſſeſſions, and

to

to declare, shew and manifest the same, and how, and by what meanes he had them, or came by the same, and how, when, and to whom he hath deliuered, conueied, or bestowed, and imployed the same: And that such Broker, vpon any such request and demaund to be made, shall denie, and refuse to disclose, tell, or manifest the same truely and iustly, shall forfeit vnto the true owner or owners of such Iewels, Plate, Apparell, Houshold stuffe, and other goods, from whom the same were wrongfully purloyned, taken, stollen, or robbed, double the value thereof that shall bee denied and refused to bee disclosed, told, and manifested, as aforesaid: The same double value to be recouered by the true owner or owners of such goods, from whom the same were wrongfully purloyned, taken, robbed, or stollen, to bee recouered by Action of debt, Bill, or Plaint, in any of the Kings Maiesties Courts of Record at Westminster, or within the Citie of London, In which no Essoine, Wager of law, or Protection shall be allowed. Prouided alwayes, that this Act, nor any thing therein contained, shall not be preiudiciall or hurtfull to the ancient trade of Brokers within the Citie of London, vsing and exercising the auncient trade of Brokers, betweene Marchant and Marchant, or other Traders or Occupiers, within the said Citie and the Liberties of the same. Anno 1. Iac. cap. 21.

Denis

Fo.

Burning of Carts and Wood, and cutting of Dammes, heads of Ponds, and Conduites and Pipes, Tongues and Eares, and barking of Trees.

Dammes

Pipes Conduites

Burne Waines Cart Coales

Wood

Billets Tallwood

Tongues

Eares

Chance-medley

Barke apple trees

Fo. ij. damages

IF any person or persons maliciously, wilfully, and vnlawfully, cut, or cause to be cut off, the head or heads, damme or dammes of any ponds, poles, motes, stewes, or other seuerall waters, or the head or heads, pipe or pipes, of any Conduite or Conduites, of any person or persons, or maliciously, willingly, and vnlawfully, after the said first day of May, burne, or cause to bee burned, any Waine or Waines, Cart or Carts, laden, or to bee laden with coales, or any other goods or marchandizes of any other person or persons, or maliciously, willingly, & vnlawfully, after the said first day of May, doe burne, or cause to be burned any heape or heapes of wood, of any other person or persons, prepared, cut, and felled, or to be prepared, cut, or felled, for the making of coale, billets, or tallwood, or maliciously, vnlawfully, and willingly, after the said first day of May, cut, or cause to be cut out the tongue or tongues of any tame beast or beasts, of any other person or persons (the said beast the being in life) or maliciously, willingly, and vnlawfully, after the said first day of May, cut, or cause to be cut off, the eare or eares of any of the kings subiects, otherwise then by authoritie of the law, chancemedley, sodaine affray, or aduenture: or after the said day, maliciously, willingly, or vnlawfully barke any Apple trees, Peare trees, or other fruit trees of any other person or persons: That then euerie such offendor or offendors, shall not onely and forfeit vnto the partie grieued treble dammages for such offence or offences, the same to be recouered by action of Trespasse, to be taken at the Common law, but also shall lose and forfeit to the Kings Maiestie and his heires for euerie such offence ten pounds sterling in the name of a fine. Anno 37. H. 8. cap. 6.

Fo.

Butchers.

A Butcher that selleth Swines flesh mezeled, or flesh dead of the mozine, after he shall bee conuict thereof, for the first time he shalbe grieuously amerced, the second time he shall suffer iudgement of the Pillorie, and the third time he shall bee imprisoned and make fine, and the fourth time hee shall abiure the towne. And in this manner shall it be done of all that offend in like case. Statute of Bakers and Brewers cap. 7. Anno 31. E. 1.

Amerciament

Pillorie

Imprisonment

Abiure

2 No Butcher nor his seruant shall flea no maner of beast within the said house called the scalding house, or within the wall of London, vpon paine to forfeit for euerie Ore xij. pence, and for euerie Cow, and euerie other beast vij. pence. The one halfe thereof to the King our Soueraigne Lord, and the other halfe to the kings lieges that will sue for the same by action of debt, and no protection nor essoine shalbe allowed to any of the defendants against whom any such action shall be conceiued. And that in that same action of debt, such Proces may be made as in other actions of debt sued at the Common law. And ouer this it is &c. That the same Ordinance, Act, and Law, extend and be obserued and kept in euerie Citie, Borough, & Towne walled within this Realme of England, and in the towne of Cambridge (the townes of Berwike and Carlile onely except & forepriled.) An. 4. H. 7. ca. 3.

Fo.

Moitie

Protection

Cambridge Berwike Carlile

3 Anno 24. H. 8. cap. 3. an Act was made for Beefe, Mutton, Porke, and Veale, to be sold by weight, and the prices appointed there. And after an. 25. H. 8. ca. 1. other clauses were enacted for selling of Beefe, Mutton, Porke, & Veale by weight. And that Graziers and other sellers of quicke cattell, should sell their cattel to such as should sel their flesh by retaile by weight, at reasonable prices, or at prices to be tared by certaine persons appointed by the Act of 25. H. 8. cap. 1. And that the king by Proclamation might appoint other prices of the flesh to be sold by retaile, and licence folke to sell flesh without weight. And after anno 27. H. 8. ca. 9. it was enacted, that till 24. Aprilis anno 1540. flesh might be sold as it was before the making of the said Statutes of 24. H. 8. cap. 3. and 25. H. 8. cap. 1. And after anno 33. H. 8. cap. 11. the said acts made anno 24. H. 8. cap. 3. and 25. H. 8. cap. 1. bee repealed, and that from thenceforth it is lawfull to sell victuals in like manner and forme, as they might haue done before the making of any of the said Statutes.

Weight

Proclamation

Butler of the King.

THat the Steward of the kings house, & Treasurer of the Wardrope, shall send to all the Ports of England where wines be, to bee taken

Steward Treasurer

to the kings vse, the certaine number which the Butler shall take in euerie port, so that nothing be taken ouer that number. And that the Maior and Bailifes of the said ports, certifie the said Steward and Treasurer of the number of all the tunnes so taken by the Butler or his Lieutenant, vnder the Seale of the said Maior and Bailifes by Indentures made betwixt them and the takers of the said wines. And in case that it be found, that the Butler or his Lieutenãt take more, or take reward of any, or delay any by any colour of his office, as by arrest, he shall make gree to the party of the double, and shall be put out of his office, and shall haue imprisonment, and also be ransomed at the kings will. And the king shall assigne his Justices, when it shall please him, to enquire vpon these things. And the Butler shall answer as wel for his Deputies as for himselfe, where they be not sufficient. An 25.E.3.cap.21.Stat.5.

Maiors Bailifes

Imprisf. Justices

2 The kings Butler, nor none of his Lieutenants, shall buy, embrace, nor take by colour of their office, nor in other maner to their proper vse, nor of others, more wines for the house expences of the king, then they haue in commaundement, vpon paine of imprisonment of their bodies, and to be ransomed at the kings will. And as much as they shall take by force of the said Warrant, shall be taken within ten daies, and (that done) the Marchants of the said wines may, and it shall be lawful to them of the remnant of the said wines to make their profit, notwithstanding any arrest made vpon such wines by the Butler, or any of his Lieutenants aforesaid. Anno 43.E.3.cap.3.

Imprisf.

Marchants

Arrest

Butter and Cheese.

BEcause Butter and Cheese haue bene made marchandise of the Staple, which be so tender marchandise, that they may not tarrie their Marchants, Be it &c. that he that will bring Butter and Cheese to any other parts then to the said Staple, shall sue to the Chancelor of England for the time being, to haue licence in this partie. And that the same Chauncelor haue power to make to him such licences vnder the kings great Seale, if it like him so to doe by his discretion. An 3.H.6.cap.4.

Staple

Chancelor

2 That the kings liege people may bring and carrie out of this Realme, to whom it shall please them, of the kings amitie, cheese and butter, without any licence to be pursued in any wise, paying the customes and subsidies thereof due from time to time: any Statute made to the contrarie notwithstanding. Prouided that the king may restrain the same when it shal please him. An. 18.H.6.ca.3.

Licence

Customes Subsidies

☞ 3 No person or persons after the feast of the Annunciation of our Ladie next comming, shal buy to sell againe any butter or cheese, vnlesse he or they sel the same againe by retaile, in open shop, Faire, or Market, and not in grosse, vpon paine of forfeiture of the double value of the same butter and cheese so sold contrarie to the tenor of this present Act: The one moitie of all which forfeiture to be to our Soueraigne Lord the king, his heires and successors, and the other moitie to him or them that will sue, &c. wherein &c. Prouided alwayes and be it &c. that the said word of (Retaile) mentioned in this Act, shalbe expounded, declared, & taken onely where a weigh of cheese, or a barrell of butter, or lesse quantitis and not aboue, shall be sold at one time to any person or persons in open shop, Faire, or Market, and that to be done without fraud or couin. Prouided alway, that this Act, or any thing therein contained, shall not extend to any Inholder or Victualer, for such butter or cheese as shall be spent or vttered by retaile in any of their houses: any thing contained in this Act to the contrarie notwithstanding. This Act to indure to the nert Parliament. Anno 3.and 4.E.6.cap.21. This Statute was continued by diuers Parliaments, vntill 8.Eliz. and then was discontinued, and after reuiued 13.Eliz. cap.25. And last of all continued 14.Eliz.cap.11. to the end of the next Parliament then ensuing. Conferre this Statute with the Statute of Engrossers 5.E.6. cap.14. after in Forestallers. This Statute was continued by 27.Eliz.cap.11. vntill the end of the Parliament then next following. And likewise anno 28.Eliz.cap.5. it was continued vntill the end of the next Parliament. And anno 31.Eliz. cap.10. it was continued to the end of the next Parliament. And anno 35.Eliz.cap.7. continued vnto the end of the next Parliament. And anno 39.Eliz. cap.18. it was continued vntill the end of the next Parliament. And anno 43.Eliz. it was enacted that the same should continue and remaine in force vntill the end of the first Session of the next Parliament. And anno 1.Iac.cap.25. it is continued vntill the end of the first Session of the next Parliament.

Retaile

Inholder Victualer

Cables, Halters, and Ropes.

ANno 21.H.8.cap.12. an Act was made for true making of Cables, Halters and Ropes in Burport, and within fiue miles thereof, to endure to the nert Parliament. And after it was continued anno 28.H.8.cap.8. anno 31.H.8.cap.7. anno 33.H.8.cap.17. anno 37.H.8.cap.23. anno 5.E.6.cap.17. anno 7.E.6.cap.1. And anno 1.Ma.1.Parl.cap.13. to endure to the end of the next Parliament, and then it expired. This act was reuiued by 27.Eliz.cap.11. and continued vntill the end of the next Parliament. And anno 28.Eliz. cap.5. it was continued vntill the end of the next Parliament. And anñ 31.Eliz.cap.10. it was continued to the end of the next Parliament. And anno 35.Eliz.cap.7. continued to the end of the next Parliament. And anno 39.Eliz.ca.18. it was continued till the end of the next Parliament. And an. 43.Eliz.cap.9. it was enacted that the same shall be continued and remaine in force vntill the end of the first Session of the next Parliament. And anno 1.Iac.cap.25. it is continued vntill the end of the first Session of the next Parliament.

2 Forasmuch as it is found by common experience, that sundrie persons vsing the trade of making Cables, Hallors, and other kind of Cordage within this realm, haue of late for their priuat lucre and gaine vsed to make the same of old, cast, and ouerworne

ouerworne Cable, Halsers, and yet haue craftily and deceitfully vttered and sold the same, being tarred as new, good, and strong, and as made of new and perfect stuffe, couering and hiding the false and corrupt making thereof by tarring of them before the same be put to sale, by reason whereof not onely diuers ships, vessels, and goods, as well of her Maiesties, as of diuers her Highnesse subiects, but also the liues of diuers of her said subiects haue beene lost, perished, and cast away: For remedie thereof, and for the auoiding of such great losses, inconueniences, and dangers as might otherwise hereafter ensue by such corrupt, false, and deceitfull making of Cables, Halsers, and other Cordage, as is aforesaid, Be it enacted by the Queenes most excellent Maiestie, the Lords spirituall and temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that if any person or persons shall after fortie daies next after the end of this Session of Parliament, make or cause to be made any Cables of any old and ouerworne stuffe, which shall containe aboue 7. ynches in compasse, then euerie person so offending, shall forfeit & lose foure times the value of euery such Cable so by him or her made, or caused to be made, as is aforesaid. And if any person or persons, after the said xl. dayes next after the end of this Session of Parliament, shall tarre or cause to be tarred any Halsers or other Cordage made within this Realm of such old & ouerworne stuffe, as aforesaid, being of lesser assise, & not containing in compasse 7. ynches, and shall after by way of retayle, sell or put to sale, or cause to be sold or put to sale the same, being so tarred, that euerie person so offending, shall forfeit and lose the treble value of euerie Cable, Halser and other Cordage, being of lesser assise, and made of such old and ouerworne stuffe, as is aforesaid, which shall be so sold or put to sale, being tarred as is aforesaid: the one moitie of all which forfeitures shall be to the Queenes Maestie, her heires & successors, & the other moitie to such person or persons as will sue for the same, by action of Debt, Bill, Plaint, or Information, wherin no Essoine, Protection, or Wager of Law shall be allowed. And furthermore, that euerie person which shall in any wise offend against the tenor & meaning of this act, shall be imprisoned for the same during her Maiesties pleasure. An. 35. Eliz. cap. 8.

Cables Ouerworne stuffe vi ynches wide.

Tarred Forf.

Moitie

Imprl.

Caleis.

All manner of Ships accustomed to come to the said Port (s. of Caleis) out of the countrey of England (fisher boats all onely except) shal bring with them all their lastage of good stones conuenient for the stuffing of the said Beakens, in making their reasonable deliuerance from time to time at their comming thither, to the Treasurer which for the time shall be there, or to other ministers thereto by him ordained, vpon the paine of ij. s. for the weight of euerie Tunne, and as much as the said Ships be of portage. And that all manner of ships entring at the said place of Paradise, there to rest, shall pay at euerie their entry there viij. pence sterling, and thereupon it shall be lawfull to them if they will there tarrie for fouretéene dayes, with as many nights then next ensuing, without paying thereof more for their said entrie. And also in case that the aforesaid Ships or Boates tarrie ouer the fourteene dayes & nights aforesaid, then they shall pay for euerie day and night a pennie, and for the day alone an halfepennie, and for the night alone a halfe pennie. And moreouer it is ordained, that no manner of person shall presume to tye any manner of Ship nor Boat by Cable, Cord, nor other wise, to the timber nor stones of the said Beakens nor Paradise, nor also of the new Key, otherwise called the Wharfe, at the side of the said port of the towne of Caleis, vpon paine of fortie pence, to be leuied of the Ship or Boat, which so shal be found tyed. And also that the Treasurer which there for the time shall be, shall haue full power for him, and for his deputies, to leuie & receiue the money of the paines aforesaid incurred and rising, and thereof to make payment according as shall be needfull in his said office, by the vertue and controlment of the Kings Controller there. An. 21. R. 2. cap. 18. And after An. 1. H. 4. cap. 3. that act was repealed. And after An. 10. H. 6. cap. 5. it was enacted, that that act of 21. R. 2. cap. 18. should be effectuall, and kept, and put in execution for euer, according to the tenour thereof.

Stones Beakens Treasorer Paine ij. s. Paradise

Fatten

2 Anno 1. H. 5. cap. 9. All Letters Patents graunted of the reuenues of Caleis were reuoked, and these reuenues resumed into the kings hands.

Letters patents

3 No Marchant continually inhabiting within the said Towne of Caleis, shall be suffered to buy beyond the sea any manner of Wolls, Woollfels, Leather, Lead, or Tinne, nor other marchandize pertaining to the Staple, vpon paine of forfeiture of the same as oft as it may be proued, Ann. 8. H. 6. cap. 20.

Marchant

Woolls Woollfells Leather Lead Tinne

4 The Treasorer and Vitailers of Caleis shall accompt euerie second yeare for that yeare precedent, vpon paine of 100. l. whereof he that will sue shall haue the moitie. Anno 31. H. 6. at the Parliament holden at Reading. This Statute is not in the printed booke of the Statutes, but in the Kings Treasurie.

Treasorer Vitailers Forf. Moity

5 Who that hath any freehold within the Towne of Caleis, out of the which any yearely charge is going for the sure keeping of the said Towne for watch or otherwise, that hereafter ceaseth in doing of the said charge by the space of a yeare and a day, that then the said freehold be seised into the Kings hands, he to haue it to him and his heires, and during the time it be in the hands of the Kings Highnesse, the Treasorer of Caleis shall take the profits thereof to the Kings vse, and beare the charges yearely going out of the said freehold, towards ỳ said keeping of the said Towne, as before that time it was accustomed to beare, if the said freehold will beare the said charge. And in likewise be charged the Kings Committées, or his Patentées for the keeping of the said Towne, as afore is said. And for default of the doing of the same by the space of a yeare and a day, the same tenements estsones

Freehold

Treasorer

ſones to be ſeiſed as afoꝛeſaid, and ſo from time to time as oft as the ſaid charge is not contented ne payed by the ſaid time, & during the time the ſaid tenements be in the hands of the Kings Highneſſe. And if the ſaid Treaſoꝛer of Caleis pay not the ſaid charge within a yeare and a day, then the ſaid Treaſoꝛer to foꝛfeit the double value of the ſame to the Kings Highneſſe, if the reuenues be able to find the ſaid watch. Anno 11.H.7. cap.16.

Foꝛf.

6 Anno 27.H.8. cap.24. A long act was made concerning diuers good oꝛders & lawes foꝛ Caleis, and the marches thereof.

Calues, Kine, Oxen, Sheepe, Steeres, and Heifers.

☞ FOꝛ the moꝛe increaſe of Cattell, Be it enacted &c. That no manner of perſon oꝛ perſons being Butchers oꝛ others, inhabiting within this Realme, Wales, oꝛ the Marches of the ſame, ſhall from the firſt day of Januarie next comming, during two whole yeares from thenceforth next enſuing, kill oꝛ cauſe to be killed any manner of young ſucking Calfe oꝛ Calues, to be ſold oꝛ put to ſale to any perſon oꝛ perſons, whole oꝛ by retaile, which Calfe oꝛ Calues hereafter to be killed ſhall happen to fall oꝛ to be calued, betweene the ſaid firſt day of January, and the firſt day of May, in any of the ſaid two whole yeares, vpon paine of foꝛfeiture of ſix ſhillings eight pence foꝛ euerie Calfe fallen oꝛ calued betweene the ſaid dayes, and killed and put to ſale contrary to this act, to be payed and foꝛfeited by euerie ſuch Butcher oꝛ Butchers, oꝛ any other perſon oꝛ perſons, which ſhall kill oꝛ cauſe to be killed & put to ſale any ſuch Calfe oꝛ Calues ſo fallen, & to be calued betweene the ſaid firſt day of January, & the ſaid firſt day of May, during the ſaid two whole yeares: the one halfe of euery ſuch foꝛfeiture to be to the vſe of our ſaid Soueraign Lord the King, & the other halfe to the partie that will ſue foꝛ the ſame, by Bill, Action of Debt, oꝛ Infoꝛmation, in any of the Kings Courts, wherein no wager of Law, Eſſoine, noꝛ Pꝛotection ſhal be allowed. Pꝛouided alwayes, that euerie Lord Marcher haue the foꝛfeits, pꝛofites, and aduantages onely of euerie ſuch offendoꝛ & offendoꝛs againſt the purueying of this Act, within their Seigniꝛies, Liberties, and Franchiſes royall. Be it alſo enacted, that the Iuſtices of Peace of euerie of the Shires of this Realme, within the limits of their Commiſſions, ſhall haue full power & authoꝛity by foꝛce and vertue of this Act, at euerie their generall Seſſions hereafter to be holden and kept, to inquire, heare & determine the pꝛemiſſes, as well by Infoꝛmation and Pꝛeſentment, as by Bill oꝛ Plaint, wherein no Wager of Law, Eſſoine, oꝛ Pꝛotection foꝛ the defendant, as is afoꝛeſaid, ſhall be admitted oꝛ allowed. Anñ 24.H.8.cap.7. This act is by 14. Eliz. cap.11. made to be in force and effect, vntill the end of the next Parliament.

Kill Sucking calues Vell

1. January 1. May Foꝛf.

Woꝛlle

L. Marcher

Generall Seſſions

Determine

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☞ 2 FOꝛ the greater plentie of Beefes, Be it &c. That no manner of perſon oꝛ perſons, being Butchers oꝛ other, inhabiting within this Realme, Wales, oꝛ the Marches of the ſame, ſhall from the feaſt of the Natiuitie of Saint Iohn Baptiſt next comming, kill oꝛ cauſe to be killed any manner of Weinlings, Bullocke, Steere, oꝛ Heifer, being vnder the age of two yeares, to the intent to make ſale thereof to any perſon oꝛ perſons, whole oꝛ by retaile, vpon paine of ſix ſhillings eight pence foꝛ euerie of the ſayd Weinlings, Bullockes, Steeres, oꝛ Heifers, being vnder the age of two yeares, killed and put to ſale contrarie to this Act, to be payed & foꝛfeited by euerie ſuch Butcher and Butchers, and other which ſhall kill oꝛ cauſe to be killed and put to ſale contrarie to this Act any ſuch Weinling, Bullocke, Steere, oꝛ Heifer, vnder the age afoꝛeſaid, from and after the ſaid Feaſt of the Natiuitie of Saint Iohn the Baptiſt next enſuing, as is afoꝛeſaid: The one halfe of euery ſuch foꝛfeiture to be to the vſe of our ſaid Soueraigne Lord the King, and the other halfe to the partie that will ſue &c. wherein no Wager of Law &c. Pꝛouided alwayes, that euerie Lord Marcher haue the foꝛfeitures, pꝛofits, and aduantages onely of euery ſuch offendoꝛ oꝛ offendoꝛs againſt the purueying of this act, within their Seigniꝛies, Liberties, and Franchiſes royall. Be it &c. That the Iuſtices of Peace of euerie of the Shires of this Realme, within the limits of their Commiſſions, ſhall haue full power and authoꝛitie, by foꝛce and vertue of this act, at euerie of their generall Seſſions hereafter to be holden and kept, to inquire, heare and determine the pꝛemiſſes, as well by Infoꝛmation and Pꝛeſentment, as by Bill oꝛ Plaint, wherein no Wager of Law &c. This act to endure to the nert Parliamẽt, An. 24.H.8. cap.9. This Act was continued vntill 8. Eliz. and then was diſcontinued. And 13. Eliz. cap.25. reuiued againe. And 14. Eliz. cap.11. continued vntill the end of the next Parliament. And 27. Eliz. cap.11. reuiued and continued to the end of the next Parliament. And 28. Eliz. cap.5. continued till the end of the Parliament then next following. And Anno 31. Eliz. cap.10. continued vntill the end of the next Parliament. And Anno 35. Eliz. cap.7. continued vnto the end of the next Parliament. And Añ 39. Eliz. cap.18. it was continued vntill the end of the next Parliament enſuing. Añ 43. Eliz cap.9. it was enacted to continue and remaine in force vntill the end of the firſt Seſſion of the next Parliament. And Añ 1. Iac. cap.25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

Kill Bullocke, Steere, Heifer vnder 2. yeares Foꝛf.

Woꝛlle

L. Marcher

Iuſt. of P.

Seſſions Determin

✲

Butchers

Wales

3 NO perſon noꝛ perſons at any time from and after the feaſt of the Annunciation of our Ladie next comming, ſhal buy, oꝛ comnune and conclude to buy, any manner of Oxen, Steeres, Konts, Kine, Heifers, oꝛ Calues, but onely in the open Faire oꝛ Market, where the ſame ſhall happen to bee brought and put to ſale, and ſhall not ſell the ſame againe aliue, at, and in the Market oꝛ Faire, where he bought the ſame, during the time of ỹ ſaid Faire oꝛ Market, vpon paine of foꝛfeiture of the double value of ſuch cattell bought oꝛ ſold contrary to the tenoꝛ of this pꝛeſent act. Pꝛouided alway, and be it &c. that it ſhall be lawfull foꝛ all and euerie perſon and perſons to buy any Oxen, Steeres, Konts, Kine, Heifers, and Calues, oꝛ any of them, out

Faire Market

Foꝛf. Double value

out of any open Faire or Market, for his or their prouision for their Houſehold, Teame, or Dairie, at his or their will or pleaſure, to bee imployed & ſpent onely in keeping and maintenance of his or their houſe, or for their Teame or Dairie, and not otherwiſe. And be it &c. that no perſon being a Butcher, and vſing the craft or myſterie of Butcherie, ſhall at any time after the ſaid feaſt, buy any fat Oxen, Steeres, Konts, Kine, Heifers, Calues, or Sheepe, and ſell or cauſe to be ſold the ſame againe aliue, vpon paine of forfeiture of euerie ſuch Oxe, Steere, Kont, Cow, Heifer, Calues, or Sheepe, bargained or ſold, contrarie to the forme of this preſent act. Prouided alway, that all and euerie perſon & perſons being a Butcher, and vſing the art and myſterie of Butcherie, ſhal and may at his and their will and pleaſure buy any fat Oxen, Steeres, Konts, Kine, Heifers, Calues, and Sheepe, or any of them, out of any open Faire or Market, ſo that ſuch Butcher ſell not, nor cauſe to be ſold, the ſame againe aline, as is aforeſaid, any thing contained in this act to the contrarie notwithſtanding: The one moitie of all which forfeitures ſhall be to our Soueraigne Lord the King, his heires and ſucceſſors, and the other moitie to him or them that will ſue &c. This act to endure to the end of the next Parliament, Anno 3. & 4. Ed. 6. cap. 19. This act was continued vntill 8. Eliz. and then was diſcontinued. And 13. Eliz. cap. 25. reuiued. And 14. Eliz. cap. 11. continued vntill the end of the next Parliament. It was againe reuiued by 27. Eliz. cap. 11. and continued vnto the end of the next Parliament. And after by 28. Eliz. cap. 5. continued to the end of the next Parliament. And after 31. Eliz. cap. 10. continued to the end of the next Parliament. And after 35. Eliz. cap. 7. this act is continued to the end of the next Parliament. And añ 39. Eliz. cap. 18. this act was continued vntill the end of the next Parliament enſuing. And añ 43. Eliz. this act was enacted to continue and remaine in force vntill the end of the firſt Seſſion of the next Parliament. And añ 1. Iac. cap. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

4 For the more increaſe, breeding, and rearing vp of young beaſts, and to remedie the great ſcarcitie of neceſſarie victuall, Be it &c. That euerie perſon which from the feaſt of the Purification of our Ladie next enſuing, ſhall keepe or feede aboue the number of ſix ſcore ſheere Sheepe, for the moſt part of the yeare, vpon his or their ſeuerall Paſtures, Lands, Feedings, or Farmes, apt or meet for milch Kine, and wherein no other perſon hath, at the making of this preſent act, Common for any cattell, for any time of the yeare, ſhall by authoritie of this act yearely ſo long as he ſhall keepe or feede the ſaid number of ſix ſcore ſheere Sheepe, for euerie three ſcore Sheepe ſo kept or fedd, keepe one milch Cow, and ſhall breed and reare vp yearely for euerie ſix ſcore ſheere Sheepe ſo kept, as is aforeſaid, one Calfe, vpon paine of forfeiture for euerie moneth that any ſuch perſon ſhall not for euerie three ſcore ſheere Sheepe, as is aforeſaid, keepe or feede one milch Cow, twenty ſhillings for euery Cow ſo not kept. And for lacke of rearing and breeding of one Calfe for euerie ſix ſcore ſheere Sheepe, to forfeit likewiſe twentie ſhillings for euerie Calfe ſo not reared and fed. And that euerie perſon which after the foreſaid feaſt of the Purification of our Ladie, vpon his or her ſeuerall Paſtures, as afore is ſaid, ſhall keepe or feede aboue the number of twentie Oxen, Konts, Scrubs, Steeres, Heifers, or Kine, ſhall by authoritie of this Act, for euerie ten beaſts of the ſaid ſorts ſo kept or fedd, keepe and nourith one milch Cow, and breed, reare, and weine yerely, and keepe for one whole yeare one Calfe, for euerie two milch Kine ſo charged to be kept, vpon the ſeuerall paines and forfeitures afore rehearſed, except the ſaid Calfe or Calues ſhall chaunce to die within the ſaid yeares, without couin or fraud thereto added: The one halfe of which ſaid forfeitures ſhall be to the vſe of our ſaid Soueraigne Lord and Lady the King and Quéenes Maieſties, and the other halfe to the vſe of the partie that within one yeare after the offence committed will ſue for the ſame in any of the Kings and Quéenes Maieſties Courts of Record, or before the Iuſtices of Peace in the ſame Shire, where any ſuch cauſe of forfeiture ſhal be had, at the generall Seſſions (who by authoritie of this act ſhall haue power to heare and determine the ſaid offences) by Bill, Information, Preſentment, action of Debt or Detinue, in which action or ſuit, no Eſſoine, Protection, Wager of Law, or Licence to the contrarie ſhall be allowed. Prouided alwayes, that this act, nor any clauſe thereof ſhall be extended to bind any perſon to keepe milch Kine, ne yet to breed or reare Calues, as afore is expreſſed, for ſuch Sheepe or other beaſts, as the ſame perſon ſhall keepe and feed, to the intent onely to be ſpent in his or their houſe or houſes, without ſtand or couin. This act to endure only to the end of ſeuen yeares next following the feaſt of the Purification of our Ladie aforeſaid, and from thence to the end of the Parliament then next following. Anno 2. & 3. Ph. & M. cap. 3. This Act was continued vntill 8. Eliz. and then was diſcontinued, and 13. Eliz. cap. 25. reuiued and made perpetuall. *

5 Becauſe the ſaid Act (of 2. & 3. Ph. & M. here before 4.) hath not produced ſo good effect as was expected, in reſpect it did and doth extend onely to ſuch Paſture grounds as were enclоſed before the ſaid Act, and wherein no perſon at the making of the ſaid Act, had Common for any Cattell at any time of the yeare, and not to ſuch Paſture grounds as ſithence haue béen conuerted from Tillage, and enclоſed, or taken out of Commons and enclоſed, whereas in all equitie and conſcience, many of the ſaid late Incloſures deſerue no way to be kept and enioyed with more libertie then the ſaid former and ancient Incloſures, Be it &c. That the ſaid former Act, and the paines and penalties therein contained, ſhall from and after the feaſt of Saint Michael the Archangel, now next enſuing, be extended and conſtrued, taken, expounded, and adiudged to extend as fully to all intents, conſtructions, and purpoſes, with the ſame Prouiſoes, and in like manner to all and euery the grounds, apt and meet for milch Kine, ſince the making of the ſaid Act incloſed,

closed, or hereafter to be inclosed, and not to be layed open to Common at any time of the yeare, and to the occupiers thereof, as to the grounds before the said Act made seuerall, and wherein none had interest of Common at the time of making the said Act, and to the occupiers thereof, and as if the said grounds so lately inclosed, and hereafter to be inclosed and made seuerall, had beene so inclosed and held seuerall, at the time of the making of the said Act, and as if no person nor persons, other then the owners thereof, then had hav interest of Common therein: Any word, sentence, or clause in the said former Act, to the contrarie in any wise notwithstanding. Ann. 7. Iac. cap. 8.

Cambridge and Cambridgeshire.

John Hinde Serieant

ANn 34. H. 8. cap. 24. An act was made for the assurance of certaine lands to John Hinde then Serieant at the Law, and his heires, paying yearely tenne pound to the charges and wages of the knights of the Parliament of Cambridgeshire for euer.

Paning

2 Ann 35. H. 8. cap. 15. An act was made for the paning of the streets in Cambridge.

Canterburie.

ANn 34. H. 8. cap. 18. An act was made concerning certaine priuiledges of Canterburie.

Captaines and Souldiers.

Couenants Exchequer Heires Executors

ALl people, which from henceforth shall be retained or assigned to serue the King, their couenants shalbe put in writing, and sent to the Exchequer, there to remaine of record, so that at what time that any person so retained, his heires or executors, occupiers of the goods, or land tenants, come to account thereof at the Exchequer, they shall be thereto receiued, and haue due allowance in their accompt, according to the contenue of their couenant, if percase any repeale or countermandement be made of such retinue of any person after that his couenants be put in writing and sent to the said Exchequer, so that by the sight of ỹ same repeale, and of the couenants before there sent, the Barons of the said Exchequer shall doe right to the partie, according as the law and reason demaundeth. And if any thing be due vnto them by the same accompt, that thereof by certification of the same Exchequer, the Treasorer and the Chamberlains shall make payment or assignment to them, without tarrying or suing other warrant or commaundement of the great or priuie seale in this behalfe. Ann 5. R. 2. cap. 10.

Repeale Countermaund

Barons

Accompt Treasorer

2 Ann 1. H. 6. cap. 5. it was enacted what parts Captaines should haue of prisoners and prises taken in the warres of H. 5.

Wages Abate

3 That no captaines which from henceforth shall haue the conduct of such retinues, and shall receiue the kings wages for the same, shall abate of his souldiers, nor any of them, any part of their wages, except that it be for their clothing (that is to say) if they shall be waged for halfe a yeare tenne s. a golone of a Gentleman, and vj. s. viij. d. for a yeoman, vpon paine of xx. l. for euerie such yeare, and x. l. for a Bow to the King, vpon whom he did abate vpon the tenor of the same. Anno 18. H. 6. cap. 18.

Fotemen Speare Bow

4 Forasmuch as many souldiers which haue taken parcell of their wages of their captaines, and so haue mustered and bin entred of record the Kings souldiers, before his Commissioners, for certaine termes agréed vpon by their masters, haue sometimes straightwaies after departed, and not passed the sea with their captaines, and some of them haue passed sea, and after, long within their termes, departed from their captaines, without apparant licence, to the great perill and preiudice of the Realme: Be it enacted, that euerie man so mustering and receiuing the Kings wages, which departeth from his captaine within his termes in any manner aforesaid, except that notorious sicknesse or impediment by the visitation of God (which may reasonably be knowne) suffer him not to goe, and which he shall certifie immediatly to his captaine, and shall repay his money, so that he may prouide him for another souldier in his place, hee shall be punished as a Felon. And that the Iustices of Peace shall haue power to enquire thereof, and to heare and determine the same. And likewise hath ordained by the same authoritie, that no souldier, men of armes, or archer, so mustered of record, and going with his captaine beyond the sea, shall returne into England within the terme for which his captaine hath retained him, nor leaue his captaine there in the Kings seruice, and in aduenture of the warre, except that hee hath reasonable cause shewed to his captaine, & by him to the chiefe in the countrey, hauing to all power, and thereupon shall haue licence of the said chiefetaine, witnessed vnder his seale, and the cause of his licence. And who that so doth muster of record, and come without letters testimonials of the chiefetaine (as is said) within his terme on this side the sea: that the Mayors, Bayliffes, and other the Kings Ministers, of what port or place they shall arriue, shall haue authoritie to put him in arrest, and there to keepe him, till it be of him inquired. And if it may be found by inquirie before the Iustices of Peace, and proued that he hath so mustered of record, and departed from their captaine aforesaid, without licence, as afore is said, that then he shall be punished as a Felon. An. 18. H. 6. cap. 19.

Depart

Felon Iust. of P. Determin

Warre

Licence

Muster

Mayor Bailifs

Arrest

Iust. of P.

Felonie

Note that by a branch of the act Anno 5. Eliz. cap. 5. which see after in ships 13. It is declared, that this Statute extendeth to Mariners and Gunners, taking prest or wages to serue the Queene vpon the seas.

And see here 6. that the departing without licence, is stretched vnto seruice on this side the seas, as well as beyond the sea. And the licence may be giuen by diuers sundrie persons, and certaine other alterations.

5 Ann 7. H. 7. cap. 1. & Ann 3. H. 8. cap. 5. two seuerall statutes almost word for word like (excepting Calice in 3. H. 8. cap. 5.) were made against

gainſt captaines and ſouldiers concerning their number, wages, and departing without licence, and the triall thereof, and the departing was made felony, without the benefit of Clergie, and Juſtices of Peace ſhould determine it. But I thinke they were made to be of effect, but only for thoſe kings times in which they were made.

Number Wages Without leaue

☞ 6 Where diuers of the Kings Maieſties ſubiects haue according to their dutie ſent forth into diuers places, both within this Realme and without, many ſouldiers well furniſhed with good horſes and harneis, to their great charges, and ſome of the ſaid ſouldiers haue deceitfully made away their horſe and harneis. By meane whereof, the Kings Highneſſe hath not onely béene deſtitute of the ſame ſouldiers in the time of néed, but alſo the owners haue béen deceiued of their horſes and harneis, being thereby leſſe able to refurniſh other ſouldiers, at the time of any new commandement. And ſometime the captaines haue taken of the Kings Highneſſe wages for ſouldiers departed, by meane whereof the Kings Maieſtie hath ſuſtained great payments, and yet hath not béene truly ſerued for the ſame, not little to the diſpleaſure of the King. For remedie whereof, be it enacted &c. That if any ſouldier hereafter, ſeruing the King in his warres, in any his dominions, or on the ſeas, or beyond the ſeas, or in Scotland, after the firſt day of Aprill next comming, do ſell, giue away, or wilfully purloine, or otherwiſe exchange, alter, or put away any Horſe, Gelding, or Mare, or any Harneis, wherewith he ſhall be ſet forth, that then euerie ſuch ſouldier ſo offending vpon due proofe or teſtimonie, to be taken before the Lieutenant, high Admirall, the Kings Deputy, Viceadmirall, Warden, or Captaine, and in their abſence before any of their deputies, ſhalbe impriſoned by the ſame Lieutenant, or any other before named, there to remaine without baile or mainprize, vntill he haue ſatiſfied to the partie, owner of the Horſe, Gelding, Mare, or Harneis, ſo by him ſold, purloined, exchanged, wilfully loſt, altered, or otherwiſe made away. And if ſuch ſouldier ſo offending, fortune to eſcape from the Lieutenants, and other the foreſaid perſons, without the puniſhment, and reſtitution aforeſaid, that then the ſame ſouldier, vpon complaint made by the partie grieued, or his executors or adminiſtrators, vpon due proofe thereof to be made to any Juſtice or Juſtices of Peace, in the parts where ſuch ſouldier ſo offending ſhall be found, ſhall be by ſuch Juſtice or Juſtices committed to ward, there to remaine without baile or mainprize, vntill he haue ſatiſfied the partie grieued, his executors or adminiſtrators, of, and for ſuch Horſes, Geldings, or Mares, and Harneis, ſo by any ſuch ſouldier wilfully loſt, exchanged, altered, or otherwiſe purloined. Prouided alwaies, that if the ſaid ſouldier bring any ſufficient warrant or teſtimonie before the ſaid Juſtice, from the ſaid Lieutenant, or any of the perſons abouenamed in writing, vnder the ſeale of any of them, teſtifying that the ſame Horſe, or Harneis, were loſt in the Kings ſeruice, againſt the will of the ſaid ſouldier, or that the ſame Horſe or Harneis was taken by the ſaid lieutenant, or any of the others before named, from the ſaid ſouldier, for any reaſonable reſpect, & appointed to ſome other, to ſerue in ỹ place and ſtéd of the ſaid ſouldier: that then euerie ſuch ſouldier not bringing to the owner the ſaid Horſe & Harneis, ſhalbe diſcharged thereof, againſt the owner thereof: And that then euerie ſuch ſouldier to whom the ſaid Horſe or Harneis ſhalbe appointed, as is aforeſaid, not bringing home to the owner the ſaid Horſe and Harneis after he ſhalbe diſcharged, to ſuffer like paine as is aforeſaid. And be it alſo enacted, that if any ſouldier ſeruing as is aforeſaid, depart without licence of the Lieutenant, or any of the other aboue named, with bodie or otherwiſe, being in the enemies countrie, or elſewhere in the K. ſeruice, or out of any garriſon where he or they ſhal be appointed to ſerue, that then euerie ſuch ſouldier ſo departing without licence, to be taken & iudged as a Felon, and to be executed as in caſe of Felony, without hauing any aduantage of his Clergie or Sanctuarie, and that the Juſtices of euerie Shire where any ſuch ſouldiers ſhall be taken, ſhall haue full power to inquire, heare & determine all & euery the ſaid offences, concerning euery ſuch departure, as they doe and may in other caſes of Felony, committed in the Shire where ſuch ſouldier ſhall be taken. And be it alſo &c. that if any Commiſſioner or Captaine, to whom the king ſhal direct his cõmandement by Commiſſion or Letters, for the leuying or ſetting forth of any men to ſerue the king in his warres, ſhall at any time after the ſaid firſt day of Aprill, for any gaine, reward, or other lucre, diſcharge any perſon or perſons, by him appointed to ſerue the King as a captaine, ſouldier, or pioner, of his ſeruice ſo appointed, & doe aſſigne any other perſon or perſons in his or their ſtéd, for any lucre or gaine, as is aforeſaid, that then euerie Commiſſioner, or other perſon ſo offending, ſhall forfeit to the king, for euerie ſuch default of euerie man ſo diſcharged, xx. ℔. to be leuied of his goods & cattels. And be it alſo enacted by the authoritie aforeſaid, That if any captaine, being appointed to haue the order of any number of ſouldiers, vnder any other higher officer, doe for any cauſe licence any ſouldier in his retinue to depart from the field or Fortreſſe, where they ſhalbe appointed to ſerue, without the eſpecial aſſent and licence in writing of the Lieutenant, or the others before named, he ſhall forfeit and loſe for euerie ſuch ſouldier ſo by him licenced to depart, xx. ℔. to be leuied, as is aforeſaid, to the vſe of the King. And be it alſo &c. That if any Lieutenant, or any other before named, hauing the order of any number of ſouldiers, ſeruing as is aforeſaid, vpon the ſea or land, do at any time after the ſaid firſt day of Aprill demaund, receiue, or take of the K. Highneſſe, or any of his Treaſorers, any wages for any moe ſouldiers then ſerued in ſuch manner & forme, as the wages was payed for, or for any moe dayes then ſuch ſouldiers ſerued, and doe not note the day of euerie ſuch ſouldiers entry into wages, and day of his death and departure, and deliuer the ſame to ſuch Treaſorers as ſhall pay the ſaid wages, euerie moneth in writing, ſo as the truth of the number of the ſouldiers may appeare to the Kings Treaſo-

Ouldier
Depart
Without licence Felonie Clergie Sanctuarie Iuſt. of P.
Determine
Captaine
Reward Diſcharge
Ouldier
Foyl.
Vnder captaine
Licence Ouldier Depart
Foyl.
Captains
Take wages Moze ſouldiers
Day
Moneth

rer

rer and Maker of the kings Mullers, for the time being in that behalfe, that then euerie such lieutenant and other before named so offending, shall forfeit and lose to the king for euerie such default fiue pounds, to be leuied as is aforesaid, to the vse of the king, and to bee imprisoned by the space of one moneth, and to lose his rome and office. And be it &c. That no captaine after the said first day of Aprill shall giue to any of his souldiers, appointed to serue vnder him in any Towne or Fortresse kept with garrisons of souldiers, any licence or passports to depart from his seruice, but only the lieutenant, or any others, as is aforesaid, vpon paine of imprisonment, as well of the captaine as souldier so offending, at the discretion of the said lieutenant, or the others before named. And be it &c. That euerie lieutenant and other before named, vpon the paine of tenne pound, shall cause to be proclaimed the whole effect and contents of this act, that is to say, euerie lieutenant of any armie, in euerie field vnder his charge, to proclaime this act euerie moneth, and that euerie of the kings deputies of euerie Fortresse, and captaine of any other Fortresse, to proclaime this act within his charge, once euerie quarter of a yeare. And also be it enacted by the authoritie aforesaid, for the better execution of the premisses, That euerie person or persons giuing to the lieutenant, or the others aboue named, true information of any of the offences aboue remembred, shall haue for his labor one moneths wages of him that shall be found faultie, to be payed by the hand of the Treasorer, vpon warrant of the said lieutenant, or any of the other aforesaid. Prouided alwaies, that nothing herein contained shall in any wise extend to touch or infeinge any orders established for the gouernment of Calice, and the marches of the same, or any other place of the kings, now gouerned, or hereafter to be gouerned, by the same orders, or by such orders as may please his Grace hereafter to set forth for the same. Prouided alwayes, and be it &c. that it shall be lawfull to all and euerie of the said Lieutenants, and other the said persons, to retaine in his or their owne hands, to their own vse, of the wages of his or their souldiers, the summes following, that is to say, vj.s. viij.d. for the liuerie or coat of euerie yeoman souldier, and xiij.s. iiij.d. for the liuerie or coat of euerie gentleman souldier. Prouided alwaies, and be it further ordained and enacted by the authoritie aforesaid, That no manner of Lieutenant, or any other the said persons, shall hereafter be charged or preiudiced by vertue of this act, or any thing therein contained, for lacke of his or their number retained, as is aforesaid, for or concerning any souldier or souldiers, as shall happen to die during his seruice, or to be sicke by the visitation of God, or that shall depart against the will of his Lieutenant or other before named, vnlesse it shall be in the default of any of them. Prouided alwaies, that this act be not preiudiciall nor hurtfull to the said Lieutenant or any other the said persons, nor any other hauing vnder them retinue of souldiers, nor any of them, for nonpayment of the kings wages, to their household seruants, and other to whom they shall dayly find and giue meat and drinke, during the said seruice of warre. Prouided alway, that this Act, nor nothing therein contained, shall extend to charge any person or persons, for the taking or receiuing of any gift or reward of any of his or their tenants or friends, towards the releise, aide, or helpe of the same persons, being commaunded by the kings Maiestie to serue in warres, or otherwise to finde men on horsebacke or on foot, as well within this Realme, as without, nor for the gift, reward, aide, or helpe reserued or couenanted to be payed or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any Grant, Couenant, Reseruation, Custome, or Tenure. Prouided, that this Act, nor any thing therein contained, shall not extend to charge any lieutenant, or others abouenamed, for detaining or retaining any part of any the said souldiers wages, toward or for the payment of vitailes, harneis, weapons, or for any prest money prouided & deliuered to any such souldier. An. 2. E. 6. cap. 2.

Note that by a clause in the statute 4. & 5. Ph. & M. cap. 2. which see before in Armour 4. there is a further remedie giuen for their horse and armour, vnto such as set forth souldiers. And by the statute 4. & 5. Ph. & M. cap. 3. which see in Musters 1.

The article here of felonie is reuiued, and all the rest of the statute confirmed, with an addition, and some alteration of the cause of taking reward of tenant or friend. And also another penaltie set vpon Commissioners and Captaines, that shall take rewards to discharge men.

7 Añ 35. El. ca. 4. An Act was made for prouision for releise of Souldiers and Mariners, which was to endure no longer then to the end of the then next Parliament, which was Añ 39. And then cap. 21. there was an Act made for the explanation and continuance thereof, vnto the end of the next Parliament, which was Anno 43. Then cap. 3. the same former Statutes were continued till Easter then next, and from thencefoorth discontinued, and thereby further enacted as followeth.

8 Be it enacted &c. That from and after the said feast of Easter next, euerie parish within this realm of England and Wales shall be charged to pay weekely such a summe of money towards the releise of sicke, hurt, and maimed souldiers and mariners, that so haue beene, as afore is said, or shall lose their limmes, or disable their bodies, hauing beene prest, and in pay for her Maisties seruice, as by the Justices of peace, or the more part of them, in their generall Quarter Sessions, to be holden in their seuerall Counties, next after the feast of Easter next, and so from time to time at the like Quarter Sessions, to be holden next after the feast of Easter, yearely shalbe appointed, so as no parish be rated aboue the summe of x.d. nor vnder the summe of ij.d. weekely to be payed, and so as the totall summe of such taxation of the parishes, in any County where there shall be aboue fiftie parishes, doe not exceede the rate of vj.d. for euery parish in y same Countie, which summes so tared, shalbe yearely assessed by y agreements of the parishioners within themselues,

Foyle. Imprisonment. Licence Lieutenant Paine Proclaime Informer Calice Retaine Liuerie Lieutenant Houshold seruants Reward Wages Victails

or in default thereof, by the Churchwardens and the petty constables of the same parish, or the more part of them, or in default of their agreement, by the order of such Justices, or Justice of Peace, as shall dwell in the same parish, or if none be there dwelling, in the parts next adioyning. And if any person shall refuse or neglect to pay anie such portion of money so tared, it shall be lawfull for the said Churchwardens and pety constables, and euerie of them, or in their defaults, for the said Justices of Peace, or Justice, to leuie such summe by distresse, and sale of the goods or chattels of the party so refusing or negleeting, rendring to the partie the ouerplus raised vpon such sale. And for the collecting and custodie of the summes tared, in forme aforesaid, Be it enacted, That the Churchwardens, and pety constables of euery parish, shall truly collect euery such summe, & the same shall pay ouer vnto the high constable, in whose diuision such parish shalbe situate, tenne dayes before the quarter Sessions, to be holden next before, or about the feast of the Natiuitie of Saint Iohn Baptist next, in the countie where the said parish shall be situate, and so from time to time, quarterly within tenne dayes before euerie quarter Sessions. And that euery such high constable, at euery such quarter Sessions in such county, shall pay ouer the same, to two such Justices of Peace, or to one of them, or two such other persons, or one of them, as shalbe by the more part of the Iust. of peace of the same county elected, to be treasurers of the said collection. The same other persons, to be elected treasurers, to be such as at the last taration of the Subsidie next before the same election, shall be valewed and sessed at tenne pounds in lands yerely, or at fifteene pounds in goods: which Treasurers in euery county so chosen, shall continue but for the space of one whole yere, and then giue vp their charge, with a due accompt of their receits and disbursements, at their meeting in Easter quarter sessions, or within x. dayes after, to such others, as shall from yeare to yeare in the forme aforesaid, successiuely be elected. And if any churchwarden, petty constable, or high constable, or his executors, or administrators shal faile to make payment in form aboue specified, Then euery churchwarden, and petty constable, his executors, or administrators so offending, shall forfeit the summe of twenty shillings: And euery high constable, his executors, or administrators, the summe of forty shillings, to be leuied by the Treasurers aforesaid, by distresse and sale in maner before expressed, and to be taken by the said treasurers in augmentation of their stocke, to the vses aforesaid. And if any treasurer, his executors or administrators, shall faile to giue vp his account within the time aforesaid, or shall be otherwise negligent in the execution of his charge, then it shall be lawfull for the more part of the Iustices of Peace, of the same county in their Sessions, to assesse such Fine vpon such Treasurer, his executors, or administrators, as in their discretion shall seeme conuenient, so it be not vnder the summe of fiue pounds. And for the true and iust distribution and imployment of the summes so receiued, according to the true meaning of this Act, Be it enacted by the authority aforesaid, that euerie Souldier or Mariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as is aboue mentioned, or such as shall hereafter returne into this Realme, hurt or maimed, or grieuously sicke, shall repayre, if hee be able to trauell, and make his complaint to the Treasurers of the county out of which hee was pressed, or if hee were no prest man, to the Treasurers of the county where he was borne or last inhabited, by the space of three yeares, at his election: And if hee be not able to trauell, to the Treasurers of the county where hee shall land, or arriue, and shall bring a certificate vnto anie of the Treasurers aforesaid, vnder the hand and Seale of the Generall of the campe, or Gouernour of the Towne wherein he serued, and of the captaine of the Band, vnder whom hee serued, or his Lieutenant, or in the absence of the said Generall or Gouernor from the Marshall or Deputy of the Gouernour, or from any Admirall of her Maiesties Fleete, or in his absence from anie other Generall of her Maiesties ships at the seas, or in absence of such Generall, from the captaine of the ship wherein the said mariners or souldiers did serue the Quenes maiestie, containing the particulars of his hurts and seruices, which certificate shall be also allowed by the generall Muster master, for the time being, resident here within this Realme, or Receiuer generall of the muster Rolls, the Treasurer and Controller of her Maiesties Nauie, vnder his hand, for the auoyding of all fraud and counterfeiting: Then vpon such certificate, such Treasurers as are before expressed, shall according to the nature of his hurt, and commendation of his seruice, assigne vnto him such a portion of reliefe, as in their discretions shall seeme conuenient for his present necessitie, vntill the next quarter Sessions, at the which it shall be lawfull for the more part of the Iustices of Peace vnder their hands, to make an Instrument of graunt of the same, or like reliefe, to endure, as long as this Act shall stand or indure in force, if the same Souldier or Mariner shall so long liue, and the same pension not be duely reuoked or altered, which shall be a sufficient warrant to all Treasurers for the same county, to make payment of such pension vnto such persons quarterly, except the same shall be afterward by the said Iustices reuoked or altered. So that such reliefe as shall be assigned by such Treasurers or Iustices of Peace to any such souldier or mariner, hauing not borne office in the said wars, exceed not the summe in grosse nor yerely pension of ten pounds. Nor to any that hath borne office vnder the degree of a Lieutenant, the summe of xv. pounds. Nor to anie that hath serued in the office of Lieutenant, the summe of xx. pounds. And yet neuertheless, it shall and may be lawfull to and for the Iustices of Peace and others, hauing authoritie by this Act to assigne pensions to Souldiers and Mariners, vpon anie iust cause to reuoke, diminish or alter the same from time to time, according to their discretions in the generall quar-

ter ſeſſions of the Peace, or generall aſſemblies for cities or townes corporate, where the ſame penſion ſhall be graunted. And whereas it muſt néedes fall out, that many of ſuch hurt and maimed ſouldiers and mariners, doe arriue in Ports, and places farre remote from the Counties, whence they are by vertue of this Act, to receiue their yearely annuities, and penſions, as alſo they are preſcribed, by this Act, to obtaine the allowance of their certificates, from the Muſter maſter, or receiuer generall of the muſter rolls, who commonly is like to abide about the Court or London, ſo as they ſhall néed at the firſt, prouiſion for the bearing of their charges, to ſuch places. Be it therefore enacted, That it may be lawfull for the Treaſurers of the countie where they ſhall arriue, in their diſcretion vpon their certificate (though not allowed) to giue them any conuenient reliefe for their iourney, to carry them to the next county, with a teſtimoniall of their alowance, to paſſe on towards ſuch a place. And in like manner ſhall it be lawfull for the Treaſurer of the next county to doe the like. And ſo from county to county (in the direct way) til they come to the place where they are directed to find their maintenance, according to the tenor of this Statute. And for the better execution of this Act in all the braunches thereof. Be it enacted, that euery the Treaſurers, in their ſeuerall Counties, ſhall kéepe a true booke of computation, of all ſuch ſummes as they leuie, and alſo a Regiſter of the names of euerie ſuch perſon vnto whom they ſhall haue diſburſed anie reliefe. And ſhall alſo preſerue, or enter euery certificate, by warrant whereof ſuch reliefe hath béene by them diſburſed. And alſo that the Muſter maſter, or receiuer generall of the muſter Rolles, ſhall kéepe a Booke wherein ſhall bée entred, the names of all ſuch, whoſe certificates ſhall be by him allowed, with an abſtract of their certificates. And that euery Treaſurer returning, or not accepting the certificate brought vnto him from the ſaid Muſter maſter, ſhall write and ſubſcribe the cauſe of his not accepting, or not allowing thereof, vnder the ſaid certificat, or on the backe thereof. And be it further enacted, That if anie Treaſurer ſhall wilfully refuſe to diſtribute & giue any reliefe, according to the forme of this Act, That it ſhall be lawfull for the Iuſtices of Peace, in their quarter Seſſions, to fine ſuch Treaſurers, by their diſcretions, as aforeſaid. The ſame fine to be leuied by diſtreſſe and ſale thereof, to be proſecuted by anie two of them, whom they ſhal authorize. And be it alſo enacted, That euery ſouldier or mariner that ſhall be taken begging, in anie place, within this realme, after the feaſt of Eaſter next, or anie that ſhall counterfeit anie certificate in this Act expreſſed, ſhall for euer loſe his annuitie or penſion, and ſhalbe taken, déemed, and adiudged, as a common rogue, or vacabond perſon, and ſhal haue, and ſuſtaine the ſame, and the like paines, impriſonment and punihment, as is appointed and prouided for common rogues and vacabond perſons. Prouided alwayes and be it enacted, that all the ſurpluſage of money which ſhall be remaining in the ſtocke of any county, ſhall by the diſcretion of the more part of the Iuſtices of peace in their quarter ſeſſions be ordred, diſtributed and beſtowed, vpon ſuch good & charitable vſes, and in ſuch forme as are limited and appointed in the ſtatutes made & now in force, concerning reliefe of the poore, and punihment of rogues & beggers. Prouided alwayes, that the Iuſtices of Peace, within any county of this Realme or Wales, ſhall not intromit or enter into any city, borough, place, or towne corporate, where is any Iuſtice of Peace, for any ſuch citie, borough, place, or towne corporate, for the execution of any article of this Act: But that it ſhalbe lawfull to the Iuſtice and Iuſtices of Peace, Maiors, Bailifes, and other head Officers of thoſe cities, boroughs, places, & townes corporate, where there is any Iuſtice of peace, to proceed to the execution of this Act, within the precinct and compas of their Liberties, in ſuch maner as the Iuſtices of peace in any county may do, by vertue of this Act. And that euery Iuſtice of peace within euery ſuch city, borough, place or towne corporate, for euery offence by him committed, contrarie to the meaning of this Statute, ſhall be fineable, as other Iuſtices of Peace at large in the counties are in this Act appointed to be. And that the Maior and Iuſtices of Peace in euery ſuch city, borough, place and towne corporate, ſhall haue authority by this preſent Act to appoint any perſon for the receiuing of the ſaid money, and paying the ſame, within ſuch citie, borough, place, or towne corporate, which perſon ſo appoynted, ſhall haue authority to doe all ſuch things, and bée ſubiect to all ſuch penalties, as high Conſtables by vertue of this Act ſhould haue or be. And be it enacted, That all forfeitures to be forfeited by anie Treaſurer, Collector, Conſtable, Churchwarden, or other perſon, for any cauſe mentioned in this Act, ſhall be imployed to the reliefe of ſuch Souldiers and Mariners, as are by this Act appoynted to take and haue reliefe. And after that reliefe ſatiſfied, then the ouerplus thereof, with the ouerplus of the ſtocke, remaining in any of the ſaid Treaſurers hands, ſhalbe imployed as is before mentioned, to the charitable vſes, expreſſed in the ſaid Statutes, concerning the reliefe of poore, & for punihment of rogues and beggers (except the ſaid Iuſtices, or the more part of them, ſhall thinke méet to reſerue and kéepe the ſame in ſtocke for the maintenaunce and reliefe of ſuch Souldiers and Mariners, as out of the ſame county may afterward be appoynted, to receiue reliefe and penſions.) And that the reliefe appointed to be giuen by this Act, ſhall be giuen to Souldiers & Mariners, out of the county or place where they were preſſed, ſo farre forth as the taxation limited by this Act, will extend. And if the whole taxation there, ſhall be before imployed, according to the meaning of this Act, or that they ſhall not be preſt men, then out of the place where they were borne or laſt inhabited, by the ſpace of iij. yéeres, at his or their election. Prouided alwayes & be it enacted, that euery penſion aſſigned heretofore to any ſouldier or mariner, or that ſhalbe aſſigned before the ſaid feaſt of Eaſter next, notwithſtanding the diſcontinuance of the ſaid two former Acts,

ſhall

ſhall ſtand in force, and ſhall yeerely from and after the ſaid feaſt of Eaſter next, be ſatisfied and paied, out of ſuch tarations and forfeitures, as ſhal be made, collected, and leuied by force of this Act, ſo long as the ſaid penſion ſhall remaine in force, without ſuch reuocation, or diminiſhing, as is before in this Act mentioned. Which clauſe of reuocation or diminiſhing before mentioned, ſhall extend as well to penſions heretofore aſſigned, as to ſuch as at any time hereafter, before, or after the ſaid feaſt of Eaſter, ſhalbe aſſigned, to any perſon or perſons. And be it alſo enacted, that all arrerages of tarations heretofore made, by vertue of the ſaid former Statutes, or any of them, which ſhall be, or remaine, at the ſaid feaſt of Eaſter next, vncollected, and not receiued, or leuied, ſhall and may by authoritie of this Act, be had, receiued, and leuied, by ſuch perſons, and in ſuch maner and forme, as, in euery reſpect, tarations made by vertue of this Act, are appointed to be collected, receiued and leuied, and ſhall be imployed to the vſes expreſſed in this Act, and no otherwiſe. Prouided alwayes and be it enacted by the authority aforeſaid, that if the ſaid rate ſhall be thought not to be ſufficient, for the reliefe of ſuch Souldiers, and Mariners, as ſhall be to be releeued within the citie of London: That then it ſhalbe lawfull for the Maior, Recorder, and Aldermen of London, or the more part of them, to rate and tare, ſuch reaſonable tare, ſumme, and ſummes of money, for the ſaid reliefe, as ſhalbe to them thought fit and conuenient: So as ſuch ſumme & ſummes of money, ſo to be rated, do not exceed iij. ſhillings weekely out of anie pariſh. And ſo as in the totall, the ſumme ſhall not exceede, or be vnder xij. d. weekly out of euery pariſh, one with another, within the ſaid city and the liberties thereof. This Act to indure to the end of the next Seſſion of Parliament and no longer. Anñ 43. Eli. ca. 3. And 7. Iac. ca. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

Caſtels and Fortreſſes.

Conſtable Bailife Coyne

NO Conſtable nor his Bailife, ſhall take corne or cattell of any man for to vitaile his Caſtell, if the man be not of the towne where the Caſtell is, but that he ſhall forthwith pay for the ſame, vnleſſe it may appeare that the will of the ſeller was to reſpect the payment, and if he be of the ſame Towne, the price of the corne and cattell ſhall be payed vnto him within fortie dayes. Magna Charta cap. 19. See the like, Purueiors 2.

Price

Conſtable Diſtraine Knights

2 NO Conſtable ſhall diſtraine any knight for to giue money for keeping of his Caſtell, if hee himſelfe will doe it in his proper perſon, or cauſe it to be done by another ſufficient man, if hee may not doe it himſelfe for a reaſonable cauſe. And if wee doe take or ſend him to our warres, hee ſhall be for the time that hee ſhall be with vs in our hoſt, free from caſtell-ward, for the fee for the which he hath done to vs Knights ſeruice in our warres. Magna charta cap. 20.

Knights ſeruice

Bulwarkes Cornewall

3 Anñ 4. H. 8. ca. 1. An Act was made for making of Bulwarkes and Fortreſſes in Cornewall and other places on the Sea ſide, to indure to the next Parliament.

4 Anno 2. E. 6. ca. 16. An Act was made, That the King may remoue the Keepers of caſtells and fortreſſes (though they haue letters patents thereof) and put them to ſerue in other places, giuing them like wages and profits as they had before. See the Statutes at large.

Letters Pa.

5 For the better habitation, reſtoring, and reedifying of the caſtells, fortreſſes, and fortlets, villages and houſes that be decayed within the counties of Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham: And for the better manuring and imploying the grounds within the ſame, and for the more increaſe of tillage: Be it enacted &c. That from and after the firſt day of December next inſuing, commiſſion vnder the great Seale of England ſhall be directed from time to time as need ſhal require, to ſuch perſons as ſhal be thereunto named & appointed by the King and Queens maieſties, and the heirs & ſucceſſors of the Queene, by their bill or bills ſigned with their ſigne Manuell, to be directed to the Chancellor of England for the time being: which commiſſions ſhal be according to the manner, forme, tenor, and effect hereafter inſuing. Philip and Marie &c. Know yee, that wee haue aſſigned you or anie number of you, being fiue at the leaſt, of the which wee will that A. B. and C. ſhall be three, to be our commiſſiners, to ſuruey our counties of Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham, or as much thereof, as to you or fiue of you, whereof A. B. & C. ſhalbe three, ſhalbe thought conuenient, and by ſuch waies and meanes as you beſt can, to enquire what and how many caſtells, fortreſſes, and fortlets, villages, houſes and habitations haue beene decayed within the ſame, and by whom, and by what occaſions, and how many of them are meete to be reedified, and alſo how many caſtels, fortreſſes, and fortlets, villages, houſes, and habitations, were meete to be made of new within the ſaid Counties and Biſhoprick, and in what places the ſame were moſt meete to be ſituate, and what parts of the ſaid Counties and Biſhoprick, be moſt apt for to be incloſed and conuerted to tillage or other neceſſarie manurance, meete and conuenient for thoſe countries, and the people of the ſame. And alſo to inquire what perſons be owners, Lords, proprietaries, farmors, and poſſeſſors of the ſame, or claime anie intereſt in the ſame, and what eſtate or eſtates, terms or intereſts they or any of them haue, of, and in the ſame. And thereupon to take ſuch order for the reedifying of ſuch the caſtells, and fortreſſes and fortlets, villages, houſes and habitations heretofore decayed, and for the new erecting and making of others, and the ſcituation of the ſame; and for the incloſing and conuerting to tillage or other neceſſarie manurance, ſuch partes and portions of the ſaid Counties and Biſhoprick, as to you or fiue of you, whereof A. B. and C. ſhall be three ſhall be thought moſt meete and conuenient. Prouided alwayes, That by colour or vertue of this Commiſſion you doe not

Northumberland Cumberland Weſtmerland Durham Tillage

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reedifie, new make or incloſe, or cauſe to bee reedified, new made, and incloſed, as aboueſaid, anie place or places, in anie of the ſaid Counties or Biſhoprickes being in diſtance and lying aboue twenty miles from the knowne parts of the borders of Scotland. And wee doe giue vnto you, or to anie number of you being ſix at the leaſt, whereof A. B. and C. ſhall be three, full power and authority to inquire by the Oathes of the honeſt and lawfull men of the counties of Northumberland, Cumberland, Weſtmerland, and the countie Palantine of Durham aforeſaid, as well within the Liberties as without, by whom the trueth may be beſt knowne, who hath or holdeth anie landes or tenements, or vſeth or perceiueth any common of paſture, or other profite apprendre in the ſaid counties or Biſhopricke, throughout the whole parts of the ſame, and all thoſe perſons and euerie of them, or ſuch of them, to tare, aſſeſſe, charge, diſtraine, and paine, after the quantity of their lands, tenements, and rents, by the number of acres and perches after the rate of euerie perſons profit, rent, or tenor, or after the quantity of their common of paſture or profit apprendre or other commodities there, by ſuch wayes & meanes, and in ſuch maner and forme, as to you, or vſ. of you, whereof A. B. & C. to be iij. ſhal ſeeme moſt conuenient to be ordained & done for the reedifying, making new, & incloſing as is aforeſaid. And alſo to depute & aſſigne diligent, faithfull and true keepers, bailifes, ſurueyors, collectors, expenditors, and other miniſters and officers, ſuch as you our ſaid commiſſioners that ſhall appoint them, will anſwer for, for the reedifying, new making, and incloſing, as is aforeſaid, and finiſhing of the premiſſes and euerie of them. And to heare the accompts of the Collectors, and other Miniſters, of, and for the receipt and laying out of the money that ſhall be leuied and payed in and about the ſaid reedifying, new making, incloſing and finiſhing of the premiſſes and of euerie parcell thereof, and to diſtraine for the arrerages of euerie ſuch collection, tare, or aſſeſſement, as often as ſhall be expedient, or otherwiſe to puniſh the Debtors and Deteinors of the ſame, by fines, amerciaments, paines, and other like meanes, after your good diſcretions. And alſo to arreſt and take as many Cartes, Oxen, Beaſts, and other Inſtruments neceſſarie, and as many Workemen and Labourers, as for the doing, making, and finiſhing of the premiſſes, ſhall ſuffice, paying for the ſame competent wages, ſalarie and ſtipend. And alſo to take ſuch, and as many trees, woods, vnderwoods, quickeſets, ſtone, and timber, and other neceſſaries, as for the ſame Workes and Reparations ſhall be ſufficient, at a reaſonable price, by you, or ſire of you, of the which wee will that A. B. C. ſhall be three, to be aſſeſſed or limitted as well within the limits and bounds aforeſaid, as in anie other place and places within the ſaid county, counties, or countie Palantine. And to make and ordaine ſtatutes, ordinances, and prouiſions from time to time, as the caſe ſhall require, for the ſafegard, conſeruation, redreſſe, correction, and reformation of the premiſſes, and of euery of them, after the lawes and cuſtomes of Rumney marth in the county of Kent, or otherwiſe by anie wayes or meanes after your owne wiſedomes and diſcretions, and to heare and determine all and ſinguler the premiſſes, as well at our ſuite, as at the ſuite of any other whatſoeuer, complaining before you, or ſire of you, whereof A. B. C. ſhall be three, after the lawes and cuſtomes aforeſaid, or otherwiſe by anie other wayes or meanes after your diſcretions. And alſo to make and direct Writs, Precepts, Warrants, and other commaundements by vertue of theſe preſents, to all Sheriffes, Bayliffes, and all other Miniſters, Officers, and other perſons, as well within the Liberties, as without, before you, or ſire of you, whereof the ſaid A. B. C. to be three, at certaine dayes, termes, and places to be prefixed, to be returned and receiued, and further to continue the proces of the ſame. And finally, wee doe giue vnto you, or to anie number of you, being ſix at the leaſt, whereof A. B. C. ſhall be three, full power and authoritie to doe all and euery thing and things, which ſhall be requiſite for the due execution of the premiſſes, by all wayes and meanes after your diſcretions. And therefore wee command you, that at certaine dayes and places, when, and where you, or ſire of you, whereof the ſaid A. B. C. to be three, ſhall thinke expedient, ye ſhall meet together and ſuruey the ſaid counties and Biſhopricke, as is aforeſaid, and accompliſh, fulfill, heare, and determine all and ſingular the premiſſes, in due forme, and to the effect aforeſaid, after your good diſcretions. And all ſuch as ye ſhal find negligent, gaineſaying, or reſiſting your doings and proceedings, in, and for the due execution of this our commiſſion, that ye doe compell them, by diſtreſſe, fines, or amerciaments, or by other reaſonable puniſhments, wayes, or means, which to you, or ſire of you, whereof A. B. C. ſhall be three, ſhall ſeeme moſt expedient for the ſpeedy remedy and redreſſe thereof. And all ſuch things as by you ſhall be made and ordained in this behalfe, as well within the Liberties, as without, that yee doe cauſe the ſame firmely to be obſerued, doing therein, as to our Iuſtices appertaineth, after the forme and effect of this preſent commiſſion, and the Act of Parliament, concerning the premiſſes, made and prouided, and according to your wiſedomes and diſcretions: Sauing alwayes to vs ſuch fines and amerciaments as to vs thereof ſhall belong. And we alſo commaund as well our Sheriffe or Sheriffes of our ſaid counties of Northumberland, Cumberland, Weſtmerland, and the Biſhopricke of Durham, and euerie of them, as all and euery other Bailifes, Miniſters, and Officers, within the ſaid counties, and county Palantine, that they & euery of them, ſhall cauſe to come before you, or ſire of you, of the which A. B. C. ſhal be three, at ſuch dayes and places, as yee ſhall appoint vnto them, ſuch, and as many honeſt men of his or their bayliewike or rowes, as well within the Liberties, as without, by whom the trueth may be beſt knowne, to inquire of the premiſſes, or anie part thereof, commaunding alſo all the ſaid Sheriffes, Miniſters, and Officers, as well within

Inquire — Tare — Keepers Bailifes Surueyors Collectors Expenditors — Accompt — Diſtreine — Puniſh — Arreſt — Take carts — Labourers — Trees Woods Vnderwoods Quickeſets Stone Timber — Make ſtatutes — Rumney marth — Determin — Writs Warrants — Sheriffes Bailifes — Surueye — Compell — Sheriffs — Bailifs — Inquire

within the Liberties, as without, that they, and euery of them ſhall be attendant to you, in, and about the due execution of this our Commiſſion. In witneſſe whereof we haue cauſed theſe our Letters to be made Patants. Witneſſe our ſelfe at W. the day of in the yeares of our raignes. And it is alſo enacted, That euerie ſuch perſon as ſhall be named Commiſſioner in the ſaid Commiſſion, after that he ſhall haue knowledge thereof, ſhall effectually put his diligence and attendance, in, and about the execution of the ſaid Commiſſion. And hee ſhall take a corporall Oath before the Lord Chauncellor, or before ſuch to whom the ſaid Lord Chauncellor ſhall direct the Kings Writ of Dedimus poteſtatem to take the ſame, or before the Juſtices of the Peace in the Quarter Seſſions holden in the ſhire where ſuch Commiſſion ſhall bee directed. The tenour of which Oath hereafter inſueth. Yee ſhall ſweare that you to your cunning, wit, and power, ſhall truely and indifferently execute the authoritie to you giuen by this Commiſſion, without any fauor, affection, corruption, dread, or malice to be borne to any manner perſon or perſons, and as the caſe ſhall require, you ſhall conſent and indeuor your ſelfe for your part to the beſt of your knowledge and power, to the making of ſuch wholeſome, iuſt, equall, and indifferent lawes and ordinances, as ſhall be made and deuiſed by the moſt diſcrete and indifferent number of your fellowes being in commiſſion with you, for the making, erection, & preſecution of all and euerie ſuch things as are contained and ſpecified in the ſaid commiſſion. And that the ſame lawes & ordinances to your cunning, wit, and power, ye cauſe to be put in due execution, without fauor, meede, dread, malice, or affection, as God you helpe, and all Saints. And ouer that be it enacted, that the Commiſſioners hereafter to bee named in any of the ſaid Commiſſions, according to the purport and effect of the ſame commiſſions, ſhall haue full power and authority to make, conſtitute, and ordaine lawes, ordinances, and decrees, concerning the premiſſes, and further to doe all and euerie thing mentioned in the ſaid Commiſſion, according to the purport, effect, words, and true meaning of the ſame, and the ſame lawes, decrees, and ordinances ſo made, to reforme, repeale, and amend, and make new from time to time, as the caſes neceſſary ſhall require. Prouided alway, and be it enacted, that if any perſons being aſſeſſed, or tared to any lot, tare, or charge, for anie landes, tenements, or hereditaments, within the limites of any Commiſſion hereafter to be directed by vertue of this Act, doe not pay to the ſaid lot, tare and charge, according to the ordinance and aſſignement of the Commiſſioners hauing power of the execution of the ſaid Commiſſion, by reaſon whereof it ſhall happen the ſaid Commiſſioners hauing power of the execution of ſuch Commiſſion, for lacke of payment of ſuch lot, tare, and charge, to decree and ordaine the ſame lands, tenements, and hereditaments, from the owner or owners thereof, & their heirs, and the heirs, executors, and aſſignes of euery of them, to any perſon or perſons, for terme of yeeres, terme of life, in fee ſimple, or fee taile, for payments of the ſame lot, tare, and charge; That then euerie ſuch decree and ordinance ſo by them made, ingroſſed in parchment, and certified vnder their Seales into the Court of Chauncerie, with the Kings or the Quenes, her heires or ſucceſſors royall aſſent had to the ſame, ſhall binde all and euerie perſon or perſons, that at the making of the ſame decree, had any right and intereſt in the ſame, their heires and ſucceſſors for euer. Prouided alwayes and be it enacted, that no order or decree to be made by the ſaid Commiſſioners, or any of them, ſhall bind or conclude anie right or intereſt of anie perſon or perſons, nor the breach of any decree or order, ſhall be cauſe of forfeiture of the right or intereſt of anie perſon or perſons, except the ſame decree and ordinance ſo made by the ſaid Commiſſioners, and ſix of them, whereof A. B. and C. ſhall be three, be ingroſſed in parchment, and certified vnder their ſeales into the court of Chancery; and that the royall aſſent of the King and Quene, her heires and ſucceſſors be firſt had to the ſame. Prouided alſo and be it enacted, that euery decree and ordinance ſo had, made, certified, and aſſented vnto, ſhall bind all and euerie perſon and perſons, that at the making of the ſame decree had any intereſt in the lands, tenements, or hereditaments ſo decreed, in vſe, poſſeſſion, reuerſion, or remainder, their heires and feoffees, and euery of them: And not to be in any wiſe reformed, vnleſſe it be by authority of Parliament, hereafter to bee ſummoned and holden within this Realme. Hauing to all and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, other then ſuch as ſhall forfeit by this eſtatute their intereſt in the ſame lands, tenements, or hereditaments, in poſſeſſion, reuerſion, or remainder, all ſuch intereſt and title, as they or any of them ſhall haue at the time of the ſame forfeitures. And alſo it is prouided by authority aforeſaid, that the ſame lawes, ordinances, and decrees to bee made and ordained by the ſaid Commiſſioners, or ſix of them, by authority of the ſaide Commiſſion, ſhall binde as well the lands, tenements, and hereditaments of the Quene our Soueraigne Lady, her heires and ſucceſſours, as all and euerie other perſon or perſons, and their heyres, for ſuch their intereſt as they ſhall fortune to haue, or may haue, in anie landes, tenements, or hereditaments, or other caſuall profit, aduauntage, or commoditie whatſoeuer they be, whereunto the ſaid Lawes, Ordinaunces, and Decrees ſhall in anie wiſe extend, according to the true purport, meaning, and intent of the ſame Lawes. And it is furthermore by the authority aforeſaid eſtabliſhed and enacted, that if any manner perſon or perſons, of what eſtate or degree ſoeuer he or they be, that from henceforth doth take vpon him or them to ſit by vertue of anie the ſaid Commiſſions, not being before ſworne, in forme as is aforeſaid, and according to the tenour of the Oath afore ſpecified: Or if anie perſon ſo named and ſworne, do ſit as is aforeſaid, dwelling within the ſaid twentie miles, or not hauing lands, and tenements, or other he-

hereditaments, in fee simple, fee taile, or for terme of life, to the cleere yeerely value of fortie pounds aboue all charges, to his owne vse, except he be learned in the lawes of this realme: that is to say, admitted in one of the foure principal Innes of court for an Vtterbarrester, and not dwelling within the said xx. miles, shall forfeit fortie pounds for euerie time that he shall attempt so to do: The one halfe thereof to be to our soueraigne Lord and Ladie the King and the Quéene, her heires and successors, and the other half thereof to the vse of him, or them that wil sue therefore, by action of Debt, bil, plaint, or information, in any of the Quenes Courts, in which action or suit no wager of law shal be admitted, nor any essoine or protection shall be allowed. And if anie action of trespas, or other suite shall happen to be attempted against any person or persons for taking any distresses, or any other Act doing, by authoritie of the said Commission, or by authority of any laws or ordinances, made by vertue of the said commissiō, the defendant or defendants in any such action, shall and may make auowrie, cognisance, or iustification for the taking of the same distresse, or other act doing touching the premisses, or any of them, alleaging in such auowrie, cognisance, or iustification, that the said distresse, trespasse, or other act, whereof the plaintife complaineth, was done by authoritie of the Commission, for the surueying of the counties of Northumberland, Cumberland, Westmerland, and the Bishoprieke of Durham, made and prouided: or for such act or cause, as the said defendant did by authority of the said commission, and according to the tenor, purport, and effect of this present Act, made in the ij. and iij. yeers of the raign of our soueraigne Lord and Lady K. Philip and Q. Mary, without any expressing or rehearsall of any other matter or circumstance contained in this present Act, or anie commission, lawes, statutes, or ordinances thereupon to be made, whereupon the plaintife shall be admitted to reply, that the Defendant did take the said distresse, or do any other act or trespas supposed in his declaration, of his owne wrong, without any such action alleadged by the said Defendant, whereupon the issue in euery such Action shall be ioyned, to be tried by verdict of xij. men, and not otherwise, as is accustomed in other personall actions, and vpon the triall of the issue, the whole matter to be giuen on both parties in euidence, according to the very truth of the same, and after such issue tried for the defendant, or nonsuit of the plaintife after apparance, the same defendant to recouer treble damages, by reason of his wrongfull vexation in that behalfe, with his costes also in that part sustained, and that to be assessed by the same Iurie, or writ of Inquirie of damages, as the cause shall require. And it is also enacted, that euery of the said Commissioners shall haue and perceiue iij. s. for euery day that they shall take paine in the execution of this Commission, and one Clecke by them to be assigned v. s. for euery day, of the rates, taxes, lots and summes of money, that shall be assessed or lost by authority of the said Commission, and to bee leuied and paied by their discretions. And that the said Commissioners, or fiue of them, shall haue power and authoritie to limit and assigne such reasonable summes of money to the said Clecke, for writing of bokes and proces concerning the premisses, and to the Collectors and Expenditors, and such other as shall take paine in the due execution of the said Commission (the same to be leuied by distresse or otherwise out of the lands so surueyed) as by the discretions of the said Commissioners, or fiue of them, whereof A. B. and C. to be three, shall bee thought reasonable. Prouided alwayes, That whensoeuer, and as often as such Commission, as is before limited, shall be made and directed to anie person or persons, for the reformation and amendment, of, or in any of the premisses specified in the said commission, within the fees, liberties, or possession of the duchy of Lancaster: that then such commissioners as shall execute anie such Commission, shall be alwayes named and appointed as is aboue said. And that in euerie such case, two commissions shall be awarded and made, according to the tenor of the commission aboue expressed, ons thereof vnder the great Seale of England, and the other vnder the Seals of the same Duchie, as before time hath beene accustomed: Anie thing afore rehearsed in this present Act to the contrarie thereof notwithstanding. And it is further enacted, that the said commission from time to time, as the case shall require, shall be had and obtained without anie money or other charge to be paied for the seales or writing of the same. And it is further enacted, That euerie commission to be made by authoritie of this Act, shall indure and continue for the terme of seuen yeares, next after the Teste of the Commission: Neuertheless, after anie commission made and deliuered out of the court of Chauncerie, the King and Quénes Highnesse, and the heires and successours of the Quéene, shall alwayes at their pleasures, by Writ of Supersedeas out of the saide Court of Chauncerie, at anie time discharge as well euerie such commission, as euerie commissioner that shall be made or named by authoritie of this Act, after which discharge the said commissioner so discharged, shall haue no power nor authoritie to procéede in the execution of their commission, nor in anie thing by authoritie of this Act. Prouided alwayes, That whensoeuer and as often as such commission, as is afore limitted, shall bée made and directed to anie person or persons, for the reformation and amendment, of, or in anie of the premisses specified in the said Commission, within the fees, liberties, and possessions of the Bishoprieke of Durham, or within the fees, liberties, and possessions of anie other place, where there is libertie and iurisdiction of Countie Palantine, That in euerie such case two commissions shall be awarded and made, according to the tenor of the commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the Seale of the Countie Palantine, in maner and forme as is aboue prouided for the Duchie of Lancaster: Anie thing afore rehearsed in this present Act to the contrarie notwithstanding. And neuertheless be it enacted, that if the officers of

£l. pounds
Except
Vtterbarrester For Foltie
Allowing
Lancastr
Two Commissions
Great Seal Duchy Seal
Indured seuen yeares
Supersedeas Discharge
Verdict
Triall
Treble damages
Inquier Damages
Foure shillings the day
Clerke x.s
Two Commissions
Great Seal Countie Palantine
Officers

of the ſame Duchie, or of the ſaid Biſhoprick, or Countie Palantine, doe not deliuer the Commiſſion by them, or one of them, to be made within fiue daies after the requeſt ſhall bee made for the ſame: that then the commiſſion vnder the great Seale onely, ſhall proceed in the ſaid Countie Palantine without any other commiſſion. And be it prouided and alſo enacted, that the royall aſſent limitted to be had vnto the Lawes and ordinances to bee made by the ſaid Commiſſioners, as is aboueſaid, ſhall be certified into the ſaid Court of Chancerie vnder the priuie ſeale, and that there ſhall not any ſumme of mony be paied for the ſame priuie ſeale. Priuy ſeale Prouided alwaies, that the Chancellors and ſuch other as ſhall haue the cuſtody of the Seales of the ſaid Biſhoprickes of Durham, or within the fees, liberties and poſſeſſions of any other place, where there is libertie and iuriſdiction of the countie palantine, vpon reaſonable requeſt, & vpon ỳ ſight of the commiſſion vnder the great Seale of England, ſhall without delay, make out another commiſſion vnder the ſeale of the ſaid countie Palantine, according to the tenour of the commiſſion to them ſhewed, vnder the great Seale, and to thoſe Commiſſioners named in the ſame commiſſion, & to none other, nor in other manner. And be it further enacted & eſtabliſhed by the authoritie aforeſaid, that all charges and ſummes of money hereafter to be rated and taxed by vertue of ſuch commiſſion, vpon any of the lands, tenements, or hereditaments of our Soueraigne Lady the Queene, her heires or ſucceſſors, for any maner of thing or things, concerning the articles of this commiſſion ſhall bee gathered and leuied by diſtreſſe, or otherwiſe, in like manner and forme, as ſhall or may bee done in the lands, tenements, and hereditaments, of any other perſon or perſons. And that al the bils of acquitance, ſigned with the hād or hands of ſuch Collector or Receiuor, as ſhall haue the collection thereof, by the appointment of the ſaid commiſſioners, or fiue of them, ſhall be alwel a ſufficient diſcharge to the tenants, fermors, & occupiers of the ſame grounds, ſo to be charged for the ſaid ſumme wherewith the grounds ſhall be ſo charged, as alſo a ſufficient warrant to al and euerie the Receiuors Auditors, and other whatſoeuer Officer or Officers, of our ſaid Soueraigne Lord and Lady the King and Queene her heires and ſucceſſors, for the allowance to ſuch tenant, fermor, or occupier of the ſame. Taxes Diſtreſſe Acquitance Warrant Officers Prouided alſo and be it enacted, that the ſaid commiſſioners ſhall not let nor ſet any part or parcell of the premiſſes, nor ſhall not meddle with the rating, renting, or valuing of any part or parcell of the premiſſes, but the ſame ſhall remain and be at the diſpoſition of the Lord and owners of the ſame, as they were before the making of this act, except it be for the cauſes of forfeiture aboue ſpecified: any thing heretofore mentioned to the contrary notwithſtanding. Prouided alwaies, & be it enacted by the authoritie aforeſaid, that all iſſues and forfeitures, fines & amerciaments, which ſhal riſe, happen, and growe, by any occaſion whatſoeuer, by vertue or colour of this act, or any commiſſion to be made by authoritie of the ſame, alwell within the liberties and countie Palantine, as without, whether they ſhall ſeeme to be due to the king and Queenes Maieſties, her heires and ſucceſſors, or to any perſon or perſons, or bodies politike or corporate, ſhall be leuied, imploied, and conuerted, in, and about the charges and expences cōcerning the execution of this act, in ſuch ſort, manner, and forme, as by the ſaid Commiſſioners, or fiue of them, whereof three to bee of the Quorum, ſhall be ordered, adiudged, or decreed: any thing in this act, or in any commiſſion aforeſaid to the contrarie notwithſtanding. Prouided alwaies, that this ſtatute ſhall onely continue for ten yeres next after the end of the Seſſion of this Parliament, and further to the end of the nert Parliament then next following. Anno 2. & 3. P. and M. cap. 1. Amerciaments This ſtatute is reuiued for diuers yeares by 23. Eliz. cap. 4. which ſee in Scotland 4.

Certificate of the cauſe of Attainder.

WHere before this time diuers perſons haue bin indicted, arraigned, and attainted, and ſome of them Clerkes conuict, and ſome of them Clerkes attainted, and ſome of them outlawed for Murder, burglarie, robberie, and other felonies, before Juſtices of peace, Juſtices of Gaole deliuerie, and Juſtices of Oier and determiner, within diuers Cities, Counties, franchiſes, and liberties within this Realme, the records of which attainder, outlawrie, and conuictions, often and many times by negligence of the Clerks of the Crowne, Clerkes of the peace, Clerkes of Aſſiſe, and ſuch other as haue had the order, rule, keeping, and gouernance of the ſame Records, haue bene imbezled and not readie to be obiected againſt ſuch perſons to haue bēn newlie arraigned before our Soueraigne Lord the king in his Bench, or before other the kings Juſtices, for like and ſuch other offences by them committed or done. And for that it hath not bēn knowen certainely whether to reſort for the ſame Records, becauſe they were not certified into any place certain, by reaſon whereof ſometime ſuch perſons and like offenders, which haue bēn newly arraigned, as before is ſaide, haue had the benefit of his or their Clergie, where they ought not, ne ſhould haue had the ſame, if the ſaid Records had bin then preſent in the ſame place where ſuch perſon or perſons were ſo newly arraigned, or els certified into ſome other place certaine, where the ſame Records mought haue been ſeen, ſent for, or written for, to haue bin obiected againſt ſuch perſon or perſons ſo newly arraigned, whereby aſwell the king our Soueraigne Lord, as alſo all other perſons haue many times loſt their Eſcheates, and other aduantages and forfeitures, that they ſhould haue had by meane of the ſaid attainders, to the great loſſes, both of our ſaid Lord the king and other perſons, and alſo the ſame offendors haue had their clergie, where they ought not ſo to haue had, to the great bolnes and incouraging of like offendors. In conſideration whereof, be it &c. that the Clerke of the Crowne, clerkes of the Peace, and clerkes of Aſſiſe for the time being

Juſt of P. Gaole deliuerie
Oier and determiner
Clerke of the Crown. Clerke of the peace.
Clergie
Eſcheates
Clergie
Clerke of the crowne Clerke of the peace Clerke of Aſſiſe.

ing, where any such Attainder, Outlawrie, or conuiction, shall so be had, shall from the feast of Pentecost next couming, not onely certifie a transcript briefly and in few wordes, conteining the tenour and effect of euerie such Indictment, Outlawrie, or conuiction, and clearke attainted, before them so be had, made, or pronounced: that is to say, the name, surname and addition of euerie such person and persons, as shall bee so indicted, and thereupon Outlawed, Conuicted, or Clerke attainted, and the certaintie of the saide Felony, or other offence, whereupon he or they shall be so Outlawed, conuicted, or Clerke attainted, and the day and place of his Outlawrie, conuiction, and attainder, and the day and place, where, and when the saide Felonie or other offence, whereupon the said person or persons shall be so indicted, Outlawed, Conuicted, or Clerke Attainted, shall be made and done before the king our Soueraigne Lord in his Bench at Westminster in the Countie of Middlesex, there to remaine of Record for euer, among other the kings Records there, within fortie daies next after any such attainder, conuiction, or Outlawrie, shall be had, made, or pronounced, if the terme be then: and if not, then within twentie daies next after the beginning of the terme next following the saide forty daies: But also shall deliuer a transcript of euerie such Indictment whereupon the said person and persons shall fortune hereafter so to be conuicted, or Clerkes attainted, to the Ordinarie to whome the bodie of the said person or persons shall be committed, at the time that the said person or persons shall be so committed, the saide Ordinarie paying to euery such Clerkes as shall write the said transcript, for euerie copy of such indictment twelue pence for his paines, vpon paine that euerie Clerke of the Crowne, Clerke of the peace, and Clerke of Assise for the time being, before whome such Indictment, Attainder, Outlawrie, or conuiction shall be so had, made, pronounced, or remaine, for the not certifying of euerie such record, and not deliuering of the copie of such Indictments to the said Ordinaries, according to this statute, to lose and forfeit forty shillings: The one moitie thereof to be to the King our Soueraign lord, and the other moity to him that will sue for the same by action of debt, bill, information, or otherwise in any of the kings courts of Record, wherein no wager of law essoine, or protection shall be allowed. And the Clerke of the Crowne in the kings Bench, shall receiue the said certificates and transcripts, at such time as they shall be tendred and proferred vnto them by the saide clerks of the Crowne, Clerkes of the peace, and Clerkes of Assise, or by their deputie or Deputies, without taking any thing for the same, vpon paine of forfeiture of the summe of forty shillings, for euerie such certificate by him refused. Prouided alwaies, and be it &c. that if there be any more persons conteined and named in any such Inuictment, other then such persons so attainted, conuicted, or Outlawed, that then such Clerke of the crowne, Clerke of Assise, clerke of the peace, with whome the Record of such Attainder, Outlawrie, or coniuction shall remaine, shall within the time before in this act limited, certifie the transcript of such Inuitment, Outlawrie or conuiction onely concerning such person or persons so indicted and attainted, outlawed, or conuicted into the kings Bench at Westminster, as is aforesaide, which transcript so certified, shall be had and taken, as good, effectuall, and auaileable in the Law, to all intents, constructions and purposes against whome it shall be so obiected, alleaged, or pleaded, as if the verie Record thereof, whereupon he or they were so indicted were there present. And be it &c. that the said clerk of the crowne in the kings bench for y time being, shall at all such times as the Iustices of Gaole deliuerie, Iustices of Peace, in euerie countie within this Realme of England, do write vnto him for the names of such persons which be so attainted by Outlawrie, or clerkes attainted or conuict, and certified vnto the said Bench of our said Soueraigne Lord the king, shall incontinently without delay, certifie the said names and surnames of the said persons, with the causes, why, and wherefore they were conuict, or attainted, vnto the Iustices of Gaole deliuerie, or Iustices of peace vpon the paine and penaltie to forfeit for euerie name of such persons which shall be so written for, and not certified by the said clerk of the crowne in the kings Bench to the said Iustices, forty shillings. Prouided alwaies, and be it further enacted, that this Act, nor any thing therein contained, shall not extend to the clerk of the Crown, clerks of the peace, clerkes of gaole deliuery, neither to any of the Prenotaries, within the counties of Wales and Chester, or within the counties Palantine of Lancaster and Durham, or any of them, to make any transcript of any such attainder, conuiction, or outlawrie, of any person or persons conuicted, attainted, or outlawed, before the kings Iustices of his counties of Wales nor Chester, or counties of Lancaster, Durham, or any of them, but that the same Records shall and may remaine, and be in the custody and keeping of the said clerkes and Prenotaries, in such maner and wise, as they are at this day: this act or any thing therein contained to the contrarie notwithstanding. Anno 34. H. 8 cap. 14. *

But note, that at this day there needeth not any transcript of Clerkes conuict, to be deliuered to the Ordinarie, by reason that they haue not to deale with them now, by the Statute Anno 18. Eliz. cap. 7. after in Clergie 28.

Cessauit.

IF a man let his land to ferme, or to find ekouers in meat or in cloth, amounting to the fourth part of y very value of the land, & he which holdeth the land so charged, letteth it lie fresh, so that the party can finde no distresse there by the space of two or 3. yeres, to compel the ferme or to render, or to do as is contained

contained in the writing or leaſe. It is eſtabliſhed that after the two yeres paſſed, the leſſor ſhal haue an action to demaund the land in demeſne, by a writ out of the Chancerie. And if he, againſt whom the land is demanded, come before iudgement, and yeld the arrerages and the damages, and find ſurety (ſuch as the Court ſhall thinke ſufficient) to pay from thenceforth that which is conteined in the writing of his leaſe, he ſhall kéep the land. And if he tarrie vntill it be recouered by iudgement, hée ſhall be barred for euer. Glouceſt. cap. 4. Anno 6. Edw. 1.

Action Chancerie

Garrtis

Barre

2 Whereas in the Statute made at Glouceſter it is contained, that if any leaſe his land to another to pay the value of the fourth part of the land, or more, the leſſor or his heire after that the payment hath ceaſed by two yeares, ſhall haue an action to demand the land ſo leaſed in demeſn. In like manner it is agréed, that if any withhold from his lord his due and accuſtomed ſeruice by the ſpace of 2. yeares, the Lord ſhall haue an action to demaund the land in demeſne, by ſuch a writ. Præcipe A. quod iuſtè &c. reddat B. tale tenementum, quod A de eo tenuit per tale ſeruitium, & quod ad prædictum B. reuertere debet, eo quod prædictus A. in faciendo prędictum ſeruitium per biennium ceſſauit vt dicit. And not onely in this caſe, but alſo in ẏ caſe wherof mentiõ is made in the ſaid ſtatut of Glouceſter, writs of Entre ſhall be made for the heire of the demandant againſt the heire of the tenant, and againſt them to whome ſuch land ſhall be aliened. Weſt. 2. cap. 21. Ann. 13. Ed. 1.

Heires

Action

Writ.

Writ of Entr.

Heire

Challenge.

OF enquells to be taken before any of the Iuſtices, wherein our Soueraigne Lord the king is partie, whoſoeuer it be: It is agréed and ordained by the king, and all his counſel, that from thenceforth notwithſtanding it be alleaged by them that ſue for the king, that the Iurors of thoſe enquells or ſome of them, be not indifferent for the king, yet ſuch enquells ſhall not remaine vntaken for that cauſe: But if any of them that ſue for the king will challenge any of thoſe Iurors, they ſhall aſſigne for their chalenge a cauſe certaine, and the truth of the ſame challenge ſhall bee inquired whether it be true or not, after the diſcretion of the Iuſtices. Stat de Inquiſ. edit Anno 33. Ed. 1.

Enquells

Iurors

Challenge

2 The challenge commonly called Riens deins le gard, s. (within London) be no challenge, but vtterly void and of none effect. Sauing to euery perſon all maner of other challenges whatſoeuer they bin, according to the law. An. 7. H. 7. cap. 4.

London

3 Peremptorie challenge ſhal not from henceforth be admitted or allowed in any caſes in High Treaſon, nor Miſpriſion of Treaſon. Anno 33. H. 8. cap. 23. And ſee more of Peremptorie challenge, Abiuration 5. and Clergie 20.

Peremptory.

Treaſon Miſpriſion.

4 In Anno 1. Ed. 6. cap. 12. diuers Treaſons and diuers Felonies be repealed, as appeareth in Treaſon, and Felony. And in that Act among other things it is enacted, That all clauſes, articles, and ſentences, mentioned or ſpecified in any act or acts of Parliament, ſtatute or ſtatutes, made in the time of the raigne of the ſaide late king Henry the eight, touching or in any wiſe concerning any maner of challenge for ẏ Countie, Hundred, or peremptorie challenge, or any of them, or touching, or in any wiſe concerning any manner of triall of forreine pleas pleaded by Murderers, Felons, or other offendors, ſhall (as concerning the ſaid challenge and trials) remaine in their force & ſtrength not repealed: any thing in this act mentioned, ſounding or ſéeming to the contrary, in any wiſe notwithſtanding. Anno 1. Ed. 6. ca. 12.

Forreine pleas

Champertie.

NO miniſter of the kings, by themſelues nor by other, ſhall maintaine plées, plaints, or matters, hanging in the kings Court, for lands, tenements, or other things, for to haue part or profit thereof, by couenant made betweéne them: and hee that doth ſo ſhall bee punished at the kings pleaſure. Weſtm. 1. cap. 25. An. 3. Ed. 1.

No Champertie

2 The Chancellor, Treaſorer, Iuſtices, nor none of the kings coũcel, no clearke of the Chancerie, nor of ẏ Eſchequer, nor of any Iuſtice, or of other miniſter, nor none of the kings houſe, neither clerke nor lay, ſhall receiue any Church, nor Aduowſon of a Church, land, nor tenement in fée, by gift, nor by buying, nor to ferme, nor to champerty, nor otherwiſe, ſo long as the thing is in plée before vs, or before any of our miniſters, nor ſhall take any reward therof. And he ẏ doth contrary to this, either himſelfe, or by an other, or doth therin commit any diſceit, ſhal be puniſhed at the kings pleaſure, aſwell he that purchaſeth, as he that doth ſell. Weſt. 2. cap. 49. An. 13. Ed. 1. But it ſeemeth that this Statute was made rather about 20. E. 1. for all the reſt of the ſtatute of Weſtm 2. is in Latin, & this onely in French, and thruſt in at the end of it as it ſeemeth.

Chancellor Treaſorer Iuſtices

Church Aduowſon

Punith

3 Where it is conteined in our ſtatute, that none of our Court ſhould take any plée to champertie by craft, nor by engine: And pleaders, apprentices, Atturneys, Stewards of great men, bailifes, and other of the Realme, do take plées to champertie, and by other craftes all maner of plées againſt all maner of men, whereby all the Realme is much greéued, and both rich and poore troubled in diuers manners: It is prouided by a common accord, that all ſuch as from henceforth ſhall be attainted of ſuch empriſes, ſuits, or bargaines, and ſuch as conſent to ſuch maner of dealing, ſhal haue impriſonment of thrée yeares, and ſhall make fine at the kings pleaſure. And our Soueraigne Lord the king by Gilbert Rowbery Clerke of his councell, hath commanded, that whoſoeuer will complaine himſelf of conſpirators, inuentors, & maintenors of falſe ſuits, and their abbettors, vpholders, and partakers, and of bargainers of controuerſies, that Gilbert of Thorneton ſhall cauſe them to be attached by his writ, that they before our ſoueraigne Lord the king doe anſwere vnto the plaintifes by this writ following. Rex Vicec' ſalutem, Præcipimus tibi, quod ſi A. de C. fecerit

Attaint

Imprif.

Conſpirators

te ſecurum de clamore ſuo proſequendo, tunc pone per vadium & ſaluos plegios G. de C. quod ſit coram nobis in octauis Sancti Iohannis Baptiſtæ, vbicunque tunc fuerimus in Anglia, ad reſpõdendum prædicto A. de placito conſpirationis & tranſgreſſionis, ſecundum ordinationem noſtram nuper inde prouiſam, ſicut idem A. rationabiliter monſtrare poterit, quod ei reſpondere debeat. Et habeas ibi nomina plegiorum, & hoc breue. Teſte &c. And if any man ſhall be conuicted at the ſuite of any ſuch cõplainant of any ſuch offence, let him be impriſoned, vntil he hath ſatiſfied the party grieued, and towards the king let him bee grieuously redœmed. Giuen at Berwicke vpon Twede, An. 20. or 21. Ed. 1.

Maintenance

Officer

4 Becauſe the king hath heretofore ordeined by eſtatute, that none of his Miniſters ſhall take no plée to Champertie, by which eſtatute other Miniſters were not bounden before this time. The king will, that no Miniſters, nor any other (to haue part of the thing in plea) ſhall take vpon him any matter that is in ſuit. Nor none vpon any ſuch couenant ſhal giue vp his right to another

Attaint Forf.

and if any do ſo, and be attainted thereof, there ſhal be forfaited vnto the king, ſo much of his lands & goods of the taker, as doth amount to the value of the part that he hath purchaſed, by ſuch taking vpon him, and to attaint him thereof: whoſoeuer will ſue for the king before the Juſtices afore whõ the plea hangeth, let him be admitted thereto, and

Judgemẽt

the Judgement be giuen by them. But it may not be vnderſtood hereby, that any perſon ſhall be prohibited to haue counſell of pleaders, or of learned men in the law, for his fée, or of his next frendes. Articuli ſuper chartas Cap. 11. Anno 28. Edward. 1.

5 Champertors be they that moue plées and ſuits, or cauſe them to be moued, either by their owne procurement, or by others and ſue them at their proper coſts, for to haue part of the land in variance, or part of the gaines. Anno 33. E. 1.

✠

Chapleines.

Wages

IF any ſecular man of the Realme, pay any more then fiue markes to any Prieſt yearely in money or in other things to the value, or if he pay to ſuch Prieſt retained to abide at his Table, aboue two Marckes for his gowne, and his other neceſſaries (his table accompted to forty ſhillings) and thereof

Attaint Forf.

be attainted, he ſhall pay to the king fully aſmuch as he paied to the ſaid Prieſt. Anno 36. E. 3. 8.

Wages

2 No yearely Chaplein within the Realm ſhall take from henceforth more for his whole wages by yeare, that is to ſay, for his board, apparrel, & other neceſſaries but 5. marks.

Pariſh Prieſt.

Nor the pariſh prieſts, which be or ſhall be reteined to ſerue cures, ſhall take tõ henceforth for their whole wages by yere, that is to ſay, for ỳ things aforeſaid, but 8. marks,

Licence

vnleſſe it be by licence of the Ordinary, ſo that the whole ſumme paſſe not 9. marks. Anno 2. Henr. 5 Stat 2. cap. 2.

Chancerie.

Chancelor Juſtices

THe Chancelor, and the Juſtices of his Bench ſhall follow him, ſo that he may haue at all times neere vnto him ſome that be learned in the lawes, which be able duly to order all ſuch matters as ſhall come vnto the court at all times, when need ſhall require. Articuli ſuper chartas, An. 28. Ed. 1. cap. 5.

2 If any that feeleth himſelfe greeued contrary to any of the articles aboue written, or other contained in diuers ſtatutes, come into the Chancery, or any for him, and thereof make his complaint, he ſhall forthwith there haue remedie by force of the ſaid Articles and ſtatutes, without elſewhere purſuing to haue remedy. Anno 36. Ed. 3. cap. 9. See the ſtatute at large.

Cheſter and Cheſterſhire.

ANno 21. R. 2. ca. 9. It was enacted that the county of Cheſter, ſhould be a principality, and be to the prince. And diuers lands aſſigned thereunto, and the liberties confirmed. But this Parliament was repealed by 1. H. 4. cap. 3.

Murder Felony Proces

2 If any perſon of the County of Cheſter, reſiant or dwelling within the ſame Countie, of what eſtate or condition he be, do cõmit any murder or Felony, in any place out of the ſaid countie, proces ſhall be made againſt him by the common lawe, till the Exigent in the counties where ſuch

Exigent Flit

murder or felony was done. And if hee flie from

Outlary

thence into the County of Cheſter, and be outlawed, and put in Exigent for ſuch murder or felony, the ſame Outlawrie or Exigent ſhall be certified to the Officers and miniſters of the ſame Countie of Cheſter, and the ſame felon taken by the ſame officers or Miniſters, and his lands & tenements,

Lands Goods

goods, and cattels, being within the county of Cheſter, ſeiſed as forfeit into the hands of the Prince,

Forf.

or of him that ſhall be Lord of the ſame county of Cheſter for the time. And the king ſhall haue the

Yeare and waſt

yeare and day, and the waſt. And the other lands

Yeare, waſt and wad

& tenements, goods and cattels of ſuch felon being out of the ſaid county of Cheſter, ſhal remain wholy to the king and to the other Lords hauing therof franchiſe as forfeit. And if any perſon of the ſame county of Cheſter, reſiant or dwelling in the ſame make battery or other treſpaſſe in any place out of

Battery Treſpas Proces

the ſaid county of Cheſter, proces ſhall be made againſt him by the common law till the erigent in the counties where ſuch battery or treſpas is don.

Flit

And if hee flie from thence into the ſaid county of Cheſter, and be outlawed for ſuch battery or treſpas, the outlawrie ſhall be certified to the Officers and Miniſters of the ſaid countie of Cheſter. And

Goods

his goods and cattels being within the ſame county of Cheſter, ſhall be ſeiſed into the hands of the Prince, or of him which ſhall be Lord of the ſaide county of Cheſter for the time. And his other goods and cattels being out of the ſaid countie of Cheſter, ſhal remaine wholly to the king, and to other Lords aforeſaid, as forfeit in manner as is aforeſaid. Anno 1. H. 4. cap. 18.

3 Becauſe

3 Becauſe that manifold offences againſt the kings Peace be daily committed in his Counties of Cheſter, Flint, Angleſey, &c. by reaſon that cōmō Juſtice hath not been indifferently miniſtred there, in ſuch forme as in other places of the realm: now for an vniforme order of adminiſtration of Juſtice, be it enacted &c. That the Lord Chancellor of England, or the Lord keeper of the great Seale, for the time being, from time to time and at all times, ſhall haue full power and authority by his diſcretion, to nominate and appoint Juſtices of Peace, Juſtices of Quorum, and Juſtices of goale deliuery, of the ſaid coũties of Cheſter, Flint Angleſey, Caiernaruã, Merioneth, Cardigã, Caiermerthen, Pembroke, & Glamorgan, by commiſſion vnder ỹ kings great ſeale, which ſhall haue ful power & authority to inquire, heare, & determin all maner thing & things inquirable, preſetable or determinable before Juſtices of P. Juſtices of Quorum, & Juſtices of goale deliuery, in other ſhires of this realm of Engl. by force or vertue of any ſtatut or ſtatutes made & to be made, or by ỹ courſe of the cōmon laws of this realm. And ỹ the ſaid Juſtices of P. Juſtices of Quorũ, & Juſtices of goale deliuery, ſo to be named & appointed by ỹ ſaid L. Chācellor or Lord keeper of the great ſeale, & euerie of thē, ſhal haue like power and authority within the ſaid counties of Cheſter, Flint, Angleſey, Caiernaruã, Merioneth, Cardigan, Caiermerthen, Pembroke, & Glamorgan, to do, vſe, & execute euerie thing and things, as other Juſtices of peace, Quorũ, & goale deliuery, haue within any other of the Shires of this Realme of England. And alſo ſhall be ſworne, aſtricted and obliged to the keeping of their Seſſions of the Peace, and to the due execution of all and ſinguler Statutes and ordinances, made and to be made, in like manner and forme, and vnder like paines and penalties, as Juſtices of Peace, Quorum, and Goale deliuerie, in other Shires of this realme of England, bēne, and ſhall be bound and obliged: any Act, Statute, preſcription, vſage, cuſtome, libertie or priuiledge, had, made, accuſtomed, or vſed to the contrarie notwithſtanding.

And it is &c. that extreats of the iſſues, fines and amerciaments, tared, ſet, loſt, or forfeited, by or before ſuch Juſtices of Peace, Quorum, and Goale deliuerie, in the ſaid counties of Cheſter and Flint, ſhall be returned and certified into the Exchequer of Cheſter, before the kings chamberlaine there. And that the extreates of the iſſues, fines, and amerciaments, tared, ſet, loſt, or forfeited, by or before the Juſtices of Peace, Quorum and Goale deliuerie in the ſaid counties of Angleſey, Caiernaruan, and Merioneth and euerie of them, ſhall be returned and certified into the kings Exchequer at Carnaruan, to and before the kings Chamberlaine of Northwales.

And that the extreates of the iſſues, fines and amerciaments, tared, ſet, loſt, or forfeited, by or before the Juſtices of Peace, Quorum, and goale deliuery, in the ſaid counties of Caiermerthen and Cardigan, and euerie of them, ſhall be returned and certified into the kings Exchequer at Caiermerthen, to & before the kings Chamberlain of Southwales. And that the extreats of the iſſues, fines and amerciamēts, tared, ſet, loſt, or forfeited, by or before the Juſtices of peace, Quorum, & goale deliuery in the county of Pembroke, ſhall be returned & certified into the kinges Exchequer at Pembroke. And that the extreates of the iſſues, fines, & amerciaments, tared, ſet, loſt or forfeited, by or before the Juſtices of peace, Quorum, & goale deliuery in the ſaid county of Glamorgan, ſhall be returned & certified into the kings Exchequer at Cayerdiſe. And that the ſaid extreates of the ſaid iſſues, fines, & amerciaments, certified, & returned into euery of the foreſaid Eſchequers, ſhall bee indented in ſuch like maner & forme, as is vſed in the kings Exchequer at Weſtminſter. And that the ſaid Juſtices of P. & Quorū, or goale deliuery in euery of the ſaid ſhires, ſhall direct ſuch like proces by extreates indented with the extreates certified in the ſaid Exchequers, to the ſherifes of euery of the ſaid coũties, for the leuying & gathering of the ſaid iſſues, fines, & amerciamēts, in ſuch like maner & forme as is vſed by the Juſtices of P. Quorum, & goale deliuery, in euery other of the ſhires within this realm of Engl. And that euery of the ſherifs of euery of the ſaid ſhires ſhall make their accōpts in euerie of ỹ ſaid Exchequers, of & for the iſſues, fines & amerciaments, vpon the extreats to them directed, in maner & forme as is vſed in the kings Exchequer at Weſtminſter.

And it is enacted &c. That the ſaid Juſtices of Peace and Clerkes of the Peace within the ſaid Counties of Cheſter, Flint, Angleſey, Caiernaruan, Merioneth, Cardigã, Caiermerthen, Pēbroke, & Glamorgan, & euerie of them, ſhal be payed & allowed of the ſaid iſſues, fines, & amerciaments, ſuch like fees, profits & commodities as other Juſtices of P. & clerks of ỹ peace in other ſhires of this realme haue & ought to haue. And it is &c. that the ſherifes or his deputies, & al other his miniſters in all & euerie of the ſaide ſhires, & all Cozoners, high conſtables, pety conſtables, & other officers within euery of the ſaid ſhires, ſhal be obliged & bounden to be alwel attendant vnto the ſaid Juſtices of peace, Quorum, & Goale deliuerie, in all & euery thing & things cōcerning their authorities, as in executing & returning of al precepts & proces to them directed by any of the ſaid Juſtices, in like maner & forme, & vnder like pains & penalties, as al & euery ſherifs, Cozoners, & other officers be & ſhal be boūd & obliged by any ſtatute or common law in other ſhires of this realme of Engl. any act ſtatute, preſcriptiō, vſage, cuſtom, liberty, or priuiledge, had, accuſtomed, or vſed to the contrary, notwithſtan ding. An. 27. H. 8. ca. 5.

4 By reaſon of this act (s. An. 27. H. 8. ca. 5.) it is now vſed, to kepe Seſſions in the ſaide county Palantine of Cheſter, as is vſed in other Shires of England. Alſo it is vſed in the ſaid county Palantine of Cheſter, that the Juſtices of the ſame for the time being, haue yerely time out of minde vſed to kepe the Shires or countie daies

in

Chancellor, L. Keeper

Juſt. of P. Juſt. of Q. Juſt. of O.

Commiſſiō Great ſeal

Pler & ter.

Juſt. of P.

Sworne

Extreates fine Fines

Exchequer at Cheſter Chamberlaine

South-Wales

South-wales.

Exchequer of Pembroke

Exchequer of Cayerdiſe

Indented

Juſt. of P.

Accompts

Cozoners Conſtables Officers

Countie daies

in manner and forme following, (that is to say) one yeare eight Shires or Countie daies, and another yeare nine Shires or countie daies, to the which the Gentlemen freeholders and suiters of the said countie, are bounden of ancient custome and dutie to appeare, and giue their attendance to serue the king, which Shires or Countie daies, come verie often times in the yeare. And now by

Freeholders.

reason of the said new Statute of Justices of P. (s. Anno 27. H. 8. cap. 5.) had in the said Countie the said gentlemen, freeholders, & suters of the said county being bounden of their said old custom & law to giue their attendance & apparance to the saide Shires or County daies, are now bounden also to

Quarter Sessions

giue their apparance and attendance at foure quarter Sessions and other priuy Sessions in the said countie: by meanes whereof, the said apparance and atendance commeth so often and so thick together, that at many times they cannot depart from the one court, and attend their busines scarcly one day, or sometime lesse, but they must againe ride to serue the other court, which is too painful, chargeable, intollerable and importune, for any man to sustain and abide: In consideration wherof be it enacted &c. that from henceforth the law and administration of Justice, and all other things in the said countie in times past vsed to bee had at the said shire daies, shall be holden, had, made, done, & executed by the Justices of the said Countie for the time being, at two times in the yeare onely, that is

Sessions

to wit, at the Sessions next after the feast of Saint Michael the Archangell, and at the Sessions next after Easter yerely for euer, during so many daies at euerie of the said times as need shall require, in like manner and forme as is now vsed and executed in the countie Palantine of Lancaster. And

Actions

that no action, suit or proces, now, or hereafter to be depending in the said counties, shall be thereby discontinued, hurt, or impaired, nor any aduantage therein to be taken by

No error

error, discontinuance of proces, ne otherwise, but that the same to proceed after the same new order. And that frō henceforth the said old order, rule, and custom in holding of the said countie or shire daies, shall vtterly cease and determine for euer, any Act, Statute, prescription, grant, vsage, custom, priuiledge, law, libertie, constitution, or confirmation heretofore had, made, accustomed, or vsed, to the contrarie in any wise notwithstanding. An. 32. H. 8. ca. 43.

Shirife

5 The Sherife of the said Countie (s. Palantine of Chester) for the time being, after the feast of Easter next comming shal be bound to keep his

Shire court.

Shire court in the Shire Hall of the said county euery Month for euer, for determination of the plaints and actions vnder forty shillings, and for

Proclamations

Proclamations and calling of Exigends and other necessarie causes, as is vsed in other shires of this Realme of England. And that two head

Coroners

Coroners for the body of the said shire shall be elected and chosen by vertue of the kings Writ de Coronatore eligendo, awarded out of the Eschequer of Chester, which Coroners shall be bound to sit with the said Shirife at the said Courts, to giue

Judgements

iudgement vpon Utlaries, and to do all other things as appertaineth. And be it &c. that the said two Sessions in forme aforesaid to be holden within the said countie, shall and may be holden at such time and times, as by the said Iusticer or his deputie shal be appointed, aswel before the said feast of Easter and Michaelmas, as any other time, according as is most commonly vsed in other shires of this realme, so alwaies open Proclamation be therefore made by the space of fiftæne daies at the least, before the first day of the keeping of the same Sessions. Anō 33. H. 8. cap. 13.

6 The same countie Palantine of Chester shal haue two Knights to the said countie Palantine, and likewise two Citizens to be Burgesses for the citie of Chester, to be elect and chosen by proces, to be awarded by the Chancellor of England, vnto the Chamberlaine of Chester his Lieutenant or Deputie for the time being. And so like proces to be made by the said Chamberlaine, his Lieutenant or deputie to the sherife of the said countie of Chester. And the same election to bee made vnder like manner and forme, to all intents, constructions, and purposes, as is vsed within the countie Palantine of Lancaster, or any other countie or citie within this Realme of England: Which said Knights and Burgesses, and euerie of them so elected and chosen, shall be returned by the said sherife into the Chancerie of England, in due forme and vpon like pain, as it is ordained that the Sherife or Shirifes of any other countie within this Realme, should make their returne in like case. All which said Knights and Burgesses, and euerie of them so elected and returned, shall be Knights, and Burgesses of the court of Parliament, and haue full voice and authoritie to all intents and purposes, as any other the Knights and Burgesses of the said court of parliament, haue, vse, and inioy. And in likewise shall and may take all and euerie such like liberties, aduantages, dignities, priuiledges, wages, fees, and commodities, concerning the said court of Parliament, to all intents, constructions & purposes, as any other the knights and Burgesses of the said court, shal, may or ought to haue, take, or enioy. And also where it is & hath been vsed within the said countie Palantine, that vpon the suggestion of any person that is or hath been indebted to any other person or persons comming to the Eschequer within the said countie palantine, and there taking a corporall oath, that hee or they shall pay his or their creditors at such time as he or they shall be able thereto, the Officers of the said Eschequer haue vsed without warrant, to grant out of the same Eschequer, a writ in nature of a Protection, whereby the said Creditors haue beene and be greatly delayed, and in maner defrauded of their said debts, to the great impouerishmēt and vndoing of the said creditors. For reformation whereof, it may please your said highnes, that it may be enacted by authority aforsaid, that no such writ of course without a speciall warrant from your said Highnes, your heires or successors, containing any such protection, bee from the first day of October, which shall be in the yeare of our Lord God 1543. graunted: But that all and euerie such

Palantine 2. Knights.

Burgesses of parliament.

Chancelr.

Shirife

Chancer.

Return

Wages

Persons indebted shall not pay their debts

Protection.

writs

writs of course after the said day to be granted, to be void and of none effect: any custome, vse or priuiledge to the contrary hereof notwithstanding. Anno 34.H.8.cap. 13.

Void.

7 Anno 31.H.8.cap.31. An act is made disseuering the Bishoprick of Chester, and the Bishoprick of Man from the iurisdiction of Canterbury to the iurisdiction of Yorke.

Man Canterbury. Yorke

8 Anno 2.Ed.6.cap.31. An act is made for recognisances before the Maior of Chester.

Recognisances

9 Anno 3.E.6.cap.25. An Act is made concerning Chester for weres in the riuer of Dee.

Weres

10 Be it enacted, that from henceforth it shall and may be lawfull to and for all and euery person or persons whatsoeuer vpon any originall writ or writs of couenant, or any other originall writ or writs, whereupon fines are or haue beene vsually leuied, to be purchased out of her highnesse court of Exchequer, within the countie Palantine of Chester returnable before the Maior of the saide citie for the time being, in the Portemote court, to bee holden within the said citie, To leuy any fine or fines of any lands, tenements, or hereditaments, lying or being within the saide county of the said city of Chester before the Maior of the said city for the time being in the said Portemote court, in such maner and forme, as fines may be leuied by any lawes or Statutes of this Realme, before the Quenes Maiesties High Iustice of her county Palantine of Chester, of landes within the same county Palantine. And that the Maior of the said citie for the time being, shall from henceforth haue full power and authority to receiue and record al & euery such fine & fines. And that all and euery such fine and fines, which shall be so leuied, and which shall be openly read and proclaimed before the Maior of the said citie, for the time being, in the saide Portemote court once at the same court day, that the said fine or fines shall be ingrolled, and once at euerie of the nine next court daies of Portemote, to be holden within the said citie, before the Maior thereof for the time being, next after the leuying & engrolling of such fine or fines, shal be of like force strength, and effect in the law, to all intents, constructions and purposes, as fines duly leuied with proclamations before her Maiesties said high Iustice of her county Palatine of Chester, of lands within the same county Palantine, are or ought to be of. And whereas also the Maior of the said citie for the time being, hath beene euer heretofore, (for and during al the time whereof the memorie of man is not to the contrary) accustomed in all and euery common recouery or recoueries, suffered before him in the said Court of Portmot in absence of the tenant or tenants, vouchee or vouchees in such recouery or recoueries to award and send forth of the said court, a writ, proces, or precept of Dedimus potestatem, in the name of our Soueraigne Lady the Quens Maiestie that now is, & of her highnes progenitors kings and Quenes of England, for the time being, vnder the Teste of the said Maior for the time being, and sealed with the seale of his office, thereby authorising those to whom the same was directed, or some of them, to receiue warrants of Atturneys from such tenāt or tenants, vouchee or vouchees, to such Attorney or Attorneys as the said tenāt or tenāts, vouchee or vouchees would in his or their place or places, constitute for him or thē to appeare in the said court, and to gaine or lose the said lands, tenements, or hereditaments, in or by such recouery or recoueries, demanded or to be recouered. Be it ꝙ. that vpon all and euerie such original writ or writs hereafter to be purchased out of her highnesse said court of Exchequer as aforesaid, for the leuying of any fine or fines within the said city of Chester, the Maior of the said citie, for the time being, shall for euer hereafter haue full power and authority to award and send forth such like writ or writs, proces, or precepts of Dedimus potestatem, as is aforesaid, to any two or mo sufficient persons, authorising them, or some of them, to receiue and take the acknowledgment such person or persons, as shal be willing to leuie such fine or fines, and by reason of sickneſſe, or other reasonable impediment, cānot come in person before the said maior, for ỹ time being, to make such acknowledgement, & that all and euerie such fine and fines as vpō any such acknowledgement made and certified into the said court of Portmot, shal be hereafter engrossed recorded and proclaimed in such manner and forme as is formerly limited and appointed, before the Maior of the said city for the time being, in the said court of Portmote, shall bee of like force and effect, to al intents, constructions, and purpōses, as if the same fine or fines had beene personally acknowledged before the said Maior, & ingrossed recorded and proclaimed in such manner and forme, as in & by this present Act is formerly limited, appointed, expressed and declared. Prouided alwaies, and be it enacted, That fines to be leuied by vertue of this act shall be subiect to be reuersed, and may be reuersed vpon writs of error to be sued and prosecuted before the said high Iustices of the said county Palantine of Chester, as other iudgements giuen by the said Maior in the said Portmote court may be and haue vsed to be, if there shall be found error in the same fine or fines. Anno 43.Eliz.cap.15.

Dedimus potestatem

Errors Iustice Chester

Recoueries

Churchyard.

FOrasmuch as we haue vnderstood verie often that cōtention hath risen betweēn Parsons of of churches & their parishioners, touching trees ỹ grow in ỹ churchyard, both of them affirming that they belong to themselues: We haue thought good to declare the doubt of such contentions by lawe of writing, rather thē by law of statute: For whereas the church yard, specially that which is dedicated is the soile of the church, & whatsoeuer is planted vpon the soile, belongeth to the soile, it followeth necessarily, that the trees themselues ought to bee numbred amongst the church goods, the disposing whereof is not giuen to Laymen, but as the holy scripture witnesseth, the care of disposing them being vndiscussed by God, ought to be committed vnto priests only: but forasmuch as those trees oftentimes are planted to keep away the force of the winde for hurting of the churches, We wil ỹ par-

Trees

Church goods

Chancel Reparatiõs

sons of churches do not presume to sell those trees vndiscreetly, but only when the chancell of the church doth want necessarie reparations, nor shal cõuert them to any other vse by any other means, vnlesse the bodie of the Church doe likewise want reparations, and the parsons doe of charitie thinke good to giue of those trees to the parishiones, wanting them, which we do not command to be done, but when it is done, we doe commend it. Ne rectores prosternant arbores in cemiterio.

Cirographer.

THe Cirographer nor his farmor, deputie, or lieutenant for the time being shall frõ henceforth take no more then four shillings for any fine leuied in the Court. And if the said farmor, lieutenant, or Deputy take any more then foure shillings for a fine, as before is said, he shal lose his office, and be forfeiuded the court, and haue one yeares imprisonment, and pay to the party grieued his treble dammages, and the party grieued shall haue suit before the Iustices of the said Bench. Anno 2. H. 4. cap. 8.

Fonre shillings fine Farmor

Forf.

Imprif.

3. Damages

Citation.

BE it prohibited from henceforth to Hospitellers and Templers, that hereafter they bring no man in plee before the keepers of their priuiledges, for any matter, the knowledge whereof belongeth to the kings Court, which if they doe, first they shall yeeld damages to the partie grieued, and then be grieuously punished vnto the king. The king also prohibiteth to the keepers of such priuiledges, that from henceforth they grant no Citations at the instance of Hospitellers, Templers, or other persons priuiledged, afore it be expressed vpon what matter the citation ought to be made. And if the keepers do see such a citation is required vpon any matter the knowledge whereof belongeth to the kings Court, the keepers shal neither make a citation, nor hold plee thereupon. And if the keepers doe otherwise, they shall yeeld damages to the party grieued, & neuertheless shall be grieuously punished by the king. And forasmuch as such persons priuiledged, appoint for their keepers, suppriors, chaunters, sertons, and be religious men, which haue nothing wherewith to satisfie the parties grieued nor the king, which may bee the more bold to offend the kings dignity, then their superiors, vpon whome punishment may be alligned by their temporalties: Let the prelates of such obedients therefore beware from henceforth, that they doe not suffer their obedients to vsurpe any iurisdiction in preiudice of the king and his crown, and if they doe, their superiors shal be charged for their fact, as much as if they had beene conuict vpõ their proper act. West. 2. cap. 43. Anno 13. E. 1.

Hospitellers Templers

Damages Punished

Religious

Temporalties Obedients

2 No manner of person shal be from henceforth cited or summoned, or otherwise called to appeare by himselfe or her selfe, or by any procurator, before any Ordinary, Archdeacon, Commissarie, Officiall, or any other Iudge spirituall, out of the Dioces or peculier iurisdiction, where the person which shall be cited, summoned, or otherwise, as is aboue said, called, shall be inhabiting and dwelling at the time of awarding or going forth of the same citation or summons, except that it shall be for, in, or vpon any of the cause or causes hereafter written, that is to say for any spirituall offence, or cause committed or done, or omitted, forslowed, or neglected to be done, contrarie to right or dutie by the bishop, Archdeacon, Commissarie, Officiall, or other person hauing spirituall iurisdiction, or being a spirituall Iudge, or by any other person or persons within the dioces or other iurisdictions, whereunto he or she shall bee cited, or otherwise lawfully called to appeare and answer. And except also it shall be by or vpon matter or cause of appeale, or for other lawfull cause wherin any party shall finde himselfe or her selfe grieued or wronged by the Ordinarie, Iudge or Iudges of the dioces or iurisdiction; or by any of his substitutes, officers, or ministers, after the matter or cause there first commenced and begun to be shewed vnto the Archbishop, or Bishop, or any other hauing peculier iurisdiction, within whose prouince the dioces or place peculier is: Or in case that the bishop or other immediate Iudge or Ordinarie, dare not nor will not conuent the partie to be sued before him, or in case that the Bishop of the dioces, or the Iudge of the place, within whose iurisdiction, or before whome the suit by this act should be commenced and prosecuted, be party directly or indirectly to the matter or cause of the same suit; or in case that any Bishop or any inferior Iudge, hauing vnder him iurisdiction in his owne right and title, or by commission, make request or instance to the Archbishop, Bishop, or other superiour, ordinary or Iudge, to take, treate, examine or determine the matter before him or his substitute. And that to be done in cases only where the law ciuill or canon doth affirme execution of such request or instance of iurisdictiõ to be lawfull or tollerable, vpon paine of forfeiture (to euery person by any Ordinary, Commissarie, Official, or substitute by vertue of his office, or at the suit of any person to be cited or otherwise summoned or called contrary to this act) of double damages and costs, for the veration in that behalfe sustained: to be recouered against any such Ordinary, Commissary, Archdeacon, Officiall, or other Iudge, as shall award or make proces, or otherwise atempt or procure to doe any thing contrarie to this act, by action of debt, or action vpon the case, according to the course of the common law of this Realme, in any of the kings high courts, or in any other competent temporall court of record, by originall writ of debt, bil or plaint: In which Action no protection, other then such as shall be made vnder y kings great Seale, and signed with his signe manuell, shall be allowed, neither any wager of law nor essoine shal be admitted. And vpon pain of forfeiture for euery person so summoned, cited, or otherwise called (as is aboue said) to answere before any spirituall Iudge out of the dioces or other iurisdiction where the said person so dwelleth, or is resident or abiding x. li. sterling: The one halfe thereof to be to the king our Soueraigne Lord, & the other halfe to any person that will sue for the same in any of the kings said courts, or in any other the said temporall

Procurators

Spirituall Iudges

Spiritual offence

Appeale

Officers

Statut. Iab. Canon ist Forf. Spiritual Iudge

2. damages

Forf.

Moitie.

poꝛall courts, by writ, information, bil, oꝛ plaint. In which action, no pꝛotection shall be allowed, noꝛ wager of law noꝛ essoine shall be admitted. Pꝛouided alwaies, that it shall be lawfull to euery Archbishop of this Realme, to call, cite, and sum-mō any person oꝛ persons inhabiting oꝛ dwelling in any bishops dioces within his pꝛouince foꝛ causes of heresie, if the bishop oꝛ other oꝛdinary immediate thereunto consent, oꝛ if that the same bishop oꝛ other immediate Oꝛdinary oꝛ Iudge do not his dutie in punishment of the same. Pꝛouided also, that this act shall not extend in any wise to the pꝛerogatiue of the most reuerend Father in God the Archbishop of Canterb. oꝛ any of his succesoꝛs, of, oꝛ foꝛ calling any person oꝛ persons out of the dioces where he oꝛ they be inhabiting, dwelling oꝛ resident, foꝛ pꝛobate of any testament oꝛ testaments: any thing in this act contained to ẏ contrary notwithstanding. And be it further enacted by authority afoꝛesaid, that no Archbishop oꝛ bishop, Oꝛdinary, Official, Commissarie, oꝛ any other substitute oꝛ minister of any of the said Archbishops, Bishops, Archdeacons, oꝛ other hauing any spiritual iurisdiction, at any time frō the feast of Easter nert cōming, shall aske, demaund, take, oꝛ receiue of any of ẏ kings subiects any sum oꝛ sums of money foꝛ the seal of any citation, after the said feast to be awarded oꝛ obtained, then onely 3. pence sterling, vpon the paine and penalties beꝛoꝛe limitted, contained and expꝛessed in this pꝛesent act, to bee in like foꝛme recouered as is afoꝛesaid. Pꝛouided alwaies, that this act be not in any wise hurtfull oꝛ pꝛeiudiciall to the Archbishop of Yoꝛke, noꝛ to his succesoꝛs, of, foꝛ, oꝛ concerning pꝛobate of testaments within his pꝛouince & iurisdiction, by reason of any pꝛerogatiue: any thing in this act to the contrary thereof notwithstanding. Anno 23. Hi. 8. cap. 9. This Act was repealed, as it seemeth by Statute of Anno 1. & 2. P. & M. cap. 8. And renued by the Statute of Anno 1. Eli. cap. 1. which act is in Crowne 6.

Archbishop

Yoꝛke

Archbishop of Cant.

Seale

Pꝛobate of Testament

Clapboord.

WHereas of late yeares Timber is greatly decayed & consumed within this Realm, the want whereof is greatly to be feared, and spẽdily to be pꝛouided foꝛ. And foꝛ asmuch as there is great occasion of spending and consuming thereof by selling of great quãtities of Timber, & conuerting the same into clouen Boꝛd foꝛ the making of Caske, which is vsually transpoꝛted out of the Realme into the parts beyond the seas, And foꝛ asmuch also as wine Caske bꝛought into this realme is very seruiceable aswell foꝛ her Maiesties houseꝛhold, and Nauy in time of her highnesse Seruice foꝛ victualling of her highnes ships, and also foꝛ victualling of Merchants ships, and a great cause of sparing Timber within this Realme: Be it therfoꝛe enacted by Queens most excellent Maiesty, the Loꝛds spirituall and tempoꝛall, and commons in this pꝛesent Parliament assembled, and by authoꝛity of the same, that all and euery person and persons, which shall after the feast of the Natiuitie of Saint Iohn Baptist nert ensuing, ship, carry, oꝛ transpoꝛt any Bẽre into the parties beyond the Seas, to be sold oꝛ exchanged foꝛ other Merchandize, shall if he be a stranger, then beꝛoꝛe the same transpoꝛting, if he be a subiect boꝛn, then either beꝛoꝛe the same trãspoꝛting, oꝛ within foure Months after, bꝛing oꝛ cause to be bꝛought into this Realm from the parties of beyond the Seas, foꝛ euerie sixe tuns of Bẽre two hundꝛed of Clapboꝛd, fit foꝛ to make Caske of, to conteine in length three foote and two inches at the least, Oꝛ else the same Caske againe, oꝛ so much other good and swẽte Caske in quantity, and the same to be entred at the Custom house without any colouring, Oꝛ if ẏ same transpoꝛting shal be into the realme of Ireland, then to bꝛing in manner and foꝛme as afoꝛesaid, so much of Shaftold boꝛd in quantity as the said Clapboꝛd amounteth vnto.

And also be it further enacted by the authoꝛity afoꝛesaid, that no stranger boꝛne shall after the last day of June, which shall be in the yere of our Loꝛd one thousand fiue hundꝛed ninetie foure, ship, carry oꝛ transpoꝛt beyond the Seas any Pilchers, oꝛ other Fish in caske, vnlesse the same person haue beꝛoꝛe such shipping bꝛought oꝛ caused to be bꝛought into this Realme, from the parties beyõd the Seas, foꝛ euery sixe Tunnes of Pilchers oꝛ other fish, accoꝛding to the rate and manner afoꝛesaid, of Clapboꝛd fit foꝛ Caske, oꝛ else of Caske as afoꝛesaid, vpon pain of foꝛfeiture of the said Bẽre, Pilchers, and caske, that shall be shipped oꝛ laden to be transpoꝛted, into the parties of beyond the Seas.

And be it further enacted by the authoꝛity afoꝛesaid, that it shall not be lawfull foꝛ any person oꝛ persons after the said feast of saint Iohn the Baptist nert ensuing, to transpoꝛt oꝛ carrie any Wine caske out of this Realm, with any Bẽre oꝛ Bẽreager, noꝛ any wine Caske shaken, & sell the same Bẽre oꝛ Bẽreager, oꝛ caske, except foꝛ the victualling of any ship oꝛ poꝛtable vessell, oꝛ of any of her Maiesties Garrisons and foꝛces in the parties of beyond the Seas, vpon paine of foꝛfeiture of the summe of foꝛty shillings foꝛ euery Tunne of caske so carried oꝛ transpoꝛted. Pꝛouided alwaies that this act, oꝛ any thing therein conteined, shall not extend to the transpoꝛtation of any herings whatsoeuer in Caskes. This Act to continue to the end of the nert Parliament. Anno 35. Eliza. cap. 11. This statute is by 1. Iac. cap. 25. continued vntill the end of the first Session of the next Parliament.

Clergy.

WHen a Clerke is taken foꝛ gilt of felony, and is demanded by the Oꝛdinary, hee shall be deliuered to him accoꝛding to the pꝛiuiledge of holy Church, on such perill as belongeth to it, after the custome afoꝛe times vsed. And the king admonisheth the Pꝛelates, and iniopneth them vpon the faith that they owen to him, & foꝛ the common pꝛofit and peace of the Realme, that they which bee indicted of such offences by so-

Felony

Oꝛdinary

lemne inquest of lawfull men in the kings Court, in no manner shall be deliuered without due purgation, so that the king shall not neede to prouide any other remedy therein. West. 1. cap. 2. Anno 3. Ed. 1. But see now the Statute 18. Eliz ca. 7. after 28.

Purgation

2 Concerning men twice married (called Bigami) whome the Bishop of Rome by constitution made at the Councell of Lyons hath excluded from all Clerkes priuiledge, whereupon certaine Prelates (when such persons as were twice married before the same constitution, haue beene called in question for felony) haue prayed for to haue them deliuered as Clerkes: It is agreed and declared before the king and his councell, that the same constitution shall be vnderstanden in this wise, that whether they were Bigami before the same constitution or after, they shal not from henceforth be deliuered to the Prelates, but Iustice shall be executed vpon them, as vpon other lay people. St. de Bigamis cap. 5. An. 4. Ed. 1.

Bigamy
Counsell of Lions

3 A Clerk flying to the church for felony to obtaine the priuiledge of the church, if he affirm himselfe to be a Clerke, he shall not be compelled to abiure the Realme, but yelding himselfe to the lawe of the realm, shall inioy the priuiledge of ỹ church, according to the laudable custome of the realme, heretofore vsed. Articuli cleri cap. 15. An. 9. Ed. 2.

Felony
Abiure

4 The priuiledge of the church being demaunded in due forme by the Ordinary shall not bee denyed vnto an approuor. Articuli Cleri cap. 16. Anno 9. Ed. 2.

Ordinary

5 If any Clerk be arraigned before our Iustices at our suit, or at the suite of the party, and the Clerke holdeth him to his clergie, alleaging that he ought not before them thereupon to make answer and any man for vs, or for the party maketh a suggestion, that he hath married two wiues, or one widow, that vpon the same the Iustices shall not haue the cognisance nor power to trie the Bigamy by inquests, or in other manner, but it shall be sent to the spirituall court, as hath beene done in case of Bastardy, and till the certificate be sent by the Ordinarie, the party in whom the bigamy is alleaged by the words aforesaid, or in other manner, shall abide in prison, if he be not mainpernable. Anno 18. Ed. 3. pro clero cap. 2.

Clerke
Bigamy
Triall
Spirituall court
Bastardy

6 All manner Clerkes, aswell seculer as religious, which shal be from henceforth conuict before the seculer Iustices aforesaid, for any maner treasons or Felonies touching other persons then the king himselfe, or his royall Maiestie shall from henceforth freely haue and inioy the priuiledge of holy church, and shall be without any impeachment or delay, deliuered to the Ordinaries demanding them. And for this grant the said Archbishop promiseth to our Soueraigne Lord the king, that for the punishment and safe keeping of such clerks offendors, which so shall be deliuered to the Ordinaries, he shall make such a conuenient ordinance, whereby they shall be safely kept, and duly punished, so that no Clerke shall take courage so to offend for default of correction. Anno 25. E. 3. pro clero cap. 4.

Clerke
Conuict
Treasons
Felonies

7 Whereas Clerkes arraigned of Felonie before seculer Iustices which challenged their Clergie, and were demaunded by the ordinaries of the place, haue din often before this time remaunded to the goale by the said Iustices, surmitting to them that other things be to be said against them: Neuertheless, because the common lawe is, that a Clerk in such case ought not to be remaunded to the Goale, but ought to be forthwith arraigned of all, or otherwise deliuered to the Ordinary: It is accorded, that this point be kept by all manner of Iustices and Iudges seculer throughout our Realme. Anno 25. Ed. 3. pro clero cap. 5. See now the Statute An. 18. El. after 28.

Felony
Ordinary

8 The king considering that the words and termes (that is to say) Insidiatores viarum, & depopulatores agrorum, comprised in the petition deliuered to him in this Parliament by the Clergy of England hath not been cõmonly vsed in Indictments, arraignments, appeales, nor in other impeachments in the time of his said graundfather, nor in the time of his other Noble progenitors, & willing therefore to auoid such nouelties, for the great quiet and surety of his people, by the assent of the Lords and commons of the same Parliament, willeth & granteth, and hath ordained & established, that the said words and termes shall not be from hencefoorth vsed, nor put in Indictments, arraignments, appeales, nor any other impeachments. Nor that by force of any such word or terme, any clerk religious or seculer, nor none other of ỹ kings liege people, shal be from henceforth arraigned, appealed, impeached, nor grieued before any seculer Iudge: But our said Soueraigne Lord is well willing, that the Iustices may take & receiue before them indictments, accusations, and appeales of felonies, bearing in them the effect of the saide words and tearmes, if any person of such felonies shal be hereafter indicted, accused or appealed. And if percase in time to come, any Clerks religious or seculer, shall be indicted, accused, or appealed, and their Indictments, accusations, and appeales doe beare the effect of the said words, that is to say, Insidiatores viarum, & depopulatores agrorum, or other words purporting like effect: yet neuertheles such Clerkes shall haue and inioy the priuiledge of holy church, and shall be deliuered to the Ordinaries them demaunding or their deputies, without any impeachment or delay. An. 4. H. 4. cap. 2.

Indictments
Religious
Iustices
Felonies Appeals
Priuiledge Ordinary

9 See Anno 4. Henr. 4. cap. 3. How the Bishop of Canterburie, for him and other, promised that Clerkes conuict should be kept safely by their ordinaries, according to a constitution prouinciall thereof to bee made, and that they should not make purgation against the constitution.

Bishop of Canterb. Conuict

10 Euery person not being within orders which once hath beene admitted to the benefit of his clergy, eftsones arraigned of any such offence, be not admitted to haue the benefit or priuiledge of the Clergie: And that euery person so conuicted for murder, to be marked with an M. vpõ the brawn of the left thumbe. And if hee bee for anie other Felonie, the same person to bee marked with

Murder
Burning the hand

with a T. in the same place of the thumbe, & these markes to be made by the Gayler openly in the Court before the Iudge, ere that such person be deliuered to the Ordinarie. Prouided alway, that if any person at the second time of asking ỳ clergy, because he is within orders, hath not there his letters of his orders, or a certificate of his Ordinarie witnessing the same, that then the Iustices afore whome he is so arraigned, shall giue him a day by their discretion, to bring in his said letters or certificate. And if he faile and bring not in at such a day his said letters nor certificate, then the same person to lose the benefit of his Clergy, as he shall do that is without order. An. 4. H. 7. cap. 13.

Letters of orders Iustices

Souldiers Felony

11 See Captaines 6. An. 2. E. 6. cap. 2. That if Souldiers depart, it is felony, and they shall not enioy the benefit of their clergy.

Pety treaſō

12 If any layman hereafter prepensedly murder their Lord, maister, or souereigne immediate, that they hereafter be not admitted to their clergie. And after conuiction or attainder of any such person so hereafter offending, & had after the course of the law, that the same person be put in execution, as though he were no clerke. Anno 12. H. 7. vltimo cap. 7.

13 An. 4. H. 8. ca. 2. Clergy was put out in certaine cases, to indure to the nert parliament.

Pety treaſō Wilfull murder Sacrilledge

Burglary

Robbery by the way. Burning of houses.

Abbettors in pety treaſon

14 No person or persons which hereafter shal happen to be found guiltie after the lawes of this land for any matter of pety treason, or for any wilfull murder of malice prepensed, or for robbing of any churches, chappels, or other holy places, or for robbing of any person or persons in their dwelling houses, or dwelling place, the owner or dweller in the same house, his wife, his children, or seruants then being within, & put in fear & dread by the same, or for robbing of any person or persons in or nere about the high waies, or for wilfull burning of any dwelling houses, or barnes wherin any graine or corne shall happen to be: Nor any person or persons being found guiltie of any abbettement, procurement, helping, maintaining or counselling any such pety treasons, murders, or felonies, shall not from henceforth be admitted to the benefit of his or their Clergy, but vtterly be excluded therof, & suffer death in such maner & forme, as they should haue done for any the causes or offences aboue said if they were no clerkes (such as be within holy orders, that is to say, of the orders of Subdeacon, or aboue, al only except.) And be it ēn, that euery such person & persons within such orders of Subdeacon or aboue, which at any time hereafter be found guilty of any pety treason, or of any murder of malice prepensed, or of any of the felonies aboue rehearsed, or of any accessary to pety treason, wilfull murder, or to any other the felonies aboue specified, & admitted to his or their clergy, and deliuered to the Ordinary for the same, shall not in any wise frō henceforth be suffered to any purgation, nor be set at liberty, but remaine and abide in perpetuall prison, vnder the keeping of the ordinary, to whom he shal be committed and his successors, without any maner of purgation during the naturall life of euery such conuict: except only such person or persons so being within such holy orders and conuict, or for any of the offences afore saide, and deliuered to the Ordinary for the same, do finde two sufficient sureties by Recognisance, before two of the kings Iustices of his peace within the same shire, where the pety treason, murder, or felony whereof he was cōuicted was cōmitted & done, wherof one of them to be of the Quorum, ỳ such conuict shal be of good abearing, against the king our Soueraigne Lord, his lawes and subiects, euery such conuict to be bound in the summe of forty pound, and euerie his Sureties in xx. pounds. And that no surety be taken, vnlesse such as may dispend in lands, tenements, or hereditaments, yearely aboue all charges of estate of inheritance of charterhold, twenty fiue shillings eight pence, or else be worth xx. li. in moueable substance at the time of the taking of such recognisance. And that two Iustices of peace, whereof one to be of the Quorum, by authority afore said, haue power and authority to take such recognisance. And that the said Iustices afore whom any such Recognisance shal be taken, shall certifie the same into the kings Bench, within 4. monthes nert after the taking thereof, vpon pain to lose and forfeit C.s. for euery default therof (See a like matter infra 174.) Prouided allway, that this act extend not to giue any benefit to any such person or persons, which after their confession or iudgement giuē against them, of, or for felony or murder, or after they be outlawed for any such cause, be admitted to their Clergy, and deliuered to the Ordinary for the same, but that they and euery of them shall remaine in the custody of the Ordinary, without making purgation, vpon such peril & in such maner and forme as it was vsed by the common Law before the making of this present act: this act or any thing therin contained notwithstanding. Prouided alwaies, and be it further enacted, that euery Ordinary, to whose custody any such conuict for any the Offences afore rehearsed shall be committed, may at his liberty disgrade euery such conuict after the law of the church, if he see cause so to doe, & send the conuict so disgraded in sure & safe keping into the kings Bench, with a certificate vnder his seale, testifying the said disgradin[illegible] to the which the Iustices of the kings bench hauing afore them the Record, vpon the which the said person disgraded was first conuict, shal giue such like iudgement of death vpon the same record, against euery such conuict disgraded, as the Iustices afore whome he was conuict, might haue done, if ỳ said person disgraded at the time of his conuiction afore them, had been no Clerke: his admission to his Clergy, and comming to the ordinary, ne any other thing, vse, or customs to the contrary herof notwithstanding. And that euery such iudgement shall be executed accordingly. And that euery Ordinary so sending any such conuict disgraded into the kings Bench, shall be discharged against the king our soueraigne Lord, his heires and successors, of, or for any further custody or keeping of the same conuict. This Act to continue to the last day of the the nert Parliament. Anno 23. H. 8. cap. 1. And this act was continued Anno 28. H. 8. cap. 1. to indure

Exception Subdeacon

Pety treaſō Murder Accessory

Perpetual prison

Suretyes Recognisance. Iust of P.

Good abearing

Freehels

Iust. of P.

Certifie

Fyne.

Confession Iudgement Outlawry

Ordinary

Disgrade

K. Bench

Iudgement

dure to the last day of the next Parliament. And after 32.Hen.8.cap.3. it is made perpetuall. And it is there further enacted, that such persons as bin, or shall be within holy orders, which by the lawes of this Realme ought or may haue their Clergie for any Felonies, and shall be admitted to the same, shall be burnt in the hand, in like maner and forme, as lay Clerkes bin accustomed in such cases, and shall suffer and incurre afterward, all such paines, dangers, and forfeitures, as be ordered and vsed for their offences of Felony, to all intents, purposes, and constructions, as lay persons admitted to their clergie be, or ought to be ordered and vsed by the lawes and statutes of this Realme: any statute, lawes, prouisions, priuiledges, customes, or any other thing to the contrary hereof heretofore vsed notwithstanding. Anno 32.H.8.cap.3. But the said Act of 23. Henr.8. cap.1. is altered and diminished in diuers things, vt patet postea 21.Anno 1.Ed.6.cap.12.

Burning in the hand.

Fork.

15 Anno 23.H.8.cap.11. It was enacted, that if a Clerke conuict breake the Ordinaries prison, it is Felonie, and he shall not haue his Clergie, except he be within holy orders, and then hee to remaine without purgation: But the Ordinarie may disgrade him, and send him to the Iustices to haue iudgement and execution &c. But this Felonie is repealed by 1.M. 1. Sess. by generall words.

Felony

16 Euerie person and persons, that is, or hereafter shall be indicted of the petty Treason, wilfull burning of houses, Murder, Robbery, or Burglarie, or other Felony, according to the tenour and meaning of the same Statute, and thereupon arraigned, and doe stand Mute of malice, or froward minde, or challenge peremptorie aboue the number of twenty, or else will not, or doe not answere directly to the same Indictment and Felony, whereupon hee is so arraigned, shall from henceforth lose the benefit and priuiledge of his or their Clergie, in like manner and forme, as if he had directly pleaded to the same pety Treason, Murder, Robberie, Burglarie, or other Felony, whereupon hee is so arraigned, not guiltie, and thereupon had beene found guilty after the lawes of the land. And be it &c. that if any person or person be hereafter indicted of felony, for the stealing of any goods or Cattels, in any Countie within this Realme of England, and thereupon arraigned, and be found guilty, or stand mute of malice, or challenge peremptory aboue the number of twenty persons, as is afore said, or will not vpon his said arraignement directly answer to the same felony: that then the same person and persons so arraigned and found guiltie, or stand mute of Malice, or challenge peremptory aboue the number of twenty persons, or will not directly answere to the law, shall lose and be put from the benefit of their Clergy, in like manner and forme, as they should haue bin if they had beene indicted and arraigned, and found guiltie in the same county, where y same robberie or Burglarie was done or committed, if it shal appeare to the Iustices, before whome any such felons or robbers be arraigned, by euidence giuen before them, or by examination, that the same felonies whereupon they be so arraigned, had beene such Robberies or Burglaries in the same shires where such robberies or Burglaries were committed or done, by reason whereof they should haue lost the benefit of their Clergie, by force of the said estatute, in case they had beene found guilty thereof in the same shire, where such robberies or burglaries were so committed and done. Anno 25. H.8. cap.3. This Act is confirmed in Anno 28. H.8.cap.1. to indure to the last day of the next Parliament. And after Anno 32.H. 8.cap. 3. it is made perpetual. This Act is altered and minished in diuers things, as appeareth here after 21.An.1. Ed.6.cap.12. But after 5.Ed.6.cap.10. this act of 25.H.8. is reuiued, as appeareth hereafter 24.

Pety Treason

Mute

Peremptory challenge

Robbery Burglary

17 Euerie such person and persons, as is recited in the said Statute of 23.H. 8. cap. 1. (before 14.) within such orders of Subdeacon, or aboue, being conuict of any pety treason, or of any Murder of malice prepensed, or of any of the said felonies aboue rehearsed, (s. in the said statute of 23.H. 8.cap.1.) or of any accessorie to pety Treason, wilfull murder, or to any other the said felonies aboue specified (s. in the said statute of 23.H.8.ca.1.) before the Lord Marcher, Steward, Lieutenant, Deputie, or other Iustice or Officer, within Wales, or within any other place, citie, towne, honour, Lordship, or Manor, within the kings Dominions where no Iustices of the Peace, & of the Quorum be, and thereupon the same conuict admitted vnto his Clergie, that the same person or persons so being within such holy orders, and conuict before any such Lord Marcher, Steward, Lieutenant, Deputie or other Iustice or Officer in Wales, or within any such place, city, or towne, honour, Lordship, or manor, within any the kings dominions, where be no Iustices of the peace and of the Quorum, of, or for any of the offences aforesaid and deliuered vnto the Ordinarie as Clerke conuict for the same, shall or may find two sureties by Recognisance for his good abearing, before two of the kings Iustices of Peace, whereof the one to be of the Quorum, in the Shire where the same conuict is or shall be kept in the Ordinaries prison, if the same prison be within the Shire ground where Iustices of the Peace, and of the Quorum be, or else before two of the kings Iustices of the Peace, whereof one to be of the Quorum in the next shire adioyning vnto the same prison. And that the same two Iustices of the Peace, whereof the one to be of the Quorum, to haue power and authority to take such Recognisance, and to certifie the same, in like maner and forme, and vpon like paine, as it should or ought to haue beene done by vertue of the said former act, if the same pety Treason, murder, felonie, or other offence, of, or for which any such conuict was or shall be so conuict and admitted vnto his Clergie, as is aforesaid, had bin committed and done within the shire ground, where Iustices of the Peace and of the Quorum be. Anno 26. Hen.8. cap.12.

Subdeacon

Pety treason. Murder. Felony accessory

Wales

Suretie Recognisance

Iust. of P.

Conuict

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18 Such as be within holy Orders, shall from henceforth stand and be vnder the same paines and daungers for the offences contained in any of the said Statutes, (s. in Abiuration Anno 22. H. 8. ca. 14. & infra 23. H. 8. cap. 1. & infra 25. H. 8. cap. 3. in Felonie Anno 25. H. 8. cap. 6.) and be vsed and ordered to all intents and purposes, as other persons not being within holy Orders: any prouision or exception specified in any of the said Actes, or any other vsage, or custome of this Realme to the contrary thereof notwithstanding. This Act to indure vnto the last day of the next Parliament. An 28. H. 8. cap. 1. And after Anno 32. H. 8. cap. 3. this Act is made perpetuall.

Clergie prohibited

19 See Triall Anno 28. H. 8. cap. 15. That Clergie is put away for treason, murder, robberie, or felonie, done vpon the Sea, in any hauen, riuer, or creeke, where the Admirall pretendeth to haue iurisdiction.

20 That if anie person or persons at anie time after the said feast of the Natiuitie of our lord God next comming, doe steale any horse, gelding, mare, fole, or filley, and thereof be found guilty by verdict of twelue men, or by his owne confession be attainted, or otherwise be indicted for the stealing of anie horse, gelding, mare, fole, or filley, and thereupon arraigned, and do stand mute of malice, or froward mind, or challenge peremptorie aboue the number of twentie, or else will not answere directly to the same Inditement and felonie, whereupon he is so arraigned: That then euerie such person or persons shall not from henceforth be admitted to haue the benefit of his or their Clergie, but vtterly be excluded thereof, and shall suffer death, in such maner and forme, as they should if they were no clerkes. An 37. H. 8. ca. 8. See here following 22.

Mute Peremptorie challenge.

21 No person or persons that heretofore haue bin, or at any time hereafter shall be in due forme of the lawes attainted or conuicted of murder, of malice prepensed, or of poysoning of malice prepensed, or of breaking of any house by day or night, any person being then in the same house where the same breaking hereof shall haue bene, or hereafter shall be committed, or heretofore hath bene, or hereafter shall be thereby put in feare or dread, or of, or for robbing of any person or persons in the high way, or men to the high way, or for felonious stealing of horses, geldings, or mares, or of felonious taking of anie goods out of anie Parish church, or other church or chappell, or being indicted or appealed of anie of the same offences, and thereupon found guilty by verdict of twelue men, or shall confesse the same vpon his or their arraignment, or will not answere directly, according to the Lawes of this Realme, or shall stand wilfully mute, shall not be admitted to haue or inioy the priuiledge or benefit of his Clergie or Sanctuarie, but shall be put from the same. And that in all other cases of Felonie, other then such as before are mentioned, all and singular person and persons, which after the first day of March next comming, shall be arraigned or found guilty vpon his or their arraignment, or shall confesse the same, or stand mute, in forme aforesaid, or will not answere directly, in forme aboue said, shall haue and inioy the priuiledge and benefite of his or their Clergie, the libertie and priuiledge of Sanctuarie, in like manner and forme, as hee or they might or should haue done before the foure and twentieth daie of Aprill, in the first yeere of the raigne of the said late King Henrie the eight. And be it &c. That in all and euerie case and cases, where anie of the Kings Maiesties Subiects, shall and may vpon his prayer, haue the priuiledge of Clergie as a Clerke conuict, that may make purgation in all those cases and euerie of them, and also in all and euery case and cases of Felonie, wherein the priuiledge and benefite of Clergie is restrained, excepted, or taken away by this estatute or Act, (wilfull murder, and poysoning of malice prepensed onely excepted) the Lord and Lords of Parliament, and Peere and Peeres of the Realme, hauing place and voyce in the Parliament, shall by vertue of this present Act of common grace, vpon his or their request or prayer, alleadging that hee is a Lord or a Peere of this Realme, and clayming the benefite of this Act, though hee cannot reade, without anie burning in the hand, losse of inheritaunce, or corruption of his blood, be adiudged, deemed, taken, and vsed for the first time onely, to all intents, constructions, and purposes, as a Clerke conuict, and shall be in case as a Clerke conuict, which may make purgation without anie further or other benefite or priuiledge of Clergie, to anie such Lord or Peere from thencefoorth at anie time after, for anie cause to be allowed, adiudged, or admitted: anie lawe, statute, vsage, custome, or anie other thing to the contrarie in anie wise notwithstanding. Prouided alwayes, That if anie of the said Lords of the Parliament, or anie of the Peeres of this Realme for the time being, shall fortune to be indicted of anie of the offences limited in this Act, That then they and euerie of them shall haue his or their triall by their Peeres, as it hath bene vsed heretofore in cases of high treason. And be it &c. That if any person or persons, that by this Statute, or by anie other Statutes or Lawes of this Realme, ought to haue, or be admitted to the benefite of his or their Clergie, that the same person or persons, shalbe from henceforth admitted and allowed to his or their Clergie, although they or any of them haue bene diuerse and sundrie times married to anie single woman, or single women, or to anie widow, or widowes, or to two wiues, or moe: anie Lawes, Statute, or Vsage to the contrarie notwithstanding. Anno 1. Edw. 6. cap. 12.

Purgation

Murder Poysoning Lords Peeres

Clergy allowed without reading

Triall

Clergie allowed notwithstanding Bigamy

22 All and singuler person and persons, feloniously taking or stealing anie horse, gelding, or mare, shall not be admitted to haue or inioy the priuiledge or benefite of his or their Clergie or Sanctuarie, but shalbe put from the same, in like maner and forme, as though he or they had bene indicted or appealed for felonious stealing of two horses, two geldings, or two mares, of anie other, and thereupon found guilty by verdict of xij. men, or confesse the same vpon their arraignment or stand wilfully,

Horse Gelding Mare

Clergie disallowed

Murder Poysoning Burglary Robbe by the way

Horses Mares

Sacrilledge

Clergy and Sanctuarie prohibited

Confesse Mute

wilfully, or of malice mute. Anno 2. Edw. 6. cap. 33.

Burglars

23 If it happen any person or persons to be found guiltie, according to the lawes of this realme, for robbing of any person or persons, after the first day of Maie next insuing, in any part or parcell of their dwelling houses, or dwelling places, the owner or dweller in the same house, or his wife, his children, or seruants, being then within the same house or place where it shall happen the same robberie and felonie to be committed and done, or in anie other place within the precinct of the same house or dwelling place, that such offendors shall

Clergie disallowed

in no wise be admitted to their clergie, whether the owner or dweller in the same house, his wife or children then and there being, shall be waking or sleeping. And that no person or persons, which after the said first day of Maie, shall happen to be found guilty after the Lawes of this Realme, of, and for robbing any person or persons in any booth or tent, in any Faire or Market, the owner, his wife, his children, or seruants, or seruant then being within the same booth or tent, shall not from henceforth be admitted to the benefit of his or their Clergie, but vtterly be excluded thereof, and suffer death, in such manner and forme, as is before mentioned in the said act, made in the said three and twentieth yeere of the raigne of the same late King, for robberies and felonies committed and done in dwelling houses and dwelling places, the owner or dweller in the same, his wife, children, or seruants then being within the same, and put in feare and dread, without having any respect or consideration whether the owner or dweller in such booths and tents, his wife, his children, or seruants being in the same booths or tents, at any time of such robberies and felonies committed, shall be sleeping or waking. Anno 5. Ed. 6. cap. 9.

Faire Market

Clergie disallowed

24 By reason of an Article and Clause contained in the Statute (here before 3. Anno 1. Ed. 6. cap. 12. the Statute heretofore 16. Anno 25. H. 8. cap. 3.) which did put such felons and burglarers from their clergie, that do such offence in one county, and after are taken with the goods stollen in another county, and there indited, arraigned, and found guiltie, was made void: Wherefore in Anno 5. Ed. 6. cap. 10. it was enacted, That the said Act made in the said fiue and twentieth yeare, touching the putting of such offendors from their Clergy, and euery article, clause, and sentence contained in the same, touching Clergie, shall from henceforth touching such offences from henceforth to be committed and done, stand, remaine, and be in full strength and vertue, in such manner and forme as it did before the making of the said Act, made in the said first yeare of the raigne of our said soueraigne Lord the King that now is: any clause, article, or sentence, comprised in the said Act made in the said first yeare, to the contrary notwithstanding. Anno 5. Ed. 6. cap. 10.

Reuiued

Bennet Smith

25 Anno 2. & 3. P. & M. An Act was made, to take away the benefite of Clergie from Bennet Smith, for the murder of Rutford, if the same Bennet should be found guilty as accessorie to the murder, or should confesse the murder, or not answere directly, or stand mute, or challenge peremptorie aboue twenty.

Petty treason Murder

Marches Burne houses Burne corne

Mute

Peremptorie challenge

Clergie denied

26 That all and euery person and persons, that after the first day of March next comming, shall maliciously commaund, hire, or counsell, any person or persons, to commit, or do any petty treason, wilfull murder, or to do any robbery in any dwelling house or houses, or to commit or to do any robbery, in, or neere anie high way in the Realme of England, or in any other the Queenes dominions, or to commit or do any robberie in any place within the Marches of England against Scotland, or wilfully to burne any dwelling house, or any part thereof, or any barne then hauing corne and graine in the same: that then euery such offendor or offendors, and euery of them, being outlawed thereof, or being thereof arraigned and found guilty by the order of the Law, or being otherwise lawfully attainted or conuicted of the same offence, or being arraigned thereof, doe stand mute of malice, or of froward mind, or doe challenge peremptory aboue the number of twenty persons, or will not answer directly to such offence, shall not haue the benefit of his or their Clergy. Prouided alwayes, and be it enacted, That euery Lord and Lords of the parliament, and Peere and Peeres of the Realme, hauing place and voice in the Parliament, vpon euery indictment of any of the offences aforesaid, shall be tried by their Peeres, as hath beene accustomed by the Lawes of this Realme. Anno 4 & 5. P. & M. cap. 4.

Peers

Wrong Goods

27 Be it enacted, That no person or persons, which hereafter shall happen to be indicted or appealed for felonious taking of any money, goods, or cattels, from the person of any other, priuily without his knowledge, in any place whatsoeuer, and thereupon found guilty by verdict of twelue men, or shall confesse the same vpon his or their arraignment, or will not answer directly to the same, according to the lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge peremptory aboue the number of twenty, or shall be vpon such indictment or appeale outlawed, shall not from henceforth be admitted to haue the benefit of his or their Clergie, but vtterly be excluded thereof, and shall suffer death, in such manner and forme as they should if they were no Clerkes. Be it further enacted &c. That euery person and persons which shall hereafter vpon his or their arraignement for any felony, be admitted to the benefit of his Clergy by the Lawes of the Realme, and deliuered to the Ordinarie for the same, and shall make his due purgation for the same offence or offences, whereupon he was so admitted to his clergie, and shall before the same admission to his Clergie, haue committed any other such offence, whereupon Clergy by the laws or statutes of this realme is not allowable, and not being thereof before indicted and acquited, conuicted, or attainted, or pardoned, shall and may be indicted or appealed for the same, and thereupon put to answer, and ordered and vsed in all things according to the Lawes and Statutes of this Realme, in such and like manner

Clergie denied

and

like manner and forme, as though no such admission of Clergie had beene: anie law, custome, or vsage to the contrary notwithstanding. Anno 8. Eliz. cap. 4.

28 For the repressing of the most wicked and felonious Rapes or Rauishments of women, maides, wiues, & damsels, & of felonious Burglaries, and for the auoyding of sundrie periuries, and other abuses, in, and about the purgation of Clerkes conuict, deliuered to the Ordinaries, Be it enacted and ordained by authority of this present Parliament, That if any person or persons, shall fortune at any time after the first day of June now next insuing, to commit or doe anie manner of felonious Rape, Rauishment, or Burglarie, and to be found guiltie by verdict of anie such felonious Rape or Burglarie, or that any person or persons shall fortune to be outlawed for any the offences aforesaid, vpon his or their arraignement shall confesse any such felonious Rape or Burglary, that in euerie such case, euerie person and persons so being found guiltie, outlawed, or confessing anie of the said felonious Rapes or Burglaries, shall suffer paines of death, and forfeit as in cases of Felonie hath been vsed and accustomed by the common Lawes of this realme, without anie allowance of the priuiledge or benefite of Clergie: anie law, custome, or vsage heretofore had, made, or vsed, to the contrary notwithstanding. And moreouer, be it further enacted by the authoritie aforesaid, That euery person and persons, which at anie time after the end of this present Session of Parliament, shal be admitted and allowed to haue the benefit or priuiledge of his or their Clergie, shall not thereupon be deliuered to the Ordinarie, as hath beene accustomed, but after such Clergie allowed, and burning in the hand, according to the Statute in that behalfe prouided, shall forthwith be inlarged and deliuered out of prison, by the Iustices before whom such Clergy shall be graunted, that cause notwithstanding. Prouided neuertheless, and be it also enacted by the authoritie aforesaid, That the Iustices before whom anie such allowance of Clergie shall be had, shall and may for the further correction of such persons to whom Clergie shall be allowed, detaine and keepe them in prison, for such conuenient time, as the same Iustices in their discretions shall thinke conuenient, so as the same doe not exceed one yeares imprisonment: any law or vsage heretofore had or vsed to the contrary in any wise notwithstanding. And for plaine declaration of Law, be it enacted, That if anie person shall vnlawfully and carnally know and abuse any woman child, vnder the age of ten yeares, euerie such vnlawfull and carnall knowledge shall be Felony, and the offendor thereof being duely conuicted, shall suffer as a felon, without allowance of Clergie. Prouided alwayes, that all and euerie person and persons, which shall hereafter be admitted to haue the benefite of his or their Clergie, shall notwithstanding his or their admission to the same, be put to answer to all other felonies, whereof he or they shall be hereafter indicted or appealed, and not being therof before acquited, conuicted, attainted, or pardoned, and shall in such maner and forme be arraigned, tried, adiudged, and suffer such execution for the same, as hee or they should haue done, if (as clerke or clerks conuict) they had beene deliuered to the Ordinarie, and there had made his or their purgation: anie thing in this Act contained to the contrary notwithstanding. Anno 18. Eli. cap. 7.

29 Be it enacted &c. That all and euerie such person and persons, as at any time after the end of this present Session of Parliament, (viz. 1. Feb. 1597.) shall be conuicted or attainted, of, or for any offence to be committed after the end of this present Session of Parliament, made felonie by the Act of the third yeare of the raigne of King Henrie the seuenth (cap. 2. Felonie 8.) or which shall be indicted and arraigned, of, or for anie such offence, and stand mute, or make no direct answer, or shall challenge peremptory aboue the number of twentie shal in euery such case, lose his and their benefit of Clergie, and shall suffer paines of death, without anie benfit of Clergie: anie former Law to the contrarie notwithstanding. Prouided alwayes, that this Act, nor any thing therein contained, shall not extend to take away the benefite of Clergie, but onely from such person and persons as hereafter shall be principals, or procurers, or accessaries before such offence committed. Anno 39. Eli. cap. 9.

Clergie dis. allowed

30 If anie person or persons after the end of this present Session of Parliament shall be found guiltie, and conuicted by verdict, confession, or otherwise, according to the Lawes of this Realme, for the felonious taking away, after the feast of Easter now next insuing, in the day time, of any money, goods, or cattel, being of the value of fiue shillings, or vpwards, in any dwelling house, or houses, or anie part thereof, or anie out-house, or out-houses belonging, and vsed, to and with anie dwelling house or houses, although no person shall be in the said house, or out-houses, at the time of such felonie committed: then such person and persons shall not be admitted to the benefite of his or their Clergie, but shall be vtterly excluded thereof. Anno 39. Eli. cap. 15.

Clergie dis. allowed

31 Be it enacted &c. that euery person and persons, which after one moneth next insuing the end of this present Session of Parliament, shall stabbe or thrust any person or persons, that hath not then anie weapon drawne, or that hath not then first stricken the partie which shall so stabbe or thrust, so as the person or persons so stabbed or thrust shall thereof die within the space of sixe months then next following, although it can not be proued that the same was done of malice forethought: yet the partie so offending, and being thereof conuicted, by verdict of twelue men, confession, or otherwise, according to the Lawes of this Realme, shall bee excluded from the benefit of his or their Clergie, and suffer death as in case of wilfull Murther. Prouided alwayes, That this Act or anie thing therein contained, shall not extend to anie person or persons, which shall kill anie person or persons se defendendo,

Stabbe

Clergie denied

dendo, or by misfortune, or in any other manner then as aforesaid, nor shall extend to any person or persons, which in keeping & preseruing the Peace, shall chance to commit manslaughter, so as the said manslaughter be not committed wittingly, willingly, and of purpose, vnder pretext and colour of keeping the Peace: Nor shall extend to any person or persons, which in chastising or correcting his child or seruant, shal besides his or their intent and purpose, chaunce to commit manslaughter. This Act to continue vntill the end of the first Session of the next Parliament. Anno 1. Iac. cap. 8.

Clerkes of the Chauncerie.

YE shall sweare, that well and lawfully ye shall serue our soueraigne Lord the King, and his people, in the office of Clerke of the Chauncery, to which yee be attitled. And ye shall not assent nor procure the kings disherison or damage to your power, nor ye shall doe, nor procure to be done any Fraud fraud to any mans wrong, nor to any thing that toucheth the keeping of the Seale, and ye shall lawfully counsell in the things that touchety the King, when ye shall be thereto required, and the counsell which ye know touching him ye shall keepe secret. And if ye know the Kings disherison, or perpetuall damage, or fraud to be done vpon things which Seale touch the keeping of the Seale, ye shall put your lawful power to redresse and amend the same. And if ye cannot the same doe, then ye shall certifie the Chancellor Chancellor, or other, which may do the same to bee amended to your intent. And for the Clerkes of course shalbe added. And ye shall not carry, nor Writs to your knowledge suffer to be carried any writs, which ye make out of the Court not sealed, thereof Atturney to do execution, nor shall record any Atturney by Licence writs, nor without writs, without speciall licence, if ye haue not lawfully examined the party, and the Atturney in proper person, or at the least, him that shall make Atturney in proper person: Nor yee shall deliuer no writ which shall be of commaundement to the Examiners, nor to the Seale, before that it be commaunded you by the commaundor, which hath power thereof, vnles it be to the Chancellor, or to one of the Masters which commanded Masters you to make the Writs. And all the Writs that Examiners ye shall make, ye shall deliuer them to the Examiners by your owne hand, or by one of your fellowes which is sworne to the King, if ye your selfe be out of the Court, because of sickenesse, or other cause necessary, so that ye can not doe the same. And no writ written of an other mans hand, be deliuered to the Examiners vnder your name, as yours, nor no name shall be put vpon your writs, but your owne, as God you helpe and all Saints. Anno 18. Ed. 3. Stat de Sacramento Clericorum Cancellariæ.

vt. Clerkes marry 2 Ann 14. H. 8. ca. 8. An Act is made, that the sir Clerkes of the Chauncery may marry.

Clerks of the Crowne.

BEcause that complaint is made to our Soueraigne Lord the King by the Commons, of the Clerke of the Crowne of the Kings Bench, whereas twenty, forty, or a hundred men be indicted of Indicted Felony one felony, or of one trespas, and all they pleade to an issue, as not guilty, the said Clerke ought not to take for the Venire facias, nor for the entring of the Venire facias plée more then two shillings, the said Clerke doth take for euerie such name by extortion two shillings, to the great oppression of the people: Our said Soueraigne Lord the King willing to saue his said people from such extortions and iniuries, by Extortion aduise and assent of the said Lordes spirituall and temporall, and at the prayer of the said Commons, hath ordained and established, that the said Clerkes of the Crowne shall take no more then hath beene Fees duly vsed of old times. And moreouer our said soueraigne Lord the King hath charged the Iustices Iust. of K. bench of the Kings Bench, that no extortion be done in this behalfe, in the Bench aforesaid. Anno 2. H. 4. cap. 10.

Clerke of the Market.

THe Clerke of the Market of the Kings house, Of Kings shall do his office well and duly. And that al Falle false Measures and Weights shal be burned, after measures Weights the forme of the Statute. And that the said Clerke take no common fine, but that euery person which is found in default touching the same office be punished according to his deseruing. And that he shall not ride but with fiue horses at the most, and that he shall not tarry in no towne, nor other place no longer then the necessity of his déd shall require, and if he do any thing contrary to this Statute, and be thereof duely conuict, hée shall pay to the King at Fine the first time that he shall be so conuict an hundred shillings, and at the second time ten pounds, and at the third time twenty pounds. Anno 13. Rich. 2. cap. 4.

Clerkes of the Signet, and priuie Seale.

ANno 27. H. 8. ca. 11. An Act was made, how, Grants Leases and in what wise the Kings grants, writings and leases shall passe the priuie Signet, the priuie Seale, and the great Seale, and in what time they shall passe those Seales, and forfeitures set vpon the Clerks of the priuie Signet, and priuie Seale, for not doing their duetie, and what fées they shall take for those writings, and what fées shalbe paied to any person for the same, and how, & where such writings shall come to the great Seale with an immediate warrant, and not passe the Signet, or priuie Seale, and what fées shall then be paid therefore, and how, and vnder what Seales the Kings leases, graunts, and writings of lands, or offices of the countie Palantine, or Duchie of Lancaster shall passe, and what graunts, leases, or writings for the King, may be made without his warrant, and diuerse Articles at large concerning these matters.

Collectors.

Collectors.

ANno 9.H.5.cap.9. An Act was made (to indure to the next parliament that should be after the Kings returne into England) that Abbots and Priors should not be Collectors of Disines or Subsidies out of the shires where they dwelt.

2 Anno 9.H.5. Stat. 2. cap. 10. An Act was made (to indure to the next parliament, that should be holden after the Kings returne into England) for Collectors of tenne and fifteene to recouer such money as they payed for their fellowes.

3 That no man dwelling within anie citie or borough within the said Realme, of which citie or borough it hath beene vsed before this time, and yet is, that the names of certaine men by the persons for the said citie or borough, comming to the Parliament, to be delinered in the Kings Chauncerie to be Collectors of the Disimes in the same citie or borough: And whereupon the King hath sent his Letters Patents to the same persons so named and deliuered in his Chauncerie, to be Collectors of the Disme, or parcell of the same, within the said citie or borough, and the which Collectors haue accompted & be bound to accompt of their receipt in this behalf, immediatly in the Kings eschequer, shall in any wise be deputed nor assigned to be Collectors of any quinzime, or anie parcell of the same, granted, or to be granted to the King or his heires, within any county of this Realme, except that he may expend in the county out of the said citie or borough in lands or tenements to the value of an C. ſ. by yeare, ouer all charges and reprises. Anno 18.H.6.cap.5.

Common Plees.

COmmon Plees shall not follow our court, but shall be holden in some place certaine. Magna charta cap. 11.

2 No common Plee shall be from henceforth holden in the Eschequer, contrarie to the forme of the great Charter. Articuli super chart. cap. 4. An 28.Ed.1.

Commission, and Commissioners.

BY Anno 18.Ed.3.cap.1. Commissions granted to inquire of certain things were repealed.

2 By Anno 18.Ed.3. cap. 4. Commissions made to allay Measures, Yardes, and Weights were repealed, and that no such Commissions should after be graunted.

3 From henceforth in all inquiries within the Realme, the Commissions shall be made to some of the Justices of the one Bench or of the other, or Justices of Assise, or Justices of the Peace, with other of the most worthie of the countrey, as well for the Kings profit as the commons: Sauing in the office of Escheator, or any thing that toucheth the same office. Anno 42. Ed.3.cap.4.

4 Anno 10.Ri.2. A Commission was made by the King, and authorized by the Parliament, to diuers to surney the Kings reuenewes, and to correct and reforme for many things there expressed, and penalties set vpon them that should moue the King to repeale this Commission. And after An 11.R.2.ca.2.and 3. the said Commission was affirmed, and all that was done by force of the commission, and that none should be molested for raising or assembling of force, for anie thing against them that did resist the commission, nor for any euill gouernante about the King, except certaine persons there named. And after Anno 21.Ric.2. cap.2. the said Statute of Anno 10.Ric.2. in that Article, and the said commissions, and all the pains and dependants thereupon were repealed. It was there enacted, That no such Commission should after be made, and that whoso purchased or procured, or put in vre any such Commission, should be a Traitor. But the Parliament of Anno 21.Ri.2. was repealed by 1.H.4.cap.3.

5 Anno 1.H.4.cap.9. It was enacted, That Commissioners made in the time of Richard the second that were rifled, and had deliuered their commissions, should not be charged to certifie, but should be discharged by their oaths.

6 Because that many commissions be made in the Chauncery, and directed to diuers persons of the Realme, sometime to inquire and certifie, sometime to inquire, heare, and determine, and sometime to seise lands and tenements, goods, and cattels, which commissions neuer came to the hands of the said commissioners, whereupon writs issued out of the Eschequer of our Soueraigne Lord the King, to distraine such commissioners, their executors, heires, and land-tenants, sometime to yeld the estreats of the fines, issues, and amerciaments, which pertaineth to our Soueraigne Lord the King, because of the said commissions, sometime to certifie that which is found before them by enquest, and sometime to accompt of certaine things contained in the said commissions, to the great damage and disquieting of many the Kings liege people. The same our Soueraigne Lord the King, for the ease and quietnesse of his people, willing in this case to prouide remedy, by the assent aforesaid, will and hath ordained and established, That the Chancellor of England for the time being, shall vse his power, as hee hath done before time, in this case, and in other cases. The same Chauncellor calling to him such Justices, as him shall please, or the chiefe Baron of the Eschequer, if need be, shall haue power by authority of Parliament, to prouide remedy from time to time by their discretions. Anno 4.H.4.cap.9.

7 Whereas many of the Kings liege people be assigned by the commissions, to doe and performe the contenue of the same, some to heare and determine, some to inquire and certifie, and otherwise, whereby the same commissioners be grieuously distrained by proces out of the Eschequer, by reason of the said commissions, and by that occasion doe lose great issues, where the said commissioners were neuer knowing of such commissions, nor the same commission neuer came to their hands, to the great damage and disease of many of the kings subiects:

Surney

Traytor

Discharge Oathes

Chauncerie

Diet & ter.

Eschequer

Executors

Amerciaments

Chancellor

Justices Chiefe Baron.

ſubiects: It is ordained and eſtabliſhed, that the Barons of the Eſchequer, ſhall haue power to receiue the oath of ſuch Commiſſioners, and of their excuſe and diſcharge of the receipt or occupation of the ſaid commiſſions. And alſo that the ſame Barons, and the Iuſtices of the one Bench and the other, ſhall haue power by Writ of Dedimus poteſtatem, to receiue ſuch Oaths in the countrey. And that the ſame Iuſtices ſhall thereof certifie the ſaid Barons in the Eſchequer from time to time, and that vpon the ſame, the ſaid Barons ſhall diſcharge the ſaid Commiſſioners. And in likewiſe it ſhal be done for their heires, executors, or land-tenants, of the ſame Commiſſioners. Prouided alwayes, that ſuch oaths be not taken, but in the caſe of commiſſions of Oier and Determiner, and of inquirie and certifying only. Anno 7.H.4.cap.11.

Barons of the Eſcheq.

Iuſt. of both Benches

Dedimus poteſtatem

Diſcharge

Heire Executors

Oier & ter.

8 Anno 31.H.8.ca.14. An Act was made for matters of religion, called the act of the ſix Articles, and therein was enacted, that Commiſſions ſhould be made to inquire of theſe matters. But Anno 1. Ed.6.cap.12. that Act was repealed: And before the repeale, s.Anno 32.H.8.cap.15. an Act was made, that certaine Spirituall Officers and Iudges ſhould be Commiſſioners. But after 1.Ed.6. this Act of 32. H 8. was of no force, becauſe the ſaid Statute of 31.H.8.ca.14. was repealed.

vi. Articles

Condition.

As well all and euerie perſon and perſons, and bodies politike, their heires, ſucceſſors, and aſſignes, which haue, or ſhall haue any gift or grant of our ſaid ſoueraigne Lord, by his letters patents, of any lordſhips, manors, lands, tenements, rents, parſonage, tithes, portions, or any other hereditaments, or of any reuerſion, or reuerſions of the ſame, which did belong and appertaine to anie of the ſaid monaſteries, or other religious and eccleſiaſticall houſes, diſſolued, ſuppreſſed, relinquiſhed, forfeit, or by any other meanes come to the Kings hands, ſince the ſaid fourth of Februarie, the ſeuen and twentieth yeare of his moſt noble raigne, or which at anie time heretofore did belong or appertaine to any other perſon or perſons, and after came to the hands of our ſaid ſoueraigne Lord, as alſo all other perſons being grantees, or aſſignees, to, or by our ſaid ſoueraigne lord the King, or to, or by anie other perſon or perſons then the Kings Highneſſe, and the heires, executors, ſucceſſors, and aſſignes of euery of them, ſhall and may haue and inioy like aduantages againſt the leſſees, their executors, and adminiſtrators, and aſſignees, by entry for nonpayment of the rent, or for doing of waſt or other forfeiture, and alſo ſhal and may haue and inioy all and euery ſuch like, and the ſame aduantage, benefite, and remedies, by action only for not performing of other conditions, couenants, or agreements, conteined and expreſſed in the Indentures of their ſaid leaſes, demiſes or grants, againſt all and euery the ſaid leſſees and fermors, and grantees, their executors and adminiſtrators, and aſſignes, as the ſaid leſſors or graunters themſelues, or their heires or ſucceſſors, ought, ſhould or might haue had and inioyed at any time or times, in like maner and forme, as if the reuerſion of ſuch lands, tenements, or hereditaments had not come to the hands of our ſaid Soueraigne Lord, or as our ſaid Soueraigne Lord, his heires and ſucceſſors ſhould or might haue had and inioyed in certaine caſes by vertue of the Acts made in the firſt Seſſion of this Parliament (s.Anno 31.H.8.cap.13. which is in Monaſteries 11.) if no ſuch graunt by Letters Patents had been made by his Highneſſe. Moreouer be it &c. that all farmors, leſſees, and grauntees of lordſhips, manors, lands, and tenements, rents, parſonages, tithes, portions, or any other hereditaments, for terme of yeares, life or liues, their executors, adminiſtrators and aſſignes, ſhall and may haue like action, aduantage and remedy againſt all and euery perſon or perſons, and bodies politike, their heires, ſucceſſors and aſſignes, which haue or ſhall haue any gift or grant of the King our ſaid ſoueraigne Lord, or of any perſon or perſons, of the reuerſion of the ſame manors, lands, tenements, and other hereditaments ſo letten, or any parcell thereof, for any condition, couenant, or agreement contained or expreſſed in the Indentures of their leaſe and leaſes, as the ſame leſſees or any of them might and ſhould haue had, againſt the ſaid leſſors and graunters, their heires or ſucceſſors, all benefits and aduantages of recoueries in value, by reaſon of any warranty in deed or in law, by voucher or otherwiſe onely excepted. Prouided alwayes, that this Act, nor any thing or things therein contained, ſhall extend to hinder or charge any perſon or perſons for the breach of anie couenant or condition comprized in any ſuch writing, as is aforeſaid, but for ſuch couenants and conditions, as ſhal be broken or not performed after the firſt day of September next comming, and not before: anie thing before in this Act contained to the contrarie thereof notwithſtanding. Anno 32.H.8.cap.34.

Gift Graunt

Heire Executors

Waſt

Leaſes

Action

Parſonages Tythes

Couenant

2 See First Fruits and Tenths 9. A like ſtatute for graunts of reuerſions, and that the leſſees and their grauntees of benefices appropriate renounced by the King and Queene to the ſpiritualtie.

Reuerſion

Confirmation.

The great Charter ſhall be obſerued in all his articles, as well in ſuch as appertaine to the King, as to other, and that ſhall be commanded before the Iuſtices in Eire in their circuits, and before the Sheriffes in their counties, when need ſhal be. And Writs ſhalbe freely granted againſt them that doe offend againſt the ſame as well before the King as the Iuſtices of the Bench, or before Iuſtices in Eire, when they come into thoſe parties. Likewiſe the Charter of Forreſt ſhal be obſerued in al his articles, and the offendors when they be conuict, ſhal be grieuouſly puniſhed by our ſoueraigne lord the King, in forme abone mentioned. Marleb. cap.5. Ann 52.H.3.

Magna char.

Sheriffs

Charta de Foreſta

2 From henceforth the great Charter of the liberties of England, graunted to all the Commonaltie of the Realme, and the Charter of Forreſt in like

Magna char.

Charta de Foreſta

like manner graunted, shall be obserued, kept, and maintained in euery point in as ample wise, as the King hath graunted, renewed, and confirmed them by his Charter. And that the Charter be deliuered to euerie Shiriſe of England, vnder the Kings Seale, to be read foure times in the yeare before the people in the full Countie, that is to wit, the next Countie day after the feaſt of Saint Michael, and the next Countie day after the feaſt of Chriſtmas, and after Easter, and after the feaſt of Saint John Baptiſt. And for these two Charters to be firmely obserued in euerie point and article (where before no remedie was at the common Law) there shall be chosen in euerie Shire Court, by the comminaltie of the same Shire, three substantiall men, knights, or other lawfull, wise, and well disposed persons to be Iustices, which shall be assigned by the Kings Letters Patents vnder the great Seale, to heare and determine (without any other Writ, but onely their Commission) such plaints as shall be made vpon all those that commit or offend against any point contained in the foresaid Charters, in the Shires where they be assigned, as well within franchises as without, and as well of the Kings ministers out of their places, as of other, and to heare the plaints from day to day, without any delay, and to determine them, without allowing the delayes which be at the common Law. And the same knights shall haue power to punish all such as shall be attainted of any Trespas done contrarie to any point of the foresaid Charters (where no remedie was before at the common Law) as before is said, by imprisonment, or by fine, or by amercement, according to the Trespas. Neuertheleſſe, the King nor none of his Counsell that made this ordinance, intend, that by vertue hereof any of the foresaid knights should hold any manner plee by the power giuen vnto them in any such cases, wherein there hath bin remedie prouided in times passed after the course of the common law by writ. Nor also that the common law be preiudiced, nor the Charters aforesaid in any point. And the King willeth, that if all iij. be not present, or cannot at all times attend to doe their office in forme aforesaid, the King commaundeth, that two of them shal doe it. And it is ordained, that the Kings Shirifes and Bailifes shalbe attendant to do the commaundements of the foresaid Iustices as farre forth as appertaineth vnto their offices. Articuli super chartas, cap. 1. Añ 28. Ed. 1.

3 In the second volume of the old Statutes is an Ordinance intituled, Confirmatio Chart de libertat Angliæ & Foreſtæ, Añ 25. Edw. 1. By which is ordained, that the Charter of Magna Charta, and the Charter of the Forrest shalbe kept, and that the same Charters shall be published in Townes, and red in Cathedrall Churches, & that Bishops shall excommunicate the breakers thereof. And then followeth a forme of a sentence of excommunication intituled, Sententia lata super confirmatione Chartarum.

4 Magna Charta, & Charta de Foreſta shall be kept and put in execution. Añ 1. 2. 4. 5. 10. 14. 28. 31. 36. 37. 38. 42. 45. & 50. Ed. 3. cap. 1. Añ 1. 2. ſtat. 2. 5. 6. ſtat. 1. 6. ſtat. 2. 7. 8. & 12. R. 2. cap. 1. Anno 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. And Anno 4. H. 5. cap. 1.

5 If any Statute be made contrarie to Magna Charta and Charta de Foreſta, it shall be void. Añ 42. Ed. 3. cap. 1.

6 All eſtatutes not repealed shall be kept and put in execution. Añ 10. 28. 36. 37. 38. & 50. Ed. 3. cap. 1. Anñ 1. 2. ſtat. 2. 3. 5. 6. 7. 8. 9. & 12. R. 2. cap. 1. & Añ 13. R. 2. cap. 8. & Añ 15. R. 2. cap. 2. & Añ 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. & Anñ 4. & 5. Ph. & M. cap. 1.

7 All Statutes not repealed made againſt artificers shall be kept and put in execution. Añ 13. R. 2. cap. 8. — Artificers

8 All Statutes not repealed of Eſcheators, Shirifes, Vndershirifes, and Clerkes of the Shirifes, shall be kept and put in execution. Anno 9. R. 2. cap. 1. — Eſcheators Shirifes

9 All Statutes not repealed of Laborers shall be kept and put in execution. Anñ 8. R. 2. cap. 1. & Añ 13. R. 2. cap. 8. — Laborers

10 All Statutes not repealed of Purueyors shall be kept and put in execution. Añ 5. 6. 8. & 9. R. 2. cap. 1. — Purueyors

11 All Statutes not repealed of Vitailers shall be kept and put in execution. Añ 13. R. 2. cap. 8. — Vitailers

12 Añ 1. H. 4. cap. 4. It is enacted, That the Parliament holden Anñ 11. R. 2. shall be holden and kept. — Parliament

13 Añ 1. E. 4. cap. 1. An Act was made, whereby was confirmed all iudiciall acts, exemplifications, concords, recoueries, proceſſe in Court made in the times of H. 4. H. 5. and H. 6. and all Grants and Letters Patents of diuers things mentioned in the said Act, made by any of the said three kings. See the statute. — Exemplification — Letters P.

14 See Patents of Confirmations of the Kings Letters Patents.

15 See Rome 5. what things be confirmed by the Pope. — Pope

16 See Weights 55. of Confirmation of Statutes made for measures of veſſels, and gauging. — Measures

Coniurations, Enchantments, and Witchcraft.

1 ANno 5. Eliz. cap. 16. there was a Statute made against Coniuration, Enchantments, Witchcraft, and Sorcerie, which is since repealed by another Statute made Añ 1. Iacobi cap. 12. against the same offences, here following.

2 Be it enacted &c. That the Statute made in the fift yeare of the raigne of our late Soueraigne Ladie of most famous and happie memorie Quéene Elizabeth, intituled, An Act against Coniurations, Inchantments, and Witchcrafts, be from the Feaſt of S. Michael the Archangell next comming; for and concerning all offences to be committed after the same Feaſt, vtterly repealed. And for the better restraining the sayd offentes, and more seuere punishing the same,

Be it further enacted &c. That if any perſon or perſons, after ỹ ſaid feaſt of S. Michael the Archangell next comming, ſhall vſe, practiſe, or exerciſe any Coniuratiõ Inuocation, or Coniuration of any euill and wicked ſpirit, or ſhall conſult, couenant with, entertaine, employ, feede or reward any euill and wicked ſpirit, to, or for any intent or purpoſe, or take vp any dead man, woman, or child, out of his, her, or their graue, or any other place, where the dead body reſteth, or the ſkinne, bone, or any other part of any dead perſon, to be imployed or vſed in any manner of Witch-craft, Sorcerie, Charme, or Inchantment, or ſhall vſe, practiſe, or exerciſe any Witch-craft, Inchantment, Charme, or Sorcerie, whereby any perſon ſhall be killed, deſtroyed, Deſtroyed waſted, conſumed, pined, or lamed in his or her body, or any part thereof: That then euery ſuch Offendor, or Offendors, their Ayders, Abbettors, Accẽſſories and Counſellors, being of any the ſaid offences duly and lawfully conuicted and attainted, ſhall ſuffer Felony Clergie denied paines of death, as a Felon, or Felons, and ſhall loſe the priuiledge and benefit of Clergie, & Sanctuarie. And further to the intent that all manner of Practiſe, Vſe, or Exerciſe of witchcraft, Enchantment, Charme, or Sorcerie ſhould be from henceforth vtterly auoided, aboliſhed, and taken away, Be it enacted &c. That if any perſon or perſons ſhall from and after the ſaid Feaſt of Saint Michael the Archangell next comming, take vpon him or them by Witchcraft, Inchauntment, Charme, or Sorcerie, to tell or declare in what Treaſures place any treaſure of Gold or Siluer ſhould or might bee found or had in the earth, or other ſecret Loſt goods places, or where goods or things loſt or ſtollen ſhould be found, or become, or to the intent to prouoke any perſon to vnlawfull Loue, or whereby any Vnlawfull loue Goods deſtroyed Cattell or Goods of any perſon ſhall be deſtroyed, waſted, or impaired, or to hurt or deſtroy any Body hurt perſon in his or her bodie, although the ſame be not effected and done: That then al and euery ſuch perſon or perſons ſo offending, and being thereof lawfully conuicted, ſhall for the ſaid offence ſuffer Impriſ. impriſonment by the ſpace of one whole yeare, without bayle or mainprize, and once in euery quarter of the ſaid yeere, ſhall in ſome Market towne vpon the Market day, or at ſuch time, as any Fayre ſhall bee kept, there ſtand openly vpon the Pillorie Pillory by the ſpace of fiue houres, and there ſhall openly confeſſe his or her error and offence. And if any perſon or perſons being once conuicted of the ſame offences, as is aforeſaid, doe eftſoones 2. offence perpetrate and commit the like offence, That then euerie ſuch offendor being of any the ſayde offences the ſecond time lawfully and duely conuicted and attainted, as is aforeſaid, ſhall ſuffer Felony paines of death as a Felon, or Felons, and ſhall Clergy denyed loſe the benefite and priuiledge of Clergie and Sanctuarie. Sauing to the wife of ſuch perſon as ſhall offend in any thing contrarie to this Act, her Dower title of Dower, and alſo to the heire and ſucceſſors of euerie ſuch perſon, his or their titles of Inheritaries, Succeſſion, and other rights, as though no ſuch Attainder of the Auncestor or Predeceſſor had beene made. Prouided alwayes, that if the offendor in any the caſes aforeſaid, ſhall happen to be a Peere of the Realme, then his tryall therein to be had by his Peeres, as it is vſed Peers of the Realme in caſes of Felonie or Treaſon, and not otherwiſe. Anno 1. Iac. cap. 12.

Conſpiracie.

COnſpirators be they that doe confeder or bind themſelues by oath, couenant, or other alliance, that euerie of them ſhall aide and beare the other, falſely and maliciouſly to indict, or falſely to mone or maintaine plees, and alſo ſuch as cauſe children within age to appeale men of Felonie, whereby they are impriſoned and ſore grieued, and ſuch as retaine men in the countrey with liueries or fees for to maintaine their malicious enterpriſes, and to drowne the truth, and this extendeth as well to the takers as to the giuers. And Stewards and Bayliſes of great Lords, Stewards which by their Seigniorie, Office, or Power, vndertake to beare and maintaine Quarrels, Plees, and Debates, that concerne other parties then ſuch as touch the eſtate of their Lords, or themſelues. Ann 33. Ed. 1.

2 In right of Conſpirators, falſe Informers, Informers and Imbracers of Iurors, Inqueſts, Aſſiſes, Iudicates and Iuries, the King hath prouided remedie for the plaintifes by a Writ out of the Chauncerie. And neuertheleſſe, the King will, that the Iuſtices Iuſt. of the Benches of either Bench, and the Iuſtices aſſigned to take Aſſiſes, when they come into the Countrey to doe their office, ſhall vpon euerie plaint made vnto them, award Inqueſts thereupon without Writ, Inqueſts and ſhall do right vnto the plaintifes without further delay. Articuli ſuper chartas, cap. 10. Anno 28. Ed. 1.

3 For as much as diuers men of malice and enmitie, and for vengeance, haue often cauſed to bee indicted and appealed diuers of our liege Appeals people of Treaſons and Felonies in diuers Counties, pretending by theſe Appeales and Indictments, that the ſaid Treaſons or Felonies were committed in a certaine place, where of troth no ſuch place is to be found in the ſaid Countie, where the ſaid Appeale and Indictment is made, to the great dammage and perill of ſuch our liege people, conſidering that ſome ſo appealed and indicted, dare not appeare before the Iuſtices in their proper perſons, to anſwere thereto, for feare of beating, maiming, or ſleying of them, by the conſpirators or procurors of the ſame Appeales and Indictments, as by the Commons of the Realme of England, in our laſt Parliament holden at Weſtminſter, by their Petition there exhibited, grieuouſly complaining, was ſhewed: It is ordained in the ſame Parliament by the aſſent of the Prelates and great men of the ſame Realme there being, at the requeſt of the ſayd Commons, for the common profit and quietneſſe of the people of the ſame Realme, That euerie Iuſtice, which hath power to heare and determine ſuch Treaſons and Felonies, within the Iuſtices

ſaid

ſaid Countie, by the oath of twelue men, of whom euerie one ſhall haue freehold in the ſame Countie to the yearely value of an 100.s. aboue all charges, before that the Erigent be awarded, without allegations of the party, as well in the parties abſence, as his preſence, ſhall enquire of office, whether any ſuch place be in ẏ Countie, where ſuch appeales or indictments be made or not: and if it bee found that there is no ſuch place within ẏ ſame Countie, then ſuch appeales and indictments, and the proces thereof made or to be made, ſhalbe void and holden for none. And that in ſuch caſe the indictors afore-ſaid be puniſhed by impriſonment, fine, & ranſome, by the diſcretion of the ſaid Juſtices. And that this preſent ordinance & remedie extend as well to appeales and indictments to be taken hereafter. And if any erigent from henceforth be awarded, before that ſuch inquiſition of office (as is aforeſaid) be taken, that the ſame erigent, and the awarding thereof be likewiſe void and holden for none. Prouided that this preſent ordinance haue ſtrength & extend only vntill the nert Parliament. Añ 7. H. 5. cap. 1. & añ 9. H. 5. cap. 1. And after añ 18. H. 6. cap. 12. this Act is made perpetuall, becauſe it was doubted whether it be expired by that, that King H. 5. died beyond the ſea before his returne into England.

Freeholders

Eſquires

Erigent

Priuy ſeale

Conſtable and Marſhall.

TO the Conſtable it pertaineth to haue cogniſance of contracts touching deedes of armes, and of warre out of the Realme, and alſo of things that touch armes or warre within the Realme, which cannot be determined nor diſcuſſed by the common Law, together with other vſages and cuſtomes to ẏ ſame matters pertaining, which other Conſtables heretofore haue duely and reaſonably vſed in their time. Joyning to the ſame, that euery plaintife ſhal declare plainely his matter in his petition afore that any man bee ſent for to anſwere thereunto. And if any will complaine, that any plee be commenced before the Conſtable and Marſhall, that might be tried by the law of the land, the ſame complainant ſhall haue a priuie Seale of the King without difficultie directed to the ſaid Conſtable and Marſhall, to ſurceaſe in that plee, till it be diſcuſſed by the Queenes counſell, whether that matter ought, & of right pertaineth to that Court, or otherwiſe ought to be tryed by the common law of the Realme of England, and alſo that they ſurceaſe in the meane time. Añ 13. R. 2. cap. 2.

Contra formam collationis.

IF Abbots, Priors, keepers of Hoſpitals, and other religious houſes, founded by him or by his progenitors, doe from henceforth alien their lands giuen to their houſes by him or by his progenitors, the land ſhall be taken into the Kings hands, & holden at his will, and the purchaſer ſhall leeſe his recouerie as well of the lands as of the mony that he payed. And if the houſe were founded by an Earle, Baron, or other perſons: he by whom, or by whoſe auncеſtor the land ſo alienеd was giuen, ſhall haue for the lands ſo alienеd ſuch a Writ, to recouer the lands in demeſne: Præcipe tali Abbati, quod juſte &c. reddat G. F. tale tenementum, quod eidem domui collatum fuit in liberam eleemoſinam, per prędictum G. vel anteceſſores ſuos, & quod ad dictum G. reuerti debet per alienationem, quam prædictus Abbas fecit de prædicto tenemento, contra formam collationis prædict', vt dicit. In like manner for lands giuen for the maintenance of a Chaunterie, or of a light in a Church or Chappell, or for almes to be maintained, if the land ſo giuen be alienеd. But if the land ſo giuen for a Chaunterie, light, ſuſtenance of poore people, or other almes, to bee maintained or done, bee not alienеd, but ſuch almes be withdrawne by the ſpace of two yeares, ſuch an action ſhall lye for the donor or his heire, to demaund the land ſo giuen in demeſne, as it is ordained in the ſtatute of Glouceſter (which See in Ceſſauit 1.) for lands leaſed to do or to render the fourth part of ẏ value of the land, or more. Weſtm. 2. cap. 41. Añ 13. Ed. 1.

Chauntrie Church Chappell

Poore people

Action

Conuſance.

WHereas diuers people doe oftentimes ſue Aſſiſes of Nouel diſſeiſin, or other writs of plee of land, before Juſtices aſſigned at the common Law, the lands, tenements, and rents being within franchiſed townes and auncient demeſne, againſt other perſons, and doe to be named alſo in their ſaid Aſſiſes and Writs, the Mayor and Bayliſes, and Comminaltie of the franchiſes, and the Lords & Bayliſes within auncient demeſne afore-ſaid, whereas of troth they be not diſſeiſors nor tenants of the ſaid lands, tenements, or rents ſo being in plee, but named by colluſion & fraud, to void and exclude the ſaid Mayors, Bayliſes, and Comminaltie, & the ſaid Lords & Bayliſes of auncient demeſne, of their franchiſes & liberties, cogniſance and iuriſdiction of their Court before them: It is ordained & eſtabliſhed, that in ſuch Aſſiſes & Writs purchaſed or ſued from henceforth, or at this preſent hanging betwixt any parties before any ſuch Juſtices at the common Law, in which ſuch Mayor, Bayliſes, & Comminaltie, or Lords or Bayliſes of auncient demeſne be named, That ſuch Juſtices ſhall firſt enquire by the ſaid Aſſiſe in the countrey, whether the ſaid Mayor, Bayliſes, & Comunaltie, or Lords or Bailiſes of ancient demeſne (if they that require before ſuch Juſtices) be diſſeiſors or tenants in ſuch caſe, or be named by colluſion and fraud, as afore is ſaid. And if it be found that they be not diſſeiſors nor tenants of the ſaid lands, tenements, or rents, but be acquited before the ſame Juſtices, and found that they be named by colluſion and fraud in the forme aforeſaid, that in ſuch caſe the Juſtices ſhall do the ſaid writs of Aſſiſes, or other writs purchaſed in the forme aforeſaid, to be abated & adnulled, and that the ſaid plaintife or plaintifes ſhall be grieuouſly amerced by the King, notwithſtanding that other tenants or diſſeiſors be named or found in ſuch Aſſiſes or Writs. Añ 9. H. 4. cap. 5.

Nouel diſſ.

Auncient demeſne

Mayor Bayliffes

Colluſion

Aſſiſes

Juſtices

Diſſeiſors

Amerced

Actions personall

2 In all writs of Assises and of actions personall, sued or to be sued before ỳ King in his Bench, Justices of the common Place, or any other the Kings Justices for the time being, of any lands or tenements, or of any thing being and rising within

Ancient demesne

any Seignioꝛie, Franchises, or ancient demesne, whereof the cognisance or iurisdiction ought to pertaine to any Lords, Mayors, Bailifes, Citizens, or Burgesses or Comminaltie of such Seignioꝛies, Franchises, or auncient demesne, that then if any defendant in any such Assise or other actions personall make any default, to put out, exclude, & expell the aforesaid Lords, Mayors, Baylifes, Citizens, Burgesses, or Comminaltie of their cognisance or franchise, that the Justices at the request of ỳ said Lords, Maiors, Bailifes, Citizens, Burgesses or comminaltie shal make inquiry by the Assise where such exceptions are alleadged in Assises, and in actions personals by inquest to be taken before the Justices, whether any such defaults be made as afore is said, or not: In which assise and inquest so to be taken, aswell ỳ plaintifes as the Lords, Maiors, bailifes, citizens, burgesses and comminalty may

Challenge Enquests

haue their challenge. And if it be found by such Assises or inquests so to be taken, that such defaults bee made by collusion, to put out and exclude the said Lords, Maiors, bailifes, citizens, burgesses or comminaltie of their franchises, liberties, cognisances, or iurisdiction, that in such cases the said writs shalbe abated, and the plaintifes shalbe in the kings mercie, by the consideration that it is ordeined by the statute made in the 9. yere of the raigne of king Henrie, graundfather to our soueraigne Lord the king (before 1.) that if any Maior, bailife, comminaltie, or Lord of ancient demesne, be named in writs of Assises by collusion, to put them out of their cognisance or iurisdiction in this behalfe, that

Inquire

ỳ Justices first shall enquire by ỳ Assise of the contrey of such collusion, if the said Lords, Maiors, Bailifes or Comminalty the same require. And if it be found by such inquisition that they be so named by collusion, that then the writ shall abate. An. 8. H. 6. cap. 26.

Cordwainers, Curriers, Tanners, and Leather.

See the statutes which were collected into this Stitle in the 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 13. 16. 19. and 20. numbers, all repealed after 21. by 5. Eliz. c. 8. and therefore heere omitted. And see the same statute of 5. Eliz. cap. 8. and all the statutes repealed by a statute made Anñ 1. Iac. cap. 22. hereafter 24.

Stranger Denizen Shipping Wales

12 No maner of Estraunger or Denizen shall packe or cause to be packed any maner of leather, to be conueied or shipped ouer the sea out of this realme, Wales, or other the kings dominions, otherwise then in this act is expressed, that is to say: that all such leather shall be hereafter packed, by a

Packer Sworne Port

packer sworne in euery such Port, where any leather shall bee shipped to bee conueied out of this Realme, Wales, or other the kings Dominions, vpon pain of forfeiture of al such leather as hereafter shall be packed contrarie to the purport of this act, or the value thereof. And also that from hencefoꝛth euery stranger and denizen which shall ship, Denizen send or conuey any leather ouer the sea, out or from any part of this Realme, Wales, Chesshire, or other the kings dominions, shall pay like custome for the same, as is vsed to be paied within the port of London, that is to say, euery stranger to pay for London euery dicker of leather for custome, foure shillings and nine pence: And euery denizen foure shillings and a penie. And be it also enacted, that within euery port, hauen, or creeke within this Realme, Haun Wales, and other the kings dominions where no teller or packers at this present time be, nor before Teller the making of this act haue beene, that from hencefoꝛth the Customers and comptrollers of euery such port, hauen and creek where such leather shall be shipped to be conueied into the parts beyond the sea, shall haue power by the authoꝛitie of this act, to name, constitute, and appoint one able person to tell and number all such leather as shal be at any time there shipped, which person so named shall bee sworne by the customer and comptroller of euery Sworn such port, hauen, & creeke truly and duly to execute his office in the presence of the customer & comptroller of euery such Port, Creek or Hauen where any such leather shall be shipped, or of his or their deputie or deputies, the same teller taking of euery straunger for the telling of euery dicker of leather sixe pence, whereof the same teller to haue for his labour two pence, & foure pence to bee to the Comminaltie of the same Towne and Port, toward the

Farme

paiment of their fee farme and other their charges. And of euery denizen, not being a free man of the said Port & Hauen, for euery dicker foure pence, whereof the teller to haue two pence, and the other two pence to be the Comminaltie of the same Port or Hauen, for the intent aboue declared. And of euery dicker by any person being a free man of such Port & Hauen, but only two pence for his labour. And that immediatly after such tale had, and entrie thereof made by the customer or his deputie, another able person named, deputed and assigned by the said customers and comptrollers of euery such Port and Hauen, and before them sworne truely and duely to do and execute his office, shall packe Packe all such leather so sold and entred, euery packe to containe as many dicker vnder the number of seuen dicker, as it shall please the Marchant or owner thereof to appoint, taking for his labour for the packing of euery packe foure pence. And be it &c. That if any packer take vpon him to packe any leather before it bee told or numbred, and entry thereof made by the Customer or his deputie, or at any time packe more leather then shall bee told and entred according to the purport of this Act, that then the same packer to forfait Forf. and loose for euery time dooing the contrarie fiue pound, and to suffer therefore imprisonment Imprison. at the kings pleasure. And also, that if the teller within any such Port or Hauen at any time hereafter, take vpon him to tell or number any leather in the absence of the Customer, Comptroller, or of his or their deputy or deputies:

then

Forf.

then the same teller for euerie time so being to lose and forfeit fiue Marks. And forasmuch as diuers strangers carrie and conuey their leather from one Port to another, and by the way cause the same leather to be packed, which packes so conueyed be not vndone nor opened at their arriuall within the Ports whereunto they be so transported, but there onely entred by & vpon the report and information of the Marchant stranger, or of his factor, whereby much custome is concealed, Be it &c. That if any stranger or other his factor at any time hereafter do conuey and carrie any leather from one Port to another, to the intent to ship the same in such other Port whereunto it shall be so conueyed, the same stranger, or other his factor for him, before such transporting of the same leather, shall cause the said leather first to be tried within the same Port, from whence he will or intendeth to carrie the same: and the same so told, cause to be entred by the customer of the same Port, or his deputie, and cause to be also packed by the said packer of the said Port where it shalbe so told, taking of the customer or customers of the same Port, Hauen, or their deputie or deputies a certificat, expressing the number or quantitie of dickers of all the same leather, so to be carried & transported, directed to the customer of the other Port or Hauen, whereunto the same leather shalbe so conueyed, making mention also in the same Certificat, whether the custome thereof accordingly be truly payed or not. And in case any such leather be carried or conueyed from one Port to another, there to be shipped, without hauing of such certificat, that then the same leather or the value thereof to be forfeited. And be it further enacted, That no Tanner within this Realme, Wales, or other the Kings dominions, or other persons occupying or hauing a Tanhouse, shall from henceforth send, or cause to be conueyed ouer the sea, by way of marchandise, or otherwise, any manner of leather tanned, or vntanned, vpō paine of forfeiture of all such leather, or the value thereof: Nor that any person or persons at any time hereafter shall carry or conuey ouer the sea out of this Realme, Wales, or other the Kings Dominions, any salt or vntanned Hide, or any leather called Back or Sole leather, ẏ Kings special licence not obtained for the same, vpon paine of forfeiture of all such Hides & Leather, called Backes or Sole leather, or the value thereof: The one halfe of all the said forfeitures to be to the Kings Highnesse, and the other halfe to any of his subiects that will pursue for the same in any his Courts, by action of Debt, Bill, Plaint, or Information, or otherwise, in which suit no Essoine, Protection, or Wager of Law, or other dilatorie plee for the defendant shall be admitted or allowed. Prouided alwaies, that this act, or any thing therein contained, shal not be hurtfull nor preiudiciall to any captaine of any ship in the time of warre, being in the retinue & seruice of ẏ Kings Highnesse: Nor to any owner or Master of any ship being ẏ kings subiects, going into the Islands Danske, Norway, or Southward beyond the Estreats, but that euery such Captaine & Master of euery such ship during the warre time, & euery Master of such ships passing into the places before named, may and shall at their pleasure haue & carry salt hides in their ships, so that euery of them shall not haue at such voyage, or during the warre, at any one time aboue the number of eight salt Hides: This act or any thing therein contained to the contrarie in any wise notwithstanding. Prouided alwayes, that Hides vntanned of any beasts being killed within Wales, or the Marches thereof, may be conueyed & carried into outward parts by any person or persons from time to time, except onely by Tanners, & such as haue Tanne-houses, in such like manner as they might haue bene before the making of this act: any thing in the same mentioned to the contrarie notwithstanding. Añ 27. H. 8. cap. 14.

14 Añ 2. Ed. 6. cap. 11. An act was made for true tanning of Leather, to endure vnto the end of the next Parliament. And Añ 7. Ed. 6. cap. 11. it was continued, & after Anno 1. M. 1. Parliamento cap. 13. it was continued to endure to the end of the next Parliament, and then it expired.

15 In Añ 3. Ed. 6. cap. 6. it is enacted, That it shall be lawfull to diuers artificers there named, to buy & sell tanned leather, curried or not curried, so that such should be conuerted by the buyers into wares within the Kings dominions, to endure to the end of the next Parliament. And after Añ 7. E. 6. cap. 11. this act was continued to the last day of the next Parliament. And after Añ 1. M. 1. Parliamento cap. 13. it was continued to endure to the end of the next Parliament, and then it expired.

17 Where by the couetousnesse of diuers regrating and ingrossing tanned leather, and selling it againe at excessiue prices to Sadlers &c. and such other artificers making wares of tanned leather, those wares bee growne to vnreasonable prices: Be it &c. That &c. no person or persons, of what estate, degree, or condition soeuer hee or they bee, shall buy or ingrosse, or cause to bee bought or ingrossed any kind of tanned leather, to the intent to sell the same againe, vpon paine to forfeit the said leather so bought, or the iust price thereof: The one moitie of which forfeiture shall be to the King our Soueraigne Lord, and the other moitie to him or them that shall seise or sue for the same, in any of the Kings Courts of Record, by action of Debt, Bill, Plaint, &c. wherein no &c. Prouided alway, and be it &c. That all Sadlers, Girdlers, Cordwainers, and all other artificers, such as make Males, Bougets, Leather pots, Tankards, Boarehides, or any other wares of Leather, shall or may buy all such kind of tanned leather, as is or shal be necessarie for their occupying, to be wrought and made by them, or by their seruants, in, or about their said wares: any thing before mentioned in this Act to the contrarie notwithstanding. Prouided also, that euerie Girdler, and other artificer before mentioned in this act, may at his free will and pleasure sell their Necks, Wombes, and Shreds of tanned leather (such as they or any of them cannot occupie about the wares they vse to make) to any person or persons, without incurring any forfeiture, paine, or penaltie, before expressed in this Act, any

Foyl. Marchant Certificat Foyl. Tanner Wales Foyl. Licence Foyl. Sole leather Moitie Captaine Shipmaster Warre Salt Hide Hydes Tanners Tanning Expired Artificers Ingrosse Tanned leather Foyl. Moitie

thing herein contained to the contrarie notwithstanding. Prouided also, and be it &c. That it shall be lawfull to and for euerie person or persons, which now haue, or hereafter shall haue the Kings Maiesties speciall licence or licences to transport, carrie, or conuey ouer the seas, any kind of tanned leather, to buy for the furniture of their said licence or licences in open Faire or Market, such and so much tanned leather, as he or they be, or shall be licenced to transport, cartie, or conuey: so that the same licence or licences be presented and shewed vnto the chiefe officer, or officers, that now haue, or hereafter shall haue the gouernance of any Citie, Towne, Faire, or Market, whereas the said Leather, or any part thereof shall bee bought. And so that the said officer or officers, seeing ỳ same licence to be good and perfect, do iustly and truly write vpon the backside of euerie such licence or licences, how much tanned leather hee or they shall there haue bought, and the certaine day, time, and place, of buying the same, that thereby it may manifestly appeare how and when euery such licence or licences be or shall be satisfied: any thing in this Act to the contrarie notwithstanding. And be it &c. That after the first day of May next comming, no person or persons shall shippe, or cause to be shipped (to the intent to carrie, transport, or conuey ouer the seas, as marchandise to bee sold or exchanged there) any Shoes, Bootes, Buskins, Startups, or Slippers, vpon paine to forfeit all and euerie such Shoes, Bootes, Buskins, Startups, or Slippers, so shipped, contrary to the true meaning of this act, or the value of the same: The one moitie of the said forfeiture to be to the King &c. and the other moitie to him or them that shall seise or sue for the same &c. wherein no Wager of Law, Essoine, Protection, or Iniunction shall be admitted or allowed for the defendant. Prouided alwayes, and be it &c. That this act, ne any thing therein contained, shall not in any wise extend or bee preiudiciall or hurtfull to any person or persons, being the Kings subiects, for transporting or carrying ouer the seas vnto Caleis (Transporting to Caleis is repealed by 5. Elizab. cap. 8. here 21.) or the Marches of the same, and vnto the Isle of Man, so much or as many of the aforesaid made wares (as boots, buskins, startups, and slippers, heretofore recited) as shall be necessary and conuenient for the wearing and furniture of the kings subiects in them or any of them: Any thing in this last Act contained to the contrarie hereof in any wise notwithstanding. Prouided alwayes and be it &c. That no Sadler, Girdler, Cordwainer, or other Artificer, dwelling within the citie of London and the Suburbes of the same, which shall cut the same tanned leather, as is aforesaid (to the intent to make wares thereof) shall currie or dresse any of the aforesaid tanned leather, in his or their owne house or houses, or by his or their seruant or seruants, vpon paine of forfeiture of all and euerie the said tanned leather to be curried: The one moitie &c. to the king, and the other moitie &c. that will sue for the same &c. wherin no Wager of law, Essoine, Protection, or Iniunction shall be admitted or allowed for the defendant. Anno 5. Edw. 6. cap. 15. Part of this was repealed by 1. Ma. cap. 8. but reuiued by 1. Eliz. cap. 9.

Officers

Shipped

Shoes Bootes Buskins Startups Slippers Forf. Moitie

Made wares

Sadler Girdler Cordwainer Artificer London

Currie

Forf. Moitie

18 Anno 1. Eliz. cap. 10. An Act was made to continue for certaine yeares, that the carrying of Leather, Tallow, and raw hides out of this Realm for marchandise should be felonie. And it was reuiued Anno 14. Eliz. cap. 4. and repealed Anno 18. Eliz. cap. 9.

21 Anno 5. Eliz. cap. 8. There was a long Act made concerning Cordwainers and Shoomakers &c. whereby the Statutes hereafter mentioned, that is to say, One Statute made in 25. Ed. 3. cap. 4. And one other Statute made in 13. Rich. 2. cap. 12. And one other Act or Statute made in 4. H. 4. cap. 35. And another Act made 2. H. 6. cap. 7. And another Act made An̄ 4. E. 4. intituled, Cordwainers and Coblers: And one other Act made 1. H. 7. intituled, An Act against Tanners and Cordwainers: And one other Act made in the 19. yeare of the raigne of the said king H. 7. intituled for Curriers and Cordwainers: And one other Act made in the third yere of the raigne of our late Soueraigne Lord king Henry the 8. intituled an Act for Curriers to haue search of leather: One other Act made in 5. H. 8. intituled an Act for strangers for buying of Leather in open market: One other Act made in the 14. or 15. yeare of our said late Soueraigne Lord, intituled an Act concerning the libertie of Cordwainers and Shoomakers: And one other Act made in the 22. H. 8. intituled, an Act concerning Tanners & Butchers: And one other Act made in 24. H. 8. intituled, an Act concerning true tanning and currying of Leather: And one other Act made in the 2. and 3. yeares of the raigne of our late Soueraigne Lord King Edw. 6. cap. 9. and reuiued in the first yere of our late Soueraign Ladie Quéene Elizabeth, intituled, an Act for true currying of Leather: One other Act made in the third and fourth yeare of our said Soueraigne Lord King Edward the first, intituled, an Act for buying of rough Hides and Calues skinnes. And as much of an Act made in the fift and sixt yeare of our said late Soueraigne Lord King Edward the first, intituled, an Act against regrating of tanned Leather (before 17.) as doth prouide or giue libertie to any person or persons to carrie ouer any Shoes, Bootes, Buskins, Startups, Slippers, and other made wares to the Towne of Caleis: And one other Act made in the first yeare of our said late Soueraigne Ladie Quéene Elizabeth, intituled, an Act touching Shoomakers and Curriers: And one other Act made in the said first yeare, intituled, an Act touching selling of tanned Leather, were vtterly repealed. But see here after 24, as well this Statute of 5. Eliz. cap. 8. as all former Statutes, and euerie part of any former Statutes thereby repealed, are by 1. Iac. cap. 22. repealed.

22 Be it enacted by the Quéene our Soueraigne Ladie, and by thauthoritie of this present Parliament, That the said Act against transporting of Leather (before 18.) and made in the said first yeare, and continued in the first Session

Seſſion of this preſent Parliament, ſhall bee repealed, and that ſo much of the ſaid Act concerning Tanners, &c. (before 21.) made in the ſaid 5. yeare, and the Prouiſoes therein contained, as doe or doth conterne the tranſporting of leather or hides, ſhall be continued, and duely put in execution. And be it further enacted, That it ſhall not be lawfull for any perſon or perſons, to lade, ſhip, or carrie in any veſſell or ſhip, or otherwiſe, any leather, tallow, or raw hides, of intent to tranſport or carie the ſame into any place or places of the parts beyond the ſea, or into the Realme of Scotland, by land or by ſeas, other then Scottiſh hides, according to the ſaid Prouiſo in the ſaid Act made in the ſaid fift yeare, vpon the pains and forfeitures hereafter inſuing: that is to ſay, vpon the paine of the forfeiture of the ſaid leather, tallow, or raw hides, ſo laden or tranſported, and treble the value therof, to be forfeited by the owner or owners. And alſo the owners of the ſaid ſhips or veſſels, knowing of ſuch offence, to forfeit the ſaid ſhips or veſſels, with all their apparell and furniture to them and euerie of them belonging. And the Maiſters & Mariners knowing of ſuch offence, to forfeit all their goods and cattels, and to haue impriſonment by the ſpace of one yeare, without baile or mainprize: The one moitie of all which forfeitures to be to he Queenes Maieſtie, her heires and ſucceſſors, the other moitie to him or them that will ſue for the ſame, by Action of debt, or Information, in any Court of Record, in which ſuit, no Protection nor Wager of law ſhall be admitted. Prouided alwayes, That if any owner of any ſuch ſhip or veſſell, or any Maiſter or Mariner, knowing any ſuch tranſportation of leather, tallow, or raw hides, ſhall within 3. monethes next after his knowledge thereof, or after his returne into this Realm, giue information bona fide, before any of the Barons of the Queens Maieſties Court of the Exchequer, or before the Lord Preſident or Councell in the North, or in the Marches of Wales, or before the head Officers of any Port where he ſhall firſt arriue, vpon his or their oath, of the number & quantitie of leather, allow, and raw hides, ſo carried, conueyed, & tranſported, and by whom, where, and in what ſhip or veſſell, and afterwards ſhall be readie vpon reaſonable warning by Proces, to iuſtifie and proue the ſame for the Queenes Maieſtie, that then ſuch owner or owners, Maiſter, Mariner or Mariners, ſhall not forfeit his or their ſhip, veſſell or veſſels, nor incurre the forfeitures aforeſaid: any thing herein contained to the contrary notwithſtanding. And be it further enacted by the authority aforeſaid, That euerie perſon or perſons whatſoeuer, that ſhall ſhip or carry any leather, tallow, or raw hides, otherwiſe the by the force of the ſaid Prouiſo made in the ſaid fift yeare, into the parts of beyond the ſeas, from henceforth ſhall pay to the Queens Maieſtie, her heires and ſucceſſors, for euerie hide ſo to be carried, by the name of Subſidie, the ſumme of ten ſhillings, and for euerie dozen of calues ſkins iij.s.iiij.d. and for euerie hundred pound weight of tallow vj.s.viij.d. And further, that al Cuſtomers, Controllers, Farmors and Superuiſors of cuſtomes and ſubſidie, ſhall be accomptant to the Q. Maieſtie, her heires and ſucceſſors, to pay the ſaid cuſtome and ſubſidie, for all ſuch goods entred and laden, vpon the paines and penalties contained in the Statute made for falſe concealements of cuſtomes and ſubſidie, in the 3. yeare of the raigne of king Henrie the ſixt. Anno 18. Eliz cap. 9. Goods

23 Be it therefore enacted &c. that from and after the feaſt of Pentecoſt, commonly called Whitſunday next enſuing, it ſhall not be lawfull to, or for any Currier or Curriers, or any other perſon or perſons whatſoeuer within this Realm of England, by any wayes, meanes, ſhifts, practiſe, or deuiſe whatſoeuer, to bargaine, ſell, exchange, or put away any tanned leather vnwrought, and not cut and conuerted into ſome kind of made wares now vſed, or which hereafter ſhall bee vſed within this Realme, vpon paine of forfeiture of double the value of the ſaid leather, any former Law, Statute, or other thing to the contrarie hereof in any wiſe notwithſtanding: The one moitie of which forfeiture ſhal be to our Soueraigne Lady the Queenes Maieſtie, her heires and ſucceſſors, the other moitie to him or them that wil ſue for the ſame, by Bill, Plaint, or Information, in which no Eſſoine, wager of Law, nor Protection ſhall be allowed. Prouided alwayes, that it ſhall and may be lawfull to and for all and euerie perſon or perſons whatſoeuer, vſing, occupying, or exerciſing the trade of tanning of leather, or to the executors or adminiſtrators of euery or any ſuch perſons, to bargaine, ſell, and put away ſuch leather, as ſhall be by them or any of them tanned in ſuch ſort, manner, and forme, as they might haue done before the making of this Act: any thing herein contained to the contrarie notwithſtanding. Prouided alſo, and be it enacted by the authoritie aforeſaid, That it ſhall bee lawfull to all and euerie perſon and perſons, to whom any leather by force of any former law or ſtatute ſhalbe forfeited, and to all other perſon and perſons to whoſe hand any tanned leather ſhall come, as executor or adminiſtrator to any Artificer vſing to worke leather into wrought wares, or by bequeſt from ſuch Artificer, to bargaine, ſel, and put away ſuch tanned leather as ſhall come vnto them or any of them, by any the meanes aforeſaid, to any Artificer vſing to conuert tanned leather into wrought wares: And likewiſe to all Artificers vſing to conuert tanned leather into wrought wares, which ſhall buy any tanned leather, to the intent to worke the ſame into wares, to ſel! and put away the wombes, ſhreds, and neckes which they cannot occupie about their workes: This Act or any other Act or Statute to the contrarie in any wiſe notwithſtanding: This Act to continue for the ſpace of ſix yeares next after this preſent Seſſion of Parliament, and from thence to the end of the Parliament then next following. An. 27. El. cap. 16. Currier. Tanned leather. Fork. Moitie. Tanners. Executors.

24 To the intent, that a reaſonable and indifferent courſe, for the true and well tanning, currying, and working of leather, may be from henceforth eſtabliſhed and appointed, and yet the perſons vſing and occupying the ſeuerall Crafts and

Pylle-

Mysteries aforesaid, may not be further or more strictly bound, restrained, or limited, then the necessarie regard of the Common wealth, and generall commoditie of all sorts of subiects within this Realme requireth: Be it enacted &c. That from and after the feast of Saint Bartholomew the Apostle next comming, no Butcher by himselfe, or by any other person, shall gash, slaughter, or cut any hide of any Ox, Bull, Steere, or Cow, in slaying thereof, or otherwise, whereby the same shall be impaired or hurt, upon paine of forfeiture for euerie hide so gashed, slaughtered, or cut, x.s. And that no Butcher shall water any hide, except onely in the moneths of June, July, and August, nor shal offer to put to sale any hide, being putrified, or rotten, upon paine of forfeiture for euerie hide so watered, and for euerie hide so putrified or rotten, and offered, or put to sale, 3.s.4.d. And be it &c. That no Butcher, or other person or persons, after the feast of Saint Bartholomew next comming, shall kill any Calfe to sell, being under fiue weekes old, upon paine to forfeit for euerie Calfe so to be killed and sold, 6.s.8.d. And be it &c. That no person or persons occupying the Craft or Mystery of a Butcher, shall after the feast of Saint Bartholomew the Apostle next comming, occupie or vse by himselfe, or any other person or persons, the Feat, Craft, or Mysterie of a Tanner, during the time that he shall vse the Craft, or Occupation of a Butcher, upon paine of forfeiture of 6.s.8.d. for euerie day that he shall so vse the Feat, Craft, or Mysterie of a Tanner. And be it &c. That no person or persons shal from and after the feast of Saint Bartholomew next comming, tanne any leather, or shall vse, take, or haue any profit, gaine, or commoditie, of, or by the said Craft or Mysterie of Tanning of leather, except such person or persons as had a tanhouse at the beginning of this present Session of Parliament, and did then occupie the Mysterie of Tanning of leather: And except such as haue bin, or hereafter shall be brought vp, instructed, or taught as apprentices, or couenant or hired seruants for that purpose, by the space of seuen yeres, in the Mysterie of Tanning of leather: And except the wife, and such sonne or sonnes of a Tanner, as hath béene brought vp and hath vsed the Mysterie of Tanning of leather, by the space of foure yeares, or the sonne or daughter of a Tanner, or such person, who shall marie such wife or daughter, to whom he hath or shall leaue a Tanne-house, and Fats, upon paine of forfeiture of all such leather, by him or them so tanned, or whereof he or they shall receiue any profit or commoditie by tanning, or the iust value thereof. And be it &c. That no person or persons vsing the Mysterie of Tanning of leather by himselfe, or by any other person or persons, from and after the said feast of Saint Bartholomew, shall during that time, that he shall vse the said Mysterie, occupie or vse the Craft or Mysterie of a Shoomaker, Currier, Butcher, or any other Artificer, vsing or exercising cutting or working of leather, vpon paine to forfeit and lose all and euerie such hide and hides, skin and skins, so by them or any of them wrought or tanned, during the time that he shal vse the Mysterie or Craft of Tanning aforesaid, or the iust value thereof. And be it &c. That no person or persons, after the feast of Saint Bartholomew next comming, shall bargaine, buy, make any contract for, or bespeake any rough hide, or calues skinne in the haire, but onely such person or persons, as by vertue of this Act may lawfully vse the Craft or Mysterie of Tanning of leather, and shall tanne the same, or such person or persons which shall taw the same (except salt hides for the necessarie vse of ships) vpon paine to forfeit and lose all and euerie such hides and skinnes so bought, or the iust value thereof: and that no Tanner, or other person or persons shall forestall any hides comming towards any Faire or Market, nor shall buy any hide any other where then in open Faire or Market, vnlesse it be of such person or persons, as shall kill the same beast, whereof the said hide shall be, for the prouision of his or their own house or houses, vpon paine of forfeiture for euerie hide so forestalled or bought, contrarie to the true meaning of this present Act, 6.s.8.d. And be it &c. That no person or persons shall or may after the feast of the Natiuitie of our Lord God next comming, buy, sell, bargaine, bespeake, or take promise to haue, exchange, or put away any tanned leather, not wrought and conuerted into made wares, but onely such person and persons as will and shall worke, and conuert the same leather into made wares, vpon paine of forfeiture of the leather so bought, sold, exchanged, or put away, or the value thereof. Prouided alwaies &c. That all and euerie Artificer and other person and persons vsing to conuert tanned leather into made wares, as well Strangers borne, as other, may lawfully buy all kind of tanned leather, to make or conuert the same into made wares at Leaden Hall in London vpon euerie Mûday, the same being first duely searched, sealed, and registred, as is hereafter limited. Prouided also, That the Sadlers and Girdlers may sell their neckes, shreds of tanned leather red, without incurring any paine or forfeiture for the same. And be it further enacted &c. That after the said Feast of Saint Bartholomew next comming, no person or persons whatsoeuer, which shall after the said Feast occupie or vse by him or themselues, or by any other person or persons, the Craft or Mysterie of Tanning of leather, shall suffer any hide or skinne to lye in the limes, till the same be ouerlimed: Nor shall put any hides or skinnes into any Tanne-fats, before the lime be wel and perfectly sokened and wrought out of them, and euerie of them: Nor shall vse, imploy, occupie, or put by themselues, or by any other person or persons, any thing or stuffe in or about the workemanship or tanning of leather, but onely Ash barke, Oke barke, Tapwort, Mault, Meale, Lime, Culuer dung, or Henne dung: Nor shal willingly suffer his or their leather to be layed, or to hang, or to lye wet in any frost, vntill the same bee frozen: Nor shal drie or parch the said leather with the heat of the fire, or of the Summer Sunne: Nor shal tanne or cause to be tanned any hide or skinne, being putrified or rotten by long lying, either be-

Butcher
Gash
Forf.
Watering Hides
Rotten
Forf.
Calfe 5. Weekes Forf.
Butcher
Tanner
Forf.
Tanner
Apprentice
Forf.
Tanner
Forf.
Rough hides
Forf.
Forestall
Forf.
Tanned leather
Forf.
Tanner

foꝛe the putting of it into the Lymes, oꝛ after in the Water oꝛ Liquoꝛ, oꝛ by any other meanes: Noꝛ shall suffer the Hides foꝛ Vtter sole Leather to lye in ꝧ Woꝛkes any lesse time then twelue Moneths at the least: Noꝛ the Hides foꝛ vpper leathers in the like Woꝛkes, any lesse time then nine moneths at the least: Noꝛ shal negligently woꝛke the Hides in the Woꝛkes, but shall renew and make strong their Woꝛkes, as often as shall bee requisit: Noꝛ shall after the said Feast of Saint Bartholmew put to sale any Tanned Hide oꝛ Skinne, which shall be after the said Feast wꝛought and tanned in any other soꝛt, then by this Statute is limitted and appointed, vpon paine of foꝛfeiture of euery Oxe Hide, Bull Hide, Steere Hide, Cow Hide, oꝛ Skinne tanned oꝛ wꝛought, oꝛ offered to be put to Sale, contrary to the true meaning of this pꝛesent Act, oꝛ the iust value thereof. And bee it enacted &c. That no person oꝛ persons vsing, oꝛ which hereafter shall vse the Craft oꝛ Mistery of Tanning of Leather, shall after the said Feast of Saint Bartholmew next comming, raise with any mixtures any Hide, to bee imployed and conuerted to Backes, Bend leather, Clowting leather, oꝛ any other Sole Leather, Except the same Hide bee foꝛ largenelle, state, and growth, fit and sufficient foꝛ that vse and purpose, the same to bee tryed by the Tryers hereafter in this pꝛesent Act to bee appointed, vpon paine of Foꝛfeiture of all such Hides which shall be raised & conuerted to Sole Leather, contrarie to the true meaning of this pꝛesent pꝛouision. And be it further enacted &c. That from the said Feast of Saint Bartholmew next comming, No person oꝛ persons whatsoeuer shall put, oꝛ cause to bee put to Sale, Exchange, oꝛ otherwise depart with any kind of tanned Leather red and vnwꝛought, but in open Faꝛes oꝛ Market, in the places therefoꝛe commonly accustomed and thereforꝛe pꝛepared, vnlesse the same Leather haue beene beforꝛe lawfully searched and sealed in some open Faꝛe oꝛ Market, oꝛ other place lawfully appointed, to and foꝛ the Searching and Sealing of Leather: Noꝛ shall after the said Feast offer oꝛ put to Sale any tanned Leather, red and vnwꝛought, beforꝛe the same bee Searched and Sealed according to the Lawes and Oꝛder of this Statute hereafter mentioned, vpon paine of Foꝛfeiture foꝛ euery Hide oꝛ piece of Leather so sold, exchanged, oꝛ otherwise departed with, contrarie to the true meaning of this Act, 6.s.8.d. and foꝛ euery Dozen of Calue-skinnes, oꝛ Sheepe-skinnes, 3.s.4.d. and the Hide oꝛ Hides, Skinne oꝛ Skinnes, and Leather in any otherwise sold, exchanged, oꝛ bought, oꝛ the value thereof. And be it &c. That if any person oꝛ persons, vsing, oꝛ which shall vse the Mysterie oꝛ Faculties of Tanning, shall at any time oꝛ times hereafter offer oꝛ put to Sale any kinde of Leather, which shall be insufficiently & not throughly Tanned, oꝛ which shall not then haue beene after the Tanning thereof, well and thoꝛoughly dryed, so that the same by the Tryers of Leather lawfully appointed according to this pꝛesent Act, foꝛ the time being, shall bee found to be insufficiently oꝛ not throughly Tanned, oꝛ not throughly Dried, as aforesaid, That then all and euery such person and persons so offending, shall foꝛfeit so much of his oꝛ their said Leather, as shall be found insufficiently, and not throughly Tanned, oꝛ not throughly Dryed as aforesaid: That is to say, the whole Hide, Backe, oꝛ Skinne, oꝛ other piece of Leather, if the whole bee insufficiently oꝛ not throughly Tanned, oꝛ not throughly Dryed: And if the whole Hide, Backe, Skin, oꝛ other piece of Leather be not sufficiently oꝛ throughly tanned, oꝛ not throughly dried, then onely so much of the Hide, Backe, Skin, oꝛ other piece of Leather, as shall bee insufficiently oꝛ not thoꝛoughly Tanned, oꝛ not thoꝛoughly Dryed, the same to bee cut out by the ouersight, discretion, and direction of the Tryers, hereafter in this Act to bee appointed, vpon the Oathes of the said Tryers. And be it enacted &c. That after the said Feast of Saint Bartholmew next comming, no person oꝛ persons shall set their Fattes in Tan-fats, oꝛ other places, where the Woꝛkes oꝛ Leather that shal be put to Tanne in the same, shall oꝛ may take any vnkinde heates, oꝛ shall put any Leather into any hote oꝛ warme Woꝛkes, oꝛ shall Tanne any Hide, Calue-skinne, oꝛ Sheepe-skinne, with any hote oꝛ warme Woꝛkes whatsoeuer, Vpon paine that euerie person so offending, shall foꝛfeit foꝛ euery such offence tenne pounds: and shall also foꝛ euery such Offence stand vpon the Pilloꝛie three seuerall Market daies in the Market Towne next to the place where the said Offence shall bee committed. And bee it enacted &c. That no person oꝛ persons shall Regrate, Ingrosse, oꝛ get into their hands by buying, contracting, oꝛ promise taking, any Oaken Backe beforꝛe it bee stripped, oꝛ after, to the intent to sell the same againe, Vpon paine of Foꝛfeiture of all such Backe so by him oꝛ them Regrated, Ingrossed, oꝛ Bought, contrary to the true meaning of this pꝛesent Braunch, oꝛ the full value thereof. And bee it further enacted &c. That no person oꝛ persons shall from & after the said Feast of Saint Bartholmew, next comming, fell, oꝛ cause to be felled any Oaken Trees meet to be barked, where Backe is woꝛth two shillings a Cart loade, ouer and aboue the charges of Barking and Pilling (Timber to bee imployed to and foꝛ the necessarie and needefull building oꝛ reparations of Houses, Ships, oꝛ Milles onely excepted) but betweene the first day of Aprill, & the last day of June, vpon paine of foꝛfeiture of euery such Oaken Tree so felled, oꝛ double the value thereof. And be it enacted, &c. That no Taker oꝛ Takers, Purueyoꝛ oꝛ Purueyoꝛs of Timber, oꝛ his oꝛ their Deputie oꝛ Deputies, shall fell, oꝛ cause to be felled foꝛ the vse of the Kings Maiestie, his Heires oꝛ Successoꝛs, any Oaken Timber Tree oꝛ Trees, meete to bee barked, but in barking time (Trees to be felled foꝛ the needfull and necessary building oꝛ repayring of any his Maiesties houses oꝛ Ships only excepted) Noꝛ shall in any wise take oꝛ receiue any manner of pꝛofit, gaine, oꝛ commoditie, by any Lops, Tops, oꝛ Backe of any Trees, to be taken by them oꝛ any of them, Noꝛ shal in any wise take, carry away, giue, sell, oꝛ dispose from the owner any moꝛe of any Tree to bee taken, as is aforesaid, then onely the

Tim-

foꝛt.

Fatts set in Tanne-pits

Foꝛt.

Pillorie

Backe

Foꝛt.

Fell Oaken Trees

Foꝛt.

Purueyoꝛ of Timber.

Timber of the same Tree or Trees to be vsed and bestowed or imployed only in, vpon, or about the kings Maiesties buildings, or ships, vpon paine of forfeiture to the partie grieued for euerie tree, and for the lops, tops, or barke of euerie tree taken contrarie to the meaning of this Article, xl.s. And that it shall be lawfull to the partie of whom such tree or trees shall be taken, or to any other, for and in his name to take, retaine, withhold, and keepe to himselfe all the barke, lop and top of such tree, or trees, Any commission or other matter whatsoeuer notwithstanding. And be it enacted &c. That from and after the Feast of Saint Michael the Archangell next comming, no person or persons shall currie any kind of leather in the house of any Shomaker, or other person, but onely in his owne house, situate in a Corporate or Market Towne, nor shall curris any kind of leather, except it be well and perfectly tanned, nor shal after the said Feast of Saint Bartholomew, currie any hide or skinne, being not thoroughly drie, after his wet season, In which wet season he shall not vse any Stale, Urine, or any other deceitfull or subtile mixture, thing, way, or meanes, to corrupt or hurt the same, Nor shall currie any leather meet for vtter sole leather, with any other stuffe, then with hard Tallow, nor of any lesse of that then the leather will receiue: Nor shall currie any kind of leather meet for ouer leather, and inner soles, but with good and sufficient stuffe, being fresh and not salt, and thoroughly liquored, till it can receiue no more: Nor shall burne or scald any hide or leather in the currying: Nor shall shaue any leather too thinne: Nor shall gash or hurt any leather in the shauing, or by any other meanes, but shall worke the same sufficiently in all points and respects, vpon paine of forfeiture for euerie such offence or acts done contrarie to the true meaning of this Article, (other then in gashing, or hurting in shauing) 6.s.8.d. and the value of euerie such skin or hide marred by his euill workemanship, and for euerie offence to be done against this Article, in gashing or hurting by shauing, double so much to the partie grieued, as the leather shall be impaired thereby, by the iudgement of the Wardens of the Curriers, and the Warden of the Cõpanie, whereof the partie grieued shall be. And be it further enacted, That no Cordwainer, Shomaker, or other person or persons, dwelling or inhabiting within the Cities of London, or the Liberties of the same, or dwelling within three miles of the said City, and occupying wet curried leather in his Art and Occupation, shall put or cause to be put any leather to be curried, but to such person or persons as bee or shall be free of the Companie of the Curriers of the Citie of London, vpon paine of forfeiture of all such curried leather, or the value thereof. And bee it further enacted, That no person or persons shall by any meanes occupie, or put in any made wares within the Citie of London, or three miles of the same Citie, any curried leather, before the same shal be searched and allowed by the Wardens of the Curriers of London for the time being, or such persons as they shall thereto alligne, and be sealed with a Seale therefore to be prepared, vpon paine that euerie Shomaker, and other Artificer, cutter of leather, offending against this Article, shall forfeit for euerie hide or skinne, otherwise curried or imployed, as is aforesaid, 6.s.8.d. and the value of euerie such hide or skinne. And be it further enacted, That no person occupying the Feat or Mysterie of a Currier, shall vse or exercise the Feat or Mysterie of a Tanner, Cordwainer, Shomaker, Butcher, or other artificer vsing cutting of leather, during the time that he shall so vse or occupie the Mysterie of a Currier, vpon paine of forfeiture of 6.s.8.d. for euerie hide or skinne that he shall currie, during the time that hee shall occupie or vse any of the Mysteries aforesaid, contrarie to the meaning of this Article. And further be it enacted, That no Currier or Curriers shall after the said Feast of Saint Bartholomew, refuse to currie any leather to him or them for that purpose brought by any such Artificer, as is or shall be a cutter of leather, the same Artificer or his seruant bringing with him or them good and sufficient stuffe, as is before mentioned, for the perfect liquoring of the same leather, and that the said leather in the presence of the said Artificers, cutters of leather, his seruant or seruants (if he or they will be present) shall be liquored or curried in all things and degrees perfectly, and if he or they will not be present, it shal neuertheless be likewise liquored & curried in his or their absence, perfectly, with as conuenient speed as may be, not exceeding eight dayes in Summer, and sixteene dayes in the Winter, after he shall or may take it in hand, vpon paine to forfeit to the partie grieued, for euerie hide and peece of leather, not in this manner curried, and well and speedily dressed, 10.s. And be it further enacted, &c. That the Wardens of the Curriers for the time being, or such persons as they shall alligne and appoint, shal from time to time search and trie all such curried leather, as shall be brought to any of their Companis to be curried, and shall with a Seale therefore to be prepared, with conuenient speed, not exceeding one day after the currying and request made, seale such leather as they shall find sufficiently curried, taking for euerie hide so sealed, after the rate of a penie for the dicker, and for euerie six dozen of Calues skins, one penie, and not aboue, to be paied by the Currier, vpon paine of forfeiture for euerie hide, which shall not be searched and sealed as is aforesaid, 6.s.8.d. And be it further enacted, &c. That no person or persons, which after the said Feast of Saint Bartholomew next comming, shall occupie the Mysterie or Occupation of a Cordwainer, or Shomaker, shall make, or cause to be made, any Boots, Shoes, Buskins, Startups, Slippers, or Pantofles, or any part of them of English leather, wet curried, (other then Deere skinnes, Calues skinnes, or Goat skinnes, made or dressed, or to be made or dressed, like vnto Spanish leather) but of leather well and truely tanned, and curried, in manner and forme aforesaid, or of leather well and truly tanned onely, and well and substantially sewed with good thred, well twisted and made, and sufficiently ared with wax well cofoned, & the stitches hard drawne with Hand-leathers, as hath beene

accuſtomed, without miring, or mingling Ouer-leathers, that is to ſay, part of the Ouer-leather, being of Neats leather, part of Calues leather: Nor ſhall put into any Shoes, Boots, Buſkins, Startups, Slippers, or Pantofles, any leather made of a Sheepe ſkinne, Bull hide, or Horſe hide, nor into the vpper leather of any Shoes, Startups, Slippers, or Pantofles, or into the nether part of any Boots (the inner part of the Shoe onely excepted) any part of any hide from which the ſole leather is cut, called the Wombes, Necks, Shanke, Flanke, Powle, or Cheeke, nor ſhall put in the vtter ſole any other leather, then the belt of the Ore or Steere hide, nor into the inner ſole, any other leather then the Wombes, Necke, Powle, or Cheeke, nor in the Treſwels of the double ſoled Shoes, other then the flankes of any the hides aforeſaid, nor ſhall make or put to ſale in any yeare, betweene the laſt of September, and the twentieth of Aprill, any Shoes, Boots, Buſkins, Startups, Slippers, or Pantofles, meet for any perſon to weare, exceeding the age of foure yeares, wherein ſhal be any drie Engliſh leather (other then Calues ſkinnes, or Goat ſkinnes, made or dreſſed, or to be made or dreſſed like vnto Spaniſh leather, or any part thereof:) Nor ſhall ſhew to the intent to put to ſale any Shoes, Boots, Buſkins, Startups, Slippers, or Pantofles, vpon the Sunday, vpon paine of forfeiture for euerie paire of Shoes, Boots, Buſkins, Startups, Slippers, and Pantofles, made, ſold, ſhewed, or put to ſale, contrarie to the true meaning of this Act, three ſhillings foure pence, and the iuſt and full value of the ſame. And be it further enacted for the true execution of this Statute, That the Maſters and Wardens of the ſeuerall Myſteries of Cordwainers, Curriers, Girdlers, and Sadlers, of the Citie of London for the time being, by what name or names ſoeuer they be incorporated or intituled, or the more part of the ſaid Maiſter and Wardens of euerie of the ſaid ſeuerall Myſteries, vpon paine to forfeit 40. l. for euerie yeare that they make default, the one halfe thereof to be to the kings Maieſtie, his heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame, ſhall by vertue of this Act foure times in the yeare at the leaſt, That is to ſay, once euerie quarter of the yeare, or oftner if need require, as they ſhall thinke good, make true ſearch and view of and for all Boots, Shoes, Buſkins, and other Wares and things whatſoeuer, made of tanned leather, in all and euerie houſe and houſes, place and places, priuiledged or not priuiledged, as well within the Citie of London and Suburbes thereof, as in euerie other place within three miles of the ſame Citie, where any Shomaker, Sadler, Girdler, Currier, or other Artificer, vſing cutting, working, or dreſſing of leather, doth or ſhall dwell or occupie any of the Occupations of cutting, working, or dreſſing of leather, whether the ſame Boots, Shoes, Wares, Stuffe, and other things be made of tanned leather, and be wrought according to the purport, effect, and true meaning of this Statute, or not: And that it ſhall and may be lawfull to and for the ſaid ſeuerall Maſters and Wardens of the ſaid ſeuerall Myſteries, which ſhal be for the time being, to take, ſeiſe, and carrie away to their ſeuerall common Halls, all ſuch Boots, Shoes, Wares, Stuffe, or other things, which the ſaid ſeuerall Maſters and Wardens ſhall find in their ſeuerall Searches inſufficiently made, curried, or wrought. Prouided alwayes, That none of the ſaid ſeuerall Maſters and Wardens of the ſaid ſeuerall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, ſhall ſearch any perſon or perſons, but ſuch as vſe and exerciſe the Myſterie or Occupation of the ſaid Maſter and Wardens: And that the Coach-makers dwelling within the ſaid Citie of London, or three miles from the ſame, ſhall be vnder the ſurney and ſearch of the Maſter and Wardens of the Companie of the Sadlers in London. And be it further enacted, That the ſaid Mayor of the Citie of London, and the Aldermen for the time being, vpon like paine of forfeit pounds likewiſe to be leuied and imployed, ſhall likewiſe yearely appoint eight of the moſt ſubſtantiall, honeſt, and expert perſons, being Free men of ſome of the Companies of Cordwainers, Curriers, Sadlers, or Girdlers within the Citie of London, whereof ons ſhall be a Sealer, and keepe a Seale for the ſealing of leather to be prepared, who ſhall alſo be ſworne before the ſaid Maior and Aldermen for the time being, to doe their Office truely: Which ſaid Searchers and Sealers ſhall view and Search all and euerie tanned hide, ſkin, or leather, which ſhalbe brought as wel to the Market at Leaden Hall, as to any other lawfull Faire or Market, therefore vſually appointed, within 3. miles of the ſaid Citie, whether the ſame be ſufficiently and thoroughly tanned, and thoroughly dried, according to the purport and true meaning of this Statute, or no: And finding it ſufficiently and throughly tanned, and throughly dried, in ſuch maner and forme, as by this Statute is appointed, ſhal ſeale the ſame with the ſaid Seale. And be it &c. That all Mayors, Baylifes, and other head Officers for the time being, in all other Cities, Boroughes, and Market Townes of this Realme, And all Lords of Liberties, Faires, and Markets out of the circuit or compaſſe of the ſaid three miles, ſhall vpon like paine of 40. l. likewiſe to be leuied and imploied, euerie yeare that they make default therein, appoint and ſweare yearely two, three, or more perſons, of the moſt honeſt and skilfull men within their ſeuerall Offices, or Liberties, by their diſcretion to ſearch and view within the Precinct of their ſaid Offices, Liberties, and Authorities, which ſhall, as often as they ſhall thinke good, or need ſhall be, make like ſearch within their limits, and ſhall haue a Marke or Seale prepared for that purpoſe: And that the ſaid Searchers, or one of them, ſhall keepe the ſame Seale or Marke, and with the ſame ſhall ſeale and marke ſuch leather as they ſhall find ſufficient, and no other. And if the ſaid Searchers or any of them doe find any leather ſold or offered to be ſold, or brought to be ſearched or ſealed, which ſhall be tanned, wrought, conuerted, or vſed contrarie to the true intent and meaning of this Statute, or any leather inſufficiently curried,

Coach-maker

Maior and Aldermen of London Fort.

Searcher Sealer

Maiors Baylifes Officers Fort.

or

or any Boots, Shoes, Bridles, or any other thing made of tanned or curried leather, insufficiently tanned, curried, or wrought, contrarie to any prouision in this present Act, it shall bee lawfull to the said Searchers, or any of them, to seise all such Leather, Shoes, or other wares made of leather, and to retaine the same in their custodie, vntill such time as the same bee tried by such Triers, and in such manner and forme as is hereafter in this Statute appointed. And bee it enacted, &c. That the Mayor of the Citie of London for the time being, within six dayes after notice to him giuen of any seisure made of any leather red and vnwrought within the Iurisdiction of the said Citie, or three miles distant from the same, either by the owner or owners, or by the Seisors of the said leather, shall elect and appoint six honest and expert men, whereof there shall be of the better sort of the Companie of Cordwayners of London, two, of the better sort of the Curriers of London, two, and other two of the better sort of Tanners vsing Leaden Hall Market, who shall be no kinne or of affinitie to the said owner or owners, who vpon their corporall oathes to bee taken before the said Mayor, shall on the second or third Market day at the furthest, to bee holden vpon the Munday for leather, next after the said seisure, in the afternoone of the same day (to the intent the owner or owners may conueniently be present) enquire, straitly examine and trie whether the said leather so seised shall be sufficient and seruiceable, or not, according to the intent and true meaning of this present Act. And be it further enacted, That euery other Maior, Bailife, or other head Officer, or Lord of Libertie, or his sufficient Deputie, out of the said compasse of the said three miles, within whose Precincts or Liberties any such seisure of any kind of tanned leather red or curried, or of any Shoes, Bootes, or other wares made of tanned leather shal happen to be, shall with all conuenient speed, after notice vnto him giuen of any such seisure, appoint six honest and expert men, to trie whether the same leather, Boots, Shoes, or other wares so seised, be sufficient and according to the true intent of this Statute, or not, the same triall to be made openly vpon some Market day, and within fifteene daies at the furthest next after such seisure made vpon the oathes of the said Triers. And be it &c. That if the said Maior of the Citie of London for the time being, or any other Maior, Bailife, or other head Officers of any other Citie, Borough, Corporat or Market Towne, or any Lord of any Libertie, Faire, or Market, shall make default in the nomination or appointment of any the foresaid Triers to be nominated and appointed in such maner and forme, as is before ordained, That then euerie such Maior, Bailife, or other head Officer, or Lord of Libertie, Faire, or Market, making such default, shall forfeit and loose for euerie such default fiue pounds: The one moitie thereof shall bee to the Kings Maiestie, his heires or successors, and the other halfe to him or them that will sue for the same in any of the King Maiesties Courts of Record, by Bill, Plaint, Information, or otherwise.

Six Triers in London

Triers in other places

Forf. for not appointing Triers

And that the said persons so elected and appointed for triall of the said Leather, Shoes, Bootes, or other wares made of tanned leather, so to be seised as aforesaid, shall proceed and do their duelies therein without delay, according to the true intent and meaning of this present Act, vpon paine that euerie of them making default therein, shall for euerie such seuerall default forfeit and pay fiue pounds. And be it further enacted, That foure of the said eight Searchers and Sealers so to bee appointed within the said Citie of London, as aforesaid, shall be at the end of euerie yeare changed and remoued, and so many new chosen in their roomes and places: And that no person or persons shall remaine, continue, or be in the said Office of Searching and Sealing of leather within the said Citie of London, aboue the space of two yeares together: And he or they which shall serue or be imployed in the said Office of searching and sealing of leather two yeares, shall not in the said Office be chosen, serue, or imployed againe, vntill the end of two yeares at the least then next following, vpon paine that euerie person offending or doing the contrarie, shall forfeit and lose for euerie moneth that he shall so contrarily vse and exercise the said Office, x.l. And be it &c. That if any Searcher or Sealer of leather shall refuse with conuenient speed to seale any leather sufficiently tanned, wrought, and vsed, according to the true meaning of this present Act, or doe allow that which shall be insufficient, That then euerie Searcher and Sealer shall forfeit for euerie such offence fortie shillings. And further, that if any Searcher of leather shall receiue any bribe, or exact any other fee for the execution of his said Office, then is by this present Statute limited, for the searching, sealing, and registring of leather, That then euerie such Searcher or Sealer so offending, shall forfeit for euery such offence twentie pounds. And that if any person or persons duely elected, according to the true meaning of this present Act, to and for the execution of the said Office of Searching or Sealing of leather, refuse to execute the said Office, That then the said person or persons so refusing, shall forfeit and pay ten pounds. And be it &c. That all red tanned leather which shall be brought into the Citie of London, or within three miles compasse from the same, whether it be to bee sold, or be bought before hand or no, shalbe brought to Leaden hall before it be housed in his or their owne houses, and there viewed whether it hath bin searched or sealed, or no, and shall also be registred by the Searchers to be appointed as is aforesaid, with halfe such fees to be paied for such of the said tanned leather, as shall be bought out of the said Citie of London, or three miles compasse from the same, and shall be duely searched and sealed, before it brought within the said Citie, as is hereafter expressed for leather to be sold in Leaden hall, vpon paine that euerie person hauing or not bringing his leather to Leaden hall, as is aforesaid, shall forfeit for euerie hide or skinne, 6.s. 8.d. Prouided, that this Article shall not extend to any leather to be bought in Bartholomew Faire, or Southwark Market, being searched, sealed, and registred, accor-

Chamyes of the Searchers and Sealers

Forf.

Meetyng of them

Forf.

Bribe

Forf.

Refuse

Forf.

Red tanned leather

Leaden hall

Forf.

Bartholomew Faire or Southwark Market

according to the true meaning of this Act. And be it &c. That no tanned leather shall be sold within the Cittie of London, or three miles distant from the same, before the same have bene Searched and Sealed by the Searchers and Sealers, by vertue of this Act to be appointed to and for the Searching and Sealing of leather within the said Cittie, and three miles distant from the same, vpon paine of forfeiture of all such tanned leather otherwise sold, or the full value thereof. And also be it further enacted, That if any person will after the said Feast of Saint Bartholomew next comming wilfully withstand or denie any such search to bee made, according to the tenor of this Act, as is aforesaid, or will not suffer the said seuerall Maisters and Wardens of the seuerall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, or their Searchers so appointed, to enter into his or their house or houses, or other place to view and search at their will and pleasure all manner of tanned leather, and all manner of Shoes, Bootes, Males, Saddles, Coach-couerings and Harnesse, and all manner of Wares wrought and made, or to bee wrought and made of leather, and to seise and carrie away all such Leather, Shooes, and Wares, as they shall find insufficiently Tanned, Curried, or Wrought, or made of ill stuffe, That then all and euerie such person and persons so denying and withstanding, and not suffering the said Maisters and Wardens, and Searchers, or any of them so appointed for the time being, to enter and make search, and seise as aforesaid, shall lose and forfeit for euerie time so denying and withstanding, fiue pounds. And be it further enacted, That such person and persons as hereafter shall be assigned and appointed Searchers and Sealers of tanned leather, by vertue of this Act, shall within the limits and precincts of euerie of their Searches keepe one Booke of Register, wherein they shall enter all such bargaines as shall bee made for Leather, Hides, or Skinnes, by any person or persons, during and by all the time of the Faire or Market, being thereunto required by the buyer or the seller, and also the prices of such leather bought and sold, with the names and dwelling places of the buyer and seller, taking for the Searching, Sealing, and Registring of euerie tenne Hides, Backes, or Buts of leather, with the Neckes, Wombes, and Dibbins, or other peeces of offall cut off from the said Backes or Buts of leather, of the seller of euerie such tenne Hides, Backes, or Buts of leather so entred, two pence, and so after the rate, and for euerie six dozen of Calues skinnes, or Sheepe skinnes, two pence, and of the buyer after the same rate, and no more, greater or other summe or summes of money, to be payed for Searching, Sealing, or entring of any tanned leather. And be it &c. That no person or persons shall after the said Feast of Saint Bartholomew next comming, sell, exchange, or put away, or cause to be sold, exchanged, or put away any manner of tanned leather, red and vnwrought, except hee or they Register, or cause to be Registred the said tanned leather, and euerie part and parcell thereof, and the price thereof, vpon paine of forfeiture of the value of the leather so sold, exchanged, or put away, and not Registred. And be it &c. That it shall not be lawfull to or for any person or persons to buy any tanned leather before the same shall be searched and sealed, nor to carrie or cause to be carried out of the Faire or Market, any leather, till it bee Registred, as aforesaid, vpon paine to forfeit the said leather, or the value thereof so bought, and not Searched and Sealed, or carried away, and not Registred. And be it further enacted &c. That if any Currier within the said Cittie of London, or three miles compasse of the same, after the Feast of Saint Bartholomew next comming, do currie any leather insufficiently tanned, or after the said Feast doe not currie such leather, as hee doth or shall currie, substantially and well, according to the meaning and purport of this Act: Or if any Shoomaker, Cordwainer, or Cobler within the Cittie of London, or three miles compasse of the same, after the said Feast of Saint Bartholomew next, put any tanned leather into any Shoes, Bootes, Buskins, Startups, Slippers, Pantofles, or other things made of tanned leather, which shall not be well and perfectly tanned, according to the purport and true meaning of this Act: Or after the said Feast doe put any curried leather into any Bootes, Buskins, Startups, Shoes, Slippers, Pantofles, or other things made of leather, which shall not be well and sufficiently tanned and curried, and also sealed, as is aforesaid: Or doe make Bootes, Buskins, Shoes, Startups, Slippers, Pantofles, or other things made of English tanned leather, in any other manner then is aboue specified and ordained: Or if any Shoomaker, Sadler, or other Artificer, vsing cutting or working of leather, doe make any Wares of any tanned leather, insufficiently tanned, or of tanned or curried leather, being not sufficiently tanned and curried, as is aforesaid, or doe not make their Wares belonging to their seuerall occupations, sufficiently and substantially, That then euerie person so offending, shall forfeit for euerie such seuerall offence or default, the said Wares, and the iust value thereof. Prouided alwayes, That no manner of person or persons shall after the said Feast of Saint Bartholomew vtter or sell, or cause to bee vttered or sold within the said Cittie of London, or within three miles compasse of the same, any manner of Wares appertaining to the Craft or Mysterie of any Artificer, vsing cutting of leather, but onely in open shop, common Faire, or Market, whereby the said Wardens may haue the true search of the same, vpon paine of forfeiture of all such Wares so sold, and x.s. for euerie time. Prouided alway &c. That all and euerie person and persons whatsoeuer, now being, or that hereafter shall be free of the said Cittie of London, of what Companie soeuer, and all Forreiners, English, or Aliens, and Strangers borne, dwelling or inhabiting, or which hereafter shall dwell or inhabite within the Cittie of London, or three miles compasse of the same, as well within places priuiledged as not priuiledged, vsing or exercising

Tanned leather

Forf.

Withstand the search

Register books

Selling not Registred

Buying not searched & Registred

Forf. of Curriers & Cordwainers

Open shop, Faire, or Market

Forf.

ercising any manuall Occupation of cutting or working of leather into made wares, shall be vnder the suruey and search of the Maister and Wardens of such Companies of the said Citie of London, as the Artificers commonly vsing the same Mysterie or Occupation, being Free men of the Citie of London, and of the same Companie bee, touching and concerning onely their wares and stuffe made of or with leather, in like manner & forme, as other Free men of the same Companie be, or shall bee: And shall contribute and pay to the said seuerall Maisters and Wardens of the said seuerall Companies for the time being, within the said Citie, as the Artificers vsing the same Mysterie being Free men of the said Citie, and of the same seuerall Companies, shal contribute and pay: The same to be recouered by Distresse or Action of Debt, in any of the Kings Maiesties Courts of Record, In which no Wager of Law for the defendant to be allowed. All which paines, penalties, and forfeitures aforesaid, of summes of money aforesaid (except such paines, penalties, and forfeitures as are before, or hereafter by this Act shall otherwise be disposed) shall bee diuided into three equall parts: One part whereof shall bee to our Soueraigne Lord the King, his heires and successors: and another part to him or them that shal first sue for the same in any of the Courts of Record of the Kings Maiestie, his heires and successors, by Action of Debt, Bill, Plaint, Information, or otherwise, in which suit no Wager of law or Essoine shall be admitted or allowed: and the third part thereof shall goe the Citie, Borough, Towne, or Lord or Lords of Liberties, where the offence shall be committed or done. And all such Leather, Shoes, Boots, Buskins, Startups, Slippers, Pantofles, Wares, Stuffe, or other things whatsoeuer, made of tanned leather or curried leather, which shall be seised by vertue of this Act, and shall be found by the Triers to be appointed, as is aforesaid, or by the Maisters and Wardens of the seuerall Companies aforesaid, to be insufficient, shall be forfeited and distributed, as hereafter followeth: That is to say, such leather or stuffe so seised within the Citie of London, or within three miles compasse of the same, to be brought to Guild hall in London, there to bee prized by indifferent persons, and the value thereof to be diuided into three parts, whereof one part to bee to the first Seisor and Seisors of the said vnlawfull stuffe, and another part to the vse of the Chamber of London, and the other part to be distributed to the poore folkes, as well being within the new Hospitall of Saint Bartholomewes in London, as to such poore householders as shall be inhabiting within the Citie of London, or the circuit aforesaid, at the discretion of such persons, as the Maior of the said Citie, and foure Aldermen of the same for the time being, shall appoint for the same. And that all such Leather, Bootes, Saddles, Wares, Stuffe, and things made of or with Leather, as is aforesaid, which shall be found within any other Citie, Borough, Towne, or place within this Realme, out of the said Citie of London, and three miles compasse, vnsufficiently wrought, tanned, or curried, as is aforesaid, and shall be seised and tried to be forfeited, in manner and forme aforesaid, shall bee brought to the common Hall of euerie such Citie, Borough, and Towne, or to some conuenient and open place, to bee appointed by the Lord of the Liberties, or his Deputie, where no common Hall is, there to be prized, as is aforesaid: One part of the said value thereof, to bee disposed vnto the poore, and in other deedes of charitie, in those parts, after the discretion of the Maiors, Bailifes, Headboroughes, and Lords of Liberties: Another part to bee deliuered to the Maiors, Bailifes, and other head Officers of any Citie, Borough, or Towne Corporate, to the vse of the Communaltie of such Citie, Borough, or Towne Corporate, and where no such Officers bee, then to the Lord or Lords of the Libertie, where any such forfeiture shall bee committed, or seisure had: And the third part to the Seisor or Seisors of such Leather Stuffe, or Wares insufficiently tanned, curried, or wrought, as is aforesaid, for his and their paines. Prouided alwayes, That no person to whom any such vnlawfull leather or stuffe shall bee giuen by this Act, shall giue or sell any such leather or stuffe to any person or persons that shall sell the same, vpon paine that the buyer shall forfeit for euerie parcell of such vnlawfull leather or stuffe to bee sold, contrarie to the true meaning of this last Clause, three shillings foure pence. Prouided alwayes, That this Act nor any thing therein contained, shall not in any wise be preiudiciall or hurtfull to the Chancellors, Vicechancellors, Proctors, Taxors, and Schollers, their Officers, Ministers, Assignes, or Farmors of the Vniuersities of Oxford and Cambridge, or any of them, of, for, or concerning the authoritie of Search of tanned leather, or any of the forfeitures of the same, which they lawfully had or might haue had, before the making of this present Act, so as they doe in all things obserue such order, in, about, or for Searching, Sealing, and Regiſtring of Leather, as by this Act is prescribed and appointed, vpon the paine therein contained, any thing herein contained to the contrarie notwithstanding. And for the auoiding of all ambiguities and doubts, which may and doe grow vpon the definition and interpretation of this word Leather, it is enacted and declared &c. That the hides & skins of Ore, Steere, Bull, Cow, Calfe, Deere red and fallow, Goats and Sheep, being tanned or tawed, and euerie salt hide, is, shalbe, and euer hath been reputed & taken for leather. And for the better execution of this Act, be it further enacted, That all Iustices of Assise, Iustices of Goale deliuerie, Iust. of Peace, and Stewards of Franchises, Leets, & Lawdaies, within their seueral precincts, iurisdictions & liberties, and Maior of London for the time being, within the said citie, & within 3. miles compasse of the said citie, & all other Maiors, Bailifes, and other head Officers of Cities, Boroughes, and Townes within their seuerall iurisdictions, liberties, precincts, offices, and authorities, shall enquire of all the Premisses in their Sei-

Surney and Search.

Forfeitures

Distributio of leather forfeited

Forf.

Defend. Cantabr.

What shal be called Leather

Forf.

Forf.

Sessions, Leet, or Lawday, and heare or determine the same, and also by their discretions examine all persons suspected to offend this Act, or any parcell thereof. And be it further enacted, That where any Manno, Libertie or Franchise immediately pertaineth to the Kings Maiestie, his heires or successors, the Steward for the time being of euerie such Manno, Libertie and Franchise, shall haue the like authorities, powers, iurisdictions, and aduantages, and also shall beare and pay all the like paines, penalties, and forfeitures, as are giuen, appointed, limited, or layed by this Statute, to or vpon the Lords of Liberties and Franchises, as in this Statute is expressed. And be it further enacted, That all currying and dressing of leather, commonly called drie Currying, and Frizing, shall bee construed, to be dressing and currying of the manner of Spanish leather, of what colour soeuer it be: And that to all Artificers, (other then Shoomakers, yearely betweene the last of September, and the twentieth of Aprill) it shall be lawfull to vse all kinds of of leather dressed and curried in that manner of drie Currying and Frizing, as they lawfully might before the making of this Act, So that the same leather so to be vsed, be well and sufficiently tanned, according to the forme prescribed in this Act, And also well and substantially dressed, curried, and frized, in the manner of drie Currying and frizing aboue said. And be it enacted by the authoritie aforesaid, That this Act, and euerie part thereof shall bee construed and adiudged to extend to Wales, as amply as it doth to this realm, to all intents, constructions, and purposes. And be it enacted &c. That if any leather, wrought, cut, or vnwrought, to the intent to be sold or bartered, shall hereafter vnlawfully be transported, or purposed to be transported into the parts beyond the Sea, from and out of any Port, Hauen, or Creeke of this Realme, or Wales, Euerie Controller, Customer, Surueyor, Collector of Tonnage and Pondage, and the Searchers, and the Deputie of any of them, or any other persons hearing or knowing by any wayes of any leather meant to be transported from any place within his Office, and doe not his best indeuour to seise the same, or being transported, doe not disclose or cause to be disclosed the same within fortie dayes next after such knowledge, or hearing of the same, in some Court of Record, so as the offendor may be punished according to the Lawes in that case prouided, shall for euerie the first offence committed against this Article, forfeit 100. l. and for the second offence, shall forfeit his Office. And be it enacted, That euerie Customer, Officer, or Officers Deputie, that shall make any false Certificate of the arriuall of any leather in any Port, Creeke, or place of this Realme, shal also forfeit for euery such offence 100. l. Prouided alway, That neither this Act, nor any Article, Exposition, or any thing therein contained, shall extend to Scottish hides, to be brought into the towne of Barwick, out of the Realme of Scotland, being registred in a booke therefore to be kept, by such person or persons, as the Maior of the said towne for the time being, shall thereunto name and appoint, with the name and surname of the buyer and seller, to the intent the English hides might be knowne from the Scottish, But that the inhabitants of the said towne of Barwicke may send, carrie, and transport such Scottish hides as they lawfully might transport before the making of this Act. Prouided alwayes, That if any person or persons shall at any time hereafter procure or obtain any Grant, or Letters patents, purporting to giue licence or authoritie to any person or persons to dispence with, or tollerate any offence against any Clause, Prouision, or Article in this present Act: That then and immediately from and after such Letters Patents or Grant obtained, all and euerie such Clauses, Articles, and Prouisions, so by the said Letters Patents or Grant authorized or licensed to be dispensed with, or tollerated, as aforesaid, shall be vtterly repealed, void, and of no effect: any thing in this present Act contained, to the contrarie, in any wise notwithstanding. This Act to endure vntill the end of the next Session of the next Parliament. And be it further enacted &c. That as well one Statute made in the fift yeare of the raigne of our late Soueraigne Ladie Queene Elizabeth, intituled, An Act concerning Tanners, Curriers, and other Artificers occupying cutting of leather, as all former Statutes, and euerie part or parts of any former Statute or Statutes thereby repealed, shal from thenceforth be vtterly repealed for euer. An. 1. Iac. ca. 22. And this Statute of 5. El. ca. 8. is likewise repealed by the Act of Continuance and Repeale made An. 1. Iac. cap. 25.

25 Whereas by the Statute made An. 1. Iac. cap. 22. it plainely appeareth, That the intent and meaning thereof was to make void all former Statutes made concerning Tanners, Curriers, Shoomakers, & other Artificers, occupying the cutting of leather, and to comprehend in one Statute all things mentioned in the same former lawes needfull to be enacted concerning Tanners, Curiers, Shoomakers, and other Artificers occupying the cutting of leather: and for that in diuers branches of the said late Statute, touching the sealing of leather, amongst many other kinds of tanned leather therein particularly named to be sealed, a rate is set downe to be payed for sealing of Sheepe skinnes, as if Sheepe skinnes had beene by the intent of the former lawes vsually sealed, whereas in truth Sheep skinnes are not meet to be sealed, nore were at any time appointed or limited by any former law to be sealed, because the sealing of them is a fruitlesse charge, tending to the great hurt and losse to many thousand poore men, and for the good of none, but onely for the gaine of the Sealer thereof: For reformation whereof, bee it enacted &c. That no person or persons shall at any time hereafter incurre any penaltie, losse, or forfeiture, for housing, selling, or buying of any tanned Sheepe skinnes, vnsearched, or vnsealed, so as the said Sheepe skinnes vnsearched and vnsealed, shall be wrought & conuerted into made wares within this realme of England: Any thing in the said Statute to the contrarie notwithstanding. And where since the making of the said Statute, his Maiesties

Stewards of the Kings Manors &c.

Drie currying & frizing

Wales

Transport

Customer Controller &c.

Fact.

False certificate

Fact.

Scottish hides Barwick

Licence to tollerate offences

A repeale of 5. Eliz ca 8. and all former Stat. thereby repealed.

Sheepe skinnes Unsearched Unsealed

ſubiects haue béene much deceiued, and abuſed by ſelling of tanned leather by weight, the ſaid leather being neither ſufficiently tanned, nor throughly dried, as it ought to be, and before time was wont to be: Be it therefore further enacted &c. That no perſon or perſons after the end of this preſent Seſſion of Parliament, ſhall vtter or ſell, or cauſe to be vttered or ſold by weight any kind of tanned leather whatſoeuer, vpon paine of forfeiture of the ſaid leather ſo vttered and ſold: The ſaid leather or the value therof, to be recouered in any of the kings Maieſties Courts of Record, by action of debt, bil, plaint, or information, wherein no wager of law, eſſoine, or protection ſhall lye or be allowed: The one moitie of the ſaid forfeiture to be vnto the king our Soueraigne Lord, his heires and ſucceſſors, and the other moitie vnto ſuch perſon or perſons as ſhall ſue for the ſame. Anno 4. Iac. cap. 6.

Tanned leather ſhall not be ſold by weight

Chelſey.

VVHereas his Maieſtie of his moſt royall and zealous care for the defence of true Religion now eſtabliſhed within this Realme of England, and for the refuting of Errors and Hereſies repugnant vnto the ſame, hath béene graciouſly pleaſed by his Letters Patents vnder the great Seale of England, to found a Colledge at Chelſey néere London, and therein to place certain learned Diuines, and to incorporate the ſame by the name of the Prouoſt and Fellowes of the Colledge of King Iames in Chelſey, néere London, of the foundation of the ſame Iames King of England, and hath of his moſt gracious bountie and godneſſe, not onely endowed the ſame with certaine Lands, Priuiledges, and Immunities, but hath alſo for their further maintenance and ſuſtentation, giuen vnto them a Capacitie and abilitie to receiue and take from his Maieſtie or any of his louing Subiects any Lands, Tenements, Hereditaments, gifts, benefits, and profits whatſoeuer, not exceeding in the whole, the yearely value of three thouſand pounds, as in and by the ſaid Letters Patents doth more at large appeare; And whereas alſo it is manifeſt and euident, that the bringing in of freſh ſtreames of running water into the Citie of London, is verie conuenient, neceſſarie and profitable, as well for the priuate vſe of ſuch as ſhall rent the ſame, as a helpe for cleanſing the ſaid Citie, in the time of ſicknelle, and preſeruing the ſame againſt all ſodaine aduentures of fire: It is therefore enacted &c. That it ſhall and may be lawfull to the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, at all and euerie ſuch place and places in the open fields or marſhes lying betweene the Bridge called Lock Bridge, in or néere the Parith of Hackney, in the Countie of Middleſex, and the Bridge called Bow Bridge at Stratford Bow in the Parith of Stepney, in the ſaid Countie, (As by the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes, by and with the conſent and allowance of the occupiers and owners of the ſoile in the ſaid place or places, and in default of ſuch aſſent and allowance, by ſuch compoſition firſt to bee made with the ſaid occupiers & owners of the ſaid ſoile, as by the Commiſſioners by vertue of this Act to be in this behalfe appointed, ſhal be thought fit and conuenient) to dig or cut from and out of the maine riuer of Lée, on that ſide or banke of the ſame riuer which is next vnto the Citie of London, a ditch or trench not exceeding in breadth x. foot, or to ſcoure, cleanſe, or inlarge vnto the breadth aforeſaid, any old ditch or trench there alreadie made: And the ſame ditch or trench either old or new, ſo to bée made, or to bée cleanſed, to conuey by and thorow the ſaid fields and marſhes, in all places conuenient, in ſuch ſort as the ſame may againe be returned, and made to open it ſelfe into the maine riuer, within ſome ſuch conuenient diſtance from the mouth thereof, as to the ſaid Commiſſioners ſhall (for the intents and purpoſes hereafter expreſſed) be thought fit: Vpon which ditch or trench, or places néere adioyning thereunto, it ſhall and may be lawfull to the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes, to erect or cauſe to be erected, certaine Engines, Waterworkes or Waterwheéles, as alſo houſes or couerings requiſite for the ſame, where by the aſſent of the ſaid Commiſſioners, the ſame ſhall bée agréed vpon, to be no let or hinderance to the ordinarie paſſage of Barges, Boats, or other ſuch Veſſels vpon the ſaid riuer of Lee, and by and through the ſaid ditch or trench, to carrie and conuey ſo much of the water of the ſaid maine riuer, as by the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes ſhall be thought requiſite and neceſſarie to bee vſed for the working or motion of the ſaid Engines or Waterwheeles, and ſhall alſo by the ſaid Commiſſioners bee thought to be no preiudice or hinderance to the ordinarie paſſage of Barges, Boats, or ſuch other Veſſels vpon the ſame riuer. And that it ſhall and may be lawfull to and for the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes (in all places apt and conuenient, within a conuenient diſtance of the ſaid Engines or Waterworkes) to dig for the taking and further opening of Springs of freſh water there found, or to bee found on the Weſt ſide of the ſaid riuer next vnto the Citie of London, and the water of the ſaid Springs to carrie and conuey by and through certaine little gutters or trenches, or pots or pipes vnder the ground, into one pit, pond, or head of conuenient largeneſſe, to be made by the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies or Aſſignes, in ſome places apt for the ſame. And that it ſhall and may be lawful to and for the ſaid Prouoſt and Fellows, their Succeſſors, Deputies and Aſſignes, hauing by Art and ſleight of Engines, and waterworks, or by any other meanes or deuiſe raiſed the water of the ſaid Springs, and ſo much of the water there running in the ſaid ditch or trench as ſhall be thought neceſſarie, to ſuch height, and into ſuch place, pond, head, or receipt, (as to them ſhall ſéeme in that behalfe requiſite) to conuey and carie the ſame in cloſe pipes vnder the ground, from the ſaid waterworkes, and the ſaid other places

of

of receipt, vnto the Citie of London and the Suburbes thereof, for the perpetuall maintenance and ſuſtentation of the ſaid Prouoſt and Fellowes, and their Succeſſors by the Rent to be made of the ſaid waters conueied as aforeſaid. And that for the conueiance of the ſaid water, it ſhall and may bee lawfull to and for the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes (in all places conuenient betweene the ſaid Waterworkes and the ſaid Citie of London) to dig, cut, and open the ground, to ſuch depth and breadth as ſhall bee conuenient for the laying in of the ſaid Pipes or Pots, through which the ſaid water ſhall paſſe, and for making little Conduit heads for Vents vnto the ſame, for the better paſſage of the ſaid waters, And the ſame ground ſo opened for the purpoſe aforeſaid, (after the ſaid Pipes or Pots are laied in and placed) the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, ſhall with turfe, earth, grauell, or other materials, againe fill vp and couer. And bee it &c. That it ſhall and may be lawfull to and for the ſaid Prouoſt and Fellowes, their Succeſſors, Deputies and Aſſignes, from time to time, and at all times conuenient, with their men, horſes, carts, or other carriages, to haue free entrie and paſſage, by, ouer, and through any ground or land, in places, and at times meet and conuenient, for the doing and performing of any thing requiſite, for the making of the ſaid ſeuerall paſſages of waters, or for the doing of any other act or thing concerning the ſame, authorized by this Act, as alſo for the continuall preſeruation and reparation of the ſaid Workes, as often as need ſhall require. And bee it &c. That the Lord Chancellor, or Lord Keeper of the great Seale of England for the time being, by Commiſſion vnder the great Seale of England, at the requeſt and charges of the ſaid Prouoſt and Fellowes, their Succeſſors, Subſtitutes and Deputies, or vpon the cõplaint or petition of any perſon or perſons, whom it may concerne, ſhall nominate, appoint and authorize by Commiſſion or Commiſſions, vnder the great Seale of England, ſeuen diſcreet and ſufficient perſons, whereof two ſhall be Iuſtices of Peace of the Countie of Middleſex, and two of the Citie of London, and three others at the choyce and appointment of the ſaid Lord Chancellor, or Lord Keeper, euerie of the ſaid perſons hauing lands and tenements, of the cleere yearely value of fortie pounds at the leaſt, which ſaid ſeuen perſons, or any foure, or more of them, ſhall haue power to order and ſet downe, what rate or rates, ſumme or ſummes of money ſhall be paid by the ſaid Prouoſt and Fellowes, as well for ſatisfaction and recompence of damnages, in making the fore recited workes, or any thing belonging to the ſame, as alſo for any manner of damnages to be ſuſtained, in the mending or reparation thereof, from time to time, or any other coſts or charges, ſuſtained by reaſon of the ſame, to the Lords, owners and occupiers of the ground and ſoyle, or to others intereſted in the ſaid riuer or waters, for which, compoſition is to bee made by the intent of this Act, if the parties cannot of themſelues agree, and in what maner the ſame ſhall be payed. And that for the recouerie of ſuch money, as ſhall bee ſo ordered and ſet downe by the ſaid Commiſſioners, or any foure, or more of them, the partie or parties, to whom the ſame money ſhal bee due and payable, by the true intent of the ſaid Order, ſhall or may recouer the ſame, together with the reaſonable coſts and damnages for the forbearance thereof, againſt the ſaid Prouoſt and Fellowes, by Action of Debt, Bill or Plaint, in any his Maieſties Courts at Weſtminſter, wherein no Eſſoine or Protection ſhall be allowed. Prouided allwayes, and it is further enacted &c. That the ſaid water ſhall not be conueyed through the houſe, garden, or orchard of any perſon or perſons, or through any part thereof, or through any corne fields, while the corne is growing or ſtanding in the ſame, without the conſent firſt had, of the owners and occupiers of the ſaid houſes, gardens, orchards, and corne fields. An. 7. Iac. cap. 9.

Copiholds.

BEit &c. That all the Meſſuages, Cottages, Mills, Lands, Tenements, and Hereditaments contained or mentioned in any Decree or Decrees, to bee made in any the Courts of Exchequer chamber, or Duchie, at any time ſince the firſt day of this preſent Seſſion of Parliament, or within three yeares from thence next enſuing, vpon compoſitions made with his Maieſties ſaid Officers, on his Highneſſe behalfe, as aforeſaid, And in and by the ſame decrees, to bee from thenceforth good and perfect Copihold lands, ſhall from the time of ſuch Decree or Decrees made, be taken, and adiudged to be good & perfect Copihold lands, tenements, & hereditaments, according to the true intent & meaning of the ſaid Decrees reſpectiuely; And that all & euerie perſon and perſons, ſhall and may haue, hold, vſe and enioy the ſaid Meſſuages, Cottages, Mills, Lands, Tenements, and Hereditaments, to them, their heires & aſſignes for euer, by Copie of Court Roll, or otherwiſe, according to the cuſtomes of the ſaid Mannors, ſeuerally and reſpectiuely, according to the purport and effect of the ſaid Decrees, for ſuch Fines, Rents, Duties, and by, with, and according to ſuch Cuſtomes, Priuiledges, Liberties, profits, and commodities, and in ſuch maner and forme, as in and by the ſaid Decrees ſhall be limited and appointed. And be it &c. That the ſaid Decrees, and euerie of them, and euerie Clauſe, Article, and Sentence in euerie of them to be contained, ſhall ſtand and bee ratified, allowed, approued, and confirmed by the authoritie of this preſent Parliament: And that the ſame decrees, and euery of them ſhall ſtand and be of force to bind and conclude as well the Kings Maieſtie, his Heires and Succeſſors, as alſo all other parties to the ſame, their heires, and aſſignes, and all claiming, by, from, or vnder them, in all things, according to the purport, effect and true meaning of the ſame Decrees, And that euerie Clauſe, Article, and Sentence in them, or any of

them to be contained, for euer from and after the making of the same Decrees, shall stand, be and remaine, and be adiudged and taken to stand, and be of such and the same force and effect to all intents and purposes, as if the same Decrees, and euerie of them, and euerie Clause, Article and Sentence in them, and euery of them to be contained, were specially and particularly herein expressed, and by the authoritie of this present Parliament enacted. Sauing neuertheless to all and euery person and persons, bodies Politique and Corporate, their heirs and successors (other then the Kings Highnesse, his heires and successors) all such Actions, Estates, Possessions, Rights, Titles, Interests, Rents, and Demaunds, Profits, Commodities and Aduantages whatsoeuer, as they, or any of them haue, shall, may, or ought to haue, of, in, to, or out of all, or any of the Premisses, in such and in the same estate, degree, plight, maner and forme to all intents and purposes, as if this Act had neuer beene had ne made. Añ 7. Iac. cap. 21.

Corne and Graine.

Corne

IT is accorded, That the passage of corne shall be forbidden in all the Ports of England, so that none haue licence nor warrant to passe with corne

Calice

in any wise, vnlesse it be to Calice and Gascoigne, or to other speciall places, which it behoueth that the king doe to be furnished of the corne of England, and that by his owne ordinance and licence. Anno 34. E. 3. cap. 20.

Malt

2 The Malt which shall be made in the Counties of Huntington, Cambridge, Northampton and Bedford, which shall be sold and brought to the Citie of London, to victuall the kings household, and other Lords houshold and gentiles there dwelling and repairing: And also for the sustenãce of all the people of the said Citie, shall be well and conuenably sifted, cleansed, and purified, before the sale of the same, from dust and all other filth, so that the buyers may haue eight bushels of cleane Malt

Cleanse

Quarter

for the quarter. And that the Maiors, Bailifes, and Wardens of townes and places where such Malt shall be sold, shall haue full power at euerie mans suit that will complaine, to see and search the said Malt, and if default be found, thereof to make due redresse. Anno 17. R. 2. cap. 4.

3 The king at the request of the commons to him made in this present Parliament, hath graunted licence to all his liege people of his Realme of

Ship corne

England, to ship and carrie corne out of the said Realme, to what parts that pleaseth them, except to his enemies, paying the subsidies and denoiers thereof due, notwithstanding any ordinance, proclamation, or any defence made before this time to the contrarie: Neuertheless he will, that his councell may restraine the said passage when they shall

Passage

thinke best for ỳ profit of the Realme. Añ 17. R. 2. ca. 7. Quęr if this Stat. expired by the death of R. 2.

4 The said Statute (that is to say) Añ 17. R. 2. cap. 7. (before 3.) be holden and kept in all points, so that his Councell may restraine the said passage when to them shall seeme necessarie for the profit of the Realme. Anno 4. H. 6. cap. 5. Quære if this Statute expired by the death of H. 6.

5 An. 15. H. 6. cap. 2. It was enacted to indure to the next Parliament, that corne might be carried out of England, when it was at certaine prices expressed in the Statute. And after An. 20. H. 6. ca. 6. this Act was continued for ten yeares. And after Anno 23. H. 6. cap. 6. it is made perpetuall. See these three Statutes at large.

Transporting corne Prices

6 No person from the Feast of Saint Iohn the Baptist next comming, shall bring or conuey into

Bring in Marchandise

any place or port of this Realme, by way of Marchandise, nor otherwise, any Wheat, Rie, or Barley, which is not of the growing of this land, or of any Isle pertaining to the same, or of the growing of the countrey of Ireland or Wales, at any time that the quarter of Wheat doth not exceed the price

Price

of v. s. vij. d. the quarter of Rie the price of iij. s. and the quarter of Barley iij. s. of lawfull money of England, within the place or Port where such Wheat, Rie, or Barley shal happen to be brought,

Forf.

vpon pain of forfeiture of the said Wheat, Rie, and

Vent

Barley: The one halfe to the vse of our Soueraign Lord the King, & the other halfe to him which shall happen to seise such Wheat, Rie, or Barley. Prouided alwayes, That this Act extend not to any Wheat, Rie, or Barley, taken by any of the kings liege people vpon the sea, without fraud or couin. An. 3. E. 4. cap. 2.

7 For the suppressing of the number of Drouers of cattell, and Badgers, Laders, Kidders, and Carriers of corne and graine, that hath been allowed thereunto by the Iustices of peace, since the making of the Statute against Regrators, Forestallers, and Ingrossers, Anno 5. E. 6. cap. 14. (after in Forestallers 4.) Be it ẽ. That no Drouer of cattel,

Drouer Badger

Badger, Lader, Kidder, Carrier, Buyer or Transporter of corne or graine, butter and cheese, be from

Butter Cheese

and after the feast of Easter next after the first day of this present Parliament, licenced, admitted, assigned, or allowed to those offices or doings, or to

Licence

any of them, but onely in the generall and open Quarter Session of the Peace, to be holden in the Shire where such person or persons so to be admitted, assigned, or allowed, doth or shall dwell, and hath or shall haue dwelled there by the space of three yeares next before the Teste of the said licence. And that no person or persons after the first day of May next comming, be admitted to the said Offices or doings, or to any of them, but such onely as be or haue bene maried men, and shal

Maried

be maried, at the time of such licence to be granted,

Houholders

houholders, and not household seruants, nor retainers to any person or persons, & of the age of thirtie yeres at the least. And that all licences being made and granted as is aboue said, shal haue continuance

Time fixt

and be good onely for one yeare next after the date thereof, and for no more nor longer time, which said licences, euerie of them shall beare date the day and place where the said Sessions shall be holden, and shal be signed and sealed with the proper hands and seales of three of the said Iustices of the peace being present at the same Sessions at the least, whereof one to be of the Quorum, vpon paine that euerie

3. Iust.

One of the Quorum

person

perſon or perſons that ſhall take any licence contrarie to this ordinance to loſe and forfait to our Soueraigne Lady the Quéene, her heires and ſucceſſors v.li. ſterling. And that all licences made and graunted or hereafter to be made and graunted, otherwiſe then is afore expreſſed, ſhall from and after the ſaid firſt day of May next comming, be void and of none effect. And further be it enacted by the authoritie aforeſaid, that the Juſtices of the peace, in the ſaid generall and open Seſſions, ſhall or may by their diſcretions, take bond and ſuertie from time to time, by Recogniſances, of ſuch as ſhall be admitted or allowed hereafter a common drouer of cattell, badger, lader, kidder, carrier, or buyer of corn, graine, butter or cheſe, that they nor any of them, ſhall by colour of his or their licence foreſtall or ingroſſe, or otherwiſe practiſe or do any act or thing contrary to the tenor and true meaning, or in derauding the ſaid former eſtatute, or of any matter or thing therein contained. All which licences and euery of them, and the ſaid Recogniſances, ſhall bée made and written by the Clerke of the peace in euery countie where ſuch licence ſhall be graunted, or by his lawfull deputis, and by none other perſon or perſons. And euery perſon that ſhall haue any ſuch licence, ſhall pay to the Clerke of the peace or his deputy for making therof twelue pence at the moſt, and for euery Recogniſance in forme aboueſaid to be made and knowledged eight pence at the moſt, and for regiſtring of the ſame licence and Recogniſance iiij.d. at the moſt. For which ſaid fée, the ſaid Clerke or his deputie, ſhall haue and kéepe one Regiſter booke, and therein ſhal regiſter and write all the names, ſurnames, and dwelling places of ſuch as ſhall be licenced, as is aforeſaid, with a briefe declaration or entrie of the ſaid licence, and of the day, time, and place, where ſuch a licence or licences ſhall be graunted. Which booke or regiſter, the ſaid Clerke of the peace, or his deputie, ſhall haue and bring to euery Seſſions, to the intent that it may appeare what number of licences be and ſhall be from time to time graunted, wherby the better conſideration may be had therof. Prouided allwaies, and be it further enacted by the authoritie aforeſaid, that no perſon or perſons, ſhall or may by authoritie of any ſuch licence aboue mentioned buy any corne or graine, out of open faire or market to ſell againe, vnleſſe ſuch perſon and perſons ſhall be thereunto licenced, and ſhall haue ſpeciall and expreſſe words contained in ſuch licence & licences, that he or they may ſo doe, vpon paine to forfait for euery ſuch time that any ſuch perſon or perſons ſhal do to the contrary v. pound. The one moitie of all which forfaitures afore rehearſed, ſhall bée to the Quéene our Soueraigne Lady, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, in any of the Quéenes Courts of Record, by Bill, Plaint, Action of Debt, or Information, in the which Bill, Plaint, Action, or Information, no Wager of Law, Eſſoine or Protection ſhall be admitted. Be it alſo enacted by ỹ authoritie aforeſaid, that the Juſtices of the peace in euery county within this Realm or Wales, at the quarter Seſſions, ſhall haue full power and authoritie by vertue of this act, to inquire, heare and determine, all and euery the defaults and offences perpetrated, committed or done contrary to this act, within the countie where any ſuch Seſſions ſhall be kept, by inquiſition, preſentment, bill, or information before them exhibited, and by examination of two lawfull witneſſes, or by any of the ſame waies or meanes, by the diſcretion of the ſaid Juſtices, and to make proces thereupon as though they were indicted before them by inquiſition, or by verdict of xij. men or moe. And vpon the conuiction of the offendor, by information or ſuit of any other then the D. to make extracts of the moitie of the forfaitures to be leiued to the D. vſe, as they vſe to do of other fines and of amerciaments, growen in the ſeſſions of peace, and to award execution of the other moitie for the complainant or informer againſt the offendor, by Fieri facias, or Capias, as the D. Juſtices at Weſtminſter may do, and vſe to do. And if any ſuch conuiction or attainder ſhall hereafter happen to be at the Quéenes ſuit onely, that then the whole forfaitures to be extracted and leuied to the Quéens vſe onely. Prouided alwaies that this act, or any thing therein contained, ſhall not in any wiſe extend to the preiudice of the libertie of any citie or towne corporate, but that they and euery of them ſhall and may lawfully aſſigne and licence Purueiors for the prouiſion of the ſame city or towne corporate, in ſuch manner and forme as they might lawfully haue done before the making of this act. Prouided further, that this act nor any thing therein contained, ſhall bée in any wiſe hurtfull or preiudiciall vnto any the inhabitants within the counties of Weſtmerland, Cumberland, Lancaſter, Cheſter, & Yorke, or any of them, but that they may doe as heretofore they haue lawfully vſed to do: any thing in this preſent Act to the contrary notwithſtanding. An. 5. Eliz. cap. 12. *

Learne if the two laſt Prouiſoes of this Statute do now remaine in force, by reaſon of a Prouiſo in the Statute of 13. Eliz. cap. 25. (which See after in Foreſtallers 4.) for as much as the Statute of 5. E. 6. cap. 14. of Foreſtallers (which See there alſo) was diſcontinued from An. 8. vntill 13. Eliz.

8 For the better increaſe of tillage, and of the nauie and Mariners of this realme: Be it enacted, that from and after the feaſt of the Natiuitie of S. John Baptiſt next comming, it ſhall be lawfull to all and euery perſon and perſons, being ſubiects of the D. Mateſtie, her heires and ſucceſſors, and inhabiting within her highneſſe realmes and dominions, (only out of ſuch ports and créeks where are or ſhall be reſident a cuſtomer or collector of ſubſidie of tonnage and pondage, or one of their deputies, and not elſewhere) to load, carrie, or tranſport any wheat, rie, barley, peaſe or beanes, into any parts beyond the Seas, being in amity with this realme, and not prohibited by any reſtraint or proclamation, onely to ſell as a marchandiſe in ſhips, craiers, or other veſſels bearing croſſe ſailes, wherof any Engliſh born ſubiect, inhabiting within her highneſſe realmes and dominions, then ſhall be the only owners, at alll ſuch times as the ſeuerall prices

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ces thereof shall be so reasonable and moderate in the seuerall Counties, where such transportation shall be intended, as that no prohibition shall be made, either by the Quenes Maiestie, her heires or successors, by proclamation to be made in the shire towne, or in any port townes of the County, or else by some order of the L. President or Counsell in the North, or the Lord President and Counsell in Wales, within their seuerall iurisdictions, or the Justices of Assises at their Sessions in other shires out of the iurisdiction of the said two Presidents and Counsels, or by the more part of the Justices of the Peace of the Countie, at their quarter Sessions in this manner following, that is, The said L. Presidents and Coúsels for the shires within their iurisdictions, the Justices of Assise at their seuerall Sessions in other shires out of the said iurisdictions, belonging to the said Counsels in the North and in Wales yearely, shall vpon the conference had with the inhabitants of the countrey, of the cheapenesse and dearth of any of the said kinds of graine, within the Counties within the iurisdictions of the said Counsels, or in other the Counties within the limits of the said Justices of Assise, by their discretion, determine whether it shall be meet at any time to permit any graine to be carried out of the realme, by any port within their seuerall iurisdiction or limits, and so shall in writing vnder their hands and seales cause and make a determination either for permission or prohibition, and the same cause to be by the Shirife of the Counties published and affixed in as many accustomed market Townes and Ports within the said Shire, as they shall thinke conuenient, and in such manner, as the Quenes Maiesties proclamations are vsually published and affixed: Which determination of the said Presidents and Counsels in their iurisdictions, and of the Justices of Assise in their limits, shall continue in force for the time, place, and manner therein expressed, vntill the said Presidēts and Counsels shall otherwise order, or vntill the Justices of Assise, at their being in their said circuits, in euerie of the said Counties, shall alter, or otherwise order the same, except the same shall be otherwise in the meane time altered or countermaunded by the Quenes Maiestie, her heires or successors, or by some order of the Justices of peace in the Counties, situate out of the iurisdictions of the said two Counsels in their Quarter Sessions to be holden in the meane time, or the greater part of them, shall find the same determination of the Justices of Assises to be hurtfull to the Countie by meanes of dearth, or to be a great hinderance to tillage, by meanes of too much cheapenesse, and shall by their writings vnder their hands and seales make any determination to the contrary, either for permission or prohibition of carriage of any kind of graine out of the Realme, and the same determination shall cause to be in like manner published & affixed, as aboue is said: which determination shall also continue in force, except the same shall be altered by the Quenes Maiestie, her heires & successors, or vntill the Justices of Assise, at their being in their said circuits, in euerie of the said Counties

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afore to them limited, shall alter or otherwise ordaine the same, who shall and may vpon new conference had, by their discretions from time to time alter and change the said determinations in whole or in part, as to their discretions shall seeme meet, & the same shal also cause to be published, as in before prescribed. Prouided neuertheless, that neither any of the said Presidents and Counsels, nor the said Justices of Assise, nor the said Justices of Peace aboue mentioned, shall publish any their determinations aboue mentioned, vntill the same shall be first by writing notified to the Quenes Maiestie, or to her Priuie Counsell, & by her Maiestie or her Priuie Counsell, shall be liked and allowed. Prouided also, that the Quenes Maiestie, her heires and successors, shall haue and receiue by the customers and officers of her Ports, for the custome and pondage of euerie quarter of Wheat to be transported by force of this statute xij. s. and of euerie quarter of any other graine viij. s. and of euerie quarter of Wheat that shall be by any speciall Licence, hereafter to be graunted, transported out of the Realme, and not by force of this statute ij. s. and euerie quarter of other graine xvj. s. notwithstanding any maner of wordes that shall be contained or inserted in any licences to the contrary. Which said seuerall summes so to be had or taken, as custome or pondage, to be in full satisfaction of all manner of custome or pondage for the said corne or graine, by any constitution, order, statute, law, or custome, heretofore made, vsed or taken for transporting of any such maner corne and graine. Prouided also, and be it enacted by the authoritie of this present Parliament, that the Quenes Maiestie, her heires and successors, may at all times by her writ of Proclamation to be published generally in the whole Realme, or in the counties of the Realme, where any port townes are, commaund that no person shall by vertue of this act, transport or carrie out any maner of graine to any parts out of her dominions, either generally out of any Port in the Realme, or particularly out of any speciall Ports, to be in the same Proclamation named, and that it shall not be lawfull for any person to carrie out any such graine contrarie to the tenour of the same Proclamation, vpon such paines, as by the lawes of this Realme are and hath bene prouided, (viz. by 1. and 2. Phil. & M. cap. 5. and after in Vitaile 15. Anno 13. Eliz. cap. 13.) See after in the title Ships and Shipping 13. for transporting of Corne and Graine.

Alter
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Licence
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9 Be it enacted &c. That when the prices of Cornes or Graines exceede not the rates hereafter following, at the times, hauens and places, where and when the same Corne or graine shal be shipped or loaden, viz. the quarter of wheat at 26. s. 8. d. the quarter of Rye, Peale, and Beanes at xx. s. the quarter of Barley or Malt at xiiij. s. of currant English money: That then it shalbe lawfull for all and euery person and persons being Subiects of the Kings Maiestie, his heires or successors, to transport of his owne, and to buy and transport any of the said Cornes and graines, vnto any parts beyond the Seas in amitie with his Maiestie, to

Transport

sell

ſell as marchandiſe, in ſhips, craiers, or other veſſels, whereof any Engliſh borne ſubiect or ſubiects then ſhall be the owner or owners: Any law, vſage, or Statute to the contrarie hereof notwithſtanding. And that the Kings Maieſtie, his heires and ſucceſſors, ſhall haue and receiue by the Cuſtomers and Officers of his Ports, for the cuſtome or poundage of euerie Quarter of Wheat, to bee tranſported by force of this Statute, v.s. of euerie Quarter of other graine xvj.d. Which ſaid ſeuerall ſummes ſo to be had and taken as cuſtom or poundage, to be in full ſatisfaction of all manner of cuſtome or poundage for the ſaid corne or graine by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed, or taken for tranſporting of any ſuch manner of corne or graine. Prouided alwayes &c. That the Kings Maieſtie, his heires and ſucceſſors, may at all times by his and their writ of Proclamation, to be publiſhed generally in the whole Realme, or in any of the Counties of the Realme, where any Port townes are, commaund, That no perſon ſhall by vertue of this Act, tranſport or conuey any manner of graine out of his Highneſſe Dominions generally, or out of any ſpeciall Ports, to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: And it ſhall not be lawfull for any perſon to carrie out any ſuch graine, contrarie to the tenor of the ſame Proclamation, vpon ſuch paines and forfeitures, as by the Lawes and Statutes of this Realme are, and haue beene prouided and ordained in that behalfe; This Act or any thing therein contained to the contrarie notwithſtanding. An. 1. Iac. cap. 25.

10 Be it enacted &c. That at all times from and after the Feaſt of Pentecoſt, which ſhall be in the yeare of our Lord God 1607. it ſhall and may bee lawfull for all and euerie perſon and perſons to tranſport of his owne, or to buy and tranſport, or cauſe to be bought and tranſported, any Beere with the caſke, vnto any place or places beyond the ſeas, in amitie and league with his Maieſtie, his heires or ſucceſſors, to ſell as Marchandiſe, or otherwiſe, in ſhips, crayers, or other veſſells, when the price of euerie quarter of Mault at the times, hauens, and places, when and where the ſame ſhall be ſhipped and loaden, exceed not the ſumme of xvj.s. any ordinance, law, or ſtatute to the contrarie thereof in any wiſe notwithſtanding. And that the Kings Maieſtie, his heires &c. ſhall haue and receiue by the Cuſtomers, Comptrollers, and Officers of his Ports, where ſuch Beere ſhall bee ſhipped, or loaden, to be tranſported, the ſumme of viij.s. vj.d. for Impoſt, and xviij.d. for cuſtome to bee payd by euerie ſubiect of the Kings Maieſtie, his heires and ſucceſſors, for euerie Tunne of Beere ſo to be tranſported: And likewiſe the ſumme of ten ſhillings for Impoſt, and xij.s. for cuſtome to be paid by euerie Stranger, which ſhall be in full ſatisfaction of all manner of cuſtome, poundage, impoſt, or other dueties whatſoeuer for the ſame Beere: Any Conſtitution, Order, Law, Statute, or Cuſtome heretofore made, vſed, or taken for tranſporting of any ſuch Beere, to the contrarie in any wiſe notwithſtanding. Prouided &c. That this Act, nor any thing therein contained, ſhall extend to repeale or make voyd any Clauſe, Article, or Prouiſion contained in any former Law now in force, touching the bringing in of Clapboord, caſke, or Shaffold boord, but that euerie ſuch Branch, Article, Clauſe, or Prouiſion, ſhall extend as well vnto all and euerie tranſportation or tranſportations, made lawfull and warranted by vertue of this Act, as otherwiſe: Any thing contained in this Act to the contrarie notwithſtanding. This Act to continue but to the end of the firſt Seſſion of the next Parliament. Anno 3. Iac. cap. 11. Clapboord Caſke Shaffold boord

Coroners.

FOraſmuch as meane perſons and vndiſcreet, now of late are commonly choſen to the Office of Coroners, where it is requiſite that perſons wiſe, lawfull and diſcreet, ſhould occupie ſuch Offices: It is prouided, That through all Shires, ſufficient men ſhall be choſen to bee Coroners, of the moſt wiſe and diſcreet Knights, which know, will, and may beſt attend vpon ſuch Offices, and which lawfully ſhall attach and preſent pleas of the Crowne. And the Sherifes ſhall haue Counterpaines with the Coroners, as well of their Appeales, as of Enquells of Attachments, and of o-things which to that Office doe belong. And that no Coroner demaund any thing, or take any thing of any man to doe his Office, vpon paine of great forfeiture to the King. Weſtmonaſt. 1. cap. 10. Anno 3. Edw. 1. See this ſomewhat altered after in Murder 2. Knights Sherifes Appeales Fox. *

2 A Coroner ought to inquire theſe things, if hee be ſent to by the Kings Bailifes, or other honeſt men of the countrey. Firſt hee ſhall goe to the places where any man is ſlaine, or ſodainely dead, or wounded, or where houſes are broken, or where treaſure is ſaid to be found, and ſhall forthwith commaund foure of the next townes, or fiue, or ſix, to appeare before him in ſuch a place, and when they are come thither, the Coroner vpon the oath of them ſhall inquire in this manner: that is to wit, if they know where the perſon was firſt ſlaine, whether it were in any houſe, field, bed, Tauerne, or in companie, and who were there. Likewiſe it is to be inquired who were culpable, either of the act, or of the force, and who preſent, either men or women, and of what age ſoeuer they be (if they can ſpeake, or haue any diſcretion) and as many as ſhall be found culpable by the Inqueſt, of any of the ſaid things, ſhall be taken and deliuered to the Sherife, and ſhall be committed to the Goale, & ſuch as ſhall bee founden there, and be not culpable, ſhall be attached vntill the comming of the Iuſtices, and their names ſhall bee written in their Rolles. If it fortune any man to be ſlaine ſodainely, which is found in the fields, or in the woods, firſt it is to bee ſeene, whether hee were ſlaine in the ſame place or not, and if hee were brought and layed there, they ſhall doe as much as they can to follow their ſteps that brought him thither, Bailifes Treaſure Oath Enquire Sherife Attach

thet, whether he were brought vpon a horse, or in a cart. It shall be inquired also, if the dead person were knowne, or else a stranger, and where he lay the night before. And if any bee found culpable of the murther, the Coroners shall immediately goe vnto his house, & shall inquire what goods he hath, and what corne hee hath in his grange, and if he be a free man, they shall inquire how much land hee hath, and what it is worth yearely, & further, what croppe he hath vpon the ground. And when they haue thus inquired vpon euerie thing, they shall cause all the land, corne, and goods to be vained, in like manner as if they should bee sold incontinently, & thereupon they shall be deliuered to the whole Towneship, which shall be answerable before the Iustices for all. And likewise of his freehold, how much it is worth yearely, ouer & aboue the seruices due to the Lords of the fee, & the land shall remaine in the Kings hands, vntill that the Lords of the fee haue made fine for it. And immediately vpon these things being inquired, the bodies of such persons being dead or slaine shall be buried. In likomanner it is to bee inquired of them that bee drowned, or suddainely slaine or strangled, whether they were drowned, slaine, or strangled by the sign of the cord tied strait about their neckes, or by any of their members, or any other hurt found vpon their bodies, whereupon they shall proceed in forme aboue-said. And if he were not slaine, then ought the Coroner to attach the finders, and all other in the company. A Coroner also ought to inquire of Treasure that is founden, who were the finders, & likewise who is suspected thereof, and that may be well perceiued, where one liueth riotously, haunting Tauernes, and hath done so of long time, hereupon he may be attached for this suspition, by iiij. or vj. or moe pledges, if he may be found. Further, if any be appealed of Rape, he must be attached, if the appeale be fresh, and they doe see an apparant signe of truth, by effusion of bloud, or an open cry made, and such shall be attached by iiij. or vj. pledges, if they may be found. If the appeale were without cry, or without any manifest signe or token, two pledges shalbe sufficiet. Vpon appeale of wounds, especially if the wounds be mortall, the parties appealed shall bee taken immediately, and kept vntill it be knowne perfectly whether he that is hurt shall recouer or not, and if he die, the defendant shall be kept. And if he recouer health, they shalbe attached by iiij. or vj. pledges, after as the wound is great or small. If it be of a maime, he shall find no lesse then iiij. pledges, if it be of a small wound, ij. pledges shall suffice. Also all wounds ought to be viewed, the length, breadth, and deepenesse, and with what weapons, and in what part of the bodie the wound or hurt is, and how many be culpable, & how many wounds there be, and who gaue the wound, all which things must be inrolled in the Roll of the Coroners. Moreouer, if any be appealed of an act done as principall, they that be appealed of ỳ force, shall be attached also, and surely kept in ward, vntill the principall be attainted. Concerning Horses, Boats, Carts, &c. whereby any are slaine, that properly are called Deodand, they shall bee valued and deliuered vnto the Townes, as before is said. Concerning Wrecke of the sea, whereseuer it be found, if any lay hands on it, he shall be attached by sufficient pledges, and the price of the wrecke shall be valued and deliuered to the townes. If any bee suspected of the death of any man, being in danger of life, he shall be taken and imprisoned, as before is said. In like manner hue and cry shalbe leuied vpon all Murtherers, Burglaries, and for men slain, be in perill of death, as other where is vsed in England, and all shall follow the hue and steps as neere as can bee. And hee that doth not, and is conuict thereupon, shall be attached to be afore Iustices of the Gaols, &c. Officium Coronatoris, Anno 4. Edw. 1.

¶ It is prouided and ordained, that the Enquirors shall commaund the Shirife of the place, that he cause to appeare at a certaine day, and at a certaine place (which to him shall be alligned by the foresaid Enquirors) all the Baylifes of the Wapentakes, Hundreds, and Franchises, which be, or haue bin Beadles (if they be liuing) in the time that P. of C. was Coroner to our Lord the K. in those Counties, and he shall giue knowledge thereof to all the Baylifes and Beadles which are or haue bin within the precinct of his Bayliwike, and appertaining to the same Coroner, and to others also if need be. And that he also cause to come before them the Coroner, of whom they shall take ỳ Enquests, with all the Rolls of his time, while he was Coroner to our Lord the King, and the Enquirors shall put their Seales to the Rolles of the said Coroner, and being so sealed, shall redeliuer them to the Coroner, so that hee may haue them in a readinesse, when the Iustices in Eire shall come to sit in the Countie, or that the King shall ordaine otherwise for the same. And if the Coroner be dead, the same order shall be vsed with his heire for the time of his father, so that neither the Coroner, nor his heire, nor their clerkes may not forge their Rolls, before the comming of the Iustices, nor otherwise to doe any thing against the Crowne, in preiudice of the King, in dammage of his people, and to the hinderance of right, as before this time hath beene vsed. And then the said Enquirors shall cause the Baylifes aforesaid to sweare, That well and truly they shall do those things wherewith they shall be charged by the King and his Counsell, and they shal not conceale any thing, & after that they are all sworne, each Baylife of Wapentake, Hundred, and Franchise, shal be particularly charged, that he bring before the said Enquirors, at a day and place certaine (which to him shall be alligned) the names of all the whole Townes, halfe Townes, & Hamlets within his Wapentake, Hundred, or Franchise, written in Rols; and at the day and at the same place, shall deliuer them to the said Enquirors, and then shall the said Enquirors giue charge to the said Baylifes, that they shall cause to come before them at a certaine day and certaine place which they shal appoint, out of euery whole Towne viij. men, out of euery halfe Towne vj. and out of euery Hamlet iiij. men of the wisest and honestest there inhabiting (except the Lords of the said whole Townes,

halfe

Tulpable
Goods
Corne
Freemen
Vained
Townehip
Iustices
Freehold
Fine
Drowned
Strangled
Treasure
Rape
Appeale
Pledges
Imptif.
Principall
Horses
Boats
Deodand
Wrecke
Impris.
Hue and
Burglary
Sheriffe
Baylifs
Enquest
Rolls
Iustices
Oath

halfe Townes, & Hamlets aforesaid) out of which number the foresaid Enquirors shall chuse the Grand Enquest, xij. out of euerie Wapentake, Hundred, & Franchise, & Townes that answereth by pp. if there be any such within the precinct. And each of the foresaid viij. vj. and iiij. men, shall haue a seale, & if default be found in the foresaid Towns, halfe Townes, or Hamlets, for that they haue not so many freemen, then shall they be chosen of the most honestest and wisest bondmen, & each of them shall haue a seale, & then shall the Enquirors chuse out of euery viij. fire of the best, & out of vj. foure, and out of iij. two of the honestest, as neere as they may: And then shall they charge them with this oath following for the King. This heare you A. and B. Enquirors assigned for the King, that I shall say the troth, and nothing shall conceale, nor suffer to be concealed before you for promise, nor for gift, for terror nor for doubt, nor for affinitie, alliance, nor for loue, for hatred, nor abetting, nor for procurement, neither shall any thing else bind me from saying the truth, and true presentment to make of that which you shall giue me in charge in this Enquest for the King: So God me helpe & his Saints. And this oath shall euerie Towne, halfe Towne, & Hamlet make seuerally. And likewise with this oath the Enquirors shal charge the aforenamed xij. and then shal deliuer to the Iuries of each Towne, halfe Towne, and Hamlet, & to each Wapentake, Hundred, and Franchises, within the precinct aforesaid, or without (if need be) these Articles vnder written, and commaund them in the behalfe of the King, that the free men vpon paine of their inheritance, and the bondmen vpon paine of perpetuall imprisonmẽt, shall not any thing conceale &c. Statutum de Exonia, de Inquisitione facienda super Coronatores. The Articles made vpon the foresaid Statute beare date at Excester, vpon the xviij. day of Sept. in the xiiij. yeare of King Ed. 1. See for them the booke at large.

4 That no Coroner be chosen, vnlesse he haue land in fee sufficient in the same Countie, whereof he may answere to all manner of people. Anñ 14. Ed. 3. cap. 7.

5 All Coroners of the Counties shall be chosen in the full Counties, by the Commons of the same Counties, of the most conuenient and most lawfull people that shall be found in the said Counties to doe the office: Saued alwayes to the King and other Lords, which ought to make such Coroners, their Seigniories and Franchises. Añ 28. Edw. 3. cap. 6.

6 See Murder 2. What a Coroner shall doe when one is slaine, and what his fee is. Anno 3. H. 7. cap. 1.

7 Forasmuch as since the making of the statute of 3. H. 7. cap. 1. (which see after in Murder 2.) Coroners haue refused to inquire vpon the view of bodies slaine by misaduenture, and not by mans hand, except they haue for their labours xiij. s. iiij. d. which is contrarie to the Law, and to the great annoyance of the people. Be it &c. that vpon a request made to a Coroner to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misaduenture, the said Coroner shall diligently doe his office vpon the view of the body of euery such person and persons, without any thing therefore, vpon paine to euery Coroner that will not endeuor himselfe to doe his office (as afore is said) or that he taketh any thing for doing of his office vpon euery person dead by misaduenture, for euery time xl. s. And that the Iustices of Assises, Iustices of Peace within the Countie where any such default of the Coroners be, haue authoritie and power to inquire thereof, and determine the same, as well by examination, as by presentment. Añ 1. H. 8. cap. 7. ✠

Misaduenture
Without fee
Paine
Iust. of Ass.
Iust. of P.

Corporations.

Añ 15. H. 6. cap. 6. An Act was made to endure at the Kings pleasure against Corporations, for making of ordinances.

2 No Maior, Wardens, and Fellowships of Crafts or Misteries, nor any of them, nor any rulers of Guilds or Fraternities, take vpon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances, by them heretofore made in disheritance or diminution of the Prerogatiue of the King, nor of other, nor against ỳ common profit of the people, but if ỳ same Acts or Ordinances be examined & approued by the Chancelor, Treasorer of England, or chiefe Iustices of either Benches, or three of them, or before both the Iustices of Assises in their circuit or progresse in the Shire where such Acts or Ordinances be made, vpon paine of forfeiture of xl. l. for euerie time that they doe the contrarie. And ouer that it is enacted, that none of the same bodies corporate take vpon them to make any Acts or Ordinances to restraine any person or persons to sue to the Kings Highnesse, or to any of his Courts, for due remedie to be had in their causes. Ne put ne execute any penaltie or punishment vpon any of them for any such suit to bee made, vpõ paine of forfeiture of xl. l. for euery time that they doe the contrarie. Añ 19. H. 7. cap. 7.

Wardens
Guilds Fraternities
Ordinances
Prerogatiue
Chancelor Treasorer
Iust. of both Benches
Iust. of Ass.
Forf.
Ordinance
Forf.

3 No Maior, Wardens, or Fellowships of Crafts or Misteries, or any of them, nor any Rulers of Fraternities, take from henceforth of any Apprentice, or of any other person or persons for the entrie of any Prentice into the said Fellowship, aboue the summe of vj. s. viij. d. Nor for this entrie when his yeares and terme is expired & ended, aboue iij. s. iiij. d. vpon paine of forfeiture of xl. l. for euerie time that they doe the contrarie: The one halfe to the King our Soueraigne Lord, the other halfe to the partie that therefore shall sue by Action of Debt, Information, or otherwise, and that in the Action aforesaid, no Protection nor Essoine shalbe allowed. Añ 22. H. 8. cap. 4.

Wardens
Crafts
Apprentice
Forf.
Moitie

4 No Maior, Wardens of Fellowships of Crafts, nor any of them, nor any rulers of Fraternities, Guilds, or Brotherheads, from henceforth compell, or cause any Prentice or Journeyman, by Oath or Bond heretofore made, or hereafter to be made, or otherwise, that he, after his apprenticeship or terme expired, shall not set vp, nor keep any shop, house, or seller, nor occupy as a freeman without licence

Wardens
Crafts
Prentice
Oath
Bond
Journeyman
Licence

cence

cence of the Maister, Wardens, or Fellowship of his or their occupation, for & concerning the same, nor by any meane exact, or take of any such Prentice or Iourneyman, nor any other occupying for themselues, nor of any other persons for them, after his or their said yeares expired, any summe of money, or other things, for or concerning his or their Freedome or Occupation, otherwise, or in any other manner then before is recited, limited, & appointed in the said former Act, made in the said xxij. yeare of the raigne of King Henry the eight, vpon the paine to forfeit for euery time that they, or any of them shall offend contrarie to this Act, xx.l. The one halfe thereof to the King &c. and the other halfe to the partie that will sue &c. in which &c. no Protection nor Essoine &c. Añ 28. H. 8. cap. 5.

Prentice

Forf.

Moitie

§ All and euery peculiar Act, Order, Rule, and Estatute heretofore made, or hereafter to be made by any Founder or Founders, of any Hospitall, Colledge, Deanrie, or other Corporation, at or vpon the foundation of any such Hospitall, Colledge, Deanrie, or Corporation, whereby the Graunt, Lease, Gift, or Election of the Gouernor or Ruler of such Hospitall, Colledge, Deanrie, or other Corporation, with the assent of the more part of such of the same Hospitall, Colledge, Deanrie, or Corporation, as haue or shall haue voice of assent to the same, at the time of such Graunt, Lease, Gift, or election hereafter to be made, should be in any wise hindered or let by any one or moe, being the lesser number of such Corporation, contrary to ỳ forme, order, & course of the common Law of this Realme of England, shall be from henceforth clerely frustrate, void, and of none effect. And that all oathes heretofore taken by any person or persons of such Hospitall, Colledge, Deanrie, and other Corporation, shall be for and concerning the obseruance of any such Order, Statute, or Rule, deemed void & of none effect. And that from henceforth no manner person or persons of any such Hospitall, Colledge, or Deanrie, or other Corporation, shall be in any wise compelled to take any oath for the obseruing of any such Order, Estatute, or Rule, vpõ paine of euerie person giuing such oath, to forfeit for euerie time so offending v.l. The one moitie thereof to the King &c. and the other moitie thereof to any &c. wherein &c. Añ 33. H. 8. cap. 27.

Founder

Colledge Hospitall Corporatiõ

Lease

Oath

Order

Forf.

Moitie

Corpus cum Causa, and Habeas Corpus.

IF any such Writ of Certiorari Corpus cum causa be granted, or shall be granted at any time hereafter, and vpon the said Writ that the prisoner which is so holden in prison, bee condemned by iudgement giuen against him, that incontinent he shalbe remaunded, where he shal remaine continually in prison, after the law & custome of the land, without being let to goe by Baile or Mainprise, against the will of the said plaintifes, vntill grée be made to them of the summes so adiudged. Añ 2. H. 5. cap. 2. Stat' primo.

Certiorari

Writ Prisoner

Mainprise

§ Be it enacted &c. That from and after the end of this present Session of Parliament (which was 19. Dec. 1601) that no Writ or Writs of Habeas corpus, or any other Writ or Writs sued forth, or to be sued forth by any person or persons whatsoeuer, out of any of her Maiesties Courts of Record at Westminster, to remoue any action, suit, plaint, or cause depending, or to be depending in any Court or Courts, within any citie or towne corporate, or elsewhere, which haue or shall haue iurisdiction, power, or authoritie, to hold plée in any action, plaint, or suit, shall be receiued or allowed by the Iudge or Iudges, or Officer or Officers, of the Court or Courts, wherein or to whom any such Writ or Writs shalbe deliuered, but that he & they shall & may proceede in the said cause & causes, readie to be tried, as though no such Writ or Writs were sued forth, or deliuered to him or them: Except that the said Writ or Writs be deliuered to the Iudge or Iudges, Officer or Officers of the said Court, before that the Iury which is to trie ỳ cause in question betweene ỳ party or parties plaintifes, and the partie or parties that sued forth the said Writ or Writs, or for whose benefit ỳ said Writ, or Writs is or shall be sued forth, haue appeared, & one of the said Iurie sworne to trie the said cause. Prouided alwayes, that this Act shall continue no longer then vntill the end of the next Parliament. Añ 43. Eliz. cap. 5. And after Añ 1. Iac. cap. 25. it is continued vntill the end of the first Session of the next Parliament.

Habeas Corpus

Remoue Suit

Iurisdiction

Court

Triall

Iurie

Cosinage, Aile, and Besaile.

WHereas the Iusticers in a plée of Mortdauncester, haue vsed to admit for the answere of the tenant, that the plaintife is not nert heire of the same auncestor, by whose death he demaundeth the land, & is readie to inquire the same by Assise: It is agréed, that in Writs of Cosinage, Aile, and Besaile, which be of the same nature, the same answere shall be admitted and inquired, & according to the same inquisition, they shal proceed to iudgement. West. 2. cap. 20.

Mordaunc.

Heir

Iudgment

Cottages.

AFter the end of this Session of Parliament, no person shall within this Realme of England make, build, or erect, or cause to be made, builded, or erected, any manner of Cottage for habitation or dwelling, nor conuert or ordaine any building or housing, made, or hereafter to be made, to be vsed as a Cottage for habitation or dwelling, vnlesse the same person do assigne and lay to the same Cottage or Building iiij. acres of ground at the least, to be accompted according to the Statute or Ordinance De terris Mensurandis, being his or her owne Fréhold and Inheritance, lying nére to the said Cottage, to be continually occupied & manured therewith, so long as the same Cottage shall be inhabited, vpon paine that euerie such offendor shall forfeit to our Soueraigne Ladie the Quéenes Maiestie, her heires and successors, x. pounds of lawfull money of England, for euerie such offence.

iiij. Acres

Freehold

Forf.

And

And be it further enacted &c. That euery person, which after the end of this Session of Parliament, shall willingly vphold, maintaine, and continue any such Cottage hereafter to be erected, conuerted, or conuerted for habitation or dwelling, whereunto foure acres of ground, as is aforesaid, shall not be alligned and laied to be vsed and occupied with the same, shall forfeit to our said Soueraigne Lady the Queenes maiestie, her heires and successors fortie shillings, for euery moneth that any such Cottage shalbe by him or them vpholden, maintained, and continued. Prouided also and be it enacted, That from and after the feast of All Saints next comming, there shall not be any Inmate, or more families or housholds then one, dwelling or inhabiting in any one cottage, made, or to be made, or erected, vpon paine that euery owner or occupier of any such cottage, placing, or willingly suffering any such Inmate, or other family then one, shall forfeit and lose to the Lord of the Leete, within which such cottage shall be, the summe of ten shillings of lawfull money of England, for euery moneth that any such Inmate, or other familie then one, shall dwell or inhabite in any one cottage, as aforesaid. And that all and euery Lord and Lords of Leete and Leetes, and their Stewards within the precinct of his and their Leet and Leetes, shall haue full power and authority within their seuerall Leetes, to inquire, and to take presentment by the oath of Iurors, of all and euery offence and offences in this behalfe, and vpon such presentment how or made, to leuy by distresse to the vse of the Lord of the Leete, all such summes of money as so shall be forfeited. And moreouer, that it shall be lawfull for the Lord of euery such Leet where such presentment shall be made, to recouer to his owne vse any such forfeiture, by Action of Debt in anie of the Queenes Courts of Record, wherein no essoine, protection, or wager of law shall be allowed. And be it further enacted by the authority aforesaid, that all Iustices of Assises, and Iustices of Peace in their open Sessions, and euerie Lord within the precinct of his Leete, and none others, shall haue full power and authoritie within their seuerall limits and iurisdictions, to inquire of, heare, and determine all offences contrary to this present Act, as wel by Indictment, as otherwise by presentment, or information, & to award execution for the leuying of the seuerall forfeitures aforesaid, by Fieri facias, Elegit, Capias, or otherwise, as the cause shal require. Prouided alwayes, that this statute, or any thing therein contained, shal not in any wise be extended to anie cottage, which shalbe ordained or erected, to be for habitation or dwelling in any citie, towne corporate, or auncient Borough, or Market towne within this Realme, nor to any cottages, or buildings, which shall be erected, ordained, or conuerted, to and for the necessary and conuenient habitation or dwelling of any workemen, or labourers, in anie Minerall workes, coale Mines, quarries, or delues of stone, or slate, or in, or about the making of Bricke, Tile, Lyme, or Coales within this Realme: So as the same Cottages or buildings be not aboue one mile distant from the place of the same Minerall, or other workes, and shall be vsed onely for the habitation and dwelling of the said workemen, nor shall in anie wise preiudice, charge, or impeach anie person or persons, for the erecting, maintaining, or continuing of anie such cottages, as are before in this Prouiso mentioned and specified. Prouided alwayes, that this Act shall not extend to anie cottage to be made within a mile of the Sea, or vpon the side of such part of anie nauigable River where the Admirall ought to haue iurisdiction, so long as no other person shall therein inhabite, but a Sailer, or a man of manuell occupation, to or for making, furnishing, or victualing of any ship or vessell, vsed to serue on the Sea; nor to anie cottage to be made in anie forest, chace, wapren, or parke, so long as no other person shall therein inhabite, but an vnderkeeper, or warrener, for the good keeping of the Deere, or other game of warren, nor to any cottage heretofore made, so long as no other person shall therein inhabite, but a common Heardsman or shepheard, for keeping the cattell or sheepe of the towne, or a poore, lame, sicke, aged, or impotent person, nor to anie cottage to be made, which for anie iust respect vpon complaint to the Iustices of Assise at the Assises, or to the Iustices of Peace at the Quarter Sessions, shal by their order entred in open Assises, or Quarter Sessions, be decreed to continue for habitation, for and during so long time onely, as by such decree shall be tollerated and limited. Anno 31. Elizab. cap. 7. See after London 6.

Inmate

Fuel.

Fuel. Leet

Lord of Leets

Inquire Oath

Dists

Iust. of Ass. Iust. of P.

Indictment

Mineral workes

Sea

Admirall

Sailer

Forest

Warrener

Heardman Poore person

Quarter Sessions

Counterfaiting of Letters, or priuie tokens.

FOrasmuch as many light and euill disposed persons, not minding to get their things by trueth, according to the Lawes of this Realme, but compassing and deuising daily how they may vnlawfully obtaine and get into their hands and possessions, goods, cattels, and iewels of other persons, for the maintenaunce of their vnthrifty liuing: And also knowing, that if they come to anie of the same goods, cattels, and iewells by stealth, that then they being thereof lawfully conuicted, according to the Lawes of this Realme, shall die therefore, haue now of late falsly and deceitfully contriued, deuised and imagined priuie tokens, and counterfait letters in other mens names, vnto diuers persons their especiall friends and acquaintances, for the obtaining of money, goods, cattells, and iewells, of the same persons their friends and acquaintances, by colour whereof the said light and euill disposed persons, haue deceitfully and vnlawfully obtained and gotten great substance of mony, goods, cattels, and iewells into their hands and possessions, contraie to right, and conscience. For reformation whereof, be it ordained and enacted by authoritie of this present Parliament, that if anie person or persons, of what estate or degree soeuer he or they be, at any time after the first day of April next comming, falsly and deceitfully obtaine or get into his or their hands or possession, anie money, goods, cattels,

Money Goods Cattels

Iewels, iewels, or other things of any other person or persons, by colour and meanes of any such false token, or counterfeit letter, made in any other mans name; as is aforesaid: That then any such person or persons so offending, and being thereof lawfully conuict by witnesse taken before the Chancellor of England for the time being, or by examination of witnesses, or confession taken in the Starre chamber at Westminster, before the Kings most honourable Counsell, or before the Iustices of Assise in their circuites for the time being, or before the Iustices of Peace within any part of the Kings dominions in their generall Sessions, or by arte in any of the Kings Courts of Record, shall haue and suffer such correction and punishment by imprisonment of his body, setting vpon the pillorie, or otherwise by any corporall paine (except paines of death) as shall be to him or them limited, adiudged, or appointed by the person or persons before whom he shall be so conuict of the said offences, or of any of them. And be it &c. That as well the Iustices of Assise for the time being, as also two Iustices of Peace in euery Countie, whereof one to be of the Quorum, shall haue full power and authority to call or common by processe, or otherwise, to the said Assises or generall Sessions, any persons as persons, being suspected of any the offences aforesaid, and to commit him or them to prison, or let him or them to baile, till the next Assises or Generall Sessions, there to be examined, and further to be ordered by their discretions, as is aboue said. Prouided alwayes, and be it &c. That Iustices of Peace within euery citie, borough, towne, and franchise within this Realme, or other the Kings dominions, shall haue like iurisdiction, power, and authoritie at their Generall Sessions, and otherwise, to doe and execute, all and euery thing and things in all points, as other Iustices of Assises in their circuites, or Iustices of the peace in the counties by vertue of this Act be limited and appointed to do and execute, for the punishment and correction of like offendors, as by this aforesaid act is specified and declared. Sauing to the party grieued by such vsurpt, such remedy by way of action, or otherwise, of, and for the same money, goods, cattels, iewels, or other things so obtained, as he might haue had, if this Act had neuer been had nor made: anie thing in the same contained to the contrarie in anie wise notwithstanding. Prouided alwayes, and be it &c. that the Kings Highnesse Counsell of his towne of Calice, or three of them for the time being, shall haue such and like authority for the examination, bailement, and punishment of such offendors or offendors, and for such offences hereafter to be committed and done within the towne & marches of Calice, and countie of Guisnes, as the aforesaid Iustices of Assise, or Iustices of Peace haue by force of this Act within their iurisdictions and authorities. Anno 33. H. 8. cap. 1.

Cattels Iewels

Counter Chauncellor Examination of witnesses Starre Chamber Iust. of Ass.

Iust. of P.

Action

Imprison. Pillorie.

Iust. of Ass.

Iust. of P.

Iust. of O.

Pryces Sessions

Bayle

Examined

Saning Action

Calice Guisnes Iust. of P.

*

Countie and Turne.

NO County from henceforth shall be holden, but from month to month, and where greater time hath been vsed, it shall be kept so still. Nor no sherife nor his bailifes, shall make their Turne throughout the hundred, but twice in a yeare. And not where but in due place and accustomed, that is to say, once after Easter, and againe after Michaelmas. And the view of Frankepledge shal be then made at the Turne of Michaelmas, without occasion: so neuertheless that euery man may haue his liberties, which he had, or vsed to haue, in the time of King Henrie our graundfather, or which he hath purchased since. And the view of Frankepledge shall be made thus: That our Peace may be kept, and that the Leete be kept whole, as it hath been accustomed. And that the Sherife seeke no vexations. And that he be content with so much, as the Sherife was wont to haue for his view making, in the time of King Henry our grandfather: Magna charta, cap. 35.

And for the Turnes of Sherifes: It is prouided, That Archbishoppes, Bishoppes, Abbots, Priours, Earles, Barons, nor anie religious men or women, shall not nede to come thither, except their appearaunce be specially required thereat for some other cause, but the Turne shall be kept as it hath been vsed in the time of the Kings noble Progenitours. And they that haue tenements in diuerse Hundreds, shall not be bound to appeare at anie Turnes, but in the Wapentakes where they be dwelling. And the Turnes shall bee kept after the forme of the great Charter, and as they were vsed to be kept in the times of King Richard, and King John. Marleb. capit. 10. Anno 52. H. 3.

No Sherife shall suffer anie Barrettors, or Maintenors of quarrells in their Counties, or Stewards of great Lordes, or other, (vnlesse he be Attourney for his Lord to make suite) to giue the iudgements in the Counties, nor to pronounce the Iudgements, if it bee not specially required and prayed by all the suitors, and Attourneys of the suitors which shall bee at the Court: And if any doe, the King shall punish grieuously both the sherife and him that so doth. Westmon 1. cap. 32. Anno 3. Ed. 1.

4 Euery Sherife from henceforth shall make his Turne yearely, one time within the Moneth after Easter, and an other time within the Moneth after the feast of Saint Michaell, and if they holde them in other manner, that then they shall lose their Turne for the time. Anno 31. Ed. 3. ca. 4. Stat. 1.

5 See Iurour 12. of Iurors in Turnes, and what Indictments in Turnes be void.

6 See Sherifes 31. of plaints, suites, and amerciaments in county Courts.

7 The Shire Court for the Shire (s. of Sussex) shall be holden and kept one time at Chichester aforesaid, and next time at the borough of Lewes, which borough is in the middest of the shire, and so to be kept alternis vicibus for euer. And euerie Shire Court holden to the contrarie hereof, and all things therein done to be void. Anno 19. H. 7. cap. 24.

Sherife Bailife Hundred

Frankepledge

Sherifes Archbishops Bishops Abbots Earles

Hundred

Sherife Barrettors Maintenors Stewards

Iudgment

Punish

Sherifs

Iurors Indictments

Chichester Lewes

Void

8 See Chester 4. 5. concerning the keeping of the County dayes in the shire of the County Palantine of Chester.

9 No Countie court or courts hereafter to bee kept within this Realme, shalbe longer deferred but one moneth from court to court, and so the said courts from henceforth shall be kept euery month, and none otherwise: any vsage, custome, statute, or lawe heretofore had or made to the contrarie in anie wise notwithstanding. And be it &c. That the Sherife of Northumberland from henceforth shall keepe the Countie Court of the Shire in the Towne or Castle of Alnwike, and in none other place: anie later vse late beganne and brought in, to the contrarie notwithstanding. Anno 2. Ed. 6. cap. 25.

Sherife Northumberland Alnwike

Cowpers.

TO redresse the abuses of Ale and Beere brewers, in making of barrells, kilderkins, and firkins, in their owne houses, of lesse quantitie then they ought to be: Be it &c. That no Beere brewer, nor Ale brewer, that shall brew to sale, Beere or Ale, shall from henceforth occupie by himselfe, nor by any other to his vse, in his house, nor elsewhere, the Mysterie or craft of Cowpers, nor make any barrells, kilderkins, firkins, or other vessells, by himselfe, nor by his or their owne seruants, whereby they shall put their Beere or Ale to sale, but that all such barrells, kilderkins, and other vessels of wood wherewith they shal put their Beere or Ale to sale, shall from henceforth be made and marked, according as hereafter shall be expressed by the common artificers of Cowpers, exercised & practised in the said occupation, vpon paine to forfeit and pay for euery such barrell, kilderkin, firkin, or other vessels hereafter to be made, contrary to the tenor of this Act iij. s. iiij. d. And be it also enacted, That euerie Artificer of the craft or mysterie of Cowpers, that will exercise or practise to make anie of the said vessells for Beere or Ale to be put to sale, shall make the same vessels, and euery of them, of good and seasonable wood, and put his proper Marke vpon euery of them. And that euery barrell for beere shall containe xxxvj. gallons, euery kilderkin for Beere xviij. gallons, and euery firkin for Beere ix. gallons of the Kings Standerd gallon. And that euery barrell for Ale shal containe xxxj. gallons, euery kilderkin for Ale xvj. gallons, and euery firkin for Ale eight gallons of the kings Standerd gallon, so that they shall be of good and iust measure, or else aboue, and not vnder. And that no Cowper shall make anie other vessell for Beere or Ale to be sold within this Realme, of any greater or lesse number of gallons then is aboue said, vnlesse hee shall cause to be marked vpon euery such vessell that hee shall so make of greater or lesser number of gallons, the true & certain number of as many gallons, as euery such other vessel shall containe, to thintent that euery person may know the content thereof. And that no such artificer of Cowpers, shall inhance the prices of any such barrels, kilderkins, firkins, or other vessels, in the sale of them to any Ale brewer, or Beere brewer, or other persons, but keepe the rates of such prices as hereafter insueth, and not aboue, vpon paine to forfeit for euery barrell, kilderkin, and firkin defectiue, or inhaunced in price, in any point contrarie to this Act iij. s. iiij. d. that is to say, for euery Beere barrell ix. d. for euery Beere kilderkin v. d, and for euery Beere firkin iij. d. And the Ale barrell xvj. d the Ale kilderkin ix. d. the Ale firkin v. d. And be it further enacted by the said authoritie, that no beere brewer, nor ale brewer, at any time after the feast of Lammas now next comming, shall put their Beere or Ale to sale to anie person or persons to bee spent and occupied within this Realme, in anie other barrels, kilderkins, firkins, or other vessells of wood, other then shall be made and marked by an artificer of Cowpers aboue said, whereof euery barrell for Beere shal containe and hold xxxvj. gallons, euery halfe barrell or kilderkin xviij. gallons, and euery firkin ix. gallons. And euery barrell for ale shall containe xxxj. gallons, euery kilderkin xvj. gallons, and euery firkin viij. gallons, of full and iust measure, or aboue, and not vnder the measure. And that euery beere brewer & ale brewer shall not take ouer & aboue for euery such barrell, kilderkin, or firkin of ale & beere, but after such prices & rates, as shal be thought conuenient and sufficient, by the discretions of the Justices of Peace within euerie shire where such beere brewer and ale brewer shall dwell, without anie citie, borough or towne corporate, where no head officers, as Maiors, Bailifes, Shirifes, and other head officers, haue none authoritie nor rule. And in euerie citie, borough, and towne where there be Maiors, Sherifes, or other head Officers, the same rates and prices to be named and selled by them, and euery of them by their discretions. And that the said ale brewers or beere brewers at anie time hereafter, shall not sell their beere nor ale at any higher rates or prices, then shal be to them assigned after the forme aboue rehearsed, vpon paine to lose and forfeit for euerie barrell so put to sale contrary to this statute six shillings, for euery halfe barrel or kilderkin three shillings foure pence, and for euery firkin two shillings. And for euery vessell containing greater number of gallons x. shillings, and for euery other vessell containing lesser number of gallons iij. d. The one halfe of all the which penalties & forfeitures to be to the King our Soueraigne Lord, and the other halfe to him that will sue for the same by actiō of debt, bill, plaint, or information, in anie of the Kings Courts, in which action and suit, the defendant shall not wage his lawe, nor any essoine, protection, or priuiledge to be admitted. Be it also &c. That all manner of Sope makers within this Realme of England, which shall put to sale any Sope, by barrell, halfe barrell, firkin, or other vessell, shall from Lammas now next comming, make or cause to be made, their barrells, halfe barrels, firkins, and other vessels, according to the rates, contents, weights, and assises of old time vsed & accustomed, that is to say, euery empty barrel to hold and containe thirty two gallons or aboue, & and to be in weight twentie fiue pounds and not aboue, of ful and iust measure, and

Beere brewer Ale brewer

Barrels Kilderkins Firkins

Marke

Forf.

Seasonable wood Marke

Barrell 36. Kilderkin 18. Firkin 9. Barrell 32. Kilderkin 16. Firkin 8.

Standerd

Price

Forf.

Price

Just. of P. Discretion

Maiors Sheriffes

Beere Ale

Forf.

Moitis

Sope makers Sope

Content & weight of sope vessells.

euerie halfe barrell emptie, to be in weight thirteene pounds, and not aboue, and to hold and containe fiftéene gallons, or aboue, and euery firkin empty to weigh fiue pound & a halfe, and not aboue, and to hold and containe eight gallons, or aboue, vpon paine of forfeiture for euery such barrell, or halfe barrell, firkin, or other vessell hereafter to bée made, had, or vsed contrary to this Act iij. ſ. iiij. d. And also be it &c. that the Wardens of the occupation or mysterie of Cowpers within the citie of London, from henceforth at all times hereafter, when they shall thinke conuenient and expedient, taking with them an Officer of the Maiors, shall haue ful power and authority by vertue of this Act, to search, view, & gauge all maner of such barrells, kilderkins, firkins, and other vessells to be made or occupied for Ale, Béere, or Hope, to be put to sale within the Citie of London, and Suburbes of the same, and within two miles compasse without the same suburbes, to view and sée that the same barrels, kilderkins, firkins, and other vessels, as well within liberties as without, be made and marked well and sufficiently, and beare & contain their true contents, rates, and measures, according to the effect of this statute. And also to marke euerie such barrell, kilderkin, firkin, and other vessell by them so viewed and gawged, bearing & containing their true contents, with the signe and token of a Saint Anthonies crosse. The same Wardens to haue for the search and gawging of euerie such barrell, kilderkin, firkin, and other vessel by them so searched, viewed, gawged, & marked, one farthing, and not aboue, of the owners or makers of the said vessells. And shall and may haue authority by vertue of this act, to retain euery such vessel as they shal so gauge, search, and marke, vnto such time as they shall be satisfied thereof. And in case they shall find any of the said vessels defectiue, not bearing their tōtents: that then by authoritie of this Act, they may seise, take, and retaine euery such vessell, and cause the same to be marked or amended, according to the true contents, or else cause the same to be burned. And also the party owner of such vessells, to lose & forfeit for euery such vessel not being of the ful contents after the rate aboue expressed xy. ſ. to be recouered and imployed as is aboue said. And be it &c. that in all other cities, boroughs, and townes, wherein no such Wardens of Cowpers be, that the Maiors, Sherifes, Bailifes, Constables, or other head Officers, in such cities, boroughs, and townes corporate, shall haue power and authoritie to search, view, and gauge all such barrells, kilderkins, firkins, and other vessels to be made hereafter in any such city, borough, or towne, and to haue and take all such aduantages thereby, and in like maner and forme as the wardens of Cowpers within the citie of London, or other persons by this Act should or may haue or take on euerie behalfe. Prouided alwayes, That euery Béere brewer may kéep in his house, one or two seruants of the mysterie or craft of Cowpers, to hoope & amend his barrells, kilderkins, firkins, or other vessells, wherein they shall put their Béere to sale from time to time: this Act or anie thing therein contained to the contrarie in any wise notwithstanding. And be it &c. that if any person at any time after the said feast of Lammas nert comming, do minish, or cause to be minished any maner of barrell, kilderkin, or firkin, to the deceit of any the Kings subiects, by reason of taking out of the head of any such vessell, or taking out of any staffe out from any such vessell, that then euery such vessel to be brent, and the offendor to forfeit for euery such offence iij. ſ. iiij. d. The one moitie thereof to be to the King our Soueraigne Lord and the other moitie thereof to him or them of the kings subiects that will sue for the same, to be recouered in maner and forme aboue rehearsed. And the party so offending to be further punished by the discretion of the head Officer or Officers, before whom such default shall be presented. It is &c. that notwithstanding anie thing contained in this Act of Brewers or Cowpers, whereto this scedule is annexed, it shall be lawfull to euery Ale brewer mentioned in the same Act, to haue and retaine in his seruice, one person of the mysterie or craft of Cowpers, to exercise in his seruice the craft of a Cowper, onely in binding, hoping, and pinning his masters Ale vessells, recited by the said Act, and in none otherwise to vse or exercise anie making of vessells concerning the craft or mysterie of a Cowper, whiles that he is in the seruice of any Ale brewer. Also it is enacted, That euerie Cowper, which hereafter shall make anie Ale vessell specified in the said Act, shall from the feast of Penterost nert comming, make euery such vessell according to the Assise specified in the Treatise called Compositio Mensurarum (which see after in Weights 4.) that is to say, euery barrell for Ale shal containe two and thirty gallons of the said assise, or aboue, of the which eight gallons make the common bushell to be vsed in this Realme of England, euery kilderkin for Ale fiftéene gallons of the said assise, or aboue, and euerie firkin eight gallons of assise, or aboue, vpon paine of forfeiture of three shillings and foure pence for euery of the same vessels by him vntruely made contrarie to this Act. The one halfe of the same forfeiture to bée to the King, and the other to him that will sue for the same by action of debt, bill, plaint, writte, or otherwise, in which action no essoine, protection, or wager of law shall be allowed. And be it also enacted, that euerie Cowper marke his vessell with his owne marke, vpon paine of iij. ſ. iiij. d. to be leuied and recouered after like manner and forme, as is aboue said. And that no manner of person in the search making for the true gauging of any such vessells, shall put out the Ale of any such vessel wherby the same Ale shal be the worse. And that it shall be lawfull to euerie Ale brewer, to bring, carrie, and cause to be brought and carried, their Ale to the housholdes of our soueraigne Lord the King, the Quéene, the Princesse, and to euery Archbishops, Bishops, Dukes, Marquesses, Earles, Barons, or other honorable mens houses, in tunnes, buttes, pipes, hogsheds, or other vessells of greater & larger quantitie then is expressed in this present Act, as before time hath bæne vsed in that behalfe. And also it shall be lawfull to the said Ale brewers, to bring, carrie or cause

to

Forf.

Wardens

London

Authority

Search

Gauge

Marke

Gauge

Farthing

Seise

Amend

Forf.

Maiors Sherifes Bailifes

Beere brewer

Forf.

Poll.

Punish

Ale brewer

Comm

Forf.

Poll.

Marke

Forf.

Tunnes Buts Pipes Hogsheads

to be brought, conueyed or carried, their ale to euery mans house in barrells, kilderkins and firkins, bearing and holding their true contents, according to the purport and effect of this present Act: Anie thing contained in the same Act to the contrarie * hereof notwithstanding. Añ 23.H.8.ca.4. Part of this statute concerning the price of vessells, is repealed and altered by 8.Eli.ca.9. as followeth.

☞ 2 Forasmuch as the price of Clouebord is greatly risen, since the making of the statute 23.H.8.ca. 4. (before 1.) Be it enacted &c. That as much of euery article, clause, and sentence comprised in the said statute, made in the said xxij. yeare of the raigne of the said late King, as doth touch or concerne the prices of barrels, kilderkins, firkins, and other vessels, and all and euery paine and forfeiture expressed and declared in the said Act, for selling of anie of the said kind of vessels, aboue the prices before specified, from the time of new prices to be set, in forme hereafter expressed, for such places onely as the same new prices shall be set, shall be clerely repealed, frustrate and made voide. And that from henceforth the prices of all barrells, kilderkins, firkins, and other vessells to be sold, for Ale, Beere, or Sope, to be vttered therein, shall be rated and tared by Maiors, Bailifs, and other head Officer or Officers of euerie city and towne corporate, where any such vessells shall be made, or offered to be sold. And where such vessells shall be made or sold out of any city, borough, or towne corporate, the prices thereof shal be rated and tared by the Iustices of the peace, or the more part of them, being present in the generall or quarter Sessions, yearely next after Easter, at such reasonable prices, as they shall thinke reasonable by their discretions: The said statute made in the said xxij. yeare of the raigne of the said late king Henry the eight, or any other law, custome, or vsage, to the contrary thereof in any wise notwithstanding. And be it further enacted, that if the said Coopers, or any of them, shall not make sale according to such prices as shall be rated, as is aforesaid, after proclamation thereof made: That then euery person and persons so offending, shall for the same incurre the paines and forfeitures mentioned in the said Statute, made the said xxij. yeare of the raigne of the said late king: that is to wit, for euery barrell, kilderkin, and firkin, which shall be sold at greater price then shall be rated & tared, as is aforesaid, the summe of iij.s. iiij.d. of lawfull money of England, whereof the one moitie to be to the Quenes highnesse, her heires and successors, and the other moitie to such person or persons as will sue for the same, by action of debt, in anie court of Record, wherein no protection, essoine, or wager of law shal be allowed or admitted. Añ 8.Eli.ca.9. *

Pryces Fayt.

Ale Beere Sope Maiors Bailifs

Iust. of P. Quarter sessions Easter

Pryces

Proclamation

Fayt.

Moitie

Accompts

Courts.

ANno 7.H.8.cap.8. A long Act was made concerning a certaine manner and forme for the reuenues and accompts of diuers of the Kings lands, authorizing certaine persons to be Surueyors of the same lands, reuenues, & accompts, with diuerse articles concerning those matters, to indure to the dissolution of the next parliament. And Anno 14.H.8. the said Act of 7.H.8. expired. And then in 14.H.8. there was an other Act made of much like effect, as the former Act that was made Anno 7.H.8.ca.8. which Act made Anno 14.H.8. was made to indure to the end of the next Parliament. And after Anno 27.H.8.ca.27. a great Act was made for the erection and authoritie of the court of Augmentations, and that the Abbey lands should be in the suruey of the court. And Añ 27.H. 8.ca.28. the said Act made Añ 14.H.8. was made perpetuall, with some other clauses annexed. And after Añ 32.H.8.ca.45. the court of the First fruits and Tenths was erected, and by that Act, the Officers appointed, and the composition for the First fruits should be made by the Officers of the court, and that the Obligations taken therefore, shall be of like force as statutes Staple, and like execution thereupon: And there be diuers Articles for these matters, and for the accompts of these debts. And after Añ 33.H.8.ca.39. the said Acts made Añ 14. H.8. and Anno 27.H.8.cap.28. were made void and repealed. And by the Act of 33.H.8.ca.39. is made an erection of the court of generall Surueyors of diuers of the kings lands, with authoritie to them, to make Leases for xxj. yeares, and to take Recognizance, and to make woodsale, and there be many articles concerning that court, and for the leuying and true payment of the reuennes of the lands appointed to the court, and diuers Officers made and appointed for the court. And after in Añ 7.Ed.6.ca.1. it appeareth that H.viij. by his letters patents had dissolued aswell the said Court of Augmentations erected by parliament An.27.H.8.ca. 27. as the said court of generall Surueyors of the Kings lands, erected by parliament 33.H.8.cap. 39. And that after H.viij. by letters patents erected a court, called the court of Augmentations and reuenues of his Crowne. And after Ann.7.Ed.6. cap.1. the said Letters Patents were confirmed, and authoritie giuen to king Edward the first during his life, to alter, vnite, or dissolue by his letters Patents the said last erected Court. And also the court of the First fruits and Tenths, the court of the Kings Wardes, and the Court of the Duchie of Lancaster, with diuers articles concerning those matters. But king Edward the first died before anie such alteration, vniting, or dissoluing. And after Queene Mary dissolued the said courts of Augmentations, and First fruits, and Tenths, as appeareth in this Title 13. Note, that in the said Act of 33.H.8.cap.39. be diuers matters enacted which yet remaine in force, as here next following.

Augmentations

First fruits

Obligations Staple

Surueyors

Leases Recognisance Woodsale

Letters patents

Wardes

2 All Obligations and Specialties, which after the first day of May next comming, shalbe made for anie cause or causes, touching or in anis wise concerning the Kings most royall maiestie, or his heires, or to his or their vse, commodity, or behoofe, shalbe made to his Highnes, & to his heires Kings, in his or their name or names, by these wordes, Domino Regi, and to none other person or persons to his vse, & to be payd to his Highnes by these

Obligations

P.iij. wordes,

wordes, Soluendum eidem domino Regi, hæredibus vel executoribus suis, with other wordes vsed and accustomed in common obligations. And that all such Obligations and Specialties so to be made, shall be good and effectuall in the Lawe, to all purposes and intents, and shalbe of the same nature, kinde, quality, force, & effect to all intents and purposes, as the writings obligatory, taken and knowledged according to the statute of the Staple at Westminster, hath at any time before the making of this present Act, bin taken, vsed, exercised, & executed against any lay person or persons: anie law, vsage, or custome to the contrary thereof notwithstanding. And that all such obligations & specialties, the debt whereof being not payd nor contented in the life of the king, shal come, remain, and be to the heirs or executors of the king, at the free liberty, disposition, assignment, and appointment of the same king, to whom such obligations or specialties shalbe made as is aforesaid. And if any person or persons in his or their owne proper person or persons, after the first day of May, make, or take any obligation or obligations, to the vse of the kings maiesty, or of his heirs kings, otherwise then is before expressed, that then such person or persons only that shall so offend contrary to this present Act, for his or their so doing, shall haue & suffer such imprisonment, as shal be assessed and adiudged by the king, or his most honorable Counsell, daily attendant vpon his Highnesse most royall person. And that all suites to be made after the first day of April next comming, for the recouerie, of, or for anie the Kings debts, in any the kings Courts mentioned in this Act, (s. Eschequer, Duchie of Lancaster, Augmentations, Surueiors generall) of, or vpon any Obligation or specialtie dated, or delinered before the making of this present Act, or which shall be dated & deliuered to the king, or to his vse, afore the second day of May next comming, shall be taken, sued, and pursued in the name of the King, and in the name of none other person or persons, to whatsoeuer person or persons the said obligations or specialties, or any of them be, haue bene, or shall be made to the kings be. And that all suits, proces, iudgements, decrees, and executions hereafter to be taken, pursued, or giuen for the King, in anie the Kings Courts mentioned in this Act, of, for, or vpon anie of the same Obligations last afore mentioned, shall be of the same or like strength, force, effect, and intent in the Law, to all purposes onely against all, and all maner such person and persons as bene bounden in such Obligations or Specialties, as well spirituall as temporall, as against their heires, successors, executors, and administrators, and euery of them, and against none other, as writings obligatories taken and knowledged according to the statute of the Staple of Winchester, at any time before the making of this present Act, haue bene vsed to be taken, exercised, and executed, against any lay person or persons. And that the King in all suits hereafter to be taken, or vpon any obligation or specialties made, or hereafter to be made to the king, or any to his vse, shall haue & recouer the iust costs and damages as other common persons vse to do in suites and pursuites for their debts. And that all such suites as now be depending in the name of any common person to his Graces vse, whereof no verdict is, or before the feast of Easter next comming shall be giuen or passed, or no exigent awarded, shall abate, be voide, and of none effect. And neuertheless, the king by the authoritie aforesaid, shall haue his suite and remedy for the said debt so being in action and proceste, in forme as is aforesaid, in any of the courts in this Act mentioned: any thing in this Act to the contrary thereof notwithstanding. And it is &c. That all and euery suite and suits which hereafter shall be had, made, or taken, of, for, or vpon anie debt or dueties which heretofore hath growen or be due, or that hereafter shall grow or be due to the king, in the seuerall Offices and Courts of his Eschequer, Duchy of Lancaster, Augmentations of the reuenues of his Crowne, Surueyors generall of his manors, lands and tenements, maister of the wardes and liueries, and court of the First Fruits and Tenths, or in any of them, or by reason or authority of any of them, shalbe seuerally sued in such one of the said Courts and Offices, in the which Court and Office, or by any reason of the which Court and Office, the same debt or duetie did first grow or become to be due, or hereafter shall grow or become due, or in the which office or court, the recognizance, obligation, or specialtie, is or shall be or remaine. And euery such seuerall suit and suits shall be made in euery of the said seuerall Offices and Courts vnder their seuerall seales of the said seuerall courts, by Capias, Extendi facias, Sub pœna, Attachment, and Proclamation of allegeance if néed shall require, or any of them, or otherwise, as vnto the said seuerall courts shall be thought by their discretions expedient, for the speedie recouery of the kings debts. And that the said court of Eschequer, and all and euery of the said courts, shall haue whole and full authoritie and power, to heare and determine all and euery such suite and suits as hereafter shall be taken, commenced, and pursued for the intent aboue specified: And thereupon to awarde, make, and doe execution, by, and vpon the body, lands, and goods, of the partie or parties that so shall be condemned accordingly. And also shall haue full power and authoritie, to heare and determine all and all manner of debts, detinues, tresspalles, accompts, reckonings, woalles, deceits, negligences, defaults, contempts, complaints, riots, quarrells, suites, strifes, controuersies, forfeitures, offences, and other things whatsoeuer they shall be, which hereafter shall grow, bee moued, stirred, procured, or arise, in, for, or vpon anie matter, cause, or other thing assigned, committed, or appointed, or hereafter to be assigned, committed, or appointed to the seueral directions, orders, & gouernances of the same Courts, or anie of them, or for, or vpon anie maner of thing or things, which may or shall touch, or in any wise concerne the same, wherein the king shall be only party. And also all maner of states for termes of yers betweene partie and partie concerning the premisses, and to correct and punish by their discretions,

all

Obligations

Heires Executors

Imprison.

Counsell

Suites

Suites Proces Judgements

Heires Successors Administrators Executors Sta. Caple

Suites

Costs Damages

Sta. Caple

Verdict Exigent Void

Debt

Kings Eschequer

Recognizance Obligation

Writs

Eschequer

Execution Body Lands Goods

Debts Trespasse

Riots

King

Punish

all and euery person & persons, which before them shall be conuicted of any the premisses, according to the nature, quality, and quantity of his or their offence or offences, cause or causes, matter or matters (all and all manner of treasons, murders, felonies, estates, rights, titles, and interests, aswel of inheritance as of freehold, other then ioyntures for terme of life, onely excepted and alwaies reserued.) And be it &c. that if any person or persõs shal make or pretend any claime, right, title, interest, or possession, in or to any manors, lands, tenements, or hereditaments, bargained, sold, or exchanged, or hereafter to bargained, sold or exchanged, by the king our Soueraigne Lord to any person or persons in fee simple, or fee taile, by his highnesse letters Patents, made or to be made thereof vnder his great seale of England, vpon which letters patents there is or shal be reserued any annual rents or farmes payable to ỹ kings highnes, his heirs or succellors, in his said court of augmentatiõs or demãd or aske any rents, annuities, offices, fees, or other profits, in, out, or of any such manors, lãds, tenements, or hereditamẽts, cõtained or to be cõprised in any such letters P. or hereafter to be made: made as is aforesaid, Or if our said soueraign Lo. his heires or succellors, shall make or pretend any such claime, right, title, interest or possession, in or to any manors, lands, tenements, or hereditaments, bargained, sold, or exchanged, or to be bargained, sold, or exchanged, by the king his heires or succellors, to any person or persons in fee simple, or fee taile, by his or their letters patents, thereof made or hereafter to bee made, vnder his or their great Seale of England, vpon which letters patents is or shall be reserued any annuall rents or terme payable, or which shall be payable to the K. his heires or succellors in his said court of augmentations: or if the king his heires or succellors, demaund, or aske any rents, annuities, or other profits or hereditaments, of any estate of inheritance, in, of, or out of any manors, lands, tenements, or hereditaments, contained or compriſed, or to be contenned or compriſed, appointed or to be appointed or assigned, to the said court of Augmentations, in any letters Patents made or hereafter to be made, as is aforesaide That then the Chancellor of the said Court of Augmentations, by the assent of the counsel of the said court or the more part of them, shall haue power and authoritie, by authority of this act, to examine al such demaunds, rights, titles, interests and possessions, rents, annuities, offices, fees, and other profits and hereditaments, whatsoeuer they shall be, and euery of them so to be demaunded, presented, claimed or asked, as is aforesaid, and by witnes, proofes, and other waies and meanes, by their discretions, to heare and determine the same. And in case the kings patentes in any such letters patents as is aforesaid, or any of them, their heires, succelsors, or assignes, shall be compelled by the authority of the said court of Augmentatiõ, by decree or iudgement of the same court, to render and yeild to any person or persons in fee simple, or fee taile, the lands, tenements, or hereditaments comprised or specified in any such letters patents, or any parcell of them, or suffer any person or persons to haue and inioy any offices, rents, annuities or other profits or hereditaments in fee simple or in fee taile, out of the same or out of any parcell thereof: And that it shall appeare in the said letters Patents, that the king his heires or succellors, is or shall be bounden, or of right and equity ought to recompence & satisfie the said patentees, their heires or succellors executors or Assignes, or any of them, of and for such manors, lands, tenements, or hereditaments annuities, rents, offices, fees or other profits recouered in fee simple, or fee taile, by decree or iudgement of the said court, as is aforesaid, or else to discharge and acquite the said patentees, their heires, succellors, executors, and assignes, of or for any rẽts, annuities, offices, fees or other profits aforesaid, recouered by decree or iudgement in fee simple or fee taile, as is aboue said. Or if it shall appeare vnto the said court of Augmentations, or vnto the more part of them that the king, his heires or succellors, of right and equity ought to haue, recouer or inioy in fee simple, or fee taile, any manors, lãds, tenements, or hereditaments, in any such letters patents cõprised, or any rents, annuities, offices, fees, or other profits, in, out, or of the same: That then in all and euery such case and cases the said Chancellor of Augmentations for the time being with the assent of three or more such persons, as hereafter shall be named by the king, his heires or succellors, shall haue full power and authority without any bill or warrant to be signed or sued from the king his heires or succellors for the same, as wel to recompence and satisfie the party or parties grieued, so much in money of the kings treasure remaining in the said manors, lands, tenements, rents, annuities, offices, fees, or other profits, or hereditaments, lost or recouered by decree or Iudgements of the said court of Augmentations, as is aforesaid, shall be worth to be sold: or otherwise discharge and acquite such person or persons thereof, according to his or their letters patents, as also to make and take order, direction, decree or iudgement for the king, his heires and succellors, for the recouery, attaining, and hauing of all and singuler such manors, lands, tenements, rents, annuities, offices, fees, profits and hereditaments, and all and euery other thing and things which the king, his heires and succellors, by and vpon such examination and examinations, ought, should and shall lawfully intituled to haue, recouer, possesse or inioy, in fee simple or in fee taile. And the same decree, direction, or decree iudgement to be good and effectuall in the law, to binde all parties and privies to the same, to all intents and purposes. And where any decree or iudgement, which shall be giuen in the saide court of Augmentations for any the premisses, extend to the losse of the kings patents or patentees, their heires, succellors, executors or administrators, but for terme of life or lines of the demaundant or demandants, plaintife or plaintifes, or for terme of yeares, the losse whereof the king is bounden, and ought to recompence, discharge or acquite by his letters patents,

Treasons Murder Felonies

Letters patents.

Claime

Great seale

Rents

Chancellor

Examine

Patentees

Decree Iudgment

Offices

Fee simple Fee taile

Augmentations

Rents Annuities Offices

Chancellor

Warrant

Recompices

Discharge

Examination.

Decree Iudgement

Demandat Plaintife

tents, then the said Chancellor of the augmentations, shall haue full power and authoritie to recompence or discharge the same in mony, as is aforesaid, or else to recompence the same of the lãds, tenements, hereditaments, and possession, limited to the suruey and gouernance of the said court of Augmentations, to be granted vnder the seale of the same court by the discretion of the said chancellour, as shal seeme to him best for the kings profit, without any bil or warrant to be sued or signed by or from the king for the same. And that euery such recompence, satisfaction and discharge to be made by authoritie of this act to any person or persons by the said Chancellor as is aforesaid, shall be good and effectuall against the king, his heires, and successors: any law, vsage or custome to the contrary thereof notwithstanding. And it is &c. that euerie of the said courts shall haue full power and authority by force of this act, to set such fines, penalties and amerciaments, vpon parties, shirifes, officers, and other persons for his and their defaults, contempts, negligences, or misdemeanors, as vnto the said courts, or vnto any of them, shall be reasonably considered and thought expedient. And that all and euerie triall and trials of all and all manner of suits, billes, plaints, informations, declarations, complaints, answers, replications, allegations, causes, matters and issues, or any of them, to be pursued, made or tried in the said seuerall Courts or any of them, shall be made and tried, by due examination of witnesse, writings, proofes, or by such other waies or meanes, as by the said seuerall courts, or by any of them shall be thought expedient. And that all and euery such iudgement & iudgements, decree or decrees, examination and examinations, shall be good, perfect and in full strength, force and effect in the law, to all intents, constructions and purposes. And where diuers and sundry persons stand bounden to the kings highnesse in diuers great and notable sums of money, by recognisance or other bond, in the said seuerall courts for debts due to the kings highnes as well for the purchase of the lands and goods, and performance of conditions, as also for diuers and sundry other causes. And albeit the same persons haue well & truly satisfied, contented and paied the same debts, or performed ỳ cõditions of the same recognisances, or other bonds, yet ỳ same recognisances or other bõds cãnot be made void without the kings especiall warrant, which should be much vnquietnes to the kings Maiestie, and also verie chargeable to his graces subiects to sue to his highnes from time to time for the same. In consideration whereof, and for asmuch as the said persons being so bounden by recognisance, or in other bonds, may by diuers casualties loose their Acquitances, whereby great danger & perill may grow to them, their heires executors and successors: Be it &c. that vpon the sight of the acquitances, made or to be made for the paiment of the said debt or debts or summe or summes of money growen or to be growen, or due and sufficient proofe made, or hereafter to be made before the said seuerall head Officers for the time being of the said seuerall courts, as the case shal be or grow, or if the condition of the same recognisance or bond be performed or kept: That then euery such seuerall head Officer for the recognisance taken or to be taken by him or any of his predeccessors, or for any other bõd for the time being within his charge and cure, shall haue full power and authority to cancell and make void the saide Recognisance or other bond, calling to him such of the same court, as to him or them shall seeme most conuenient for the cancellation of the same Recognisance or other bond. And be it &c. that the same cancellation so made, shall be a sure and sufficient discharge of the same recognisance or other bond, to all and euery such person or persons, as do or shall stand bounden in the same recognisance or other bond so cancelled, against the kings highnes, his heires, executors, or successors for euer. And be it &c. that the same seueral head officers for ỳ time being, in euery of their said seuerall courts, shal haue ful power & authority to discharge, cancel or make void by his or their discretion, al & singuler recognisance now made or hereafter to be made in the said court for any apparance or other contẽpt. And that the same head officer or officers, & the parties so bounden & to be bounden, to be discharged against the king our Soueraigne Lord, his heires executors & successors for the cancellation of the same recognisance. And where the kings maiestie sithence the making of the same statute in the said 27. yeare of his noble raigne (s. ca. 27. before r.) of his owne mere motion, liberality and benignity, hath freely giuen & granted by his sundrie letters Patents, vnder his great seale of England, vnto diuers & sundrie of the nobles and Lords, aswell spirituall as temporall of this his realme, and also vnto diuers and many other persons and bodies politicke, to their heires and successors, and to the heires of their bodies, or for term of life or liues, diuers & many sundry honors, castles, manors, lãds, tenements, rectories, pensions, portions and other hereditaments which then were in the order, gouernance and suruey of the same court of the augmentations of the reuenues of his Graces crowne, or out of any other of the said seuerall courts, referring vnto his Maiestie, his heires and successors by the same letters Patents, one yearely rent in the name of one tenth or the tenth part of the yerely value of the same premisses, or any other rent payable and to be paied in the same courts, or to the officers of the same courts, deputed and assigned for the same, at one certaine feast or day in the same letters patents mentioned and declared, which said persons so aduanced notwithstanding they haue sithence & after the making of the same letters patents, peaceably inioyed the same manors, lands, tenements, and hereditaments so giuen, and thereof haue quietly perceiued and taken the issues, reuenues and profits thereof: yet neuertheless diuers of the same persons haue not at the daies and feasts assigned & limited vnto them in the same letters patents, nor yet in long time after the same daies and feasts of paiment thereof, contented and paied in the same courts, or to the officers of the same courts assigned,

Seale

Without warrant

King Fines, Penalties Amerciaments Shirifes Officers

Triall

Examination

Iudgement

Recognisance Debts

Warrant

Acquitance

Condition performed

Cancell

Discharge Cancell

Letters patents

Honors Castles

Rent Tenth

Profits

ned and deputed for the same, the said yerely rent or rents so reserued to the K. highnes, contrary to their duties against all reason & good conscience: In consideratiō wherof Be it &c. that if any person or persons of what estate, degree or condition soeuer he be, or body politik, to whom the K. Maiesty hath by his letters P. vnder his great seale of England, or vnder ỳ great seale of the same court of augmentatiōs, giuen or grāted, or hereafter shal giue or grāt with like reseruation of rent or rents, any manors lands, tenements, rectories, or other hereditamēts whatsoeuer, which were or hereafter shal be in the order, gouernance and suruey of the same courts, or any of thē, to be had to them & to their heires or successors, or for any other estate of inheritance, or of, or for terme of life or liues, yelding & reserving to the same our said soueraigne L. ỳ king his heirs & successors one yerely rent, at one certaine day or feast in the same Letters P. expressed, mentioned & declared, & to be paied in the same courts, that if ỳ same persons, bodies politike, their heires successors or assignes, or any of them do not truly cōtent or pay, or cause to be contented or paied vnto the Treasorer of the said seuerall courts, or to the generall or particuler receiuor of the same seuerall courts, deputed & assigned for the same for the time being, to the vse of the kings highnes, at the day or feast limited by the same let. P. or within 3. mōths next immediatly after the same day or feast of paiment therof, all such sums of money, which nowe or hereafter shal be due, reserued to the K. maiesty his heirs & successors by the same let. p. or by any of thē, or make sufficient tēder therof to the said treasorer or general or particuler receiuor: that then euerie of the same persons, bodies politik, their heires or successors or assignes, for lack & default of paiment of the same rent, to forfeit & lose to ỳ K. maiesty his heirs & successors, as much money as the 4. part of the same rēt so reserued, or hereafter to be reserued for one yere, doth or shall amount vnto, for & in the name of a paine, ouer and aboue the same rent reserued, or hereafter to be reserued. And if it happen that the same persons, bodies politike, their heires, successors or assignes, or any of them do not within one halfe yere next after the day or feast expressed in the same let. P. content or pay, or lawfully tender vnto the same treasorer or general or particuler receiuor, to the vse of the kings maiesty, his heires or successors, as well the said yerely rent so reserued, or hereafter to be reserued, as also the said sum of money forfeited, for & in the name of a paine: that then the same persons, bodies politik, their heires, successors or assignes so offending shall forfait & lose to the kings Maiesty his heires & successors, so much money as the moity or halfe deale of the same rent reserued or to be reserued for one yere, doth or shall amount vnto, ouer & aboue the said rent reserued or to be reserued, and so to forfeit & lose for euery half yere after, so much money as the whole rent reserued or to be reserued for one whole yere doth or shall amount vnto, vntill the same rent so reserued or to be reserued, & the arrerages of the same, and also the said summes of money so forfeited and lost for a paine, borne vnto the same Treasorer, or generall, or particuler receiuor truely satisfied, contented, and payed, to the vse of the kings highnesse his heires and successors. And be it &c. that it shall be lawfull to the same Treasorer and generall or particuler receiuor, to distraine aswell for the same rent so reserued or to be reserued, and for the arrerages of the same, as also for the said summes of money so forfeited, or to bee forfeited and lost, for and in the name of the paine aforesaid. And also the head Officer and Officers of either of the same Courts for the time being, vpon certificate to him made or to be made, of the same default and contempt, shall and may award such Proces out of the same Courts against the same offendor for not paying of the said rent so reserued or to be reserued, and also for the same summes of money forfeited and to bee forfeited by this Act, as by his or their discretion shall seeme conuenient. And be it &c. that if any person or persons hereafter make lawfull paiment to any of the said Treasorers, or generall or particuler receiuor, of any of the same Courts, deputed and assigned for the same, of any summe or summes of money, due to the kings Highnesse, his heires or successors, or any yerely rent or rents, and vpon or after such payment, offer vnto the same Treasorer or generall or particuler receiuor, one lawfull and sufficient acquitance ready made to be assigned by the same Treasorer or generall or particuler receiuors, witnessing the receit of the said summe or sums of money so paied: that then ỳ said Treasorer, generall or particuler receiuor, shall with his owne hand assigne the same acquitance, without taking any fee or reward for making of the same acquitance, vpon paine to forfeit and loose for euerie time offending contrary to this Act forty shillings. One moity whereof to be to the kings Highnesse, & the other moity to them that will pursue for the same. And if the parties which hereafter shall happen to pay the same Treasorer, or generall or particuler receiuor, any such summe or summes of money, and doe not bring an acquitance with them to be signed, as is afore said: that then if the said Treasorer, or generall or particuler receiuor, vpon request to him made, shall make and deliuer vnto the same party one sufficient acquitance, testifying the same receit, that then the same Treasorer or generall or particuler receiuor, or any of his Clerkes, shall not receiue or take of the same party for the making of the said acquitance aboue foure pence, vpon paine to forfeit for euerie such acquitance twenty shillings, for which he or they shal happe to take aboue the said sum of foure pence, to be recouered as is aforesaid, that is to say, The one moity thereof to the vse of the kings highnes, or his heires and successors, and the other moitie thereof to the party that will pursue for the same. And be it ẏ & ẏ same acquitāce shall be a sufficient discharge, according to the tenor & effect of the same. And be it &c. that if any of the same general or particular receiuors, which now be or hereafter shall be within any of the said Courts, happen to pay

Rents
Letters
Do not pay
Receiuor
2. Months after
Tender
Fol.
4. Part
Paine
Yeres
Fol.
Yeare the rent.
Vse
Distraine
Proces
Acquitance
Signe
Forf.
Moitie
Acquitance
Forf.
Moitie
Discharge

Pay Annuity

pay any person or persons any annuitie, pension, or other rent, that then if the same person or persons vpon the receit thereof, deliuer vnto the same generall or particuler receiuor, one sufficient and lawfull acquitance, sealed and signed, testifying the same receit, that then the same generall or particuler receiuor, shall receiue the same acquitance without taking or receiuing any fee or reward for the making of the same. And if the same partie to whome the said generall or particuler receiuor hath so contented and paid any such annuitie, pension, or rent, doe not bring with him one sufficient acquitance signed and sealed, testifying the receit of the same money, by reason whereof the same generall or particuler receiuor by himselfe or his clercke, maketh one acquitance for the receit of the same annuitie, pension or rent, that then the same receiuor or his clerke shall not receiue or take for the making of any such acquitance, which he shall so happen to make, not aboue foure pence vpon paine to forfeit for euery such acquitance which he shall happen to refuse, being ready made and offered to be deliuered to him as is aboue saide twenty shillings. And for euery acquitãce which he shal hereafter happen to make for any of the payments aforesaid, and to receiue for the making of the same acquitance aboue the said summe of foure pence to forfeit twenty shillings. The moity to be to the king, and the other moity to the party that wil sue for the same. And also that the same generall or particuler receiuors, or their deputies, which hereafter shal happen to pay any such annuitie, pension, or rẽt, shal not receiue or take of ẏ party to whom he shal happen to pay the same, in the way of reward, or other wise, not aboue the sum of 4. pence of euery pound, which the same generall or particuler receiuor shal so happen to pay, vpon paine to forfeite vi.s. viij. d. for euery peny which he or they shall happen to receiue aboue the said summe of fourtie pence for euery pound which he or they shall so happen to pay: The one moitie of the same forfeiture to be to the king, and the other moity to the party that will sue for the same. And that all the said suites concerning the said forfaitures may bee commenced & pursued by bill, information, or action, in which suit none essoine, protection, or wager of law to be admitted. And be it further enacted, that if any person or persons, hereafter happen to tender or offer vnto any of the auditors of the said seuerall courts for the time being, any of the kings letters patents, decrees of any of the same seuerall courts, grants, indentures of leases, aswell for terme of yeares, as for terme of life or liues, to bee Inrolled before the same Auditor according to his Office: that then the same auditor vpon the same tender or offer, shall inroll the same, or as much of the same letters Patents, decrees, grauntes, or indentures, as shall appertaine to the said office. And if any of the saide auditors, or any of their Clerkes, or any other to their vse, or to the vse of any them, receiue & take for the inrolement of any of the same letters patents, decrees, grants, or Indentures, or for the allowance of the same, aboue the sum of three shillings foure pence of the same auditor or his clerke so offending, shal forfeit 6.s.8.d. for euery d. with ẏ same Auditor or any of the shall happen any time hereafter to receiue, contrary to ẏ form aforesaid: The one moitie of the same forfaiture to be to the kings highnesse, and the other moity to him that will sue for the same, by such maner and forme, as is aforesaid. And be it further &c. that euery Auditor of euery of the said seuerall courts, yearely in euery county within their seuerall limits, by the space of twenty daies or more, before their Audite, shall proclaime and declare in foure seuerall Markets, or other places, the place and daies, where and when they will keepe their seuerall Audites, in the same shire, vpon paine to forfeit for euery time doing the contrary fiue pounds. The one moity whereof to bee to the kings highnes, and the other moity to ẏ party that will sue for the same in forme aforesaid. And that also euerie of the said Auditours of the said seuerall Courts, being seuerally alligned to their seuerall limits, and euery of the particuler Receiuors of the same seuerall courts, being also seuerally alligned, and toyned with the same seuerall Auditors, in their said seuerall limits, after and betweene euery of the feasles of Saint Michael the Archangell and Christmas, shall direct and award their seuerall warrants and precepts vnder their seales, to euery of the Receiuors, Bailifes, réeues, and other Officers whatsoeuer, accomptable before the same auditors, and by the same warrant or precept, to charge & commaund in the name of our said Soueraigne Lord the king, euery of the saide Receiuors, Bailifes, réeues, and other Officers to appeare before them at one certaine day and place, in the same warrant or precept to them prescribed, there to declare and make a iust and true accompt of all such receipts, whereof they be accomptable and owe to accompt. And after, if the same Auditors and particuler Receiuors, doe repaire vnto the same place, and their kéep their Audite, according to the same proclamations, precept and warrant: That then if any Receiuor, Bailife, Réeue, or other Officer, being accomptable, of, or for any of the mannors, lands, tenements, or other hereditaments whatsoeuer, now remaining, or which hereafter shall be and remaine in the order, gouernance, or survey of any of the same seuerall courts, be lawfully warned, as well by the same proclamation, or by precept or warrant in writing and sealed, and in the name of any of the auditors of the said seuerall courts, personally to appeare by himselfe, or by his sufficient and lawfull deputie, before the same Auditor and Receiuor, at one certaine day and place in the same warrant or precept prescribed, there to make and declare a iust and true accompt of all the receipts of his said office. And if the same receiuor, réeue, Bailif, and other Officer so being lawfully warned, doe not appeare before the same Auditor and Receiuor, at the day & place in the said warrant exprelled: Or if the same Receiuor, Bailife, réeue, or Officer, do at the same day and place to them prescribed, appeare, and wil not accompt before the same Auditor, according to the tenor and effect of the same precept or warrant, or

Acquitance

Receiuor

Forf.

Moitie

Reward

Suites

Letters patents. Leases Inroll

Forf.

Moitie

Auditor

Proclaime

Forf. Moitie

Moitie

Warrant Precept Receiuor

Accomp

Warned

Does not appear.

Will not accompt.

tenor

if the same Receiuor, Bailife, Reeue, or other Officer accomptable, be by himselfe, or by his sufficient and lawfull deputie, appeare before the said Auditor or Receiuor, and then and there enter into his or their accompt before the said Auditor, and after the same accompt finished and ended, if the same Receiuor, bailife, reeue, or other Officer, doe not content and pay vnto the Treasurer of the same seuerall courts, or to the generall or partiens receiuor of the same courtie for the time being, as the rols shall require, within three weeks next & immediately after the same accompt fully finished and ended, all such summes of money, which vpon the determination of his said accompt he shall happen to be found in arrerages, and the same default and contempt being duely proued before the head Officer or officers of the said seuerall courts for the time being: that then euery such Receiuor, Bailife, Reeue, or Officer so offending, to forfeite and loose his said Office, and all to his vse, which he or they had and perceiued for y exercising of the same office. And be it also further enacted by authority of this present Parliament, that if any of the saide Receiuors, Bailifes, reeues, or other Officers, vpon the declaration of their said accompts, do willingly conceale and withdraw any rent, reuenue, fine, y hariot, or other casualtie what soeuer it be, of the which he ought to haue made accompt, & the same duely approued before the said head officer or Officers for the time being: that then euery such Receiuor, Bailife, Reeue, or other Officer so offending, to forfeit & lose his said office & fee, which he had for the exercising of the same, and also three times as much as he hath so concealed and withdrawen. And that the said head officer or officers of the same seuerall Court for the time being, immediately vpon certificate to him made of the same default, contempt, or offence, shall award processe in nature of attachment, against the same Receiuor, Bailife, Reeue, or other Officer, as wel for the same arrerages, remaining in y hands of the same Receiuor, Bailife, Reeue or Officer, as also for the penalty of their recognisance or bond, in which the same Receiuor, Bailife, Reeue or Officer, stãdeth bound to our said Soueraigne Lord the king, as also for the contempt and paine limited, and appointed by this act. And be it further enacted by authoritie aforesaid, that in all actions and suits to be taken or pursued in any the courts aforesaid, for the recouerie of any debt or debts which now be, or that hereafter shall happen to appertain, accrue, remaine, or be to the king, by any attainder, outlawrie, forfeiture, gift of the party, or by any other collateral way or meanes, it shall be sufficient in the law to shew and alledge in the saide suit generally, that the partie to whome the said debt or debts were due or did belong, such yeare and day did giue the same debt or debts vnto the king, or was attainted, outlawed, or other offence, forfaiture, deed, act, or thing committed or done, by reason whereof the said debt or debts did accrue and ought to remaine, come, & be to the king. And that the same matter so to be shewed, alleadged, or declared in a generalty without shewing & declaring the circumstance thereof, shall be of as good force & effect in the law to all intents, constructions, and purposes, as if the whole matter thereof had been or were alleaged & declared at large in euery point, according to the rule or order of the common lawes of this realme. And be it further enacted &c. that if any suit be commenced or taken, or any proces be hereafter awarded for the king, for the recouery of any of the kings debts: y the the same suit & proces shall be preferred before the suit of any other person or persons. And that our soueraigne Lord, his heires & successors, shall haue first execution against any defendant or defendants, as for his said debts, before any other person or persons: so alwaies that the kings said suit be taken & cõmenced, or proces awarded for the said debt, at the suit of our said Soueraigne Lord the K. his heires or successors, before iudgement giuen for y said other person or persons. Also be it enacted, that al manors, lands, tenements, possessions, & hereditaments, which now be, or y hereafter shal come or be in, or to the hands, possession, occupation, or seisin of any person or persons; to whom the same manors, lands, tenemẽts, or hereditaments haue heretofore or hereafter shal descẽd, remain, or remain in fee simple, or in fee taile general or special, by, from, or after the death of any of his or their ancestor or ancestors, as heir, or by gift of his ancestors whose heire he is, which said ancestor or ancestors, was, is, or shalbe indebted to the K. or to any other person or persons to his vse, by iudgement, recognisance, obligation, or other specialty, the debt whereof is or shall not be contented & paied: that then in euerie such case the same manors, lands, tenements, possessions & hereditaments, shalbe, & stand by authority of this act from henceforth charged, and chargeable to and for the paiment of the same debt, & of euery part thereof. And that our said soueraign lord, his heires & successors at any time hereafter shall not be barred, delayed, foreclosed, or excluded to demand, haue and receiue his, or their iust, due, and lawful debts & duties, against any of his subiects, as heirs or heires to anie person or persons indebted to his highnesse, or to other persons to his vse, or which shall be indebted to his Highnes, his heires or successors, albeit this word (Heire) be not, or shal not be cõprised in such Recognisance, obligatiõ or specialty, or if any such person or persons shall say or alleage, that he or they haue not any manors, lands, tenements, or hereditaments to them descended, but onely such manors, lands, tenements, or hereditaments, as be or shal be entailed, or giuen to them by any their ancestors, to whome they be heires: any law, vses, or custom before this time vsed or had to the contrary notwithstanding. Prouided alwaies, that the K. Maiestie, his heires or successors, may at his or their liberty & pleasure demand, haue & recouer his or their said debt or debts, of & against any executor or executors, administrator or administrators, of any such person or persons, which is, hath bin, or shall be indebted in maner & forme aboue saide, if the same executor or executors, administrator or administrators, shall haue assets in his or their hands in deede or in lawe: any thing

Suit. Proces. Debts

First execution.

Fee simple. Fee taile

Iudgement

King.

Heire. Recognisãce. Obligation.

Debts. Executors. Administrators

Assets

thing before mentioned to the contrary notwithstanding. Prouided also, that if the said manors, lands, & hereditaments, or any of thē, shall hereafter be recouered or euicted out of, or from the possession of any such person or persons, by any iust or former title, without fraud or couin, whole manors, lands, tenements, or hereditaments bin, or shall be charged or chargeable, as is aboue said, that then all and euery such manors, lands and hereditaments, shall be clearely acquited and discharged, of, and for the payment of the said debts, and of euery part thereof: any thing before mentioned to the contrary notwithstanding. Prouided also, and be it &c. that if any person or persons, of whome any such debts or duties is, or at any time hereafter shall be demaunded or required, alleage, plead, declare, or shew in any of the said courts, good, perfect, and sufficient cause and matter in law, reason, or good conscience, in barre or discharge of the said debt or duty, or why such person or persons ought not to be charged or chargeable, to or with the same and the same cause or matter so alleadged, pleaded, declared, or shewed, sufficiently proued in such one of the said courts, as he or they shall be impleaded, sued, vexed, or troubled for the same: that then the said courts, and euery of them, shal haue full power and authority to accept, iudge, and allow the same proofe, and wholly and clearely to acquite and discharge all and euery person and persons that shall be so pleaded, sued, vexed, or troubled for the same: any thing in this present Act before mentioned to the contrary notwithstanding. Prouided also &c. that if any manors, lands, tenements, or hereditaments which be, or at any time hereafter shall be charged or chargeable, to or with the debt of our said Soueraigne L. his heirs or successors, & be, or at any time hereafter shal be in seisin & possession of diuers and sundry persons, other then ỳ obligor or obligors: that then all and singuler the said manors, lands, tenements, and hereditaments, and euery parcell of them shall be wholy and intirely, & in no wise seuerally lyable, and chargeable, to and with the paiment or paiments of the said debt and duties: any thing before rehearsed to the contrary notwithstanding. Prouided also, that this act, nor any thing therein contained, shall in any wise extend to minish, abrogate, or take away any roialties, liberties, priuiledges, franchises, preheminences, iurisdictions, fines, issues, or amerciaments, appertaining or belonging to the said Duchy of Lancaster and county Palantine of Lancaster, or any of thē, but ỳ the same liberties, roialties, priuiledges, franchises, preheminences, iurisdictions, fines, issues, and amerciaments, and euery of them shall still continue, remaine, and be to the said duchy of Lancaster, and county palantine, and to euerie of them, as fully, wholly, & plenally, as they were before the making of this present Act: any thing in the same contained to the contrarie notwithstanding. Prouided alway and be it &c. that all manner of proces, procesles, and executions of debts, onely comming or growing in the Court of ỳ Exchequer, shalbe made in the same court of the Exchequer, by such officer and Officers, Clerke or

Manors Lands

Discharge

Manors Lands Tenements

Possession Obligor

Roialties Liberties Priuiledges

Lancaster

Proces

Exchequer

minister of the same court, as hath beene afore this time vsed to be made, after and with such kinde of proces, processes, and executions, as by this act is limited and declared: any thing in this act contained to the contrarie notwithstanding. Anno 33. H.8. cap. [illegible]

Proces Execution

, The Quenes Highnes shall or may at any time hereafter during her natural life, by her Graces letters Patents vnder her great seale of England, at her most gracious will and pleasure, alter, chunge, vnite, transpose, dissolue, or determine all or any of the said court or courts, s. the court of the augmentations of the reuenues of the kings crown, the court of the first fruits and tenths, the court of the kings woods, the court of the generall surueyors of the kings lands, and the court of the duchie of Lancaster. And to reduce the same courts, or any of them into one, two or more court or courts, or to vnite and annex the said courts, or any two, or more of them together, or to any other of her Maiesties courts of record, or to erect of the same any other new court or courts, as to her highnesse shall be thought most conuenient, best, and for the better, surer, & more speedy answering of her yerely reuenues, casualties, or profits, now answerable in the said courts, or in any of them. And that all and singuler such alterations, changings, vnitings, transposings, dissolutings, or determinations of ỳ said courts, or any of thē so to be altered, changed, vnited, annexed, transposed, dissolued, or determined, or otherwise newly to be erected, as is aforesaid, and concerning all and euery other for the true payment of the reuenues, rents, issues, casualties and profits of our said Soueraigne Lady the Quene, now answerable in the said courts, or in any of them, as shall be set forth and declared in any such letters Patents, or writings vnder her highnesse great seale of England, hereafter to be made, set forth, and declared, shall be of such like & of the same force and strength, to all intents, constructions and purposes, as though the same were or should haue beene set forth or declared by the authoritie of Parliament, the said seuerall executions, or any other thing heretofore had or made to the contrary hereof in any wise notwithstanding. Prouided alway & be it &c. ỳ any thing contained or to be cōtained in the said letters Patents hereafter to be made by the Qu. highnesse that now is, concerning any paines, penalties, rules, or orders, made or to be made for the leuying of the Quenes reuenues, rents, issues, casualties or profits, shall not in any wise extend to charge any of the queens subiects in any other maner or forme, then they or any of them, ought lawfully to haue beene charged by the lawes of this realme, before the second day of this present session of parliament. Prouided also, and be it &c. that any letters patents hereafter to be made by the Quenes highnes, or any thing or matter contained in this act, shall not in any wise extend to giue any power or authority to the Chācellor and generall surueyors of the court of the augmentations and reuenues of the Quenes crowne, or to any other officer or officers of the same Court, or of any other court or courts, hereafter

Letters Patents Alter

Augmentation

Vnite

Queene

Letters Patents

Penalties

Chancellor Surueyors

after to be erected by the Quéenes maiesty, as is afore-said, or to any other officer or officers to be appointed in any of the same Courts hereafter to be erected by the Quéenes highnesse, as is aforesaid, or to any officer or officers of anie Court whereunto anie of the foresaid Courts shall be by her Highnesse vnited, to heare or determine any plée, matter or cause, but onely where her Highnesse is onely the mære and sole party, against any of her subiects, of, for, or concerning the spèdy answering, leuying, or payment of her Maiesties rents, reuenues, issues, casualties, profits and debts, being within any suruey of any the said courts. Prouided alwayes, that if her Highnesse hereafter shall annere anie of the said Courts vnto her Court of the Exchequer, that then all things within the suruey of the said court so annered, shall be ordered in like maner to al intents, as the said court of the exchequer is or ought to be, by the common lawes & statuts of this realme: Sauing to all & euery person & persons, bodies politike and corporat, and to euery of them, such offices of stewardships, offices of masterships of any game or games, kæpers of forests, chases, parks, houses & castles, & the profits thereunto belonging, and all rents, annuities, and fees, as they or any of them haue or ought to haue, if this act had neuer bèn had ne made. Prouided alwaies and be it &c. that this act, nor any thing therin conteined, shal in any wise extend or be construed to take away, extinct or determine frō any person or persons, their heirs, successors, or assignes, or from any of them, any fées, annuities, pensions, stipends, or annuall payments of any sumnes of money, which they or any of them, of right might or ought lawfully to haue, by any Letters P. or other sufficient writing, vnder the Seale of the said court of Augmentations, made before the 7. day of July last past, but that all & euery person and persons, their heires, successors, executors, & assignes, and euery of them, which of right haue or ought to haue, or hereafter shall haue any fée, annuity, stipend, pension, or annuall payment of any summe or summes of mony, vnder the seale of the court of the Augmentations, or being lawfully alowed and paid in the same court, shall and may according to the tenor of the same grant, perceiue, take & receiue the same, and shal yèrely thereof be paid of the M. treasure, her heires, and successors, at the days and times compriſed in such Letters P. or other writings, in any such court or courts, whereunto the same court, or where the same annuities or yèrely summes of money was paied, shalbe so vnited and annered, or in such court or courts, as shall be by authority of this act of parliament newly erected & made in the place of anie of the said courts so being dissolued, as long as the same Court shall remaine and haue any being, & after in such court or courts, as shall please the Quéene newly to erect by the hands of the officers of the same court, & for default thereof, in any of the Quénes courts, wherein sufficient reuenues shall be to answere the same of the Quénes treasure there, by the hand of thofficers of the same Court, in such like maner & forme, as the same person and persons, their heires, executors, and assignes, or any of them should or might haue done or bène paied in any other place or court, if this Act had neuer bène had or made: any thing in this Act conteined, or any other thing hereafter to be done by reason, colour, or authority of this Act, to the contrary thereof notwithstanding. Prouided alwayes and be it &c. that this act, nor any thing therein contained, shall not in anie wise extend to be construed to take away, extinct, or determine from anie person or persons, their heires, successors, or assignes, or from any of them, any fées, annuities, pensions, stipends, or annuall payments of any summes of mony, which they or any of them lawfully haue, or of right might or ought lawfully to haue by any letters patents, or other sufficient writing, made before the seuenth day of July last past, but that all and euery person and persons, their heirs, successors, executors, and assignes, and euery of them, which haue, or hereafter shall haue any fée, annuitie, stipend, pension, or annual paiment of any summe or summes of mony, payable yearely in any of the said courts, or by the hands of any officer or officers of any the same Courts, shall and may perceiue, take, and receiue the same, and shall yearely thereof be paid of the Quéenes treasure, at the dayes and times compriſed in such Letters Patents, or other writings, in anie of the said Courts where now the same is, or ought to be payable, as long as the said Court or Courts shall remaine and haue any being, & after in such Court or Courts as shall please the Quéene newly to erect, by the hands of the officers of the same Court or Courts, and for default thereof, in any of the Quénes courts, wherin sufficient reuenue shall be to answere the same of the Quénes treasure there, by the hands of the Officers of the same court or courts, in such like maner and forme, as the same person or persons, their heires, executors, & assignes, or any of them should and might haue done, and bène paid in any other place or Court, if this Act had neuer bène had or made: any thing in this act contained, or any other thing hereafter to be done by reason, colour, or authoritie of this Act, to the contrarie thereof notwithstanding. Anno 1. M. 1. Parl. ca. 10. After this Statute made, Queene Mary dissolued the Court of Augmentations, and First fruites and Tenth.

Officers

Rents

Annere Exchequer

Stewardships parkes Parkes Chases Castels

Determine

Heires Successors Executors Assignes Annuitie Pension

Letters P.

Fees Annuities Pensions

Recciue

Dissolued

Crossebowes and Handguns.

ANno 19. H. 7. cap. 4. and Añ 3. H. 8. cap. 13. were two seuerall Actes made against shoting in Crossebowes. And Anno 6. H. 8. cap. 13. an Act was made against shoting and kæping of Crossebowes and Handguns. And Añ 14. H. 8. ca. 7. an Act was made against shoting in Crossebowes and Handguns. And Añ 25. H. 8. ca. 17. an other Act was made against shoting and kæping of Crossebowes and Handguns, and repealing the foure former statutes made in 19. H. 7. and 3. H. 8. and 6. H. 8. and 14. H. 8. After Anno 33. H. 8. ca. 6. all these foure Statutes were repealed, as here following appeareth.

Shootting

2 Forasmuch as notwithstanding the statute of 25. H. 8. cap. 17. many heinous offences haue beene of late committed by the common vse, and carrying of Crossebowes and little Handguns: And also thereby the laudable exercise of the long Bow is laied apart: Be it &c. that no person or persons, of what estate or degree he or they be, except he or they in their owne right, or in the right of his or their wiues, to his or their owne vses, or in any other, to the vse of any such person or persons, haue lands, tenements, fees, annuities, or Offices, to the yearely value of a hundred pound, from or after the last day of June next comming, shall shoote in any Crossebow, Handgunne, Hagbut, or Demy Hake, or vse, or keepe in his or their houses, or elsewhere, any Crossebowe, handgũ, Hagbut, or Demy hake, otherwise, or in any other manner then is hereafter in this present Act declared, vpon paine to forfeit for euery time that he or they so offend, contrary to this Act ten pound. And be it further enacted &c. that no person or persons, of what estate or degree soeuer hee or they be, from and after the saide last day of June, shall shoot in, carrie, keepe, vse, or haue in his house, or else where, any handgun, other then such as shall be in the stocke and gun, of the length of one whole yard, or any Hagbut, or Demy hake, other then such as shall be in the stocks & gun, of the length of three quarters of a yard, vpon paine to forfeite for euery time that hee or they shall shoote in, carrie, vse, or haue any such gunne, being not of the length of the whole yard, or Hagbut, or Demy Hake, being not of the length of three quarters of a yard ten pounds sterling. And that it shall be lawful to euery person and persons, which haue lands, tenemẽts, fees, annuities, or offices, to ꝑ yerely value of a C. ℔. as is aboueſaid, to take & seise euery such crosse bow, & also euery hãdgun being in stock & gun shorter in length then one whole yard, and euery hagbut, & Demy hake, being shorter in length then three quarters of a yard, or any of them from the keeping or possession of euery such offendor, contrary to the forme of this act: & the same Crossebow or Crossebowes to keep and retaine to his or their owne vse. And also the same Handguns, Hagbuts, and Demy hakes, so seised & taken within twenty daies next after the same seisure or taking, to breake and destroy, vpon paine of forty shillings for euery gun so seised & not broken and destroyed, and the same so broken and destroyed, to keepe and retaine to his or their owne vse. And be it &c. that no person or persons other then such as haue lands, tenements, rents, fees, annuities, or offices, to the yearely value of one hundred pound, as is aforesaid, from or after the saide last day of June, shal carry, or haue in his or their iourney going or riding in the kings high waies, or else where, any Crossebow bent, or Gun charged or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre vpon paine to forfeit for euery such offence ten pounds: this present act, or any thing therein contained to the contrary notwithstanding. And be it &c. that no person or persons, frõ the said last day of June, shall in any wise shot, in, or with any Handgun, Demy hake, or Hagbut, at any thing at large, within any City, Borough, or market towne, nor within one quarter of a mile of any city, borough, or Market towne, except it be at a Butt, or banke of earth in place conuenient, for the defence of his person or house, vpon paine to forfeite for euery such shot x. ℔. This present act, or any thing therein contained to the contrary notwithstanding. And be it &c. that no person or persons, of what estate or degree soeuer he or they be, shall from or after the said last day of June, commaund any of his or their seruants to shot in any Crossebow, Hãdgun, Hagbut, or Demy hake, of his or their said maisters, or of any other persõs to any deer, foule, or other thing, except it be onely at But, or banke of earth, or in the time of war, as is aboueſaid, vpõ paine to forfeit for euery such offence x. li. The one moity of all which forfeitures & penalties in this present act aboue specified, shall be to the king &c. & the other moity thereof to the party ꝑ will sue &c. In which suit &c. Prouided alway, & be it &c. that it shall be lawful from henceforth to al gentlemen, Yeomen, and seruing men of euery Lord or Lords spirituall or temporall, & of all Knights, Esquires, and Gentlemen, and to all the inhabitants of Cities, Boroughes, and Market towne of this realm of England, to shot with any Handgun, Demie hake, or Hagbut, at any butt or banke of earth, onely in place conuenient for the same, so that euerie such Handgun, Demie hake, and Hagbut, be of the seuerall lengthes aforesaid, and not vnder. And that it shall be lawful to euerie of the said Lord and Lords, Knights, Esquiers, the Gentlemen, and the inhabitants of euerie Citie, Borough, or Market towne, to haue and keepe in euerie of their houses any such Handgun or Handguns of the length of one whole yard, or any Hagbut or Demie hake, of the length of three quarters of a yard, as is aforesaid, and not vnder, to the intent to vse and shot in the same at a butt or banke of earth onely, as is aboueſaid, whereby they and euerie of them by the exercise thereof, in forme aboueſaid, may the better aid and assist to the defence of this Realme when need shall require: this present Act, or any thing therein contained to the contrarie notwithstanding. And be it &c. That it shall be lawfull to euerie person or persons, which dwelleth and inhabiteth in any house, standing and being set distant two furlongs from any City, Borough, or Town, to keepe, and to haue in his said house, for the onely defence of the same, Handguns, Hagbuts, and Demie Hakes, being of the seuerall lengthes aforesaid, and not vnder, and to vse and exercise to shot in the same at any butt or banke of earth, neere to his house, and not otherwise: any thing contained in this Act to the contrarie notwithstanding. And be it &c. That all Letters patents, Fraternities, and also all other Placards, Licences, & Bills alligned, heretofore had, made, or alligned by his Highnesse, or by any other authorized by his Maiesties Letters patents, vnder his great Seale, to giue licence and placard to shot in Crossebowes and Handguns, or any of them, shall bee from

and

T. li. rentes — Shoote — Keepe — Forf. — Handgun — One yard long — Hagbut 3. quarters of a yard — Forf. — Seise — Crossbows — Owne vse Gnune — Breake — C. li. — Bent Charged — Forf. — Shoote — Citie Market towne Burt — Forf. — Seruants — Deere Foule — Marre — Forf. — Waite — Gentlemen Yeomen Seruingman Lords Knights — Length — Keepe — Butt — Keepe — Butt — Letters & Fraternities. — Placards Licences

and after the said last day of June, shall be voide, and of none effect. And also it is enacted that the said Statute made in the said xxv. yeare of the kinges most gracious reign, and all other Statutes heretofore made and prouided for the auoiding & restraint of shooting in Crossebowes and Handguns or for any of them, or for the vsing and keeping of the same, be from henceforth vtterly voide and of none effect, Prouided alwaies, that euery Processe, suit and information conteined, commenced and now depending for any offences not contrary to the forme of the said Statute made in the said fiue and twenty yere of the kinges most noble reign, or of any other Statute made or prouided for and concerning the shooting in Crossebowes and Handguns not repealed, and for the keeping of the same, shal be as good and effectuall to the parties that haue commenced the same, and shall stand and be in such forme, effect, degree and condition, as if this Act had neuer beene made. Prouided also, that this Act, or any thing therein contained be not in any wise hurtful or preiudiciall to any person or persons now being or that hereafter shall bee appointed by the kinges highnesse, to keep, receiue, or take any Crossebowes or Handguns, that shal be forfeited or taken within the precinct or liberty of the kinges Forestes, Parkes or Chases, but that he or they may lawfully keepe and retaine the same Crossebowes or Handguns from time to time, vntill such time as the further pleasure of the kinges Highnesse in that behalfe, be to euery such person shewed and declared. Prouided also that this Act extend not to the makers of Crossebowes or Handguns, but that they may lawfully bring Crossebowes and Handguns, Hagbuts, and Demy hagues in their houses, and shote in the same onely for the proouing and allaying of them at a Butt or banke of Earth in a place conuenient, and not otherwise, so that the said Handgun, Hagbut, and demy hakes be of the seuerall length in stocke and gun, as is aboue limited. Prouided also that this Act, or any thing therein contained, extend not to be preiudiciall to any Merchants, which haue or shall haue any Crossebowes, Handguns, Hagbuts, and Demy Hakes, or any of them, to sell within this realme, and to none other vse, so that the same Handguns, Hagbut, and Demy Hakes, be of the seuerall lengths in gunne and stocke, as is aboue limited, and not vnder. Prouided also that no manner of person run in any danger, or take hurt, by reason of any penaltie or forfeiture contained in this Act vntill such time as Proclamation be made of the same Act within the County where the party, that shall or may offend contrarie to this act dwelleth, by the space of twenty daies next after the making of the said proclamation. Prouided also, that if any maner of person bring or cause to be brought with him into his lodging or Inne, or to any other mans house, any Crossebow or Handgun, that then the penaltie and forfeiture (if any such be, or hereafter shall be forfeited by reason of this Act) to runne and be onely vpon the bringer of the said Crossebowe and Handgun, and not to the owner of the said lodging or house, if the said owner of the said lodging or house, cause the bringer thereof to take and carry awaie the said Crossebow or Handgun againe with him at his departing: any thing in this act made to the contrary notwithstanding. And be it enacted that if any person or persons from and after the said xx of June next comming, see or finde any person or persons, offending or doing contrarie to the forme and effect of this Act, that then it shall be lawfull to euery such person or persons, perceiuing, finding or seeing any such person or persons so offending contrarie to the forme of this act, to arrest and attach euery such offendor or offendors, and to bring and conuey the same to the next Justice of peace of the same counte, where the said offendor or offendors shall be found so offending. And that the same Justice of Peace, vpon due examination and proofe thereof be or hath or made, by his discretion, shall haue full power and authoritie to send or commit the same offendor or offendors to the next goale, there to remaine till all such times, as the said penalty or forfeiture shall be truely contented and paied, by the said offendor: The one moitie of the said penalty to bee paied to the kings Highnesse, and the other moitie thereof to the first bringer or conueier of the the said offendor to the same Justice of Peace. And be it enacted that if any person or persons, doe at any time hereafter obtaine, get or purchase of the kings Maiestie, his heires or successors, any placard, licence, or bill assigned to shoot in any Crossebow Handgun, Hagbut or Demy hake, contrary to the tenor, purport and effect of this present Act; that then the same shall be conteined in euery such placard, licence, or bil assigned, of what beasts, foules, or other things the said person or persons so obtaining any such placard, licence, or bil assigned shall shoote at, with any Crossebow, handgun, hagbut, or Demy hake, or else y euery such placard, licence, and bil assigned, hereafter to be obtained, gotten or purchased, shall be clearely void, frustrat, and of none effect. And also that euery such person or persons so obtaining any such placard, licence, or bill assigned, before he shoot in any Crossebow, Handgun, Hagbut, or Demy hake, in any such manner or form as shal be mentioned in any such placard, licence, or bill assigned, shal be bound in the kings court of Chancery by Recognisance, in the sum of twenty pounds to the kings vse therin, and vpon condition, that hee so obtaining, or hauing the said licence, placard, or bill assigned, shall not shoot in any Crossebowe, Handgun, Hagbut, or Demy hake, at any other beastes, or foules, then in any such placard, licence, or bil assigned, shall be contained and specified; or else all such placards, licences & bils assigned, so hereafter to be made to any person or persons not being so bounden by recognisance in the Court of Chancery as is aforesaid, to be vtterly void & of none effect. And be it enacted that it shall be lawful to all Justices of the Peace in their Sessions, and to all Stewardes, Bailifes in their seuerall Leets and Lawdayes to inquire, hear, and determine euery such offence, after the said last day of June to be committed & done, contrary to the tenor of this present act, so that alwaies no lesse fine

Arrest
Just. of P.
Examination
Fort.
Wottle
Byinges
Placard
Licence
Beasts Foules
Void
Recognisances
Beasts Foules
Chancery Void
Just. of P. Stewards Bailifes Leete Lawday
Fine

then ten pound to be assessed vpon euery such presentment and conuiction made, according to the due course of law: the same fine so by the same Iustices of Peace vpon euerie such presentment & conuiction made before them in their Sessions to be paied and leuied onely to the kings vse, and that one moity of euery fine to bee assessed by the Stewards or Bailifes of any Leete or lawday, vpon euerie presentment and conuiction before them to be made, to be paied and leuied to the vse of the king our Soueraigne Lord: and of the other moity, the one halfe to the owner of the said leet or lawday by distresse, or action of debt, and the other halfe of the same second moitie of the same fine, to be to the partie that will pursue for the same in any of the kings Courts, by bil, plaint, information, or action of debt, in ỹ which no essoine, protection, or wager of law shall be allowed. And be it further enacted, that if any Iurie be sworne and charged to inquire for the king our Soueraigne Lord, before any Iustices of ỹ P. or Stewards of Leets or Lawdaies, of any offences committed or done contrary to this present act, doe wilfully conceale any of the same offences, ỹ then the said Iustices, Steward or Bailifs, before whose any concealement shal be had and done, haue authority by vertue of this present act, from time to time to charge and sweare another Iury of twelue, or more, good and substantiall honest persons, to inquire of euery such concealment, and if any such concealement be found and presented by the said Iurie so charged to inquire of the same, that then euery one of the said last Iury, that so did conceale the same, shall lose and forfeit for euery such concealement of euery such offence twenty shillings. All which forfeitures and penalties of twenty shillings for euery such concealement of euery such offence so found and presented before the same Iustices of Peace, shall wholy be leuied and payed to the kings vse: And the Moity of all the same forfeitures and penalty of xx.s. so found and presented before the Steward or Bailifes of any Leete or lawday, shal be leuied and paied to the vse of the owner of the said Leete or Lawday, by distresse, or action of debt, and the other moity thereof to be to the party or parties that will sue for the same, by action, information, bill, or plaint, in any of the kings Courts: In the which actions, informations, bils, or plaints, no wager of law, essoins, nor protection shal be allowed. Prouided alwaies, and be it &c. that if any person or persons hereafter in any part do offend, or doe contrary to the purview and remedy of this Act, whereupon cause of action for the same offence shall be giuen to the king his heires or successors, or to any other person or persons that will sue by vertue of this act for the punishmẽt of the said offence or forfeitures, that if the king our Soueraigne Lord, his heires or successors, within one yeare next and immediately after such offences & forfeits had & made, doe not pursue their action or actions, so giuen by this act, or cause examination vpon such defaults & offences to be had and made before their Counsel, or other presentments thereof to be had according to the meaning of the same act, & euery other person, which hereafter by vertue of this act, may haue action or actions, suit or informatiõ vpon this statute, within halfe a yeare next and immediately after such offences or forfeits had and made, doe not commence their suits, informations, actions or presentments, of & vpon the said forfeits, by action or other wise, as in this present act is limited & declared: that then al well the king our Soueraigne Lord, his heires and successors, after one yere next after such offences & forfeits had & made, if no suit in his or their name be taken by actiõ or otherwise, as is before expressed before the same yeare ended & determined, as euerie other person after halfa yere next after like offences & forfeites had and done in the forme aforesaid, if no suit therupon be taken by none of them, in forme above declared, bee vtterly excluded and barred of their said suits, actions, informations, and examinations, to them giuen by vertue of this said Act, and the parties and euery of them so offending, shall be of all such offences & forfeits, clerely discharged and quite: any thing in this Act comprised to the contrary notwithstãding. Prouided alwaies and be &c. that this present act, ne any thing therein contained, shall in any wise extend or be preiudiciall vnto the kings subiects, resident or inhabiting neere vnto the coastes of the Sea in any part of this Realm, their houses being not aboue fiue miles distant from the same coasts, nor also to any of the kings said subiects inhabiting within twelue miles of ỹ borders of Scotland: nor to any the kings subiects inhabitants of the Towne and Marches of Calice, nor to any of the inhabitants of the Iles of Gersey, Gerneley, Anglesey, and the Iles of Wight, and Man, but that it shal be lawful for euery of the said inhabitants, at all times hereafter to haue, exercise, and vse their Handguns, Hagbuts & Demy hakes of the lengths aboue said, within the limits & Iles aboue said, so that it be at no maner of deere, Perõ, Phoneland, Pheasant, Partridge, Wildeswan, or Wilde elke, or any of them: this present act, or any thing therein contained to the contrary notwithstanding. Prouided also, that this act, ne any thing therein contained, be in any wise hurtfull or preiudiciall to any seruant or person, that hereafter from the said last day of June, shall bend, beare, carry, charge, vse, or assay, any Crossebow, or any Handgun, Demy hake, or Hagbut, of the lengthes aboue said, by the commandement of his Lord and Maister, so that the said seruant or person doe not shoote at any foule, deere, or other game, of what kind or nature soeuer they be of: nor also to any such seruant, person or persons, that shal after the said last day of June, beare, or conuey any Crossebow, Handgun, Hagbut, or Demy Hake, of the lengths aforesaid, to any place or places, by the cõmandement of his Lord or maister, ỹ may shoot by authority of this act, to be amended, repaired, deliuered, or assayed, so ỹ the said seruant or other person so bringing or conueying the said Crossebowe, Handgun, Hagbut, or Demy hake, haue ready to shew to euery person requiring ỹ sight therof, one licence in writing sealed or subscribed by his said Lord or Maister, to cary and conuey the same

Crossebowe

Iust. of P.

Moitie

Action

Iury

Iust. of P. Stewards

Conceale

Oath Iury

Fork.

Fork.

Iust. of P.

Moitie

Steward Bailife

Distresse

Action

One yere

Action

Vnlesse yere

Suits

Fork.

Action barred

Discharge

Dwellers

Scotland

Calice Gersey Gernesey Angleseye Wight Man.

Deere Heron Phesant Partridge Wildeswan Wilde elke

Bend Carie

Iust. of

Licence

Fork.

Crossebow Handgun, Hagbut, or demy hake, to the intent to be amended, repaired, assaied, or deliuered as is aforesaid. Prouided allwaies, that this act, or any thing therein contained, shall not extend to any owner of any Ship, for hauing and keeping of any Handgun, Hagbut, or demy hake, of the seuerall lengths in this Act expressed, or vnder, only to be had & occupied within any their ship or other vessell, or for the cariage and recariage of them, or any of them on land, or keeping of them for the onely exercise and occupying of them within their said ship or vessell: any thing in this Act to the contrarie in any wise notwithstanding. Anno 33. H. 8. cap. 6. See here next following some alteration of this statute. And also see a Prouiso in the statute 4. and 5. Ph. & Ma. cap. 2. (before in Armour 8. where some more liberty is giuen to such persons and their seruants that be bound to keep a Haquebut.

Owner of ship

Cariage

✠

3. Forasmuch as the libertie to shote in Handguns, Huques & Haquebuts, giuen vnto some persons by the statute of 33. H. 8. cap. 6. (before 2.) is much abused by shoting at dwelling houses, doue-cots, and churches, & by shoting of hailshot, which destroied the certainty of shoting much requisite in warres. And also it is much vsed to the great destructiō of foule and game. Be it &c. that no person vnder the degree of a Lord of the Parliament, shall from henceforth shoot in any Handgunne, within any citie or towne at any foule, or other marke, vpon any church, house, or doue-cote: neither that any person shall shoot in any place any haile shot, or any more pellets then one at one time, vpon paine to forfeit for euery time that he or they shall so offend contrarie to this act x. pound, & imprisonment of his bodie during three Monthes. Prouided allwaies, & be it &c. that this act, or any thing therin contain'd, shal not extend or be preiudicial to any person or persōs, authorised by value of ỳ land to shot in any hādgun or Crossebow, but ỳ they may so do, in such forme and order, as they should doe & might haue done, before ỳ making of this act (haileshot excepted, as indeed that kind of shot in the said act was not meant.) And ỳ all & euery other person and persons authorised to shot, or otherwise, if he inhabite in any towne corporat, be presented to the Maior, or other Officer of the same, (& inhabiting in the country) bee presented within one Month after the publishing of this act, to the next Iustice of Peace adioyning: In which cases the said Maior, Iustice, or other Officer, so taking their names, as is aforesaid, shal again present and record the same, before ỳ Iustices of ỳ P. at the next quarter Sessions, to ỳ intent the clerke of the Peace of the county, may keepe a certaine booke or roll of the names of all such persons, by the which the kings Maiesty may from time to time be ascertained how many meet and able men exercised in that feate, be in euery countie, that the same may be imployed in his graces seruice, as need and occasion shall require, vpon paine that euery person offending in this act, presuming to shot in any Handgun, or halfe Hake, without the presenting of his name as is aforesaid, shall forfeit for euery shote the summe of xx. s. The one moity whereof to be to our Soueraigne Lord the king, & the other moity to him or them that wil sue for the same, by bill, action, plaint, information, or otherwise. The officer that should take their names and present the same, as is abouesaid, to incurre for the lacke of his duty in this part for euery time so offending like paine. Anno 2. Ed. 6. cap. 14.

L. of parliament.

Foule Doucote

Diuers shoot

Forf.

Imprif.

Diuers shoote

Maior

Iust. of P

Present

Quarter Sessions Clerk of P Roll

Forf.

Moitie

Paine

✠

Crosses.

FOr asmuch as many tenants set vp Crosses, or cause to set vp in their tenements in preiudice of their Lords, to thintents that the tenants might defend themselues against the chiefe Lords of the fee, by the priuiledge of the Templers and Hospitelers: It is ordained, that such tenements shall be forfeit to the chiefe Lords, or to the king, in the same maner as is prouided for lands alienes in Mortmaine. West. 2. cap. 33. Anno 13. E. 1.

Templers Hospitelers

Forf.

Crowes, Rookes, and Choughes.

ANno 24. H. 8. cap. 10. An Act was made for the destruction of Crowes, Rookes, and Choughes. In which there was a branch concerning the maintenance of Nets and sharpes, for ten yeres following, viz. That in euery parish, towne-ship, Hamlet, borough or village within this realm wherein is at least ten housholds inhabited, the tenants and inhabitants thereof, should before the feast of S. Michael tharchangell next, and so during x. yeres next insuing the said feast, at their own proper costs, charges, and expēces, prouide, make, or cause to be made one Net, commonly called a nett to take Choughes, Crowes, and Rooks, with all things requisite or belonging to the same. And the same net so made, or caused to bee made, shal keep, preserue, & renew as often as shall nede: And with, & after a sharp made, wō chaffe, or other thing meet for the purpose, shall lay, or cause to be laied, at such time or times in the yeare, as is conuenient for destruction of such Choughes, Rookes, and Crowes, & in such place and places, as shall be thought expedient to take ỳ said choughes, crows, & rooks, vpon paine to forfeit x. s. The one moitie thereof to be to our soueraigne Lord the king, and the other moity to the Lord or Lords of the Court barons, Leetes, Lawdaies, or Rapes, where any such Net shall be lacking and not made and put in execution according to this Act: to be leuied of the said tenants and inhabitants of the said parish, townethip, hamlet, borough, or village, where any such net shall be lacking, and not put in vse and execution, by distresse of the goods and cattels of the Offendors, as other amerciaments in Leets haue bene accustomed. And that euery such net, with all things requisite thereunto, shall one time in the yeare at the least, be presented in the Court Baron, Leete, Rape or Lawday, before the Steward of the same Court, Leete, Rape, or Lawday, whereunto the said Tenants and inhabitants shall be bounden to sue and appeare, to bee viewed, whether the same be sufficiently repaired or not, for the forsaide purpose: so

Parish

x. Yeres

Nette

Kepeth

Sharpe

Forf. Moitie

Court

Distresse

Presented

Repaire

that by the aduise of the Steward, tenants and inhabitants of the said court Baron, Lete, rape, or Lawday, where any such net shall be necessarie to be vsed, a sure way and ordinance may be deuised, for the reparation, continuance, and putting in execution of the said net, at times and places conuenient as is aforesaid. This branch being thought very good and beneficiall, is reuiued by Anno 8. Eliz. cap. 15. and all the rest of that Statute repealed, as followeth here.

Nettes Sharpes

2 Because the branch in the Statute of 24. Henry 8. cap. 10. (before 1.) concerning the prouision, putting in vse, and maintenance of Nets and Sharpes, is long since expired, being neuertheless verie good and beneficiall: Be it therefore ordained and enacted &c. that onely the saide branch of the same estatute concerning the prouision, vse and maintenance of nets and sharpes for the destruction of Crowes, Rokes & Coughes, and all and euerie article for forfeiture and penalty contained in the said branch, for, and concerning the prouision, and putting in vse of the same nets, and for the maintenance thereof, according to the forme therein limited: shall from hencefoorth be receiued, & put in due execution, and that all and euery other branch and article contained in the same estatute, shall be from hencefoorth vtterly repealed & made void to all intents and purposes: And further be it enacted by the authority aforesaid, that in euery Parish, the Churchwardens for the time being, with others the parishioners to the number of six persons, to be required by the churchwardens, shall after the feast of Saint Michaell tharchangell next comming, yearely in one of the festiuall daies in Easter weeke, and at euery other time, when and as often as it is, and shall be needfull, take and assesse euery proprietor, fermor, and other person hauing the possession of any land or tythes within their seuerall parishes, to pay such summes of money, as they shall thinke meete, according to the quantity and portion of such landes or tythes, as the same persons so assessed, do or shall haue or hold. And if the said summes of money, or any of them, so tared and assessed, be, or any shall be denied to be paied, or be not paied within foure tcene daies, next after request thereof made by the said Churchwardens, or one of them: then euery person so denying, or making such default of paiment, shall forfeit for euery fiue shillings, and the same together with the said summe or summes assessed and tared as is aforesaid, shall be leuied by distresse, of the goods and cattels of such person & persons so assessed, and refusing to pay such summe to be taken by the churchwardens, or one of them, which distresse shall be ordered and vsed, in such manner and forme, as distresses taken for amerciaments in any Letes. And the same summes so tared and assessed, and the said penalties, if any bee so by them leuied, as is aforesaid, shall be yerely by the said Churchwardens for the time being, or one of them, of euery such parish deliuered, by bill or bils indented, to two honest and substantiall persons of euery such parish, which shal be elected and appointed by the said churchwardens for the time being, to haue the yearely distribution thereof, and shal be named the distributors of the prouision for the distruction of noysome foules & vermin. And the said distributors so appointed as is aforesaid, shall giue and pay of the same money so to them deliuered, to euery person that shall bring to the any heads of old Crowes, Coughes, Pyes, or Rokes, taken within ỳ seuerall parishes, for the heads of euerie three of them, a peny. And for the heads of euery sire yong Crowes, Choughes, Pyes, or Rokes taken as is aforesaid, a peny, & for euery sire egges of any of them vnbroken a peny. And likewise for euery 12. Stares heads a peny. All which said heads & egges, the said Distributors in some conuenient place shal keep, & shall euery month at the least bring forth the same before the said Churchwardens and Tarors, or three of them, & then and there to them shal make a true accompt in writing what money they haue laied forth, & paied for such heads & egges, and for the heads of such other rauenous byrds & vermin, as are hereafter in this act mentioned, that is to say, For euery head of Merton, Hawkes, Furlekite, Moldkite, Bullard, Schag, Carmerant, or Ringtaile, ij. pence, & for euery ij. egges of them one peny. For euery Iron or Dispraies head iiij. pence. For the head of euery Woodwall, Pye, Jay, Rauen or kite a peny. For the head of euery byrd which is called the kings fisher a peny. For the head of euery Bullfinch, or other bird that deuoureth the blowth of fruit, a peny For the heads of euery Fore or Gray, ij. d. And for ỳ head of euery Fitchew, Polcat, Wesel, stote, Fare, Badge, or Wildcat, a peny. For the heads of euery Otter, or hedghog, ij. d. For ỳ heads of euery iij. rats, or mise, a peny. For the heads of euery Moldwarpe or Want, an halfe peny. For ỳ heads of euery which birds and vermin last mentioned, the last Distributors shall likewise pay and giue to the bringer of them, for euery head kild and taken within their seuerall parish, as before is limited and shall keepe the same to be shewed forth vpon their accompt, in manner & forme as is aforesaide. All which said heads & egges shall be forthwith, after such accompt made in the presence of the said Churchwardens & Tarors, or of iij. of them, burned, consumed, or cut in sunder. And if vpon any accompt to be made in ỳ end & determinatiõ of the office of any such distributors, it shall appeare that any sum of money is remaining in ỳ hands of the said distributors, or any of them, then the same shal be by bil indented, as is aforesaid, deliuered ouer to such persons, as be or shal be elected to the same office, for the yere next following, by thẽ to be distributed, as is aforesaid. And for the better execution of this act: Be it also enacted by ỳ authority aforesaid, ỳ it may & shal be lawful, to & for euery person & persons, which hereafter will trauel for the taking of Crowes, Rokes, Choughes, and other the vermine aboue said, to enter for the same purpose and intent, into any place therefore meet and conuenient, with the consent of the owner, or occupier of the same, & there to vse such nets, engins, and other reasonable deuises, as are meete and conuenient for the taking and destruction of such vermin

Receiued

Church wardens

Tasse werke Fermors

Tythes

Deny

Forf.

Distresse

Bils indented

Distributors

Pay

Pyes

Reward

Egges

Stares

Accompt

Rauenous byrds Merton Hawkes Furlekite Moldkite Bullard Schag Carmerant Ringtaile Iron. Dispray Woodwall Pye Jay Rauen Kite Kings fisher Bullfinch Fox Stote Rats Mise Moldwarp

Pay

Accompt

Churchwardens Tarors

Money remaining

Bill indented

Meete

Handguns Crosbowes

vermin (Handguns and Crosse-bowes excepted) and shall take and haue al such Crowes, Choughs, Rokes, and other vermine to his and their owne vses. And if the said churchwardens and sixe persons of any parish or parishes, so required by the churchwardens, as is aforesaid, or the persons elected for distributors, or any of them, shall refuse or make default in the execution of this act, or anie part thereof, contrary to the forme aforesaid, then euery such person shall forfeit for euery such default fiue pounds: The one moity thereof to be to our Soueraigne Lady the Quéene, her heires and successors: and the other moity thereof to him or them vsing Village yearely within the same Shire, that shal sue for the same in any Court of Record of our Soueraigne Lady the Quéene, her heires and successors, by action of Debt, or Bill of Information, wherein the defendant or defendants shall haue no protection, essoine, or wager of Law allowed or admitted. Prouided alwayes, and be it further enacted by authority aforesaid, That this act, or any branch therein contained, shall not in any wise extend to giue any liberty or authority to any person or persons, to vse or exercise any meanes or engines, for the destruction of Crowes, or Rokes, Choughes, or other the vermine aforesaid, in anie place or places, to the disturbance, let, or destruction of the building or breeding of any kind of hawkes, herons, egrites, paupers, swannes, or shouelers, or to the hurt and destruction of any doues doue-houses, dœre, or warren of conies: any thing in this act to the contrarie contained notwithstanding. And be it further prouided, That this act, or any thing therein contained, shall not extend to giue or appoint any summe or summes of money to be giuen, paid, or distributed to any person or persons, for the head or heades of any bullard, ringtaile, herne, polcat, fichew, or stote, taken in any parke, warren, or ground, imployed to the maintenance of any game of conies, or to any stares taken in doue-houses, nor to the killing or bringing the head of any kite, or rauen, killed in anie citie or towne corporate, or within two miles of the same. This act to continue to the end of the next Parliament. Anno 8. Elizab. cap. 15. And likewise continued 13. Eliz. cap. 25. And after 14. Eli. cap. 11. vntill the end of the next Parliament.

Churchwardens

Refuse

Fine

Moity

Diuers Rookes Herons Egrites Paupers Swannes Shouelers Doues Doue Conies

Stares

Kite

Rauen

Dore Warren

Doue-houses Citie

Crowne.

England

SEe Anno 14. Ed. 3. Statutum perse, That the Realme of England shall not be subiect to the realme of France.

Inheritance Crowne France

2 Anno 7. H. 4. cap. 2. The inheritance of the Crowne of England and of France, were intailed to the King, and the heires of his body, and Prince Henry his eldest sonne made heire apparant, with remainder ouer to the other Sonnes of the same king.

Remainder

Succession

Marriage

Lord Dimare

3 Anno 25. H. 8. capit. 22. An Act was made, declaring the stablishing of the succession of the Crowne, wherein is declared the Kings Marriage with Quéene Katherine to be void, and the diuorce between them had to be good. And the marriage betwéene him and the Lady Anne Bolleine to be good. And certaine degrées of marriage there recited to be prohibited, and that none marry within those degrées, and those marriages to be diuorced, and their issues not to be legitimate, and the succession of the crowne tailed to the issue betwéene the King and Anne Bolleine, with diuers remainders. And diuers things were made treason, and diuers things made misprision of treason. And that all men should take an oath to maintaine this act. But all this act was repealed by Anno 28. H. 8. ca. 7. And by 1. M. 1. Parliament. cap. 1.

Anne Bolleine Degrees

Treason Misprision

Oath

4 The said Statute made Anñ 25. H. 8. ca. 22. concerning the Kings succession, and the act made Anno 26. H. 8. cap. 2. concerning the Oathe, bée repealed by Anno 28. H. 8. cap. 7. and thereby a Pardon giuen to all that before that offended in treason, misprision of treason, in speaking or doing against Anne Bolleine and her marriage, and her issue. And by this act Anne Bolleine and her brother George Bolleine Lord Rochford, and other there named, be attainted of treason. And the diuorce betwéene the King and Quéene Katherine confirmed, and her issue made illegitimate. (But the article concerning the diuorce and illegitimation is repealed by 1. M. 1. parliam. ca. 1.) And by the act of 28. H. 8. cap. 7. the diuorce had betwéene the king and Anne Bolleine is confirmed, and her issue made illegitimate, and that none shall marrie within certaine degrées declared in the Statute, & that mariages made within those degrées be void, & shal be void. But the article concerning prohibition of marriage within those degrées is repealed by 1. & 2. P. & M. ca. 8. And by the act of 28. H. 8. ca. 7. the issue betwéene the King and Quéene Jane be made heires of the Crowne. And there is the succession of the Crowne appointed to the kings issue, with diuers remainders. And that the King may dispose the succession by his Letters Patents, or last Will. And it is there made Treason, if any to whom the succession is appointed doe usurpe vpon other, that should be king before, and diuerse other matters there to be made Treason. But all those Treasons be repealed by 1. Edw. 6. cap. 12. and by 1. M. 1. Sess. And by that act of 28. H. 8. cap. 7. it is declared who shall haue the kéeping and gouernaunce of the Kings issue within age that shall be King. And there is declared an Oath concerning the succession, and who shall take it. And that anie aduauncement made by the King by Letters Patents, or by his last Will in writing, to anie person of his Royall bloud of anie Title, Stile, or name of anie Estate, or dignitie, or Honour, or of anie Lands, shall be as good as it were by Parliament. And that this act of 28. H. 8. cap. 7. shall be interpreted according to the plaine words &c.

Attaint

Illegitimate

Diuorce

Confirmd

Degrees

Void

Repealed

Issues

Heires

Succession

Letters patents Testament Treason Warre

Repealed

Gouernor

Letters P. Testament

5 An. 35. H. 8. cap. 1. the Crowne of England is entailed to the Kings daughter the Lady Mary, and to the heires of her bodie, and for lacke of such issue, to the kings daughter the Ladie Elizabeth, in such forme as is there declared, and for lacke of such issue, to such as the King by his Letters P. or his last Will in writing should limite. And it is

Entaile

there

there enacted, That all persons limited by the Statutes of 28.Henr.8.cap.7. and 10. to take Oaths against the See of Rome, and diuers other persons there expressed, should take the Oath set out in this Statute of 35.H.8.capit.1. and the refusing of the Oath, to be treason. And interrupting of things in this Act, and diuerse other things to be made treason. But these treasons be repealed by 1.Ed.6.cap.12. and by 1.M.1. Session. And all that concerneth the Oath against the See of Rome in the Act of 35.H.8. is repealed by 1.& 2. Phil.& M.cap.8. But see here 6. most of that Act also repealed.

Oath Rome

Refuse Treason Interrupt

6 Whereas diuers good Lawes were made in the time of the late King Henrie the eight, for the extinguishing of all forreine power, and for the restoring vnto the Crowne of this Realme, the ancient rights and iurisdictions of the same, which were repealed by 1.& 2.Phil.& M.ca.8. for the reuiuing of the same, Be it &c. That the said Act made in the said first and second yeers of the reigns of the said late King Philip and Quéene Marie (See cap.8.) and all and euerie braunch, clauses, and articles therein contained (other then such braunches, clauses, and sentences, as hereafter shall be excepted) may from the last day of this session of Parliament, by authority of this present Parliament, be repealed, and shall from thencefoorth be vtterly void, and of none effect. And that also for the reuiuing of diuers of the said good lawes and statutes made in the time of your said deare father, it may also please your Highnesse, that one Act and Statute made in the three and twentieth yeare of the said late King Henry the eight, intituled, An Act that no person shall be cited out of the Diocesse where he or she dwelleth, except in certain cases. And ons other Act made in the xxiij. yeare of the reigne of the said late king intituled, an Act that appeales in such cases as hath béene vsed to be pursued to the See of Rome, shall not be from henceforth had ne vsed but within this realme. And one other Act made in the xxv. yeare of the said late king, concerning restraint of payment of Annates and first fruits of Archbishopprickes, and Bishopprickes to the See of Rome. And an other Act made in the said xxv. yeare, intituled, An Act concerning the submission of the Clergie to the Kings maiesty. And also an Act made in the said xxv. yéere, intituled, An Act restraining the payment of Annates or First fruites to the Bishop of Rome, and of the electing & consecrating of Archbishops and Bishops within this realme. And one other act made in the said xxv. yéere, intituled, An Act concerning the Exoneration of the Kings subiects from exactions and impositions heretofore paid to the See of Rome, and for hauing Licences and Dispensations within this realm, without suing further for the same. And one other Act, made in the xxvj. yéere of the said late King, intituled, An Act for Nomination and Consecration of Suffragans within this Realme. And also one other Act made in the xxviij. yeare of the reigne of the said late King, intituled, An Act for the Release of such as haue obtained pretensed licences & dispensations from the See of Rome, and all & euery braunches, words & sentences in the said seuerall acts and statutes contained, by authority of this present parliament, from and to all times after the last day of this session of parliament, shall be reuiued, and shall stand and be in full force & strength, to all intents, constructions and purposes. And that the braunches, sentences, and words of the said seuerall Acts, and euery of them from thencefoorth, shall and may be iudged, deemed, and taken to extend to your Highnesse, your heires and successors, as fully and largely, as euery the same Acts or any of them did extend to the said late king Henry the viij. your Highnes father. And that it may also please your Highnes, that it may be enacted by the authority of this present parliament, that so much of one Act or Statute made in the xxv. yéere of the reigne of your said deare father, King Henry the eight, intituled, An Act concerning Precontracts of marriages, and touching degrees of Consanguinitie, as in the time of the late King Edward the first, your Highnesse most deare brother, by one other Act or Statute was not repealed. And also one Act made in the seuen and thirtieth yeare of the reigne of the said late King Henrie the eight, intituled, An Act, That Doctors of the Ciuill Lawe being married, may exercise ecclesiasticall iurisdiction, and all and euery branches and articles in the said two acts last mentioned, and not repealed in the time of the said late King Edward the first, may from henceforth likewise stand, and be reuiued, and remain in their full force and strength, to all intents and purposes, any thing contained in the said Act of Repeale before mentioned, or any other matter or cause to the contrary notwithstanding. And that it may please your Highnesse, that it may be further enacted by the authority aforesaid, That all other Lawes and Statutes, and the branches and clauses of any Act or Statute repealed and made void by the said Act of Repeale, made in the time of the said late King Philip and Quéene Mary, and not in this present Act specially mentioned, reuiued, shall stand, remaine, and be repealed and void, in such like maner and forme as they were before the making of this Act: Any thing therein contained to the contrary notwithstanding. And that it may also please your Highnes, that it may be enacted by the authority aforesaid, That one Act and Statute made in the first yéere of the reigne of the late king Ed. the first, your Maiesties déere brother (after in seruice 1.) intituled, An Act against such persons as shall vnreuerently speake against the Sacrament of the body & blood of Christ, commonly called the Sacrament of the Altar, and for the receiuing thereof vnder both kindes, and all and euery braunches, clauses, and sentences therein contained, shal and may likewise from the last day of this session of Parliament, be reuiued, and from thencefoorth shall and may stand, and remaine, and be in full force, strength, and effect, to all intents, constructions, and purposes, in such like manner and forme, as the same was at anie time in the first yeare of the reigne of the said late King Edward the first: Anie Lawe, Statute, or other matter to the contrary

Repealed

Rome

Annates

Submission

Annates Ordering Archbishops

Exoneration

Licences

Suffragans

Reuiued

Reuiued

Reuiued

trary in any wise notwithstanding. And that also it may please your Highnesse, that it may be further established and enacted by the authority aforesaid, that one act & statute made in the 1. and 2. yeers of the said late king Ph. & quéne M. intituled, An Act for the reuiuing of 3. statuts, made for punishment of Heretics, & also the said 3. statutes mentioned in the same Act, and by the same Act reuiued, and all and euery braunches, articles, clauses and sentences contained in the said seuerall Actes or Statutes, and euery of them shall be from the last day of this Session of Parliament, damned and remaine vtterly repealed, voide, and of none effect, to all intents and purposes: Any thing in the said seuerall Actes, or any of them contained, or any other matter or cause to the contrary notwithstanding. And to the intent that all vsurped and forreine power, authority Spirituall and Temporall, may for euer be clerely extinguished, and neuer to be vsed or obeyed within this realme, or any other your Maiesties dominions or countries: May it please your Highnesse, that it may be further enacted by the authority aforesaid, that no forreine Prince, person, prelate, state, or potentate, Spirituall or Temporall, shall at any time after the last day of this session of Parliament, vse, enioy, or exercise any maner of power, iurisdiction, superiority, authority, preheminence, or priuiledge, Spirituall or Ecclesiasticall within this realme, or within any other your M. dominions or countries that now be, or hereafter shall be: but from thenceforth the same shalbe clerely abolished out of this realme, and all other your Highnesse dominions for euer: any statute, ordinance, custom, constitutions, or any other matter or cause what soeuer to the contrary in anie wise notwithstanding. And that also it may likewise please your Highnesse, that it may be established & enacted by the authority aforesaid, that such iurisdictions, priuiledges, superiorities, and preheminence Spirituall or Ecclesiasticall as by anie Spirituall or Ecclesiasticall power or authoritie hath heretofore béene, or may lawfully be exercised or vsed for the Militation of the Ecclesiasticall state and persons, and for reformation, order and correction of the same, and of all maner errors, heresies, schismes, abuses, offences, contempts & enormities: shall for euer by authority of this present Parliament, be vnited and annexed to the imperiall Crowne of this Realme. And that your Highnes, your heirs and successors Kings and Quéens of this realme, shall haue full power and authority by vertue of this Act, by Letters P. vnder the great seale of England, to assigne, name, and authorize, when, and as often as your Highnes your heires and successors shall thinke meete and conuenient, and for such and so long time, as shall please your Highnesse, your heires or successours, such persons being naturall borne subiects to your Highnesse, your heires or successors, as your Maiestie, your heires or successors shall thinke meete to exercise, vse, occupy and execute vnder your Highnesse, your heires and successors, all manner of iurisdictions, priuiledges, and preheminences in anie wise touching or concerning anie Spirituall or Ecclesiasticall iurisdiction, within these your Realmes of England and Ireland, or any other your Highnesse dominions or countries, and to visite, reforme, redresse, order, correct and amend all such errors, heresies, schismes, abuses, offences, contempts and enormities whatsoeuer, which by any maner Spirituall or Ecclesiasticall power, authority or iurisdiction, can or may lawfully be reformed, ordered, redressed, corrected, restrained or amended, to the pleasure of Almighty God, the increase of vertue, and conseruation of the Peace and vnity of this Realme. And that such person or persons so to be named, assigned, authorized and appointed by your Highnes your heires & successors, after the said Letters P. to him or them made and deliuered, as is aforesaid, shall haue full power and authority by vertue of this Act, and the said letters patents vnder your Highnesse, your heires or successors, to exercise, vse and execute all the premisses according to the tenor and effect of the said letters patents: any matter or cause to the contrary in any wise notwithstanding. And for the better obseruation and maintenance of this Act, May it please your Highnesse, That it may be further enacted by the authority aforesaid, that all and euery Archbishop, Bishop, and all and euery Ecclesiasticall person, and other Ecclesiasticall Officer and Minister, of what estate, dignity, preheminence or degree soeuer he or they be or shall be, and all and euery Temporall Judge, Justicer, Maior, and other lay or temporall officer and minister, and euery other person, hauing your Highnes fee or wages within this realme, or any your Highnes dominions, shall make, take and receiue a corporall oath vpon the Euangelist, before such person or persons, as shall please your Highnes, your heires or successors, vnder the great Seale of England, to assigne and name, to accept and take the same, according to the tenor and effect hereafter following: that is to say, I A.B. do vtterly testifie and declare in my conscience, that the Quenes Highnes is the only supreme Gouernor of this realme, and of all other her Highnes dominions and countries, as well in all spirituall or ecclesiasticall things or causes, as temporall, and that no forreine prince, person, prelate, state or potentate, hath or ought to haue any iurisdiction, power, superiority, preheminence, or authority Ecclesiasticall or Spirituall within this realme, and therefore I doe vtterly renounce and forsake all forreine iurisdictions, powers, superiorities, and authorities, and do promise, that from henceforth I shall beare Faith & true allegeance to the M. Highnes, her heires and lawfull successors, and to my power shall assist & defend all iurisdictions, priuiledges, preheminences, & authorities, graunted or belonging to the M. Highnesse, her heires and successors, or vnited and annexed to the Imperiall Crowne of the realme: So helpe me God, and by the Contents of this Booke. And that it may be also enacted, That if any such Archbishop, Bishop, or any other Ecclesiasticall Officer or Minister, or any of the said temporall Judges, Justiciaries, or other lay officer or minister, shall peremptorily or obstinatly refuse to take or receiue

the

Heresies

Repealed

Forreine power ceasse

Vsurpation

Letters P.

Ecclesiasticall iurisdiction

Reforme

Heresies

Execute

Archbishop Bishop Officer

Judge Justicer Maior

Oath

Faith

Archbishop Bishop

Refuse Forf. the said oath: That then he so refusing, shall forfeit and lose onely during his life, all and euerie ecclesiasticall and spirituall promotion, benefice and office, and euery temporall and lay promotion and office, which he hath solely at the time of such refusall made: and the whole title, interest, and incumbencie in euery such promotion, benefice, and other office, as against such person only so refusing, during his life, shall cleerely cease and be voide, as though the partie so refusing were dead. And that also all and euery such person or persons so refusing to take the said oath, shall immediately after such refusall be from thenceforth during his life, disabled to retaine or exercise anie office, or other promotion, which he at the time of such refusall hath joyntly or in common with anyother person or persons. And that all and euery person and persons, that at any time hereafter shall be preferred, promoted, or collated to any Archbishoprick, Bishoprick, or to any Spirituall or Ecclesiasticall benefices, promotion, dignitie, office, or ministerie, or that shall be by your Highnesse, your heires or successors, preferred or promoted to any temporall or lay office, ministerie or service within this realme, or in any other your Highnes dominions, before he or they shall take upon him or them to receive, use, exercise, supply, or occupy any such Archbishoprick, Bishoprick, promotion, dignitie, office, ministery or service, shall likewise make, take, and receive the said temporall oath before mentioned, upon the Euangelist, before such persons as have or shal have authority to admit any such person to any such office, ministery or service, or else before such person or persons, as by your Highnes, your heires or successors, by commission under the great Seale of England, shall be named, assigned, or appointed to minister the said oath. And that it may likewise be further enacted by the authority aforesaid, that if any such person or persons, as at any time hereafter shalbe promoted, preferd, or collated to any such promotion spirituall or ecclesiastitall, Benefice, Office, or Ministery, or that by your Highnesse, your heires, or successors, shall be promoted or preferred to any Temporall or Lay office, ministerie or service, shall and doe peremptorily and obstinately refuse to take the same oath, so to him to be offered: That then he or they so refusing, shal presently be judged and disabled in the Law, to receive, take or have the same promotion Spirituall or Ecclesiasticall, or the same Temporal office, ministery or service within this Realme, or any other your Highnes dominions, to all intents, constructions, and purposes. And that it may be further enacted by the authority aforesaid, That all and euery person or persons Temporall, suing Liuery, or Ouster le maine, out of the hands of your Highnesse, your heires or successors, before his or their Liuery or Ouster le maine sued forth or alowed, and euery Temporall person or persons doing any homage to your Highnesse, your heires or successors, or that shall be received into service with your Highnesse, your heires or successors, shall make, take, and receive the said corporall Oath before mentioned, before the Lord Chauncellour of England, or the Lord Keeper of the great Seale for the time being, or before such person or persons, as by your Highnesse, your heires or successors, shal be named and appointed, to accept or receive the same: And that also all and euery person and persons taking orders, and all and euery other person and persons which shall be promoted or preferred to anie degree of learning in anie Universitie within this your realme or dominions, before he shall receive or take any such orders, to be preferred to any such degree of learning, shall make, take, and receive the said oath, by this Act set forth and declared, as is aforesaid, before his or their Ordinary, Commissary, Chauncellor, or Vicechancellor, or their sufficient deputie in the said Universitie. Prouided allwayes, That it may be further enacted by the authoritie aforesaid, that if any person having any estate of inheritance, in anie temporall Offices or Offices, shall hereafter obstinately and peremptorily refuse to accept and take the said oath, as is aforesaid, and after at any time during his life, shall willingly require to take and receive the said oath, and so take and accept the same oath, before anie person or persons, that shall have lawfull authority to minister the same: That then euery such person immediately after he hath so received the same oath, shall be seised, judged, and deemed in like estate and possession of the said Office, as he was before the said refusall, and shall and may use and exercise the said Office, in such manner and forme, as he should or might have done before such refusall: Any thing in this Act contained to the contrary, in any wise notwithstanding. And for the more sure observation of this Act, and the vtter extinguishment of all forreine and vsurped power and authoritie: May it please your Highnesse, that it may be further enacted by the authority aforesaid, that if any person or persons, dwelling or inhabiting within this your Realme, or in any other your Highnesse Realmes or Dominions, of what estate, dignity, or degree, soever he or they be, after the end of thirty dayes next after the determination of this session of this present Parliament, shal by writing, printing, preaching, teaching, expresse words, deed, or act, aduisedly, maliciously, and directly affirme, hold, stand with, set forth, maintaine, or defend thauthority, preheminence, power, or iurisdiction Spirituall or Ecclesiastical, of any forreine prince, prelate, person, state, or potentate whatsoever, heretofore claimed, vsed, or vsurped within this realme, or any dominion or country, being within or vnder the power, dominion, or obeisance of your Highnesse, or shall aduisedly, maliciously, and directly put in vre, or execute any thing for the extolling, aduancement, setting forth, maintenance, or defence of anie such pretended or vsurped iurisdiction, power, preheminence, or authority, or any part thereof: That then euery such person or persons, so doing & offending, their abbettors, aidors, procurors, & counsellors, being therof lawfully conuicted and attainted, according to the order and course of the common Law of this Realme, for his or their first offence, shall forfeit & lose vnto your Highnes, your heires

and

Refuse Disabled

Liuery

Homage

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Ordinary Commissary Chancellor Vicechancellor

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Forreine power

Writing Printing Preaching

Forreine Prince Prelate

Preheminence iurisdiction

Abettors

Forfeiture

and ſucceſſors, all his and their goods and cattells, as well reall as perſonall. And if any ſuch perſon ſo conuicted or attainted ſhal not haue or be worth of his proper goods & cattels to the value of twenty pounds at the time of ſuch his conuiction and attainder: That then euery ſuch perſon ſo conuicted and attainted ouer and beſides the forfeiture of all his ſaid goods and cattels, ſhall haue and ſuffer impriſonment by the ſpace of one whole yeare, without baile or mainprize. And that alſo all and euery the Benefices, Prebends, and other Eccleſiaſticall promotions and dignities whatſoeuer, of euery Spirituall perſon ſo offending and being attainted, ſhall immediately after ſuch attainder be vtterly void to al intents and purpoſes, as though the Incumbent thereof were dead. And that the Patron and Donor of euerie ſuch Benefice, Prebend, Spirituall promotion and dignity, ſhall and may lawfully preſent vnto the ſame, or giue the ſame, in ſuch manner and forme, as if the ſaid Incumbent were dead. And if any ſuch offendor or offendors, after ſuch conuiction or attainder, doe eſtſoones commit or doe the ſaid offences, or anie of them, in manner and forme aforeſaid, and be thereof duely conuicted and attainted, as is aforeſaid: that then euery ſuch offendor and offendors, ſhall for the ſame ſecond offence incurre into the daungers, penalties, and forfeitures, ordained and prouided by the Statute of Prouiſion and Premunire, made in the ſixteenth yeare of the reigne of King Richard the ſecond (which ſee after in Prouiſion 14.) And if any ſuch offendor or offendors, at any time after the ſaid ſecond conuiction and attainder, doe the third time commit and doe the ſaid offences or any of them, in manner and forme aforeſaid, and be thereof duely conuicted and attainted, as is aforeſaid: That then euery ſuch offence or offences, ſhall be deemed and adiudged high treaſon, and that the offendor and offendors therein, being thereof lawfully conuicted and attainted, according to the Lawes of this Realme, ſhall ſuffer paines of death, and other penalties, forfeitures and loſſes, as in caſes of high treaſon by the lawes of this Realme. And alſo that it may likewiſe pleaſe your Highneſſe, that it may be enacted by authority aforeſaid, That no manner of perſon or perſons ſhall be moleſted or impeached for any the offences aforeſaid, committed or perpetrated, onely by preaching, teaching, or words, vnleſſe he or they be therof lawfully indicted within the ſpace of one halfe yeare, next after his or their offences ſo committed. And in caſe anie perſon or perſons ſhall fortune to be impriſoned for anie of the ſaid offences conuicted by preaching, teaching, or words onely, and be not thereof indicted, within the ſpace of one halfe yeare, next after his or their ſuch offences ſo committed and done: that then the ſaid perſon ſo impriſoned ſhall be ſet at liberty, and be no longer detained in priſon for any ſuch cauſe or offence. Prouided alwayes, and be it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not in any wiſe extend to repeale any clauſe, matter or ſentence, contained or ſpecified in the ſaid firſt and ſecond yeres of the reignes of the ſaid late King Philip, and Queene Mary, as doth in any wiſe touch or concerne any matter or cauſe of Premunire, or that doth make or ordaine anie matter or cauſe to be within the caſe of Premunire, but that the ſame for ſo much onely as toucheth or concerneth anie caſe or matter of Premunire, ſhall ſtand and remaine in ſuch force and effect, as the ſame was before the making of this Act: Any thing in this Act contained to the contrary in anie wiſe notwithſtanding. Prouided alſo and be it enacted by the authoritie aforeſaid, That this Act, or anie thing therein contained, ſhall not in any wiſe extend or be preiudiciall to anie perſon or perſons, for anie offence or offences committed or done, or hereafter to be committed or done, contrary to the tenor and effect of any Act or Statute, now reuiued by this Act, before the end of xxx. dayes, next after the end of the ſeſſion of this preſent parliament: any thing in this Act contained, or any other matter or cauſe to the contrarie notwithſtanding. And if it happen that any Peere of this realme ſhall fortune to be indicted, of or for any offence, that is reuiued or made Premunire or treſon by this act: that then he ſo being indicted, ſhal haue his triall by his Peers, in ſuch like maner & forme, as in other caſes of treſon hath bin vſed. Prouided alwayes, and be it enacted, as is aforeſaid, that no maner of order, act, or determination, for any matter of religion, or cauſe Eccleſiaſticall, had or made by authority of this parliament, ſhalbe accepted, deemed, interpreted, or adiudged at any time hereafter, to be any error, hereſie, ſchiſme, or ſchiſmaticall opinion: any order, decree, ſentence, conſtitution, or law whatſoeuer the ſame be, to the contrary notwithſtanding. Prouided alwayes, & be it enacted by thauthority aforeſaid, That ſuch perſon or perſons to whom your Highnes, your heires, or ſucceſſors ſhall hereafter by Letters Pat. vnder the great ſeale of England, giue authority to haue or execute any iuriſdiction, power and authority ſpirituall, or to viſit, reforme, order, or correct any errors, hereſies, ſchiſmes, abuſes, or enormities by vertue of this Act, ſhall not in any wiſe haue authority or power, to order, determine or adiudge anie matter or cauſe to be hereſie, but only ſuch as heretofore haue bin determined, ordered, or adiudged to be hereſie, by the authoritie of the canonicall ſcripture, or by the firſt foure generall Counſells, or any of them, or by any other generall Counſell wherein the ſame was declared hereſie, by the expreſſe and plaine wordes of the ſaid Canonicall Scriptures, or ſuch as hereafter ſhall be ordered, iudged, or determined to be hereſie, by the high Court of Parliament of this realme, with the aſſent of the Clergy in their Conuocation: any thing in this Act contained to the contrary notwithſtanding. And be it further enacted by thauthority aforeſaid, that no perſon or perſons ſhalbe hereafter indicted or arraigned for any the offences made, ordeined, reuiued, or adiudged by this act, vnles there be vj. ſufficient witneſſes or more, to teſtifie & declare the ſaid offence whereof he ſhall be indicted or arraigned. And that the ſaid witneſſes, or ſo many of them as ſhall be liuing & within this realme,

Premunire

Peers

Peers

Letters P.

Determine

Generall Counſels

Parliament

Indict

2. witneſſes

realme, at the time of the arraignment of such person so indicted, shal be brought forth in person, face to face, before the party so arraigned, and there shal testifie and declare what they can say against the party so arraigned, if he require the same. Arraigne
Prouided also and be it further enacted by the authority aforesaid, That if any person or persons shal hereafter happen to giue any relefe, aide, or comfort, or in any wise be aiding, helping, or comforting to the person or persons, or any that shall hereafter happen to be an offender in any matter or cause of Præmunire or Treason reuiued or made by this Act: That then such relefe, aide, and comfort giuen, shall not be iudged or taken to be any offence, vnlesse there be two sufficient Witnesses at the least, that can and will openly testifie and declare, that the person or persons that so gaue such relefe, aide, or comfort, had notice or knowledge of such offence committed and done by the said offender, at the time of such relefe, aide, or comfort, so to him giuen or ministred: Anie thing in this Acte contained, or anie other matter or cause to the contrarie in anie wise notwithstanding. And where one pretensed Sentence hath heretofore bene giuen in the Consistorie in Paules, before certaine Iudges Delegate by the authoritie Legantine of the late Cardinall Pole, by reason of a forraine vsurped power and authoritie, against Richard Chetelwood Esquire, and Agnes his wife, by the name of Agnes Woodhull, at the sute of Charles Tyrell Gentleman, in a cause of Matrimony solemnized betweene the said Richard and Agnes, as by the same pretensed sentence more plainly doth appeare: From the which sentence the said Richard and Agnes haue appealed to the Court of Rome, which appeale, doth there remaine, and yet is not determined: May it therefore please your Highnelle, that it may be enacted by the authority aforesaid, That if sentence in the said appeale shall happen to be giuen at the said Court of Rome, for, and in the behalfe of the said Richard and Agnes, for the reuersing of the said pretensed sentence, before the end of three score dayes, next after the end of this Session of this present Parliament: That then the same shall be adiudged and taken to be good and effectuall in the Lawe, and shall and may be vsed, pleaded, and allowed in anie Court or place within this realme: any thing in this Act, or in any other Act or statute contained to the contrary notwithstanding. And if no sentence shal be giuen at the court of Rome in the said appeale, for the reuersing of the saide pretensed Sentence before the end of the said three score daies: That then it shall and may be lawfull for the said Richard and Agnes, and either of them, at anie time hereafter to commence, take, sue, and prosecute their said appeale from the said pretensed sentence, and for the reuersing of the said pretensed Sentence within this Realme, in such like maner and forme, as was vsed to be pursued, or might haue bene pursued within this realme, at any time since the foure and twentieth yeare of the reigne of the late King Henry the eight, vpon sentences giuen in the court or courts of any Archbishop within this Realme. And that such appeale as so hereafter shall be taken or pursued by the said Richard Chetelwood and Agnes, or either of them, and the sentence that therein, or thereupon shall hereafter be giuen, shall be iudged to be good and effectuall in the Law, to all intents and purposes: anie Lawe, Custome, Vsage, Canon, Constitution, or any other matter or cause to the contrarie notwithstanding. Prouided also, and be it enacted by the authority aforesaid, That where there is the like appeale now depending in the said Court of Rome, betweene one Robert Harecourt Marchant of the Staple, and Elizabeth Harecourt, otherwise called Elizabeth Robins of the one party, and Anthonie Fidell Marchant straunger on the other party, that the said Robert, Elizabeth, and Anthonie, and euery of them shall and may for the prosecuting and trying of their said appeale, haue and enioy the like remedie, benefite, and aduantage, in like maner and forme, as the said Richard and Agnes, or anie of them hath, may, or ought to haue or enioy: this Act or any thing therein contained to the contrary in any wise notwithstanding. Añ 1. El. ca. 1.

Relefe
Ayd
No offence 2. witnesses
Sentence
Delegate
Cardinall Poole
R. Chetelwood
C. Tyrell
Rome
Sentence
Appeale
Sentence
Rome Rob. Harecourt An. Fidell

Note that by the Statute 23. Elizab. capit. 1. (heere 10.) euerie offence against this Act is enquirable, as well before Iustices of Peace, as other Iustices, hauing sufficient iurisdiction, within one yeare and a day after the offence is committed.

7 We your said most louing faithfull and obedient subiects, representing the three Estates of your Realme of England, as thereunto constrained by the Law of God and man, except we should ouermuch forget our dueties to your Highnesse, and to the heires of your body lawfully begotten, can no lesse doe, but most humbly beseech your Highnes, that by authority of this present Parliament it may be enacted, established & declared, that we doe recognize, acknowledge, and confesse the same your estate, right, title, and succession, as is aforesaid, to be, in & to your Highnes, and the heires of your body to be begotten, throughly and in the whole, and in euery part therof, in such maner and forme as before is mentioned, declared or confessed: and thereunto most humbly and faithfully wee doe submit our selues, our heyres and posterities for euer. And further doe make our most heartie and humble petitions vnto your Highnes, that it may please the same not onely to accept this our said recognition, but also our faithfull promises, that we according to our duties, shall & will stand to, assist, and defend your roiall maiesty, & the heires of your body to be begotten, being Kings and Quenes of this realme, and your said rights and titles in, and to the said imperiall state, place, crowne, & dignitie, in all things thereto belonging, at all times to the vttermost of our possible powers, & therin to spend our bodies, lands, & goods, against al persons whatsoeuer, that any thing shal attempt to the contrary. And that it may be enacted by ỹ authority aforesaid that aswell this our declaration, confession & recognition, as also the limitation and declaration of the succession of the imperiall Crowne of this realme, mentioned & contained in the said Act, made in the

Acknowledge Succession Heires
Recognition

said

said xxvb. yeare of the raign of your said most noble father, shall stand, remaine, and be by the Lain of this Realme for euer. And that all sentences, iudgements, and decrees, had, made, declared, set forth, published and promulged, and also as much of euerie clause, article, branch, matter, or thing contained and expressed in any Act or Acts of Parliament, as be in any thing repugnant, contrarie, or derogatorie to this our said confession, declaration, and recognition, or to any part or parcell thereof, or contrarie to the said limitation of the succession of the imperiall Crowne, established and made by the said Act, in the said xxvb. yeare of the raigne of the said late King, King Henry the 8. (by whatsoeuer power or authoritie the same beene, or haue beene had or made) shall be vtterly frustrate, voide, and of none effect. And also shall and may be cancelled, defaced, and put in perpetuall oblivion, at your Highnesse will and pleasure, as if the same had neuer beene had ne made, declared, set forth, published, or promulged. Añ 1. Eliz. cap. 1.

8 For the preseruation of the Queenes Maiestie, her heires and successors, and the dignitie of the imperiall Crowne of this Realme, and for auoiding such inconueniences & dishonors, as haue before time fallen, by meanes of the vniust, claymed, and vsurped authoritie and power of the See of Rome, and the more restraint and sharper correction of the fautors thereof, Be it enacted, That if any person or persons dwelling, inhabiting, or resiant within this Realme, or within any other the Queenes Dominions, Seigniories, or Countries, or the marches of the same, or elsewhere within or vnder her obeysance and power, of what estate, dignitie, preheminence, order, degree, or condition soeuer he or they be, after the first day of Aprill, which shall be in the yeare of our Lord God 1563. shall by writing, cyphring, printing, preaching, or teaching, deed, or act, aduisedly, and willingly hold, or stand with, to extoll, set forth, maintain or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claymed, vsed, or vsurped within this Realme, or in any Dominions or Countrey, being of, within, or vnder the Queenes power, or obeysance: or by any speech, open deed or act aduisedly & willingly attribute any such manner of iurisdiction, authoritie, or preheminence to the said See of Rome, or to any Bishop of the same See for the time being within this Realme, or in any the Queenes Dominions or Countries, that then euerie such person or persons, so doing or offending, their aiders, procurors, and counsellors, and also their abettors, assistants and comforters, vpon purpose and to the intent to set forth, further, and extoll the said vsurped power, authoritie, or iurisdiction, of any of the said Bishop or Bishops of Rome, and euerie of them, being thereof lawfully indicted or presented within one yeare next after any such offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the Lawes of this Realme, for euery such default and offence shall incurre into the dangers, penalties, paines, and forfeitures, ordained and

Iust. of Nisi

2. Iust. Quorum

Quarter Sessions Enquirr

Certifie

K. Bench

Iust. of K.

Forf. Default C. l.

Iust. of the K. bench.

Oath

Diders

Schoolemaisters

Vtter barresters Benchers Houses of Courts Inne of Chauncery

prouided by the Statute of Prouision and Premunire, made in the sixteenth yeare of the raigne of King Richard the second (which see after in Prouision 14.) And it is also enacted by the authoritie aforesaid, That as well Iustices of Assise in their circuits, as Iustices of Peace within the limits of their Commission and Authorities, or two of euery such Iustices of Peace at the least, whereof one to be of the Quorum, shall haue full power and authoritie, by vertue of this Act, in their quarter or open Sessions, to enquire of all offences, contempts, and transgressions, perpetrated, committed, or done, contrarie to the true meaning of the premisses, in like manner and forme, as they may of other offences against the Queenes peace, and shall certifie euery presentment afore them, or any of them, had or made, concerning the same, or any part thereof, before the Queene, her heires and successors in her or their Court, commonly called the Kings Bench, within fortie dayes next after any such presentment had or made, if the Terme be then open, and if not, at the first day of the full Terme next following the said fortie daies, vpon paine that euery of the Iustices of Assises, or Iustices of Peace before whom such presentment shall be made, making default of such certificat, contrarie to this Statute, to lose and forfeit for euery such default C. l. to the Queenes Highnesse, her heires and successors. And it is enacted &c. That the Iustices of the Kings Bench, as well vpon euery such certificat, as by enquiris before themselues, within the limits of their authorities, shall haue full power and authoritie to heare, order, and determine euery such offence done or committed, contrarie to the true meaning of this present Act, according to the Lawes of this Realme, in such like manner and forme, to all intents and purposes, as if the person or persons against whom any presentment shall be had vpon this Estatute, had been presented vpon any matter or offence, expressed in the said Estatute, made in the said xvj. yeare of King Richard the second. And be it enacted &c. That as well all manner of persons, expressed, appointed, in, and by the Act made in the first yeare of the Queenes Maiesties raigne that now is, intituled, An Act restoring to the Crowne the ancient iurisdiction ouer the estate Ecclesiasticall and Spirituall, & abolishing all forraine powers repugnant to the same (before 6.) to take the Oath expressed, and set forth in the same, as all other persons which haue taken or shall take Orders, commonly called, Ordines sacros, or Ecclesiasticall Orders, haue been or shall be promoted, presented, or admitted to any degree of learning, in any Vniuersitie within this Realme, or dominions to the same belonging. And all schoolemasters, and publike and priuate Teachers of children, as also all manner of person and persons that haue taken, or hereafter shall take, any degree of learning in, or at the common Lawes of this Realme, as well Vtterbarresters, as Benchers, Readers, Ancients in any House or Houses of Court, and all principall Treasurers, and such as be of the graund companie in euery Anne of Chauncerie,

Attornies Deputies Philizers Shirifes Escheators Foreiters

and all Attornies, Deputies, and Philizers towards the Lawes of this Realme, and all manner of Shirifes, Escheators and Foreiters, and all other person and persons which haue taken, or shall take upon him or them, to haue been or shall be admitted to any ministerie or office, in, or belonging to the common Lawe, or any other Lawe or Lawes, or to, or for the execution of them, or any of them vsed or allowed, or at any time hereafter to be vsed or allowed within this Realme, or any of the Dominions or Countries belonging, or which hereafter shall happen to belong to the Crowne or dignitie of the same, or all other officers or ministers, of, or towards any Court whatsoeuer, and euery of them shall take and pronounce a corporall oath vpon the Euangelists, before he or they shalbe admitted, allowed, or suffered to take vpon him or them, to vse, exercise, supply, or occupie any such vocation, office, degree, ministerie, exaine, or seruice, as is aforesaid, and that in the open Court, vnto which he doth or shall seeme or belong. And if he or they do not, or shall not seeme or belong to any Ordinarie, or open Court, then he or they shall take & pronounce the Oath aforesaid, in an vpright place before a commonient assembly, to witnesse the same, and before such person or persons, as shall haue authoritie by common vse, or otherwise, to admit or call any such person or persons, as is aforesaid, to any such vocation, office, ministerie, exaine, or seruice, or else before such person or persons, as by the Queenes Highnesse, her heires or successors, by Commission vnder the great Seale of England, shall be named or assigned, to accept and take the same, according to the tenor, effect, and forme of the same Oath verbatim, which is, as it is hereafter set forth to be taken, in the aforesaid Act made in the first yeare of the Queenes Highnesse raigne. And be it enacted, That euerie Archbishop and Bishop within this Realme, and Dominions of the same, shall haue power and authoritie, by vertue of this Act, to tender or minister the Oath aforesaid to euery or any Spirituall or Ecclesiasticall person within their proper Diocesse, as well in places and iurisdictions exempt, as elsewhere. And be it enacted &c. That the Lord Chancellor, or Keeper of the great Seale of England for the time being, shall and may at all times hereafter, by vertue of this Act, without further warrant, mand or direct Commissions or Commissions vnder the great Seale of England, to any person or persons, giuing them, or some of them the like authoritie to tender or minister the Oath aforesaid to such person or persons, as by the aforesaid Commissions or Commissions the said Commissioners shall be authorized to tender the same Oath vnto. And be it enacted &c. That if any person or persons, appointed or compellable by this Act, or by the said Act made in the said first yeare to take the said Oath, or if any such person or persons, to whom the said Oath by any such Commission or Commissions shall be limited & appointed to be tendred, as is aforesaid, do, or shall at the time of the said Oath so tendred, refuse to take or performe the said Oath, in manner and forme aforesaid, that then the party so refusing, and being

Officers

Oath

Commissiõ

Archbishop Bishop

Chancelor

Commissiõs

Refuse

thereof lawfully indicted or presented, within one yeare next after any such refusall, and conuicted or attainted at any time after, according to the Lawes of this Realme, shall incurre & incurre the dangers, penalties, paines, and forfeitures, ordained & prouided by the statute of Præmunire aforesaid, made in the fifteenth yeare of the raigne of King Richard the second. And be it enacted by the authoritie aforesaid, That all and euery person and persons, hauing authoritie to tender the Oath aforesaid, shall within fortie dayes next after such refusall or refusals of the said Oath (if the Terme be then open) and if not, then at the first day of the full Terme next following the said fortie dayes, make true certificate vnder his or their seale or seales, of the names, places, and degrees, of the person or persons so refusing the same Oath, before the Queene, her heires & successors, in her or their Court, commonly called the Kings Bench, vpon paine that euery of the said persons hauing such authoritie to tender the said Oath, making default of such certificat, shall for euery such default forfeit one hundred pounds to the Queenes Highnesse, her heires and successors. And that the Shirife of the Countie where the said Court, commonly called the Kings Bench, shall for the time be holden, shall and may by vertue of this Act impanell a Iurie of the same Countie, to inquire of and vpon euery such refusall or refusals, which Iurie shall and may take vpon them such certificat and other euidence as shall in that behalfe to be giuen by vertue of this Act, proceed to trie the person and persons so offending, in such sort or degree, to all intents and purposes, as the same Iuries may do of any offence or offences, against the Queenes royalties, prosecuted, committed, or done within the same Countie, or limits, the which the same Iurie is to impanelled. And for stronger defence and maintenance of this Act, it is further ordained and enacted, That if any such offender or offenders, as is aforesaid, of the first part or branch of this Estatute, that is to say, by writing, ciphering, printing, preaching, or teaching, deed, or act, aduisedly and wittingly hold or stand with, to extoll, set forth, maintaine, or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claymed, vsed, or vsurped within this Realme, or in any dominion or countrey, being of, within, or vnder the Queenes power or obeysance, or by any speech, open deed, or act aduisedly and wittingly attribute any such manner of iurisdiction, authoritie, or preheminence to the said See of Rome, or to any Bishop of the same to or for the time being, within this Realme, or in any the Queenes Dominions or Countries, or be to any such offender or offenders, abetting, procuring, or counselling, or aiding, assisting, or countenancing them purpose, and to the intent to set forth, further, and extoll the said vsurped power and authoritie, or iurisdiction, after such conuiction and attainder, as is aforesaid, doe offences commit or doe the said offenders, or any of them, in manner and forme aforesaid, and be thereof duly conuicted and attainted, as is aforesaid, and also

that

Præmunire

Oath

Certificat

R. Bench

Fort. C.l.

Shirife

Iurie

Iurie

Iurie

Offence

Offence Cyphering printing

Bishop of Rome

Speech

Abetting

Attainder

that if any the persons aboue named, and appointed by this Act to take the oath aforesaid, doe after the space of three Months next after the first tender thereof, the second time refuse to take and pronounce the same as aforesaid, that then every such refusall and offence, for the same shall be adiudged and deemed a Præmunire, and that the partie offending, and offences, shall forfeit, lose, and suffer such like and the same paines, penalties, iudgements, and execution, as is vsed in cases of High Treason. Prouided alwayes, That this Act, nor any thing therein contained, nor any attainder had or to be made and executed by vertue of this Act, shall not extend to make any corruption of bloud, the disherison of any Heire, forfeiture of Dower, nor the preiudice of the right or title of any person or persons other then the right and title of the offenders themselues, and their heires, and all claiming by, from, or vnder them, or any of them. Also that it shall and may be lawfull to euery person and persons, in whom the right or title of any lands, tenements, or hereditaments after the death of any such offendor or offenders should or might haue appertained, if no such attainder had beene, to enter into the same without Suite or molestation to be sued in such sort, as he or they might haue done, if this Act had neuer beene had nor made. Prouided also, That the oath expressed in the said Act, made in the first yeare, shall be taken and pronounced in such sorte, and in such forme as is set forth in an Admonition annexed to the Queenes Iniunctions, published in the first yeare of her Highnesse raigne, that is to say, to confesse and acknowledge in her Maiestie, her heires and successors, vpon their authoritie, then that which was challenged and lately vsed by the noble King Henry the eight, and King Edward the sixt, as in the said Admonition more plainely may appeare. And be it enacted by the authoritie aforesaid, That this Act shall be openly read and published, and declared at euery Quarter Sessions, by the Clerke of the Peace; and at euery Leet, Lawday, by the Steward of the Court, and once in euery Terme in the open Hall of euery House of Court and Chancerie, at the times, and by the persons there vnto to be limited and appointed by the Lo. Chancellor or Keeper of the great Seale for the time being. And be it further enacted, That euery person which hereafter shall be elected, or appointed a Knight, Citizen, or Burgesse, Baron or any of the fiue Ports, for any Parliament or Parliaments, hereafter to be holden, shall from henceforth, before he shall enter into the Parliament house, or haue any voice there, openly receiue and pronounce the said Oath before the Lord Steward for the time being, or his deputie or deputies for that time to be appointed. And that he which shall enter into the Parliament house, without taking the said Oath, shall be deemed no Knight, Citizen, Burgesse, nor Baron for that Parliament, nor shall haue any voice, but shall be to all intents, constructions, and purposes, as if he had neuer beene returned, or elected Knight, Citizen, Burgesse, or Baron for the Parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same without election, returne, or authoritie. Prouided alwayes, and be it enacted by authoritie aforesaid, That this Act, nor any thing therein contained, shall not extend to compell any temporall person, of or aboue the degree of a Baron of this Realme, to take or pronounce the Oath aboue said, nor to incurre any penalties limited by this Act, for not taking or refusing the same, any thing in this Act to the contrarie in any wise notwithstanding. Prouided, and be it enacted &c. That reasonable Armes, of reasonable armes to any of the offender or offenders aboue specified, without any fraud or couin, shall not be taken, or interpreted to be any such abetment, procuring, counselling, ayding, assisting, or comforting, as thereby the giuer of such armes shall incurre any paine, penaltie, or forfeiture appointed in this Act. Prouided also &c. That if any Peere of this Realme shall hereafter offend contrarie to this Act, or any branch or article thereof, that in that and in all such case and cases shall be tryed by their Peeres, in such like manner and forme, as in other cases of Treasons they haue vsed to be tryed, and by none other meanes. Prouided also &c. That no person shall be compelled by vertue of this Act to take the Oath aboue mentioned, at or vpon the second time of offering the same, according to the forme appointed by this Statute, except the same person hath heere, is, or shall be any Ecclesiasticall person, that hath, hath or shall haue in the time of one of the raignes of the Queenes Maiesties most noble father, brother, or sister, or in the time of the raigne of the Queenes Maiestie, her heires or successors, charge, cure, or office in the Church; or such person or persons as had, hath, or hereafter shall haue any Office or Ministerie in any Ecclesiasticall Court of this Realme, vnder any Archbishop or Bishop, in any the times or raignes aforesaid, or such person or persons shall wilfully refuse to obserue the orders and rites for diuine Seruice, that be authorised to be vsed and obserued in the Church of England, after that he or they shall be publikely by the Ordinarie, or some of his Officers for Ecclesiasticall causes, admonished to keepe and obserue the same: Or such as shall openly and aduisedly depraue by Words, Writings, or any other open fact, any of the Rites and Ceremonies at any time vsed and authorised to be vsed in the Church of England; Or that shall say or heare the priuate Masse, prohibited by the Lawes of this Realme, and that all such persons shall be compellable to take the Oath vpon the first condemner or offer of the same, and incurre the penalties for not taking of the said Oath, and none other. And for as much as it is doubtfull, whether by the Lawes of this Realme there be any punishment for such as kill or slay any person or persons attainted, in, or vpon a Præmunire: Be it therefore enacted by the authoritie aforesaid, That it shall not be lawfull to any person or persons to slay or kill any person or persons, in any manner attainted, or hereafter to be attainted, of, in, or vpon any Præmunire, by pretence, reason, or authoritie of any Iudgement

Temporall person Baron

Armes

Aberting

Peere

Triall

Oath

If. time

Ecclesiasticall person

Office

Refuse

Rites

Ordinary

Words Writing

Masse

If. tender

Penaltie

Kill

Pretence

giuen, or hereafter to be giuen, in or vpon the same, or by prætence, reason, or force of any words or wordes, thing or things contained or specified in any Statute or Law of Præmunire and Præmunires, or in any of them: Any Law or Statute, or diuision, or exposition of any Law or Statute to y contracie in any wise notwithstanding. Sauing alwayes the due execution of all and euery perſon or perſons attainted, or to be attainted for any matter, whereupon iudgement of death now is, or ought to be, or hereafter may lawfully be giuen, by reaſon of this Statute, or otherwiſe, and ſauing alſo all and euery ſuch paines of death, or other hurt or puniſhment, as heretofore might without danger of Law be done vpon any perſon or perſons that ſhall ſend, or bring into this Realme, or any other the Queenes dominions, or within the ſame, ſhall execute any Summons, Sentence, Excommunication, or other Proces againſt any perſon or perſons from the Biſhop of Rome, for the time being, or by, or from the See of Rome, or authoritie, or inſtitution of the ſame See. Prouided alwayes et, that no perſon or perſons ſhall hereafter be inuolued for aſſiſting, aiding, maintaining, comforting, or abetting of any perſon or perſons, for any the ſaid offences, in exerciſing, ſetting forth, or defending of the vſurped power and authoritie of the Biſhop of Rome, vnleſſe he or they be thereof lawfully accuſed by ſuch good and ſufficient teſtimonie, & proofe, as by the Lawe by whom he ſhall be ſo inuited, ſhall be thought good, lawfull, & ſufficient, to proue him or them guiltie of the ſaid offence. Anno 5. Eliz. cap. 1.

Execution

Iudgement

Summons Sentence Excommunication Biſhop of Rome

Inuicted Aying

Biſhop of Rome

9 Where in the Parliament holden at Weſtminſter, in the fifth yeare of the raigne of our ſoueraigne Lady the Queenes Maieſtie that now is, one Act and Statute very good was made, intituled, An Act for the aſſurance of the Queenes Maieſties royall power ouer all eſtates and ſubiects within her Highneſſe Dominions (which see before 8.) for the abolishing of the vſurped power and iuriſdiction of the Biſhop of Rome, and of the See of Rome, heretofore vnlawfully claimed and vſurped within this Realme, and other the dominions to the Queenes Maieſtie belonging: And yet neuertheleſſe, diuers ſeditious and vnquiet perſons, minding as it ſhould ſeeme, vtterly ſeditiouſly and vnnaturally, not only to bring this Realme, and the imperiall Crowne thereof (being in very deed of it ſelfe moſt free) againe into the thraldome and ſubiection of the ſayd vſurped, and vnlawfull iuriſdiction, preheminence, and authoritie claimed by the ſaid See of Rome, but alſo to eſtrange and alienate the minds and hearts of ſundry her Maieſties ſubiects from their dutifull obedience, and to raiſe and ſtirre ſedition and rebellion within this Realme, haue lately procured and obtained to themſelues, from the ſaid Biſhop of Rome, and his ſaid See, diuers Bulls and Writings, the effect whereof hath beene, and is, to abſolue and reconcile all thoſe that will be contented to forſake their due obedience vnto the Queenes Maieſtie, and to yeeld and ſubiect themſelues to the ſaid fained, vnlawfull, and vſurped authoritie, and by colour of the ſaid Bulls and Writings, the ſaid perſons very ſecretly, and moſt ſubtilly, in ſuch parts of this Realme, where the people for want of good inſtruction are moſt vnſtable, ſimple, and ignorant, and thereby fartheſt from the good vnderſtanding of their duties towards God and the Queenes Maieſtie, haue by their lewd and ſubtill practiſes and perſuaſions ſo farre forth ſtayed, that diuers ſimple and ignorant perſons haue been contented to be reconciled to the ſaid vſurped authoritie, till he be in Rome, and to take abſolution at the hands of the ſaid naughtie and ſubtill practiſers, whereby hath growne great diſobedience and vnquietneſſe in many, not onely to withdraw and abſent themſelues from all diuine ſeruice, now moſt gladly let forth and vſed within this Realme, but alſo haue brought themſelues vtterly diſcharged of and from all obedience, dutie, and allegiance, to her Maieſtie, whereby moſt wicked and vnnaturall rebellion hath inſued, and by the further dangers of this Realme, is hereafter very likely to be tempted, if the ſpeedie and ſubtill attempts in that behalfe, be not by ſome ſtaide of Lawes, in time reſtrained and hindred: For remedie and redreſſe whereof, and to preuent the great miſchiefes & inconueniences that thereby may inſue, Be it enacted by the Queenes moſt excellent Maieſtie, with the aſſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That if any perſon or perſons, after the firſt day of July next comming, ſhall take or put in vre in any place within this Realme, or in any the Queenes Dominions, any ſuch Bull, Writing, or Inſtrument, written or printed, of abſolution, or reconciliation, at any time heretofore obtained and gotten, or at any time hereafter to be obtained or gotten, from the ſaid Biſhops of Rome, or from any his ſucceſſors, or from any other perſon or perſons authoriſed, or claiming authoritie, by or from the ſaid Biſhop of Rome, his predeceſſors, or ſucceſſors, or See of Rome: Or if any perſon or perſons, after the ſaid firſt day of July, ſhall take vpon him or them, by colour of any ſuch Bull, Writing, Inſtrument, or Authoritie, to abſolue or reconcile any perſon or perſons, or to graunt or promiſe to any perſon or perſons within this Realme, or any other the Queenes Maieſties Dominions, any ſuch abſolution, or reconciliation, by any ſpeech, preaching, teaching, writing, or any other open deed: Or if any perſon or perſons within this Realme, or any the Queenes dominions, after the ſaid firſt day of July, ſhall willingly receiue & take any ſuch abſolution or reconciliation: Or elſe if any perſon or perſons haue obtained or gotten ſince the laſt day of the Parliament holden in the firſt yeare of the Queenes Maieſties raigne, or after the ſaid firſt day of July, ſhall obtaine or get from the ſaid Biſhop of Rome, or any his ſucceſſors or See of Rome, any manner of Bull, Writing, or Inſtrument, written or printed, containing any thing, matter, or cauſe whatſoeuer, or ſhall publiſh, or by any waies or means put in vre any ſuch Bull, Writing, or Inſtrument, that then all

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all and euery ſuch act and acts, offence and offences, ſhall be deemed and adiudged by the authoritie of this Act, to be High Treaſon, and the offendor or offendors therein, their procurers, abetters, and counſellers to the fact, and committing of the ſaid offence or offences, ſhall be deemed and adiudged high Traitors to the Queene and the Realme, and being thereof lawfully indicted and attainted, according to the courſe of the Lawes of this Realme, ſhall ſuffer paines of death, and alſo loſe and forfeit all their lands, tenements, hereditaments, goods and cattels, as in caſes of High Treaſon, by the Lawes of this Realme, ought to be loſt and forfeited. And be it further enacted by the authoritie aforeſaid, That all and euerie aiders, comforters, or maintainers of any of the ſaid offendors or offendors, after the committing of any of the ſaid acts or offences, to the intent to ſet forth, vphold, or allow the doing or execution of the ſaid vſurped power, iuriſdiction, or authoritie, touching or concerning the premiſſes, or any part thereof, ſhall incurre the paines and penalties contained in the Statute of Premunire, made in the ſixteenth yeare of the raigne of King Richard the ſecond. Prouided alwayes, and be it further enacted by the authoritie aforeſaid, That if any perſon or perſons, to whom any ſuch Abſolution, Reconciliation, Bill, Writing, or Inſtrument, as is aforeſaid, ſhall after the firſt day of July be offered, moued, or perſuaded to be vſed, put in vre, or executed, ſhall conceale the ſame offer, motion, or perſuaſion, and not diſclofe & ſignifie the ſame by writing, or otherwiſe within vj. weekes then next following, to ſome of the Queenes Maieſties Priuie Counſell, or elſe to the Preſident or Viceprefident of the Queenes Maieſties Counſell eſtabliſhed in the North parts, or in the marches of Wales, for the time being, that then the ſame perſon or perſons ſo concealing and not diſcloſing, or not ſignifying the ſaid offer, motion, or perſuaſion, ſhall incurre the loſſe, danger, penaltie, and forfeiture of miſpriſion of high Treaſon. And that no perſon or perſons ſhall at any time hereafter be impeached, moleſted, or troubled, in, or for miſpriſion of Treaſon, for any offence or offences made Treaſon by this Act, other then ſuch as by this Act are before declared to be in caſe of miſpriſion of high Treaſon. And be it further enacted by the authoritie aforeſaid, That if any perſon or perſons ſhall at any time after the ſaid firſt day of July bring into this Realme of England, or any the dominions of the ſame, any token or tokens, thing or things, called or named by the name of an Agnus dei, or any Croſſes, Pictures, Beades, or ſuch like vaine and ſuperſtitious things, from the Biſhop or Sea of Rome, or from any perſon or perſons authoriſed, or claiming authoritie by or from ỹ ſaid Biſhop or Sea of Rome, to conſecrate or hallow the ſame: which ſaid Agnus dei is vſed to be ſpecially hallowed and conſecrated, as it is tearmed, by the ſaid Biſhop in his owne perſon, & the ſaid Croſſes, Pictures, Beades, and ſuch like ſuperſtitious things, bin alſo hallowed either by the ſame Biſhop, or by others, hauing power, or pretending to haue power for the ſame, by or from him, or from him or his ſaid Sea, and diuers Pardons, Immunities, and Exemptions graunted by the authoritie of the ſaid Sea, to ſuch as ſhall receiue and vſe the ſame: and that if the ſame perſon or perſons, ſo bringing in, as is aforeſaid, ſuch Agnus dei, and other like things, as bin before ſpecified, ſhall deliuer, or cauſe or offer to be deliuered the ſame, or any of them, to any ſubiect of this Realme, or of any the dominions of the ſame, to be worne or vſed in any wiſe, that then as well the ſame perſon and perſons ſo doing, as alſo all and euerie other perſon or perſons which ſhal receiue and take the ſame, to the intent to vſe or weare the ſame, being thereof lawfully conuicted and attainted, by the order of the common Lawes of this Realme, ſhall incurre into the dangers, penalties, paines, and forfeitures, ordained and prouided by the ſtatute of Premunire and Prouiſion, made in the ſixteenth yeere of the raigne of King Richard the 2. Prouided neuertheleſſe, and be it further enacted by the authoritie aforeſaid, That if any perſon or perſons, to whom any ſuch Agnus dei, or other the things aforeſaid, ſhall be tendred and offered to be deliuered, ſhall apprehend the partie ſo offering the ſame, and bring him to the next Iuſtice of Peace of that Shire where ſuch tender ſhall be made (if he ſhall be of power and able ſo to doe) or for lacke of ſuch abilitie, ſhall within the ſpace of three daies next after ſuch offer made, as is aforeſaid, diſcloſe the name and names of ſuch perſon or perſons as ſo ſhall make the ſame offer, and the dwelling place or places of reſort of the ſame perſon or perſons (which he ſhall endeuour himſelfe to know by all the wayes and meanes he can) to the Ordinarie of that Dioces, or to any Iuſtice of Peace of that Shire, where ſuch perſon or perſons, to whom ſuch offer ſhall be made, as is aforeſaid, ſhall be reſiant. And alſo if ſuch perſon or perſons to whom ſuch offer ſhall be made, ſhall happen to receiue any ſuch Agnus dei, or other thing aboue remembred, and ſhall within the ſpace of one day next after ſuch receit, deliuer the ſame to any Iuſtice of Peace, within the ſame Shire, where the partie ſo receiuing ſhall be then reſiant, or ſhall happen to be, that then euerie ſuch perſon or perſons doing any the acts or things in this Prouiſo aboue mentioned, in forme aboue declared, ſhall not by force of this Statute incurre any danger or penaltie appointed by this Statute, or any other paine or penaltie, this Act or any thing therein contained to the contrary in any wiſe notwithſtanding. And be it further enacted &c. That all and euery perſon and perſons, which at any time ſince the beginning of the firſt yeare of the Queenes Maieſties raigne that now is, haue brought, or cauſed to be brought into this Realme, any ſuch Buls, Writings, or Inſtruments of reconciliation onely as are aboue mentioned, and now haue any of the ſame Buls, Writings, or Inſtruments, in his or their hands or cuſtodie, and ſhall and do within the ſpace of three moneths next after the end of any Seſſion or diſſolution of this preſent Parliament, bring and deliuer all ſuch Buls, Writings, and Inſtruments, which they or any of the now haue in his or

Treaſon
Procurers
Comforters after
Premunire
Conceale Offer
vj. weekes
Miſpriſion
Bring
Agnus dei
Deliuer
Offer
To be worn
Receiue
Premunire
Apprehend
Next Iuſt. of Peace
iij. daies
Deliuer
Iuſt. of P.
Deliuer
One day
Any Iuſtice of Peace
First yeere
Buls

their cuſtodie, to the Biſhop of the Dioceſſe where ſuch abſolution hath beene giuen and receiued, to the intent that the ſame Buls, Writings, or Inſtruments may be cancelled and defaced: and ſhall openly and publikely before ſuch Biſhop confeſſe & acknowledge his or their offence therein, and humbly deſire to be receiued, reſtored, and admitted to the Church of England, ſhall ſtand and be cléerely pardoned and diſcharged of all and euery offence & offences, done or committed in any matter or cauſe concerning any of the ſaid Buls, Writings, or Inſtruments, for, or touching ſuch abſolution or reconciliation onely. And that all and euerie perſon or perſons, which haue receiued or taken any abſolution from the ſaid Biſhop of Rome, or his ſaid Sea of Rome, of any reconciliation vnto the ſaid Biſh. of Rome, or to the ſaid Sea of Rome, ſithéere the ſaid firſt yeare of the raigne of our ſaid Soueraigne Lady the Quéene, and ſhall within the ſaid ſpace of 3. moneths next after any Seſſion or diſſolution of this preſent Parliament, come before the Biſhop of the Dioces of ſuch place where ſuch abſolution or reconciliation was had or made, & ſhall publikely & openly before the ſame Biſhop confeſſe and acknowledge his or their offence therein, and humbly deſire to be receiued, reſtored and admitted to the Church of England, ſhal likewiſe ſtand and be cléerely pardoned and diſcharged of all and euery offence and offences done and committed in any matter or cauſe concerning the ſaid Buls, Writings, or Inſtruments, for, or touching only réceiuing of ſuch abſolution or reconciliation: and for & concerning all abſolution or reconciliation, had or receiued by colour of any of the ſaid Buls, Writings, or Inſtruments onely. Prouided alſo, and be it further enacted by the authoritie aforeſaid, that if any Iuſtice of Peace, to whom any matter or offence before mentioned, ſhall be vttered, ſhewed, or declared, as is aforeſaid, doe not within the ſpace of viij. dayes, next after it ſhalbe to him ſhewed or vttered, ſignifie or declare the ſame to ſome one of the Quéenes Maieſties Priuie Counſell, that then the ſame Iuſtice of Peace ſhal incurre the danger, paine, and forfeiture, prouided by the ſaid Statute made in the ſaid vj. yeare of King Richard the 2. Prouided alſo, and be it further enacted by the authoritie aforeſaid, That if any Nobleman, being a Péere of this Realme, ſhall at any time hereafter happen to be indicted for any the offence or offences aforeſaid, that then euerie ſuch Nobleman & Péere of this Realme ſhall haue his triall by his Péeres, as in caſes of High Treaſon & Miſpriſion of Treaſon hath heretofore béene accuſtomed or vſed: Sauing to all and euerie perſon and perſons, bodies politick and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euerie of them (other then the ſaid offendors and their heires, clayming only as heire or heires to any ſuch offendors, and ſuch perſon and perſons as claime to any their vſes) all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, remainders, offices, fées, and all other profits, commodities, and hereditaments, as they or any of them ſhall haue at the day of the committing of ſuch offence or offences, or any time before, in as large and ample manner, to all intents and purpoſes, as if this Act had neuer béene had or made: any thing herein contained to the contrarie thereof notwithſtanding. Anno 13. Eliz. cap. 2. Note by the Statute of 23. Elizab. cap. 1. (here next following) euery offence againſt this Statute is inquirable as well before the Iuſtices of Peace, as other Iuſtices herein named, within one yeare and a day after the offence committed.

Confeſſe

Iuſt. of P.

viij. dayes

Declare

Q. Counſel

Forf. Prémunire

Peeres

Sauing

Rights

10 Where ſithence the Statute made in the viij. yeare of the raigne of the Quéene our Soueraigne Lady (cap. 2.) intituled, An Act againſt the bringing in, & putting in execution of Buls, Writings, and Inſtruments, and other ſuperſtitious things from the Sea of Rome (which ſee here 9.) diuers euill affected perſons haue practiſed, contrarie to the meaning of the ſaid Statute, by other meanes then by Buls or Inſtruments, written or printed, to withdraw diuers the Quéenes Maieſties ſubiects from their naturall obedience to her Maieſtie, to obey the ſaid vſurped authoritie of Rome, and in reſpect of the ſame do perſuade great numbers to withdraw their due obedience to her Maieſties Lawes, eſtabliſhed for the due ſeruice of Almightie God. For reformation whereof, and to declare the true meaning of the ſaid Law, Be it declared and enacted by the authoritie of this preſent Parliament, That all perſons whatſoeuer, which haue or ſhall haue, or ſhall pretend to haue power, or ſhall by any wayes or meanes put in practiſe to abſolue, perſuade, or withdraw any the Quéenes Maieſties ſubiects, or any within her Highneſſe Realmes and Dominions, from their naturall obedience to her Maieſtie, or to withdraw them for that intent from the religion now by her Highneſſe authoritie eſtabliſhed within her Highneſſe Dominions, to the Romiſh religion, or to moue them or any of them to promiſe any obedience to any pretended authoritie of the Sea of Rome, or of any other Prince, State, or Potentate, to be had or vſed within her Dominions, or ſhall doe any ouert act to that intent or purpoſe, & euerie of them ſhall be to all intents adiudged to be Traitors, and béeing thereof lawfully conuicted, ſhall haue iudgement, ſuffer, and forfeit, as in caſe of High Treaſon. And if any perſon ſhall after the end of this Seſſion of Parliament, by any meanes bee willingly abſolued, or withdrawne, as afore is ſayd, or willingly be reconciled, or ſhall promiſe any obedience to any ſuch pretended Authoritie, Prince, State, or Potentate, as is aforeſaid, that then euerie ſuch perſon, their procurers and counſellors thereunto, being thereof lawfully conuicted, ſhall be taken, tryed, and iudged, and ſhall ſuffer and forfeit as in caſes of High Treaſon. And bée it likewiſe enacted and declared, That all and euerie perſon and perſons, that ſhall wittingly be ayders or maintainers of ſuch perſons ſo offending, as is aboue expreſſed, or any of them knowing the ſame, or which ſhall conceale any offence aforeſaid, and ſhall not within twentie dayes at the furtheſt, after ſuch perſons knowledge of ſuch offence,

Abſolue Withdraw

Religion Obedience

Rome

Treaſon

Abſolues

Obeiſance

Procurers

Treaſon

Maintainers

Conceale

xx. dayes

offence, diſcloſe the ſame to ſome Juſtice of Peace, or other higher Officer: ſhall be taken, tried and iudged, and ſhall ſuffer and forfeit as offendors in Miſprision of Treaſon. And be it likewiſe enacted, That euerie perſon which ſhall ſay or ſing Maſſe, being thereof lawfully conuicted, ſhall forfeit the ſumme of two hundred markes, and bee committed to priſon in the next Goale, there to remaine by the ſpace of one yeare, and from thenceforth till he haue payed the ſaid ſumme of two hundred Markes. And that euerie perſon which ſhall willingly heare Maſſe, ſhall forfeit the ſumme of one hundred Markes, and ſuffer impriſonment for a yeare. Be it alſo further enacted, by the authoritie aforeſaid, That euerie perſon aboue the age of ſixteen yeres, which ſhal not repaire to ſome Church, Chappell, or vſuall place of Common prayer, but forbeare the ſame, contrarie to the tenor of a Statute made in the firſt yeare of her Maieſties raign, for vniformitie of Common prayer, (which ſee in Seruice 5.) and being thereof lawfully conuicted, ſhall forfeit to the Quéenes Maieſtie for euery moneth after the end of this Seſſion of Parliament, which he or ſhe ſhall ſo forbeare, twentie pounds of lawfull Engliſh money. And that ouer and beſides the ſaid forfeitures, euerie perſon ſo forbearing, by the ſpace of xij. monethes, as aforeſaid, ſhal, for his or her obſtinacie, after Certificat therof in writing made into the Court, commonly called the Kings Bench, by the Ordinarie of the Dioces, a Juſtice of Aſſiſe and Goale deliuerie, or a Juſtice of Peace of the Countie where ſuch offendor ſhall dwell or be, be bound with two ſufficient ſuerties, in the ſumme of two hundred pounds at the leaſt, to the good behauiour, and ſo to continue bound, vntill ſuch time, as the perſons ſo bound, doe conforme themſelues, and come to the Church, according to the true meaning of the ſaid Statute, made in the ſaid firſt yeare of the Quéenes Maieſties raigne. And be it further enacted, That if any perſon or perſons, bodie Politique or Corporate, after the Feaſt of Pentecoſt next comming, ſhall kéepe or maintaine any Scholemaſter, which ſhall not repaire to Church, as is aforeſaid, or be allowed by the Biſhop or Ordinarie of the Dioceſſe, where ſuch Scholemaſter ſhall be ſo kept, ſhal forfeit and loſe for euerie moneth ſo kéeping him, ten pounds. (Prouided, that no ſuch Ordinarie or their Miniſters, ſhall take any thing for the ſaid allowance.) And ſuch Scholemaſter or Teacher preſuming to teach contrarie to this Act, and being thereof lawfully conuict, ſhall be diſabled to bée a Teacher of youth, and ſhall ſuffer impriſonment without baile or mainprize for one yeare. And bée it likewiſe enacted, That all and euerie offences againſt this Act, or againſt the Acts of the firſt, fift, or thirtéene yeares of her Maieſties raigne, touching acknowleging of her Maieſties ſupreame gouernement in cauſes Eccleſiaſticall or other matters touching the ſeruice of God, or comming to Church, or eſtabliſhment of true Religion in this Realme, ſhal and may be inquirable, as well before Juſtices of Peace, as other Juſtices named in the ſame Statutes within one yeare and a day after euerie ſuch offence committed: Any thing in this Act, or in any other Act to the contrarie notwithſtanding. Be it likewiſe enacted, That the Juſtices of Oier and Terminer, and Juſtices of Aſſiſe, and of Goale deliuerie, in their ſeuerall limits, ſhall haue power to enquire, heare and determine of all offences againſt this Statute. And Juſtices of Peace, in their open Quarter Seſſions of Peace, ſhall haue power by vertue of this Act to enquire, heare and determine of all offences againſt this Act, (except Treaſon and Miſprision of Treaſon.) Prouided alway, That euerie perſon guiltie of any offence againſt this Statute, other then Treaſon and Miſprision of Treaſon, which ſhall before he be therof indicted, or at his arraignement, or triall before iudgement, ſubmit and conforme himſelfe before the Biſhop of the Dioceſſe where he ſhall be reſident, or before the Juſtices where he ſhall be indicted, arraigned, or tried, (hauing not before made like ſubmiſſion at any his triall, being indicted for his firſt like offence) ſhall vpon his recognition of ſuch ſubmiſſion in open Aſſiſes or Seſſions of the Countie where ſuch perſon ſhall be reſident, be diſcharged of all and euery the ſaid offences againſt this Act (except Treaſon and Miſprision of Treaſon) and of all paines and forfeitures for the ſame. And be it likewiſe enacted, That all forfeitures of any ſummes of money limited by this Act, ſhall bée diuided in three equall parts, whereof one third part ſhall bée to the Qu. Maieſtie, to her owne vſe, one other third part to the Quéenes Maieſtie for releiſe of the poore in the Pariſh where the offence ſhall be committed, to be deliuered by warrant of the principall Officers in the receipt of the Exchequer, without further warrant from her Maieſtie, and the other third part to ſuch perſon, as will ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plaint, or Information, in which ſuit no Eſſoine, Protection, or Wager of Law ſhall be allowed. And that euerie perſon which ſhall forfeit any ſummes of money by vertue of this Act, and ſhall not be able, or ſhall faile to pay the ſame within three Monethes after iudgement therof giuen, ſhall be committed to priſon, there to remaine, vntill he haue paid the ſaid ſummes, or conforme himſelfe to go to church, and there doe as is aforeſaid. Prouided alſo, That euerie perſon which vſually on the Sunday ſhall haue in his or her houſe the Diuine Seruice which is eſtabliſhed by the Law in this Realme, and bée thereat himſelfe, or her ſelfe, vſually or moſt commonly preſent, and ſhall not obſtinately refuſe to come to Church, and there to doe as is aforeſaid, and ſhall alſo foure times in the yeare at the leaſt, be preſent at the Diuine Seruice in the Church of the Pariſh where he or ſhe ſhall be reſident, or in ſome other open common Church or ſuch Chappel of eaſe, ſhall not incurre any paine, or penaltie limited by this Act, for not repairing to Church. And bée it likewiſe enacted and declared, That euerie grant, conueyance, bond, iudgement, and execution had or made, ſince the beginning of this Seſſion of Parliament, or hereafter to be had or made of couinous purpoſe, to defraud any Intereſt, Right,

Juſt. of P. — Quarter Seſſions — Determine — Submiſſion — Diſcharged — Fort. — Three parts — Not able — Priſon — Houſe Diuine Seruice — Couinous Conueiance

Right or Title, that may or ought to grow to the Quæne, or to any other person, by meane of any conuiction or iudgement, by vertue of this Statute, or of the said Statute of the said thirteenth yeare, shall be, and be adiudged to be vtterly void against the Quæne and against such as shall sue for any part of the said penalties in forme aforesaid.

Peers. Prouided alway, That if any Peere of this Realm shall happen to bee indicted of any offence made Treason or Misprision of Treason by this Act, he shall haue his triall by his Peeres, as in other like cases is accustomed. Prouided also, That neither this Act, nor any thing therein contained, shall extend to take away or abridge the authoritie or iurisdiction of the Ecclesiasticall censures, for any cause or matter, but that the Archbishops and Bishops, and other Ecclesiasticall Iudges, may doe, and proceed, as before the making of this Act, they lawfully did or might haue done: Any thing in this Act to the contrarie notwithstanding. An. 23. Eliz. cap. 1.

11 Forasmuch as the good felicitie and comfort of the whole Estate of this Realme consisteth (onely next vnder God) in the suretie and preseruation of the Quænes most excellent Maiestie: And for that it hath manifestly appeared that sundrie wicked plots and meanes haue of late been deuised and layed, as well in forreine parts beyond the Seas, as also within this Realme, to the great endangering of her Highnesse most royall person, and to the vtter ruine of the whole Commonweale, if by Gods mercifull prouidence the same had not beene reuealed: therefore for preuenting of such great perils as might hereafter otherwise grow, by the like detestable and diuellish practises, at the humble suit and earnest petition and desire of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same Parliament, Be it enacted and ordained, if at any time after the end of this present Session of Parliament, any open inuasion or rebellion shall be had or made into or within any of her Maiesties Realmes or Dominions, or any act attempted, tending to the hurt of her Maiesties most Royall person, by or for any person that shall or may pretend any title to the Crowne of this Realme after her Maiesties decease: Or any thing shall be compassed or imagined, tending to the hurt of her Maiesties Royall person, by any person, or with the priuitie of any person that shall or may pretend title to the Crowne of this Realme: That then by her Maiesties Commissiõ vnder her great Seale, the Lords & other of her Highnesse Priuie Councell, and such other Lords of Parliament to be named by her Maiestie, as with the said Priuie Councell shall make vp the number of foure and twentie at the least, hauing with them for their assistance in that behalfe, such of the Iudges of the Courts of Record at Westminster, as her Highnesse shall for that purpose assigne and appoint, or the more part of the same Councell, Lords & Iudges, shall by vertue of this Act haue authoritie to examine all and euerie the offences aforesaid, and all circumstances thereof, and thereupon to giue sentence or iudgement, as vpon good proofe the matter shall appeare vnto them. And that after such sentence or iudgement giuen, and declaration thereof made and published by her Maiesties Proclamation vnder the great Seale of England, all persons against whom such sentence or iudgement shall be so giuen and published, shalbe excluded and disabled for euer to haue or claime, or to pretend to haue or claime the Crowne of this Realme, or of any her Maiesties Dominions: any former Law or Statute whatsoeuer to the contrary in any wise notwithstanding. And that thereupon all her Highnesse subiects shall and may lawfully by vertue of this Act, and her Maiesties direction in that behalfe, by all forcible and possible meanes pursue to death euerie such wicked person, by whom, or by whose meanes, assent or priuitie, any such inuasion or rebellion shall be in forme aforesaid denounced to haue beene made, or such wicked act attempted, or other thing compassed or imagined against her Maiesties person, and all their aiders, comforters and abetters. And if any such detestable act shalbe executed against her Highnesse most royall person, whereby her Maiesties life shall be taken away (which God of his great mercie forbid:) That then euery such person, by or for whom any such act shal be executed, and their issues being any wise assenting or priuie to the same, shal by vertue of this Act be excluded and disabled for euer, to haue or claime, or to pretend to haue or claime the said Crowne of this Realme, or of any other her Highnesse Dominions: Any former Law or Statute whatsoeuer to the contrarie in any wise notwithstanding. And that all the subiects of this Realme, and all other her Maiesties Dominions, shall and may lawfully, by vertue of this Act, by all forcible and possible meanes, pursue to death euery such wicked person, by whom, or by whose meanes, any such detestable fact shall be in forme hereafter expressed, denounced to haue been committed, and also their issues being any way assenting or priuie to the same, and all their aiders, comforters and abetters in that behalf. And to the end that the intention of this Law may be effectually executed, if her Maiesties life shall be taken away by any violent or vnnaturall meanes (which God defend:) Be it further enacted by the authority aforesaid, That the Lords & others which shall be of her Maiesties priuie Councell at the time of such her decease, or the more part of the same Councell, ioyning vnto them, for their better assistance, fiue other Earles, & seuen other Lords of Parliament at the least (foreseeing that none of the said Earles, Lords or Councell be knowne to be persons that may make any title to the Crown) those persons which were chiefe Iustices of either Bench, Master of the Rolles, and chiefe Baron of the Exchequer, at the time of her Maiesties death, or in default of the said Iustices, Master of the Rolls, and chiefe Baron, some other of those which were Iustices of some of the Courts of Record at Westminster, at the time of her Highnesse decease, to supplie their places, or any foure and twentie or more of them, whereof eight to be Lords of Parliament, not being of the Priuie Councell, shall to the

Inuasion Rebellion

Title to the Crowne

Commissiõ

Priuie Councell

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Proclamation

Disabled

Issue disabled

Parties to death

Chiefe Iustices Master of Rolles

L. of Parliament

the vttermoſt of their power and ſkill, reuenge the cauſe and perſons of ſuch her Maieſties louing and true ſubiects, and what perſons ſhall be any way guiltie thereof, and all circumſtances concerning the ſame accordinge the true meaninge of this Act, and thereupon ſhall by open proclamation publikly the ſame, and without any delay by all poſſible and poſſible meanes proſecute to death all ſuch as ſhall be found to be offenders therein, and all their aiders and abettors: And for the doing thereof, and for the withſtanding & ſuppreſſing of all ſuch power and force as ſhall any way be ſtirred or moued in diſturbance of the due execution of this Law, ſhall by vertue of this Act haue power & authoritie not only to raiſe by ſuch forces, as ſhall in that behalfe be needfull and conuenient, but alſo to vſe all other meanes and things poſſible and neceſſarie for the maintenance of the ſame forces and proſecution of the ſaid offenders. And if any ſuch power and force ſhall be leuied or moued in the diſturbance of the due execution of this Law, by any perſon that ſhall or may pretend any title to the Crowne of this Realme, whereby this Law may not in all things be fully executed, according to the effect and true meaning of the ſame: That then euerie ſuch perſon ſhall by force of this Act be thereof excluded and diſabled for euer to haue or claime, or to pretend to haue or claime the Crowne of this Realme, or any other her Highneſſe Dominions: any former Law or Statute whatſoeuer to the contrarie notwithſtanding. And be it further enacted by the authoritie aforeſaid, That all and euerie the ſubiects of all her Maieſties Realmes and Dominions, ſhall to the vttermoſt of their power, aid and aſſiſt the ſaid Counſell, and all other the Lords and other perſons to be adioyned vnto them for aſſiſtance, as is aforeſaid, in all things to be done and executed, according to the effect and intention of this Law. And that no ſubiect of this Realme ſhal in any wiſe be impeached in bodie, lands or goods, at any time hereafter, for any thing to be done or executed, according to the tenor of this Law: any Law or Statute heretofore made to the contrarie in any wiſe notwithſtanding. And whereas of late many of her Maieſties good and faithfull ſubiects, haue in the name of God and with the teſtimonie of good conſciences, by one vniforme maner of writing vnder their hands and ſeales, and by their ſeuerall oathes voluntarily taken, ioyned themſelues together in one bond and aſſociation, to withſtand and reuenge to the vttermoſt, all ſuch malicious actions and attempts againſt her Maieſties moſt royall perſon: Now for the full explaning of all ſuch ambiguities and queſtions, as otherwiſe might happen to grow, by reaſon of any ſiniſter or wrong conſtruction or interpretation to be made or inferred, of or vpon the words or meaning thereof: Be it declared and enacted by the authoritie of this preſent Parliament, That the ſame aſſociation and euerie article and ſentence therein contained, as well concerning the diſallowing, excluding, or diſabling of any perſon that may or ſhall pretend any title to come to the Crowne of this Realme, as alſo for the purſuing and taking reuenge of any perſon for any ſuch wicked act or attempt, ſhall be maintained in the ſame aſſociation, that and ought to be in all things expounded and adiudged according to the true intent and meaning of this Act, and not otherwiſe nor againſt any other perſon or perſons. Anno 27. Eliz. cap. 1.

12. For deuoyding of all ſtaies and delayes hereafter to be vſed, or hereafter take place, to the hinderance of the due and ſpeedie execution of the Statutes made in the three and thirtieth yeare of her Maieſties raigne (which ſee before 11.) Be it enacted by the authoritie of this preſent Parliament, That euerie Fooffement, Gift, Grant, Couenance, Alienation, Eſtate, Leaſe, Aſſurance, and Limitation of vſe, of, or out of any lands, tenements, or hereditaments whatſoeuer, had or made at any time ſince the beginning of the Queens Maieſties raigne, or at any time hereafter to be had or made by any perſon which hath not repaired, or ſhall not repaire to ſome Church, Chappell, or vſuall place of Common prayer, but hath forborne, or ſhall forbeare the ſame, contrarie to the tenor of the ſaid Statute, and which is, or ſhall be reuocable at the pleaſure of ſuch offender, or in any wiſe mainly or indirectly meant or intended, to, or for the behoofe, reliefe or maintenance, or at the diſpoſition of any ſuch offender, or wherwith, or whereby, or in conſideration whereof ſuch offender, or his familie ſhall be maintained, relieued, or kept, ſhall be deemed and taken to be vtterly fruſtrate and void, as againſt the Queenes Maieſties, for, or concerning the louying and paying of ſuch ſummes of money, as any ſuch perſon by the Lawes or Statutes of the Realme already made, ought to pay or forfeit, for not comming or repairing to any Church, Chappell, or vſuall place of Common prayer, or for ſaying, hearing, or being at any Maſſe, and ſhall alſo be ſeiſed and had, to and for her Maieſties vſe, and behoofe, as hereafter in this Act is mentioned: Any pretence, colour, fained conſideration, or expreſſing of any vſe, to the contrarie notwithſtanding. And further be it enacted by the authoritie aforeſaid, That euerie conuiction heretofore recorded for any offence before mentioned, not already eſtreated or certified into the Queens Maieſties Court of Exchequer, ſhall from the Juſtices before whom the record of ſuch conuiction ſhall bee remaining, bee eſtreated and certified into the Queens Maieſties Court of Exchequer, before the end of Eaſter terme next comming, in ſuch conuenient certaintie for the time, and other circumſtances, as the Court of Exchequer may thereupon award out Proces for ſeiſure of the lands and goods of euerie ſuch offender, as hath not paid their ſaid forfeitures according to the Lawes and Statutes in ſuch caſe prouided. And that euerie conuiction hereafter for any offence before mentioned, ſhal be in the Court commonly called the Kings Bench, or at the Aſſiſes or generall Goale deliuerie, and not elſewhere, and ſhall from the Juſtices before whom the record of ſuch conuiction ſhall remaine, be eſtreated and certified into the ſaid Court of Exchequer, before the end of the terme next enſuing after euerie ſuch conuiction, in ſuch conuenient certaintie, as

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is before mentioned. And be it also enacted &c. That euerie such offender in not repairing to Diuine seruice, but forbearing the same, contrarie to the said Estatute; as hath beene heretofore committed for such offence, and hath not reasonable excuse, and beene conformable, according to the true meaning of the said Estatute, shall forthwith after any iudgment or conuiction, pay into the receipt of the said Exchequer, all such summes of money, as according to the rate of twentie pounds for euerie moneth, eyther in the same moneth, eyther in the same conuiction, doe grow or become payable, in forme as hereafter is limited: That is to say, the first moneth thereof before Easter, and of euerie Trinitie Terme, and the other moneth thereof before the end of the next Hillarie Terme, or at such other times, as by the Lord Lieutenant, Chancellor, and chiefe Baron of the Exchequer, or any two of them, shall by composition vpon good cause and reason taken, be limited, betweene the end of the said next Trinitie Terme, if any such composition shall happen to be. And shall also in euerie Easter and Michaelmas Terme, vntill such time as the said person doe make submission, and be conformable, according to the true meaning of the said Statute, pay into the said receipt of the Exchequer twentie pounds for euerie moneth, which shall incurre in all that meane time. And be it also enacted by the authoritie aforesaid, That euerie such offendor in not repairing to Diuine Seruice, but forbearing the same, contrarie to the said Estatute, as hereafter shall fortune to be thereof once conuicted, shall in such of the Termes of Easter and Michaelmas, as shall be next after such conuiction, pay into the said receipt of Exchequer after the rate of twentie pounds for euerie moneth, which shall be contained in the Indictment, whereupon such conuiction shall be. And shall also for euerie moneth after such conuiction without any other indictment or conuiction, pay into the receipt of the Exchequer aforesaid, at two times in the yeare: that is to say, in euerie Easter Terme and Michaelmas Terme, as much as then shal remain vnpaid, after the rate of twentie pounds for euery month after such conuiction. And if default shall be made in any part of paiment aforesaid, contrarie to the forme herein before limited: that then and so often the Maiestie shall and may by Proces out of the said Exchequer, take, seise, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leases and farmes of such offendor, as of all other the lands, tenements, and hereditaments, liable to such seisure, or to the penalties aforesaid, by the true meaning of this Act, leauing the third part onely of the same lands, tenements, and hereditaments, leases and farmes, to and for the maintenance and relieefe of the same offendor, his wife, children, and familie. And for the more speedie conuiction of such offendor, in not repairing to Diuine Seruice, but forbearing the same, contrarie to the said Estatute: Be it enacted by the authoritie aforesaid, That the Indictment of euerie such offendor mentioning the not comming of such offendor to the Church of the Parish where such person at any time before such Indictment was, or his house, or residence, not to any other Church, Chappell, or vsuall place of Common prayer, shall be sufficient in the law, and that it shall not be needfull to mention in any such Indictment, that the partie offendor was, or is inhabiting within this Realme of England, or any other the Maiesties Dominions. But if it shall happen any such offendor then not to bee within this Realme, or other her Maiesties Dominions, that in such case the partie be relieued by pleade put in that behalfe, and not otherwise. And that vpon the Indictment of such offendor, a Proclamation shall be made at the same Assises or Goale deliuerie, in which the Indictment shall be taken, if the same be taken at any Assise or Goale deliuerie, by which it shall be commaunded, That the bodie of such offendor shall appeare in the Sessions of the same Countie, before the Iustices next Assises or generall Goale deliuerie to be holden in the same Countie. And if at the said next Assises or Goale deliuerie, the said offendor so proclaimed shall not make appearance of record: That then vpon such default recorded, the same shalbe as sufficient a conuiction in law of the said offence, whereof the partie so thereby indicted, as is aforesaid, as if vpon the same Indictment a triall by twelue thereupon had proceeded and beene recorded. Prouided alwayes, That whensoeuer any such offendor, as is aforesaid, shall make submission, and become conformable, according to the forme limited by the said Estatute made in the three and twentieth yeare of this Queenes Maiesties raigne, or shall fortune to die: that then the forfeiture of twentie pounds for any moneth, or forfeiture of the lands of the same offendor from and after such submission and conformitie, or death, and full satisfaction of all the arrerages of twentie pounds monethly before such seisure due or payable shall ensue or be continued against such offendor, so long as the same person shall continue in comming to Diuine Seruice, according to the intent of the said Estatute. And where, by the said former Estatute, the third part of the forfeitures for not comming to Diuine Seruice, is limited to the poore: Be it further enacted by the authoritie aforesaid, That it shall and may be lawfull to and for the Lord Treasurer of England, Chauncellor, and chiefe Baron of the Exchequer, for the time being, or two of them, to assigne and dispose of the full third part of twentie pounds for euery moneth, payed or to be payed into the receipt of the Exchequer, as is aforesaid, for the reliefe and maintenance as well of the poore, and of the houses of correction, as of impotent and maimed Soldiers, as the same Lord Treasurer, Chauncellor, and chiefe Baron, or any two of them, shall order or appoint: any thing in the said Estatute made in the said three and twentieth yere of her Maiesties raigne mentioned, to the contrarie thereof in any wise notwithstanding. Prouided alwayes, That this Act, or any thing therein contained, shall not in any wise extend or be construed to make void, or impeach any grant or lease hereafter made bona fide, without fraud or couin, whereupon any yearely rent or paiment is reserued

Exchequer

xx.l. a moneth

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Proclamation

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1. Eliz. xi.

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Soulders

Chauncellor

and of payable, or any graunt or lease hereafter to be made bona fide, without fraud or couin, whereby upon the reuiued reserued yearely rent or more shall be reserued, or any other conueyance, alienacon, or assignement whatsoeuer, heretofore made bona fide, upon good consideracon, and without fraud or couin, (which is not, or shall not be reuocable at the pleasure of such offendor, other wise then to giue benefit and title to her Maiestie, her heires and successors, to haue, perceiue, and enioy such rents and paiements, during the continuance of such lease or grant, according to the true meaning of this Act. And prouided also, That this Act, or any thing therein contained, shall not in any wise extend or be construed to continue any seisure of any lands or tenements of such offendor in her Maiesties hands, or in the hands of her heires or successors, after the said offendors death, which lands or tenements he shall haue or be seised of onely for terme of his life, or in the right of his wife: any thing in this Act to the contrary notwithstanding. Anno 18. Eliz. cap. 3.

13 For the better discouering and auoyding of such trayterous and most dangerous conspiracies and attempts as are daily deuised and practised against our most gracious Soueraigne Lady the Queenes Maiestie, and the happie estate of this Common weale, by sundrie wicked and seditious persons, who terming themselues Catholickes, and being (indeed) spies and intelligencers not only for their owne ghostly enemies, but also for rebellious and traitorous subiects borne within her Highnesse Realmes and Dominions, and hiding their most detestable and diuellish purposes vnder a false pretext of religion and conscience, doe secretly wander and shift from place to place within this Realme, to corrupt and seduce her Maiesties subiects, and to stirre them to sedition and rebellion: Be it ordained &c. That euerie person aboue the age of thirteene yeares, borne within any the Queenes Maiesties Realmes or Dominions, or made Denizen, being a Popish Recusant, and before the end of this Session of Parliament conuicted for not repairing to some Church, or Chappell, or vsuall place of Common prayer, to heare Diuine Seruice there, but forbearing the same contrarie to the Lawes and Statutes heretofore made and prouided in that behalfe, and hauing any certaine place of dwelling and abode within this Realme, shall within foure dayes next after the end of this Session of Parliament (if they bee within this Realme, and not restrained or stayed either by imprisonment, or by her Maiesties commandement, or by sicknes and disease of some limme or member of the Priuie Councell, or by such sickenesse or infirmitie of body, as they shall not be able to trauell without manifest danger of life, and in such cases of absence out of this Realme, restraint or stay, then within foure dayes next after they shall returne into the Realme, and bee enlarged of such imprisonment or restraint, and shall be able to trauell) repaire to their place of dwelling where they vsually haue vsed to make their common abode, and shall not at any time after passe or remoue aboue fiue miles from thence. And also that euerie person being aboue the age of thirteene yeares, borne within any her Maiesties Realmes or Dominions, or made Denizen, and hauing or which hereafter shall haue any certaine place of dwelling or abode within this Realme, which being then a Popish Recusant, shall at any time hereafter be lawfully conuicted for not repairing to some Church, Chappell, or vsuall place of Common prayer, to heare Diuine Seruice there, but forbearing the same contrarie to the said Lawes and Statutes, and being without this Realme at the time that they shall be conuicted, shall within foure dayes next after the same conuiction (if they bee not restrained or stayed by imprisonment or otherwise as is aforesaid, and in such cases of restraint and stay, then within twentie dayes next after they shall bee enlarged of such imprisonment or restraint, and shall be able to trauell) repaire to their place of vsuall dwelling or abode, shall not at any time after passe or remoue aboue fiue miles from thence, vpon paine that euery person and persons that shall offend against the tenour and intent of this act in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie all the lands, tenements and hereditaments, and all the rents and annuities of euery such person so doing or offending during the life of the same offendor. And be it also enacted by the authority aforesaid, that euery person aboue the age of fiuteen yeres, borne within her Maiesties Realmes or Dominions, not hauing any certaine place of dwelling and abode within this Realme, and being a popish Recusant, not duely repairing to some Church, Chappell, or vsuall place of Common prayer, but forbearing the same, contrary to the same lawes and statutes in that behalfe made, shall within foure dates next after the end of this Session of Parliament (if they be then within this Realme, and not imprisoned, restrained, or stayed as is aforesaid, and in such case of absence out of the realme, imprisonment, restraint or stay, then within twenty dates next after they shall returne into the realme, and be inlarged of such imprisonment or restraint, and shall be able to trauaile) repaire to the place where such person was borne, or where the father or mother of such person shall then be dwelling, and shall not at any time after remoue or passe aboue fiue miles from thence, vpon paine that euery person and persons which shall offend against the tenour and intent of this act in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie all lands, tenements, and hereditaments, and all the rents and annuities of euery such person so doing or offending during the life of the same person. And be it further enacted by the authority aforesaid, that euery such offendor as is before mentioned, which hath or shall haue any lands, tenements, or hereditaments, by copy of Court Roll, or by any other customary tenure at the will of the Lord, according to the custome of any manor, shall forfeit all & singuler his and their said lands,

Fiue miles 16. yeares

Conuicted

Repaire Dwelling

Forf.

No certaine dwelling

Repaire Place of birth

Fiue miles

Forf.

Copiehold land

Forf.

lands, tenements, and hereditaments so holden by Copie of Court Roll, or Customarie tenure, as aforesaid, for and during the life of such offendor (if his or her estate so long continue) to the Lord or Lords of whom the same be immediately holden, if the same Lord or Lords be not then a Popish Recusant, and convicted for not comming to Church to heare Diuine Seruice, but forbearing the same, contrarie to the Lawes and Statutes aforesaid, nor seised or possessed vpon trust, to the vse or behoofe of any such Recusant as aforesaid, and in such case the same forfeiture to be to the Quenes Maiestie. Prouided allwayes, and be it further enacted by the authoritie aforesaid, That all such persons as by the intent and true meaning of this Act are to make repaire to their place of dwelling and abode, or to the place where they were borne, or where their father or mother shall be dwelling, and not remoue or passe aboue fiue miles from thence as is aforesaid, shall within twentie dayes next after their comming to any of the said places (as the case shall happen) notifie their comming thither, and present themselues and deliuer their true names in writing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tithingman of the Towne, and thereupon the said Minister or Curate shall presently enter the same into a booke to be kept in euerie Parish for that purpose. And afterward the said Minister or Curate, and the said Constable, Headborough, or Tithingman, shall certifie the same in writing to the Justices of the Peace of the same Countie at the next generall or Quarter Sessions, to be holden in the same Countie, and the said Iustices shal cause the same to be entred by the Clerke of the Peace in the Rolls of the same Sessions. And to the end that the Realm be not pestered and, ouercharged with the multitude of such seditious and daungerous people as is aforesaid, who hauing little or no abilitie to aunswer or satisfie any competent penaltie for their contempt and disobedience of the said Lawes and Statutes, and being committed to prison for the same, doe liue for the most part in better case there, then they could if they were abroad at their own libertie: The Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, doe most humbly and instantly beseech the Quenes Maiestie, that it may be further enacted, That if any such person or persons being a Popish Recusant, not being a Femme couert, and not hauing lands, tenements, rents, or annuities, of an absolute estate of inheritance or freehold, of the cleere yearely value of twentie Markes, aboue all charges, to their owne vse and behoofe, and not vpō any secret trust or confidence for any other; or goods and chattels in their owne right, and to their owne proper vse and behoofe, and not vpon any such secret trust or confidence for any other, aboue the value of fortie pounds, shall not within the time before in this Act in that behalfe limited and appointed, repaire to their place of vsuall dwelling and abode, if they haue any, or else to the place where they were borne, or where their father or mother shall be dwelling, according to the tenor and intent of this present Act, And thereupon notifie their comming, and present themselues, and deliuer their true names in writing to the Minister or Curate of the Parish, and to the Constable, Headborough, or Tithingman of the Towne, within such time, and in such manner and forme as is aforesaid, or any time after such their repairing to any such place, as is before appointed, shall passe or remoue aboue fiue miles from the same: And shall not within three Monethes next after such person shall bee apprehended or taken, for offending as is aforesaid, conforme themselues to the obedience of the Lawes and Statutes of this Realme in comming vsually to the Church to heare Diuine Seruice, and in making such publicke confession and submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Diocese, or any Iustice of the peace of the Countie where the same person shall happen to be, or by the Minister or Curate of the Parish: That in euerie such case euerie such offendor being thereunto warned or required by any two Iustices of the Peace, or Coroner of the same Countie where such offendor shall then bee, shall vpon his and their reporall oath before any two Iustices of the Peace, or Coroner of the same Countie, abiure the Realme of England, and all other the Quenes Maiesties Dominions for euer: And thereupon shall depart out of this Realme at such Hauen and Port, and within such time as shall in that behalfe be assigned and appointed by the said Iustices of Peace, or Coroner, before whom such abiuration shall be made, vnlesse the same offendor be letted or stayed by such lawfull and reasonable meanes or causes, as by the Common Lawes of this Realme are permitted and allowed in cases of Abiuration for felonie, and in such cases of let or stay, then within such reasonable and conuenient time after, as the Common Law requireth in case of Abiuration for felonie as is aforesaid. And that euerie Iustice of peace and Coroner before whom any such abiuration shall happen to bee made as is aforesaid, shall cause the same presently to be entered of Record before them, and shall certifie the same to the Iustices of Assise and Goale deliuerie of the said Countie at the next Assises, or Goale deliuerie to bee holden in the same Countie. And if any such offendor which by the tenor and intent of this Act is to be abiured as is aforesaid, shall refuse to make such Abiuration as is aforesayd, or after such Abiuration made, shall not goe to such Hauen and within such time as is before appointed, and from thence depart out of this Realme according to this present Act, or after such his departure shall returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obtayned. That then in euerie such case the person so offending, shall be adiudged a felon, and shall suffer and lose as in case of felonie, without benefit of Clergie. And be it further enacted and ordayned by the authoritie aforesaid, That if any person which

Enter Booke

Iust. of P.

Lands

ℒ. marks

Goods

ℒ. pounds

3. moneth

Iust. of P.

Coron.

Abiuration

Iust. of P.

Iust. of Assise

Felon

which shall bee suspected to be a Jesuite, Seminarie or Massing Priest, being examined by any person hauing lawfull authoritie in that behalfe, to examine such person which shall bee so suspected, shall refuse to answer directly and truely whether he be a Jesuite, or a Seminaris or Massing Priest as is aforesaid, euerie such person so refusing to answer, shall for his disobedience and contempt in that behalfe, bee committed to prison by such as shall examine him as is aforesaid, and thereupon shall remaine and continue in prison without baile or mainprize, vntill he shall make direct and true answer to the said questions whereupon he shall be so examined. Prouided neuertheless, and be it further enacted by the authoritie aforesaid, That if any of the persons which are hereby limited and appointed to continue and abide within fiue miles of their vsuall dwelling place, or of such place where they were borne, or where their father and mother shall bee dwelling, as is aforesaid, shall haue necessarie occasion or businesse to go and trauell out of the compasse of the said fiue miles, that then and in euerie such case vpon licence in that behalfe to bee gotten vnder the hands of two of the Justices of the Peace of the same Countie, with the privitie and assent in writing of the Bishop of the Diocesse, or of the Lieutenant or of any Deputie Lieutenant of the same Countie, vnder their hands, it shall and may be lawfull for euerie such person to goe and trauell about such their necessarie businesse, and for such time onely, for their trauelling, attending, and returning, as shall be compased in the same Licence, any thing before in this Act to the contrarie notwithstanding. Prouided also, That if any such person so restrained, as is aforesaid, shall be vsed by Processe without fraud or couin, or be bounden without fraud or couin to make appearance in any her Maiesties Courts, or shall be sent for, commaunded, or required by any three or more of her Maiesties Priuie Counsell, or by any foure or more of any Commissioners to bee in that behalfe nominated and assigned by her Maiestie, to make apparance before her Maiesties said Counsell or Commissioners. That in euerie such case euerie such person so bounden, vsed, commaunded, or required to make such apparance shall not incurre any paine, forfeiture, or losse, for trauelling to make apparance accordingly, nor for his abode concerning the same, nor for conuenient time for his returne backe againe vpon the same. And be it further prouided and enacted by the authoritie aforesaid: That if any such person or persons so restrained as is aforesaid, shall be bound, or ought to yeld and render their bodies to the Sheriffe of the Countie where they shall happen to bee vpon Proclamation in that behalfe, without fraud or couin to be made. That then in euerie such case euerie person which shall bee so bounden, or ought to yeld and render their bodie as aforesayd, shall not incurre any paine, forfeiture or losse for trauelling for that intent and purpose onely, without fraud or couin, nor for conuenient time taken, for their returne backe againe vpon the same. And furthermore be it enacted by the authoritie of this present Parliament, That if any person or persons that shall at any time hereafter offend against this Act, shall before he or they shall be thereof conuicted, come to some Parish Church on some Sunday or other Festiuall day, and then and there heare Diuine Seruice, and at Seruice time before the Sermon or reading of the Gospell make publicke and open submission and declaration of his and their conformitie to her Maiesties Lawes and Statutes as hereafter in this Act is declared and appointed, that then the same offendor shall thereupon be clearely discharged of and from all and euerie paines and forfeitures inflicted or imposed by this Act for any of the said offences in this Act contained, the same submission to be made as hereafter followeth: That is to say, I A.B. doe humbly confesse and acknowledge that I haue grieuously offended God in contemning her Maiesties godly and lawfull gouernement and authoritie, by absenting my selfe from Church and from hearing Diuine Seruice, contrarie to the godly Lawes and Statutes of this Realme, and I am heartily sorie for the same, and doe acknowledge and testifie in my conscience, that the Bishop or Sea of Rome hath not, nor ought to haue any power or authoritie ouer her Maiestie, or within any her Maiesties realms or dominions; And I doe promise and protest without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes and Statutes in repairing to the Church, and hearing Diuine Seruice, and doe mine vttermost endeuour to maintaine and defend the same. And that euerie Minister or Curate of euerie Parish where such submission and declaration of conformitie shall hereafter bee so made by any such offendor as aforesaid, shall presently enter the same into a Booke to be kept in euerie Parish for that purpose, and within x. dayes then next following, shall certifie the same in writing to the Bishop of the same Diocesse. Prouided neuertheless, That if any such offendor after such submission made as is aforesaid, shall afterward fall into relapse, or eftsoones become a Recusant in not repairing to Church to heare Diuine Seruice, but shall forbeare the same contrarie to the Lawes and Statutes in that behalfe made and prouided, That then euerie such offendor shall lose all such benefit as hee or shee might otherwise by vertue of this Act haue or enioy by reason of their said submission, and shall thereupon stand and remaine in such plight, condition, and degree, to all intents, as though such submission had neuer been made. Prouided alwayes and be it enacted by the authoritie aforesaid, That all & euery woman maried, or hereafter to be maried, shalbe bound by all & euery article, branch, & matter cõtained in this Statute, other then the branch & article of Abiuration before mentioned. And that no such woman maried, or to be maried, during mariage, shall be in any wise forced or compelled to abiure or be abiured by vertue of this Act, any thing therein contained to the contrarie thereof notwithstanding. An 35. Eliz. ca. 2.

Submission

Enter

Booke

Bishop

Relaps

Femme couert

☞ 14 For the preuenting and auoyding of such great inconueniences and perils is might happen and grow by the wicked and daungerous practises of seditious Sectaries, and disloyall persons, Be it enacted &c. That if any person or persons aboue the age of sixteene yeares, which shall obstinately refuse to repaire to some Church, Chappell, or vsuall place of Common prayer, to heare Diuine Seruice, established by her Maiesties Lawes and Statutes in that behalfe made, and shall forbeare to do the same by the space of a moneth next after, without lawfull cause, shall at any time after fortie dayes next after the end of this Session of Parliament, by printing, writing, or expresse words or speeches aduisedly and purposely practise or goe about to moue or persuade any of her Maiesties subiects, or any other within her Highnesse realms or dominions, to denie, withstand, and impugne her Maiesties power and authoritie in causes Ecclesiasticall, vnited and annexed to the Imperiall Crowne of this Realme, or to that end or purpose shall aduisedly and maliciously moue or perswade any other person whatsoeuer, to forbeare or abstaine from comming to Church to heare Diuine Seruice, or to receiue the Communion according to her Maiesties Lawes and Statutes aforesayd, or to come to, or bee present at any vnlawfull assemblies, Conuenticles, or meetings, vnder colour or pretence of any exercise of Religion, contrarie to her Maiesties said Lawes and Statutes: Or if any person or persons which shall obstinately refuse to repaire to some Church, Chappell, or vsuall place of Common prayer, and shall forbeare by the space of a moneth to heare Diuine Seruice, as is aforesaid, shall after the sayd fortie dayes, either by him, or themselues, or by the motion, perswasion, inticement or allurement of any other, willingly ioine in, or be present at any such assemblies, Conuenticles, or meetings, vnder colour or pretence of any such exercise of Religion, contrarie to the Lawes and Statutes of this Realme, as is aforesaid, That then euerie such person so offending, as is aforesaid, and being thereof lawfully conuicted, shall bee committed to prison, there to remaine without bayle or mainprise, vntill they shall conforme & yeeld themselues to come to some Church, Chappell, or vsuall place of Common prayer, and heare Diuine Seruice, according to her Maiesties Lawes and Statutes aforesayd, and to make such open submission and declaration of their said conformitie, as hereafter in this Act is declared and appointed. Prouided alwayes, and bee it further enacted by the authoritie aforesayd, That if any such person or persons which shall offend against this Act as aforesayd, shall not within three monethes next after they shall bee conuicted for their said offence, conforme themselues to the obedience of the Lawes and Statutes of this Realme, in comming to the Church to heare Diuine Seruice, and in making such publique confession and submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Diocese, or any Iustice of the Peace of the Countie where the same person shall happen to bee, or by the Minister or Curate of the Parish, That in euerie such case, euerie such offendor being thereunto warned or required by any Iustice of the Peace of the same Countie where such offendors shall then bee, shall vpon his and their corporall oath before the Iustices of peace in the open Quarter-Sessions of the same Countie, or at the Assises and Gaole deliuerie of the same Countie, before the Iustices of the same Assises and Gaole deliuerie, abiure this Realme of England, and all other the Queenes Maiesties Dominions for euer, vnlesse her Maiestie shall licence the partie to returne: And thereupon shall depart out of this Realme at such Hauen or Port, and within such time as shall in that behalfe bee assigned and appointed by the said Iustices, before whom such abiuration shall bee made, vnlesse the same offendor be letted or stayed by such lawfull and reasonable meanes or causes, as by the Common Lawes of this Realme are permitted and allowed in cases of Abiuration for Felonie. And in such cases of let or stay, then within such reasonable and conuenient time after as the Common Law requireth in case of Abiuration for felonie as is aforesaid. And that the Iustices of peace before whom any such Abiuration shall happen to bee made as aforesaid, shall cause the same presently to be entered of record before them, and shall certifie the same to the Iustices of Assises and Gaole deliuerie of the said Countie, at the next Assises or Gaole deliuerie to bee holden in the same Countie. And if any such offendor which by the tenor and intent of this Act is to be abiured as is aforesaid, shall refuse to make such abiuration as is aforesayd, or after such abiuration made, shall not goe to such Hauen, and within such time as is before appointed, and from thence depart out of this Realme according to this present Act, or after such his departure shall returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obtained: That then in euerie such case the person so offending shall bee adiudged a felon, and shal suffer as in case of felonie, without benefit of Clergie. And furthermore be it enacted by the authoritie of this present Parliament, That if any person or persons that shall at any time hereafter offend against this Act, shall before he or they be so warned or required to make abiuration according to the tenor of this Act, repaire to some parish church on some Sunday or other festinall day, and then & there heare diuine Seruice, and at Seruice time before the Sermon or reading of the Gospell make publick and open submission & declaration of his & their conformitie to her Maiesties lawes and statutes as hereafter in this Act is declared and appointed: That then the same offendor shal therupō be cleerely discharged of & from all and euery the penalties & punishments inflicted or imposed by this Act for any of the offences aforesaid. The same submission to be made as hereafter followeth: That is to say, I A.B. do hūbly confesse & acknowledge that I haue grieuously offended God in cōtemning her Maiesties godly and lawful gouernement and authoritie,

Crowne

Diuine Seruice

Church Chappell Common prayer

Prison

Conforme

Abiure

Exact Abiuration

Felon

Penalties

thoritie, by absenting my selfe frō Church & from hearing diuine seruice, contrarie to the godly lawes and statutes of this Realme, and in vsing and frequenting disordered & vnlawfull Conuenticles and assemblies, vnder pretence and colour of exercise of Religion. And I am heartily sorie for the same, and doe acknowledge and testifie in my conscience, that no other person hath or ought to haue any power or authoritie ouer her Maiestie. And I doe promise and protest without any dissimulation, or any colour of meanes or any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes and Statutes in repairing to the Church, and hearing Diuine Seruice, and doe mine vttermost indeuour to maintaine and defend the same. And that euerie Minister or Curate of euerie Parish where such submission and declaration of conformitie shall hereafter bee so made by any such offendor as aforesaid, shall presently enter the same into a Booke to bee kept in euerie Parish for that purpose, and within tenne dayes next following, shall certifie the same in writing to the Bishop of the same Dioceese. Prouided neuertheless, That if any such offendor after such submission made as is aforesaid, shall afterwards fall into relapse, or eftsones obstinately refuse to repaire to some Church, Chappell, or vsuall place of Common prayer, to heare Diuine Seruice, and shall forbeare the same as aforesaid, or shall come or bee present at any such assemblies, conuenticles, or meetings, vnder colour or pretence of any exercise of Religion, contrarie to her Maiesties Lawes and Statutes: That then euerie such offendor shall loose all such benefite as he or she might otherwise by vertue of this Act haue or enioy by reason of their said submission, and shall thereupon stand and remaine in such plight, condition, and degree, to all intents, as though such submission had neuer beene made. And for that euerie person, hauing house and familie, is in duetie bounden to haue speciall regard of the good gouernement and ordering of the same: Be it enacted by the authoritie aforesaid, That if any person or persons, shall at any time hereafter releeue, maintaine, retaine, or keepe in his or their house, or otherwise, any person which shall obstinately refuse to come to some Church, Chappel, or vsual place of Common prayer to heare Diuine seruice, and shall forbeare the same by the space of a moneth together, contrarie to the Lawes and Statutes of this Realme: that then euerie person which shall so releeue, maintain, retaine, or keepe any such person offending as aforesaid, after notice thereof to him or them giuen by the Ordinarie of the Dioceese, or any Iustice of Assises of the circuit, or any Iustice of Peace of the Countie, or the Minister, Curat, or Churchwardens of the Parish where such person shall then bee, or by any of them, shall forfeit to the Queenes Maiestie for euerie person so releeued, maintained, retained or kept, after such notice as aforesaid, ten pounds for euerie moneth that hee or they shall so releeue, maintaine, retaine, or keepe any such person so offending. Prouided neuertheless, That this Act shall not in any wise extend to punish or impeach any person or persons for releeuing, maintaining, or keeping his or their wife, father, mother, child or children, wards, brother, or sister, or his wiues father, or mother, not hauing any certaine place of habitation of their owne, or the husbands or wiues of any of them: Or for releeuing, maintaining, or keeping any such person as shall bee committed by authoritie to the custodie of any by whom they shall bee so releeued, maintained or kept: any thing in this Act contained to the contrarie notwithstanding. And for the more speedie leuying and recouering, for and by the Queenes Maiestie, of all and singular the paines, duties, forfeitures, and payments, which at any time hereafter shall accrue, grow or be payable by vertue of this Act, or of the Statute made in the three and twentieth yeare of her Maiesties raigne concerning Recusants, (which see here 19.) Be it enacted by the authoritie aforesaid, That all and euery of the said paines, duties, forfeitures, and payments, shall and may be recouered and leuied to her Maiesties vse, by Action of debt, Bill, Plaint, Information, or otherwise, in any of the Courts commonly called the Kings Bench, Common Pleas, or Exchequer, in such sort, and in all respects as by the ordinarie course of the Common Lawes of this Realme, any other debt due by any such person in any other case should or may be recouered, or leuied, wherein no Essoine, &c. Prouided alwayes, That the third part of the penalties to bee had or receiued by vertue of this Act, shall bee imployed and bestowed to such good and charitable vses, and in such manner and forme as is limited and appointed in the Statute made in the eight and twentieth yeare of her Maiesties raigne touching Recusants, (which see here 12.) Prouided also, That no Popish Recusant, or Femme couert shall be compelled or bound to abiure by vertue of this Act. Prouided also, That euerie person that shall abiure by force of this Act, or refuse to abiure, being thereunto required, as aforesaid, shall forfeit and loose to her Maiestie all his goods and chattels for euer: And shall further loose all his lands, tenements, and hereditaments, for, and during the life onely of such offendor, and no longer. And that the wife of any offendor by force of this Act, shall not loose her dower: Nor that any corruption of blood shall grow, or be, by reason of any offence mentioned in this Act: But that the heire of euerie such offendor by force of this Act, shall and may after the death of euerie offendor, haue and inioy the lands, tenements, and hereditaments of such offendor, as if this Act had not beene made. And this Act to continue no longer then to the end of the next Session of Parliament. An. 35. Eliz. ca. 1. And in an. 39. Eliz. ca. 18. this Act is continued vntill the end of the next Parliament. And in an 43. El. ca. 9. it is cōtinued to indure vntill the end of the first Session of the next Parliament. And an 1. Iac. ca. 25. it is continued vntill the end of the first Session of the next Parliament. And see 3. Iac. ca. 4. (here after 17.) two branches of the said Statute of 35. Eliz. repealed, and in lieu thereof two other enacted.

Relceue Wife Father Mother Child

Recusants

Forf. Goods Lands

15 A Recognition, That immediately vpon the diſſolution and deceaſe of Elizabeth, late Quéene of England, the Imperiall Crowne of the Realme of England, and of all the Kingdomes, Dominions, and rights belonging to the ſame, did by inherent birthright, and lawfull and vndoubted ſucceſſion, deſcend and come to our moſt gracious King Iames, as being lineally, iuſtly and lawfully, next and ſole heire of the Bloud royall of this Realme. An. 1. Iac. cap. 1.

Former Statutes

16 Be it ordained and enacted &c. That all and euerie the Statutes heretofore made in the raigne of the late Quéene Elizabeth, as well againſt Ieſuites, Seminarie Prieſts, and other Prieſts, Deacons, Religious, and Eccleſiaſticall perſons whatſoeuer, made, ordained, or profeſſed, or to bée made, ordained or profeſſed by any authoritie or iuriſdiction deriued, challenged, or pretended from the Sea of Rome, As thoſe which doe in any wiſe concerne the withdrawing of the Kings Subiects from their due obedience, and the Religion now profeſſed, and the taking of the Oath of obedience vnto the Kings Maieſtie, his heires and ſucceſſors, Together with all thoſe made in the ſaid late Quéenes time againſt any manner of Recuſants, ſhall bée put in due and exact execution. Prouided neuertheleſſe, and be it &c. That if any that is, or ſhall bée a Recuſant, ſhal ſubmit or reforme him or her ſelfe, and become obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Diuine Seruice and Sermons, according to the true meaning of the Statutes in that behalfe, in the ſaid late Quéenes time made and prouided: That then euerie ſuch perſon, for and during ſuch time as he or ſhe ſhal ſo continue in ſuch conformitie and obedience, ſhall from thenceforth be freed and diſcharged of and from any the penalties and loſſes which the ſame perſon might otherwiſe ſuſtaine and beare, in reſpect or by reaſon of ſuch perſons recuſancie. And if any Recuſant ſhall hereafter die, his heire being no Recuſant, that in euerie ſuch caſe, euerie ſuch heire ſhal be freed and diſcharged of all and ſingular the penalties, charges, and incumbrances happening vpon him or her, in reſpect or by reaſon of his or her auncellors Recuſancie. And if at the deceaſe of any ſuch Recuſant, his heire ſhall happen to be a Recuſant, and after ſhall become conformable and obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the diuine Seruice and Sermons, according to the intent and true meaning of the ſaid Statutes and ordinances in that behalfe made, as is aforeſaid: And alſo ſhall take the Oath of Supremacie in ſuch ſort as that Oath is expreſſed in one Act of Parliament made in the firſt yeare of the raigne of our late Soueraigne Ladie Quéene Elizabeth, before the Archbiſhop or Biſhop of the Dioceſſe, that in euerie ſuch caſe, euerie ſuch heire ſhall bée freed and diſcharged of all and ſingular the penalties, charges, and incumbrances happening vpon him or her in reſpect, or by reaſon of any of his, or her Auncellors Recuſancie. Prouided alwaies &c. That if the heire of any Recuſant ſhall happen to be within the age of ſixteene yeares, at the time of the deceaſe of his or her Auncellor, and ſhall after his or her ſaid age of ſixteene yeares, become, or be a Recuſant: That in euerie ſuch caſe, any ſuch heire ſhall not bée freed, or diſcharged of all or any of the penalties, charges, and incumbrances happening vnto him or her in reſpect, or by reaſon of any of his or her Auncellors Recuſancie, vntill he or ſhe ſhall ſubmit, or reforme him, or her ſelfe, and become obedient to the Lawes and ordinances of the Church of England, and repaire to the church, and continue there during the time of the Diuine Seruice and Sermons, according to the intent and true meaning of the ſaid Statutes and ordinances in that behalfe, as is aforeſaid, and ſhall take the ſaid Oath of Supremacie, in manner and forme aforeexpreſſed, And yet neuertheleſſe, from and after ſuch ſubmiſſion and oath had and taken, euerie ſuch heire ſhall bée freed and diſcharged, of all and ſingular the penalties, charges, and incumbrances, happening vnto him or her, in reſpect, or by reaſon of any of his or her Auncellors Recuſancie. And be it &c. That where any ſeiſure ſhall be had of the two parts of any lands, tenements, hereditaments, leaſes, or farmes, for the not payment of the twentie pounds due and payable for each moneth, according to the Statute in that caſe lately made and prouided: That in euery ſuch caſe, euerie ſuch two parts ſhall according to the extent thereof, goe towards the ſatisfaction and payment of the twentie pounds due and payable for each moneth, and vnpayed by any ſuch Recuſant. And that the third part thereof ſhall not be extended or ſeiſed by the Kings Maieſtie, his heires or ſucceſſors, for not paiment of the ſaid twentie pounds payable for each moneth, forfeited or loſt by any ſuch Recuſant. And where any ſuch ſeiſure ſhall be had of the two parts of the lands, tenements, hereditaments, leaſes or farmes of any ſuch Recuſant, as is aforeſaid, and ſuch Recuſant ſhall dye, (the debt or duetie by reaſon of ſuch Recuſancie not payed, ſatiſfied or diſcharged) That in euerie ſuch caſe, the ſame two parts ſhall continue in his Maieſties poſſeſſion, vntill the reſidue or remainder of the ſaid debt or duetie bée thereby, or otherwiſe payed, ſatiſfied, or diſcharged. And that his Maieſtie, his heires or ſucceſſors ſhall not ſeiſe or extend any third part deſcending to any ſuch heires, or any part thereof, either by reaſon of the Recuſancie of his or her Auncellors, or the Recuſancie of any ſuch heire. And bée it further enacted &c. That all and euerie perſon and perſons vnder the Kings obedience, which at any time (after the end of this Seſſion of Parliament) ſhall paſſe, or goe, or ſhall ſend, or cauſe any child to bee ſent any child, or other perſon vnder their, or any of their gouernement, into any the parts beyond the Seas, out of the Kings obedience, to the intent to enter into, or to bée reſident in any Colledge, Seminarie, or houſe of Ieſuites, Prieſts, or any other Popiſh Order, profeſſion, or calling whatſoeuer, or repaire in or to any the ſame, to bee inſtructed, perſwaded or ſtrengthened

Heire

Conformable

Oath of Supremacy

Any child of age of 16 yeares.

Oath of Supremacy

Two parts of a Recuſants lands ſeiſed

Reſident a Seminarie &c.

ſtrengthened in the Popiſh Religion, or in any ſort to profeſſe the ſame: Euerie ſuch perſon ſo ſending, or cauſing to be ſent any child, or other perſon beyond the Seas to any ſuch purpoſe or intent, ſhall for euerie ſuch offence forfeit to his Maieſtie, his Heires and Succeſſors, the ſumme of one hundred pounds. And euerie ſuch perſon ſo paſſing, or being ſent beyond the Seas to any ſuch intent and purpoſe as is aforeſaid, ſhall by authoritie of this preſent Act, as in reſpect of him or her ſelfe only, and not to or in reſpect of any of his heires or poſteritie, be diſabled and made incapable to inherite, purchaſe, take, haue, or inioy any Mannors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or ſummes of money within this Realme of England, or any other his Maieſties Dominions: And that all and ſingular eſtates, termes, or other intereſts whatſoeuer hereafter to be made, ſuffered or done, to or for the vſe or behoſe of any perſon or perſons, or vpon any truſt or confidence mediately or immediately, to or for the benefit or reliefe of any ſuch perſon or perſons, ſhall bee vtterly voyd, and of none effect, to all intents, conſtructions, and purpoſes. And bee it &c. That if any perſon borne within this Realme, or any the Kings Maieſties Dominions, bee at this preſent in any Colledge, Seminarie, houſe or place in any parts beyond the Seas, (to the end to be inſtructed or ſtrengthened in the Popiſh Religion) which ſhall not make returne into this Realme, or ſome of his Maieſties Dominions within one yeare next comming after the end of this Seſſion of Parliament, and ſubmit himſelfe as is aforeſaid, ſhall be in reſpect of himſelfe onely, and not to or in reſpect of any of his heires or poſteritie, vtterly diſabled, and vncapable to inherit, haue, or inioy any Manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforeſaid within this Realme, or any other his Maieſties Dominions. Prouided allwayes, That if any ſuch perſon or child ſo paſſing, ſent, ſending, or now being beyond the Seas, as aforeſaid, to ſuch intent as is before mentioned, ſhall after become conformable and obedient vnto the Lawes and Ordinances of the Church of England, and ſhall repaire to the church, and there remaine and be as is aforeſaid, and continue in ſuch conformitie, according to the true intent and meaning of the ſaid Statutes and Ordinances: That in euerie ſuch caſe, euerie ſuch perſon and child, for and during ſuch time as he or ſhe ſhall ſo continue in ſuch conformitie and obedience, ſhall bee freed and diſcharged of all and euerie ſuch diſabilitie and incapacitie, as is before mentioned. And bee it &c. That no woman, nor any child vnder the age of one and twentie yeares, (except Saylers or Shipboyes, or the Apprentice or Factor of ſome Marchant in trade of Marchandiſe) ſhall bee permitted to paſſe ouer the Seas (except the ſame ſhall bee by Licence of the King, his heires or ſucceſſors, or of ſome ſix or more of the Kings Priuie Counſell, thereunto firſt had vnder their hands) vpon paine that the Officers of the Port, that ſhall willingly or negligently ſuffer any ſuch ſo to paſſe, or ſhall not enter the names of ſuch paſſengers licences, ſhall forfeit his Office, and all his goods and chattels: And vpon paine that the owner of any ſhip or veſſell, that ſhall wittingly or willingly carrie any ſuch ouer the ſeas without licence, as is aforeſaid, ſhall forfeit his ſhip or veſſell, and all the tackle: And euerie Maſter, or Mariner, of or in any ſuch ſhip or veſſell, offending as aforeſaid, ſhall forfeit all their goods, and ſuffer impriſonment by the ſpace of twelue monethes, without bayle or mainprize. And be it &c. That no perſon after the Feaſt of Saint Michael the Archangell next, ſhall keepe any Schoole, or be a Schoolemaſter, out of any the Vniuerſities or Colledges of this Realme, except it bee in ſome publique or free Grammer Schoole, or in ſome ſuch Noble mans, or Noble womans, or Gentlemans, or Gentlewomans houſe, as are not Recuſants, Or where the ſame Schoolemaſter ſhall be ſpecially licenced thereunto by the Archbiſhop, Biſhop, or Gardian of the Spiritualties of that Dioceſſe, vpon paine that as well the Schoolemaſter, as alſo the partie that ſhall retaine or maintaine any ſuch Schoolemaſter, contrarie to the true intent and meaning of this Act, ſhall forfeit each of them, for euerie day ſo wittingly offending, fortie ſhillings: The one halfe of all the penalties and ſummes of money, before mentioned to be forfeited, to be to the King, his heirs and ſucceſſors, the other to him or them that ſhall or will ſue for the ſame, in any the Courts of Record in Weſtminſter, by action of debt, bill, plaint, or information, in which no Eſſoine, Protection, or Wager of Law ſhall be allowed. An 1. Iac. cap. 4.

17 Be it enacted &c. That euerie Popiſh Recuſant conuicted, or hereafter to be conuicted, which heretofore hath cõformed him or her ſelfe, or which ſhall hereafter conforme him or her ſelfe, and repaire to the Church, and continue there during the time of diuine Seruice, according to the Lawes and Statutes in that behalfe made and prouided, ſhall within the firſt yeare next after the end of this Seſſion of Parliament (if he or ſhe be conformed, as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt yeare next after that he or ſhe ſhall, after this Seſſion of Parliament, ſo conforme him or her ſelfe, and repaire to Church as aforeſaid, and after the ſaid firſt yeare, ſhall once in euerie yeare following at the leaſt receiue the bleſſed Sacrament of the Lords Supper, in the Church of that Parith where he or ſhe ſhall moſt vſually abide, or be, within the ſaid yere, wherin by the true meaning of this Statute, he or ſhe ought ſo to receiue. And if there be no ſuch Parith church, then in the Church next adioyning to the place of his or her ſuch moſt vſuall abode. And if any Recuſant ſo conformed, ſhall not receiue the ſaid Sacrament of the Lords Supper accordingly, he or ſhee ſhall for ſuch not receiuing, loose and forfeit for the firſt yeare twentie pounds, and for the ſecond yeare for ſuch not receiuing fortie pounds, and for euerie yeare after for ſuch not receiuing threeſcore pounds, vntill he or ſhe ſhall haue receiued the ſaid Sacrament, as is aforeſaid.

And if after he or shee shall haue receiued the sayd Sacrament as is aforesaid, and after shall eftsoones at any time offend in not receiuing the sayde Sacrament as is aforesayde, by the space of one whole yeare, that in euery such case, such person so offending, shall for euery such offence lose and forfeit 60. l. The one moitie to be to our Soueraigne Lord the Kings Maiestie his heires &c. and the other moitie to him that will sue for the same, And to be recouered in any the Kings Courts of Record at Westminster or before Justices of Assise, or generall Gaole delinery, or before Justices of the Peace at their generall quarter Sessions, by Action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of Law shalbe allowed. And be it &c. that the Churchwardens and Constables of euery Towne, Parish, or Chappell for the time being, or some one of them, or if there be none such, then the chiefe Constable of the Hundred where such Towne, Parish, or Chappell is, or shall be, or one of them, as well in places exempt, as not exempt, shall once in euery yeare present the Monethly absence from Church of all and all manner Popish Recusans within such Townes and Parishes, and shall present the names of euery of the Children of the said Recusants, being of the age of nine yeares and vpwards, abiding with their sayd parents, and as neere as they can, the age of euery of the sayd children, as also the names of the Seruants of such Recusants, at the generall or quarter Sessions of of that Shire, limit, diuision, or libertie. And be it &c. That all such presentments shall be accepted, entred, and recorded in the sayd Sessions by the Clerke of the Peace, or towne Clerke for the time being, or his Deputie, without any fee to bee had, asked, or taken for the same. And in default of such presentment to be made, the sayd Churchwardens, Constables, or high Constables respectiuely, shall for euery such default forfeit twenty shillings. And in default of such accepting, entring, and recording without fee as aforesayd, the sayd Clerke of the Peace, or towne Clerke, shall for euery such offence forfeit and lose fortie shillings. And that vpon euery presentment of such Monethly absence, as aforesaid, whereupon such partie so presented shall after happen to be indicted and conuicted (not being for the same absence before presented) Then the said Churchwardens, Constables, or high Constables respectiuely, so making such presentments, shall haue a reward of xl.s. to be leuied out of the Recusants goods and estate, in such manner and forme, as by the more part of the sayd Justices shall be by warrant, vnder their hands and seales, then and there ordered and appointed. And be it &c. That the Justices of Assise and Gaole delinery at their Assises, and the said Justices of Peace at any their sayd Session, shall haue power and authoritie by vertue of this Act, to inquire, heare, and determine of all Recusants and offences, as well for not receyuing the Sacrament aforesaid, according to ỹ true meaning of this Lawe, as for not repairing to Church, according to the meaning of former Lawes, in such manner and forme as the said Justices of Assise and Gaole delinerie do or may now do by former Lawes in the case of the Recusancie, for not repayring to Church: And also shall haue power at their said Assise and Gaole delinerie, and at the Sessions (in which any Indictment against any person, either for not repayring to Church according to former Lawes, or not receiuing the sayd Sacrament, according to this Law, shall be taken) to make Proclamation, by which it shall be commaunded, that the bodie of euery such offendor shall bee rendered to the Shirife of the same Countie, or Baylife, or other keeper of the Gaole of the libertie, before the next Assises, and generall Gaole deliuerie, or before the next generall or quarter Sessions respectiuely to be holden for the said Shire, Limit, Diuision, or Libertie. And if at the said next Assises and generall Gaole deliuerie, or Sessions, the same offendor so proclaimed shall not make appearance of record, that then vpon euerie such default recorded, the same shall bee as sufficient a conuiction in Law of the sayd offence, whereof the partie shall stand indicted, as aforesaid, as if vpon the same Indictment a tryall by verdict thereupon had proceeded, and bin found against him or her, and recorded. And be it further enacted, That euerie offendor in not repayring to diuine Seruice, but forbearing the same, contrarie to the Statutes in that behalfe made and prouided, that hereafter shall fortune to bee thereof once conuicted, shall in such of the Termes of Easter and Michaelmas, as shall bee next after such conuiction, pay into the Receit of the Exchequer, after the rate of 20. l. for euerie moneth, which shall be contained in the Indictment, whereupon such conuiction shall be: And shall also for euerie moneth after such conuiction, without any other Indictment or conuiction, forfeit 20. l. and pay into the Receit of the Exchequer aforesaid, at two times in the yeare, that is to say, in euerie Easter and Michaelmas Terme, as much as then shall remaine vnpayed after the rate of 20. l. for euery moneth after such conuiction, except in such cases, where the King shall and may by force of this Act refuse the same, and take two parts of the lands, tenements, hereditaments, leases, and farmes of such offendor, till the said partie being indicted for not comming to Church, contrarie to former Lawes, shall conforme himselfe, and come to Church, according to the meaning of the Statute in that behalfe made and prouided. And that euerie conuiction recorded for any offence before mentioned, shall from the Justices before whom the Record of such conuiction shall bee remaining, bee certified into the Kings Maiesties Court of Exchequer, before the end of the Terme following such conuiction, in such conuenient certaintie for the time, and other circumstances, as the Court of Exchequer may thereupon award out Proces for the seisure of the lands and goods of euerie such offendor, as the cause shall require: And if default shall bee made in any part of any payment aforesaid, contrarie to the forme herein before limited, that

60. l.

Churchwardens Constables

Present Children

Seruants

Clerke of the Peace

Fo. l.

Fo. l.

Reward

J. of Assise and Gaole deliuerie Iust. of P.

Proclamation

Conuiction

20. l. Moneth

Certified into the Exchequer

Default of payment

that then and ſo often the Kings Maieſtie, his heires &c. ſhall and may by Proces out of the ſaid Exchequer, take, ſeiſe, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leaſes, and farmes of ſuch offendor, as of all other the lands, tenements, hereditaments lyable to ſuch ſeiſure, or to the penalties aforeſaid, by the true meaning of this Act, leauing the third part onely of the ſame lands, tenements, and hereditaments, leaſes, and farmes, to and for the maintenance and reliefe of the ſame offendor, his wife, children, and familie. And whereas by an Act made in the Seſſion of Parliament, holden by Prorogation at Weſtminſter, Anno 23. Eliz. intituled, An Act to retaine the ſubiects of the ſaid late Quéene in their due obedience, it was amongſt other things enacted &c. That euery perſon aboue the age of ſixtéene yeares, which ſhould not repayre to ſome Church, Chappell, or vſuall place of Common Prayer, but forbeare the ſame contrarie to the tenour of a Statute made in the firſt yeare of the raigne of the ſaid late Quéene, for vniformitie of Common Prayer, and being thereof lawfully conuicted, ſhould forfeit vnto the ſaid Quéene for euerie moneth after the end of the ſaid Seſſion of Parliament, which he or ſhe ſhould ſo forbeare, 20. l. of lawfull Engliſh money, as in and by the ſaid Act of Parliament more at large appeareth. And whereas afterwards by another Act of Parliament of the ſaid Quéene it was further enacted &c. (amongſt other things) how and when the ſaid payments of the ſaid 20. l. ſhould be made, and that if default ſhould be made in any part of any payment of the ſaid 20. l. contrarie to the forme in the ſaid laſt ſpecified Statute limited, that then and ſo often the ſaid Quéene ſhould and might by Proceſſe out of her Highneſſe Exchequer, take, ſeiſe, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leaſes, and farmes of ſuch offendors, as of all other the lands, tenements, and hereditaments, lyable to ſuch ſeiſure, or to the penalties aforeſaid, by the true meaning of the ſaid Act of Parliament, leauing the third part onely of the ſame lands, tenements, &c. to and for the maintenance and reliefe of the ſame offendor, his wife, children, and familie, as in and by the laſt ſpecified Statute more at large alſo may appeare: Now for as much as the ſaid penaltie of 20. l. monethly is a greater burthen vnto men of ſmall liuing, then vnto ſuch as are of better abilitie, and do refuſe to come vnto Diuine Seruice, as aforeſaid, who rather then they will haue two parts of their lands to be ſeiſed, will be readie alwayes to pay the ſaid 20. l. according to the limitation of the ſaid Statutes, and yet retaine the reſidue of their liuings and inheritance in their owne hands, being of great yearely value, which they do for the moſt part imploy (as experience hath taught) to the maintenance of Superſtition and Popiſh Religion, and to the reliefe of Ieſuites, Seminaries, Popiſh Prieſts, and other dangerous perſons to the State: Therefore to the intent that hereafter the penaltie for not repaying to Diuine Seruice might be inflicted in better proportion vpon men of great abilitie, Be it enacted &c. That the Kings Maieſtie, his heires &c. ſhall from and after the Feaſt of S. Michael the Archangell next comming after the end of this Seſſion of Parliament, haue full power and libertie to refuſe the penaltie of 20. l. a moneth, though it be tendered readie to be payed according to the Law, and thereupon to ſeiſe and take to his owne vſe, and the vſes, intents, and purpoſes hereafter limited, two parts in three parts to be diuided as well of all the lands, tenements, & hereditaments, leaſes, and farmes, that at the time of ſuch ſeiſure ſhall be, or afterward ſhall come to any the ſaid offendors, in not comming to Church, or any other to his or her vſe, or in truſt for him or her, or at his or her diſpoſition, or whereby or wherewith, or in conſideration whereof ſuch offendor, or his family, or any of them, ſhall be relieued, maintained, or kept, as of all other lands, tenements, and hereditaments in any wiſe, or at any time lyable to ſuch ſeiſure, or to the penalties aforeſaid, and the ſame to retaine to his owne and other vſes, intents, and purpoſes hereafter in this Act appointed, till euery ſuch offendor ſhall conforme him or her ſelfe reſpectiuely, as aforeſaid, in lieu and full recompence of the 20. l. monethly, that during his ſuch ſeiſure and retainer ſhall incurre: any thing in the ſayd Statutes, or in any of them, or any other Statute to the contrarie in any wiſe notwithſtanding. Saue- Sauing
uing to our ſoueraigne Lord the Kings Maieſtie, his heires and ſucceſſors, and all and euery perſon and perſons, bodies politicke and corporate, their heires and ſucceſſors (other then the ſaid offendor, his or her heires, and all clayming to his or their vſe, or in truſt for him or them, or at his or their will or diſpoſition) all and all manner leaſes, rents, conditions, and other rights & titles whatſoeuer, had, made, and done (bona fide) and without fraud and couin before ſuch ſeiſure. Prouided alwayes, and be it &c. That the Kings Maieſtie, his heires &c. ſhall not take into his two parts, but leaue to ſuch offendor his chiefe manſion houſe, as part of his third part, and ſhall not deuiſe, leaſe, nor put ouer the ſaid two parts, nor any part thereof, to any Recuſant, nor to or for the vſe of any Recuſant. And that whoſoeuer ſhall take the ſame in leaſe, or otherwiſe of his Maieſtie, his heires and ſucceſſors, ſhall giue ſuch ſecuritie not to commit nor ſuffer Waſt to bee committed in or vpon any the ſaid premiſſes, as by the Court of Exchequer ſhall bee allowed ſufficient. And for the better tryall how his Maieſties ſubiects ſtand affected in point of their loyaltie and due obedience, Bee it alſo &c. That from and after the end of this preſent Seſſion of Parliament it ſhall be lawfull to and for any Biſhop in his Dioceſſe, or any two Iuſtices of Peace, whereof one of them to be of the Quorum, within the limits of their iuriſdiction, out of the Seſſions, to require any perſon of the age of eighteene yeares, or aboue, being, or which ſhall bee conuict or indicted, of or for any Recuſancie (other then Noble men, or Noble women) for not repairing to diuine Seruice, according to the Lawes

The K. may refuſe 20. l. a moneth, & take 2 parts of a Recuſants lands.

The manſion houſe

Waſt

Biſhop 2. Iuſtices of Peace

Require the Oath

of

of this Realme, or which shall not haue receiued the said Sacrament twice within the yeare then next past (Noblemen and Noble women excepted) or any person passing in or through the Countie, Shire, or Libertie, and vnknowne (except as is last before excepted) that being examined by them vpon Oath, shall confesse, or not denie himselfe or her selfe to be a Recusant, or shall confesse or not denie, that hee or shee had not receiued the said Sacrament twise within the yeare then last past, to take the Oath hereafter following, vpon the holy Euangelist: Which said Bishop, or two Iustices of Peace shall certifie in writing subscribed with his or their hands at the next generall or Quarter Sessions for that Shire, Limit, Division, or Libertie, within which the said Oath shall be so taken, the Christen name, surname, & place of abode of euerie person, which shall so take the said Oath, which certificat shall be there recorded by the Clerke of the Peace, or Towne Clerke, and kept amongst the Records of the said Sessions. And be it further enacted, That if any such person or persons (other then Noblemen, or Noble women) shall refuse to answere vpon Oath to such Bishop, or Iustice of Peace, examining him or her, as aforesaid, or to take the said Oath so duely tendered vnto him or her by such Bishop, or two such Iustices of Peace out of Sessions, that then the said Bishop or Iustice of Peace shall and may commit the same person to the common Gaole, there to remaine without baile or mainprise, vntill the next Assises, or generall or Quarter Sessions to be holden for the said Shire, Division, Limit, or Libertie, where the said Oath shall be againe in the said open Assises or Sessions required of such person by the said Iustices of Assise, or Iustices of Peace then and there present, or the greater number of them. And if the sayd person or persons, or any other person whatsoeuer (other then Noblemen, or Noble women) of the age of eighteene yeares, or aboue, shall refuse to take the said Oath, being tendered vnto him or her by the Iustices of Assise and Gaole delinerie in their open Assises, or the Iustices of Peace, or the greater part of them, in their said generall or Quarter Sessions; euerie person so refusing shall incurre the danger and penaltie of Præmunire, mencioned in the Statute of Præmunire, made in the Fifteenth yeare of the raigne of King Richard the second, except women couert, who vpon refusall of the said Oath shall be by the said Iustices of Assise in their open Assise, or Iustices of Peace in their generall or Quarter Sessions, for the said offence committed onely to the common gaole, there to remaine without baile or mainprise, till they will take the said Oath: The tenour of which sayd Oath hereafter followeth.

Certifie

Clerke of the Peace

Refusing the Oath

Impris. Bayle denied

Refuse

Præmunire

Women couert

Impris. Bayle denied

The Oath

I A. B. doe truely and sincerely acknowledge, professe, testifie, and declare in my conscience before God and the world, That our Soueraigne Lord King Iames is lawfull and rightfull King of this Realme, and of all other his Maiesties Dominions and Countries: And that the Pope, neither of himselfe, nor by any authoritie of the Church or See of Rome, or by any other meanes with any other hath any power or authoritie to depose the King, or to dispose any of his Maiesties Kingdomes, or Dominions, or to authorize any forraine Prince to inuade or annoy him, or his Countries, or to discharge any of his Subiects of their allegiance and obedience to his Maiestie, or to giue licence or leaue to any of them to beare Armes, rayse tumult, or to offer any violence or hurt to his Maiesties royall Person, State, or Gouernment, or to any of his Maiesties Subiects, within his Maiesties Dominions. Also, I doe sweare from my heart, that notwithstanding any Declaration or Sentence of Excommunication or Deprauation made or graunted, or to be made or graunted by the Pope, or his Successors, or by any authoritie deriued, or pretended to bee deriued from him, or his See, against the sayd King, his Heires or Successors, or any absolution of the said Subiects from their obedience: I will beare faith and true allegiance to his Maiestie, his Heires and Successors, and him and them will defend to the vttermost of my power, against all Conspiracies and Attempts whatsoeuer, which shall be made against his or their Persons, their Crowne and Dignitie, by reason or colour of any such Sentence or Declaration, or otherwise, and will doe my best endeuour to disclose and make knowne vnto his Maiestie, his Heires and Successors, all Treasons and traiterous Conspiracies, which I shall know or heare of to bee against him, or any of them. And I doe further sweare, That I doe from my heart abhorre, detest, and abjure, as impious and hereticall, this damnable Doctrine and Position, That Princes which be excommunicated or depriued by the Pope, may bee deposed or murthered by their Subiects, or any other whatsoeuer. And I do beleeue, and in conscience am resolued, that neither the Pope, nor any person whatsoeuer, hath power to absolue me of this Oath, or any part thereof, which I acknowledge by good and full authoritie to be lawfully ministred vnto me, and doe renounce all Pardons and Dispensations to the contrarie. And all these things I doe plainely and sincerely acknowledge and sweare, according to these expresse words by mee spoken, and according to the plaine and common sence and vnderstanding of the same words, without any equiuocation, or mentall euasion, or secret reseruation whatsoeuer. And I do make this recognition and acknowledgement heartily, willingly, and truely, vpon the true faith of a Christian. So helpe me God. Vnto which Oath so taken, the said person shall subscribe his or her name or marke. And be it further enacted &c. That no Indictment or Indictments had or found, or hereafter to be had or found against any person or persons, for not repayring to some Church or Chappell, or vsuall place of Common Prayer, but absenting him or her selfe by the space of one moneth, contrarie to the Lawes and Statutes in that behalfe prouided, or for not receiuing the said Sacrament contrarie to this present Law, nor any Proclamati-

Indict.

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on, Vtlawry, or other proceeding thereupon shall at any time hereafter be auoided, discharged, or reuersed by reason of any default in forme, or lacke of forme, or other defect whatsoeuer (other then by direct Trauers to the point of not comming to Church, or not receiuing the sayd Sacrament) whereof such person or persons hath beene, or shall be inuicted, but the same Indictment shall stand in force, and be proceeded vpon: any such default of forme, or other defect whatsoeuer notwithstanding. Prouided alwayes, That if any person or persons so indicted, or to be indicted, shall at any time hereafter submit and conforme him or her selfe, and become obedient to the Lawes of the Church of England, and repayre to the Parish Church of his or her most abiding, and if there be none such, then to the Church next adioyning to his or her such dwelling, and there heare diuine Seruice, according to the true meaning of the Statute in that behalfe made and prouided, and there publikely receiue the said Sacrament, according to the Lawes of this Realme of England now established, That then euerie such person and persons so indicted shall and may from thenceforth be admitted and allowed to auoid, discharge, reuerse, and vndoe the said Indictment and Indictments, and all proceedings thereupon, in such manner and forme, as if this present Act had not beene had or made: any thing herein contained &c. notwithstanding. And be it &c. That euerie subiect of this Realme, that after the tenth day of June next comming shall go or passe out of this Realme to serue any forraine Prince, State, or Potentate, or shall after the said tenth day of June passe ouer the seas, and there shall voluntarily serue any such forraine Prince, &c. not hauing before his or their going or passing, as aforesaid, taken the Oath aforesaid, before the Officer hereafter appointed, shall be a Felon. And that if any Gentleman, or person of higher degree, or any person or persons which hath borne, or shal beare any Office or place of Captaine, Lieutenant, or any other Place, Charge, or Office in Campe, Armie, or Companie of Souldiers, or Conductor of Souldiers, shall after goe or passe voluntarily out of this Realme, to serue any such forraine Prince, State, or Potentate, or shall voluntarily serue any such Prince, &c. before that he and they shall become bound by Obligation with two such sureties as shall be allowed of by the Officers, which are hereafter by this Act limited, to take the same Bond vnto our Soueraigne Lord the Kings Maiestie, his heires or successors, in the summe of 20. l. at the least, with condition to the effect following, shall be a Felon: The tenour of which Condition followeth, viz. That if the within bounden, &c. shall not at any time then after be reconciled to the Pope, or Sea of Rome, nor shall enter into or consent vnto any practise, plot, or conspiracie whatsoeuer against the Kings Maiestie, his Heires and Successors, or any his and their Estate and Estates, Realmes, or Dominions: but shall within conuenient time, after knowledge thereof had, reueale and disclose to the Kings Maiestie, his Heires and Successors, or some of the Lords of his or their Honorable Priuie Councell, all such Practises, Plots, and Conspiracies, That then the said Obligation to be void. And for the due execution of this branch of this present Law, it shall and may bee lawfull to and for the Customer and Controller of euerie Port, Hauen, or Creeke, or one of them, and their or either of their deputie or deputies, and none other, to receiue and accept all and euerie such Bond and Obligation, to and for the vses aforesaid, and to minister and giue the Oath aforesaid, according to the true intent of this Statute (taking for such Bond sixpence, and no more, and for the said Oath no fee at all) which said Customer and Controller shall register and certifie all and euerie such Bond and Oath so taken into the Court of Exchequer at Westminster once euerie yeare, vpon paine of fiue pounds for euerie Bond not so certified, and twentie shillings for euerie Oath not so certified. Prouided alwayes, That this last mentioned branch shall not extend to any person or persons which are already gone, or shall goe beyond the seas to serue any forraine Prince, State, or Potentate, before the tenth day of June next comming, for his said going or passing before the sayd tenth day of June. And further be it enacted &c. That if any person or persons at any time after the said tenth day of June shall either vpon the seas, or beyond the seas, or in any other place within the Dominions of the Kings Maiestie, his heires &c. put in practise to absolue, persuade, or withdraw any of the subiects of the Kings Maiestie, or of his heires or successors of this Realme of England from their naturall obedience to his Maiestie, his heires or successors, or to reconcile them to the pope or Sea of Rome, or to moue them or any of them to promise obedience to any pretended authoritie of the Sea of Rome, or to any other Prince, &c. That then euerie such person, their procurers, counsellors, ayders, and maintainers, knowing the same, shall be to all intents adiudged Traytors, and being thereof lawfully conuicted, shall haue iudgement, suffer, and forfeit, as in cases of high Treason. And if any such person, as aforesaid, at any time after the said tenth day of June shall be either vpon the seas, or beyond the seas, or in any other place within the Dominions of the Kings Maiestie, his heirs or successors, willingly absolued or withdrawne, as aforesaid, or willingly reconciled, or shall promise obedience to any such pretended Authoritie, Prince, &c. as aforesaid, That euerie such person and persons, their procurers and counsellors, ayders, and maintainers, knowing the same, shall be to all intents adiudged Traytors, and being thereof lawfully conuicted, shall haue iudgement, suffer, and forfeit, as in cases of high Treason. Prouided neuertheless, That the last mentioned clause of this branch, or any thing therein contained, shall not extend or be taken to extend to any person or persons whatsoeuer, which shall hereafter bee reconciled to the Pope or Sea of Rome, as aforesaid (for and touching the point of so being reconciled onely) that shall

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Customer Controller
Bond
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Reconciling to the Sea of Rome
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Treason

shall returne into this Realme, and thereupon within six dayes next after such returne before the Bishop of the Diocesse, or two Justices of Peace (ioyntly or severally) of the Countie where hee shall arriue, submit himselfe to his Maiestie and his Lawes, and take the Oath set forth by Act Anno 1. Elizabethæ (commonly called the Oath of Supremacie) as also the Oath before set downe in this present Act: which sayd Oathes the sayd Bishop and Justices respectiuely shall haue power and authoritie, by this present Act, to minister to such persons as aforesaid. And the said Oathes so taken, the said Bishop and Justices before whom such Oathes shall be so taken, respectiuely shall certifie at the next generall or Quarter Sessions of the Peace to be holden within the said Shire, Limit, Diuision, or Libertie, wherein such person as aforesaid shall submit himselfe, and take the said Oathes, as aforesaid, vpon paine of euerie one neglecting to certifie the same, as aforesaid, the summe of fortie pounds. And be it further enacted, That all and euerie person and persons that shall offend contrarie to this present branch of this Statute, shall be indicted, tried, and proceeded against, by and before the Justices of Assise and Gaole deliuerie of that Countie for the time being, or before the Justices of the Court of Kings Bench, and be there proceeded against, according to the Lawes & Statutes of this Realme against Traytors, as if the said offence had beene committed in the same Countie, where such person or persons shall be so taken: Any Law, Custome, or Statute to the contrarie in any wise notwithstanding. Prouided alwayes, That if any Peere of this Realme shall happen to be indicted of any offence made Treason by this Act, he shall haue his tryall by his Peeres, as in other like cases of Treason is accustomed. And be it further enacted, That if any subiect of this Realme, at any time after one moneth next after the end of this present Session of Parliament, shall not resort or repayre euerie Sunday to some Church, Chappell, or some other vsuall place appointed for Common Prayer, and there heare Diuine Seruice, according to the Statute made in that behalfe, in the first yeare of the raigne of the late Queene Elizabeth, That then it shall and may be lawfull to and for any Justice of Peace of that Limit, Diuision, or Libertie, wherein the said partie shall dwell, vpon proofe vnto him made, of such default by confession of the partie, or oath of witnesse, to call the said partie before him, and if he or she shall not make a sufficient excuse, and due proofe thereof, to the satisfaction of the said Justice of Peace, That it shall bee lawfull for the sayd Justice of Peace to giue warrant to the Churchwarden of the said parish, wherein the said partie shall dwell, vnder his hand and seale, to leuie twelue pence for euerie such default by distresse, and sale of the goods of euerie such offendor, rendring to the said offendor the ouerplus of the money raysed of the said goods so to be sold: And that in default of such distresse, it shall and may be lawfull for the sayd Justice of Peace to commit euerie such offendor to some prison within the said Shire, Diuision, Limit, or Libertie, wherein such offendor shall be inhabiting, vntill payment be made of the said summe or summes so to be forfeited, which forfeiture shall be imployed to and for the vse of the poore of that Parish, wherein the offendor shall be resident or abiding, at the time of such offence committed. Prouided, that no man bee impeached vpon this Clause, except hee bee called in question for his said default within one moneth next after the sayd default made. And that no man being punished according to this branch, shall for the same offence bee punished by the forfeiture of twelue pence vpon the Law, made in the first yeare of the late Queene Elizabeth. And because in one Act of Parliament begun and holden at Westminster, in the fiue and thirtieth yeare of the late Queene Elizabeth, intituled, An Act to retaine the Queenes Maiesties subiects in their due obedience, there are two branches contained, the first beginning thus: (And for that euerie person hauing house and familie is in duetie bounden to haue especiall regard of the good gouernment and ordering of the same) and so forth to the next Clause beginning thus: (Prouided neuertheless, that this Act shall not in any wise extend to punish or impeach any persons for relieuing &c. ending with these wordes, Any thing in this Act contained &c. notwithstanding) which said two Branches or Clauses are found defectiue: Bee it therefore enacted, That the said two Branches or Clauses of the sayd Act, and no more, shall bee by authoritie of this present Parliament vtterly repealed and made void. And in lieu thereof bee it enacted, That euerie person and persons, which after one moneth next after the end of this present Session of Parliament, shall willingly maintaine, retaine, relieue, keepe, or harbour in his or their house, any seruant, soiourner, or stranger, who shall not goe to, or repayre to some Church, or Chappell, or vsuall place of Common Prayer, to heare Diuine Seruice, but shall forbeare the same by the space of one moneth together, not hauing a reasonable excuse, contrarie to the Lawes & Statutes of this Realme, shall forfeit tenne pounds for euerie moneth that hee, shee, or they shall so relieue, maintaine, retaine, keepe, or harbour any such seruant, soiourner, or stranger in his or their house, so forbearing as aforesaid. And that euerie person which shall within the time aforesaid, retaine or keepe in his, her, or their seruice, see, or liuerie, any person or persons, which shall not goe to, or repayre to some Church, Chappell, or vsuall place of Common Prayer, to heare Diuine Seruice, but shall forbeare the same by the space of one moneth together, shall forfeit for euerie moneth hee, shee, or they shall so retaine, keepe, or continue in his, her, or their seruice, see, or liuerie, any such person or persons, so forbearing as aforesaid, knowing the same, tenne pounds, the same penalties to bee recouered and imployed in manner and forme hereafter following. Prouided neuertheless, that this Act shall not in any wise extend to punish or impeach any person or per-

Submission and taking the Oathes

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Church-warden

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1 Repeal of 2. branches of 35. Eliz. cap. 1.

Forfeiture for harbouring a Recusant

persons for maintaining, retaining, relieuing, keeping, or harbouring his, her, or their Father, or Mother, wanting, without fraud or couin, other habitation or sufficient maintenance, or the Ward of any such person, or any person that shalbe committed by authoritie to the custodie of any by whom they shalbe so relieued, maintained, or kept: Any thing in this Act contained &c. notwithstanding. And be it further enacted &c. That vpon any lawfull Writ, Warrant, or Proces awarded to any Shirife, or other Officer, for the taking or apprehending of any Popish Recusant standing excommunicated for such Recusancie, it shall bee lawfull for such Shirife, or other Officer, authorized in that behalfe, if need be, to breake open any house wherein such person excommunicated shall be, or to raise the power of the Countie for the apprehending of such person, and the better execution of such Warrant, Writ, or Proces. And be it further enacted, That all and euerie offence to be committed or done against this present Act, shall and may be inquired of, heard, and determined, before the Iustices of the Kings Bench, Iustices of Assise and Gaole delineries in their seuerall Assises, and Gaole delineries. And all offence other then Treason, shall be inquired, heard, and determined before the Iustices of Peace, in their generall or Quarter Sessions to be holden within the Shire, Diuision, Limit, or Libertie, wherein such offence shall happen. Prouided alwayes, and be it &c. That any Attainder of Felonie, made Felonie by this Act, as is aforesaid, shall not in any wise extend to take away the Dower of the wife of any such person attainted, or be any barre for the recouerie of the same, nor shall make or worke any corruption of blod, or disherison of any of the heire or heires of any such person or persons so attainted: This Act or any thing &c. notwithstanding. And be it further enacted, That if any Action or Actions shall at any time hereafter bee commenced or brought against any person or persons doing, committing, or commaunding any act or thing, for or concerning the execution of this present Statute, or any Article or Clause therein contained: That then euerie defendant in such Action and Actions may plead the generall issue, and be received to maintaine the same, by any euidence that shall proue his doings and procedings warrantable by this Law. Prouided alwayes, That neither this Act, nor any thing therein contained, shall extend to take away or abridge the authoritie or iurisdiction of the Ecclesiasticall Censures for any cause, or matter, but that the Commissioners of his Maiestie, his heires &c. in causes Ecclesiasticall for the time being, and the Archbishops, Bishops, and other Ecclesiasticall Iudges may doe, and procede, as before the making of this Act they lawfully did or might haue done: Any thing in this Act &c. notwithstanding. Prouided alwayes &c. That no person shall be charges or chargeable with any penaltie or forfeiture by force of this Act, which shall happen for his wiues offence, in not receiuing the sayd Sacrament, during her marriage: Nor that any woman shall be charged or chargeable with any penaltie or forfeiture by force of this Act, for any such offence of not receiuing, which shall happen during her marriage. Prouided also, and be it enacted &c. That in all causes where any Bishop, or Iustices of the Peace, may by force of this Act requite and take of any subiect the Oath aboue mentioned, That the Lords of the Priuie Counsell for the time being, or any fiue of them, whereof the Lord Chauncelor, the Lord Treasurer, or the principall Secretarie for the time to be one, shall haue full power and authoritie by force of this Act at any time or times, to require & take the said Oathes before mentioned, of any Noble man, or Noble woman (then being aboue the age of eighteene yeares.) And if any such Noble man or Noble woman (other then women married) shall refuse to take such Oath or Oathes, that in euerie such case, such Noble man or Noble woman shall incurre the paine and danger of a Præmunire. Prouided &c. That where any person or persons shall goe or passe out of the Cinque Ports, or any member thereof, to any parts beyond the seas, to serue any forraine Prince, State, or Potentate, that in euerie such case the Lord Warden of the Cinque Ports for the time being, or any person by him in that behalfe appointed, or to be appointed, shall haue full power and authoritie by vertue hereof to take the Bond, and to minister the Oath to such passengers as is aboue mentioned. Anno 3. Iac. cap. 4.

Noblemen

Warden of the Cinque Ports

18 Be it enacted &c. That such person as shall first discouer to any Iustice of Peace any Recusant, or other person which shall entertaine or relieue any Iesuite, Seminarie, or Popish Priest, or shall discouer any Masse to haue beene said, and the persons that were present at such Masse, and the Priest that said the same, or any of them, within three dayes next after the offence committed, and that by reason of such discouerie any of the said offendors be taken and conuicted or attainted: That then the person which hath made such discouerie, shall not onely bee freed from the danger and penaltie of any Law for such offence, if he be an offendor therein, but also shall haue the third part of the forfeiture of all such summes of money, goods, chattels, and debts, which shall be forfeited by such offence (so as the same totall forfeiture exceede not the summe of 150. l. and if it exceede the summe of 150. l. the said person so discouering the said offence, shall haue the summe of 50. l. onely for euerie such discouerie:) And such person so discouering the same, after conuiction of the offendor, shall haue a Certificate from the Iudges or Iustices of Peace, before whom such conuiction shall happen to be, directed to the Sherife or other Officer of the Countie, Limit, or Place, that shall seise the goods, or leuie the sayd forfeiture, commanding the said Shirife or other Officer to pay the same accordingly to him that so discouered the same, out of the moneyes to be leuied by vertue of the said forfeitures, which warrant and payment shall be effectuall in the Law for that purpose, and a sufficient discharge in that

Discouerie of offendors & offences

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that behalfe for the Shirife or other Officer vpon his accompt. And be it enacted &c. That no Popiſh Recuſant conuicted, or to be conuicted, ſhall come into the Court or Houſe where the Kings Maieſtie, or his heire apparant to the Crowne of England ſhall be; vnleſſe he be commaunded ſo to doe by the Kings Maieſtie, his heires or ſucceſſors, or by warrant in writing from the Lords and others of the vndi Honorable Priuie Counſell of the Kings Maieſtie, his heires and ſucceſſors, diuers of them, vpon paine to forfeit for euerie time ſo offending 100. l. The one moitie to the Kings Maieſtie, his heires and ſucceſſors, the other moitie to him that will ſue ouer and ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of his Maieſties Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed. And that all Popiſh Recuſants indicted or conuicted, and all other perſons which haue not repayred to ſome vſuall Church or Chappell, and there heard Diuine Seruice, but haue forborne the ſame by the ſpace of three moneths laſt paſt, contrarie to the Lawes and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London, or the liberties thereof, or within tenne myles of the ſaid Citie, ſhall within three moneths next after the end of this Seſſion of Parliament, depart from the ſaid Citie of London, and tenne myles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Mayor of London, in caſe ſuch Recuſant doe dwell or remaine within the ſayd Citie of London, or the liberties thereof: And in caſe the ſaid Recuſant ſhall dwell or remaine in any other Countie within tenne myles of the ſame Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Iuſtice of Peace within ſuch Countie where the ſayd Recuſant ſhall ſo dwell or remaine, within fortie dayes after the end of this Seſſion of Parliament, vpon paine that euerie perſon offending herein, ſhall forfeit to our Soueraigne Lord the Kings Maieſtie, his heires and ſucceſſors, the ſumme of 100. l. The one moitie whereof ſhall bee to the Kings Maieſtie, his heires &c. the other moitie to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information in any of the Kings Maieſties Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhal be admitted or allowed. And that all Popiſh Recuſants, which ſhall hereafter come, dwell, or remaine within the ſayd Citie of London, or the liberties thereof, or within tenne myles of the ſaid Citie, which now are, or hereafter ſhall be indicted or conuicted of ſuch Recuſancie, or which ſhall at any time hereafter not repayre vnto ſome vſuall Church or Chappell, and there heare Diuine Seruice, but ſhall forbeare the ſame by the ſpace of three moneths, contrarie to the Lawes and Statutes of this Realme, ſhall within tenne dayes after ſuch indictment or conuiction, depart from the ſaid Citie of London, and tenne myles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Mayor of London for the time being, in caſe ſuch Recuſant ſhall dwell or remaine within the ſayd Citie of London, or the liberties thereof: And in caſe the ſaid Recuſant ſhall dwell or remaine in any other Countie within tenne myles of the ſaid Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Iuſtice of Peace within ſuch Countie where the ſaid Recuſant ſhall ſo dwell or remaine, within the ſaid tenne dayes next after ſuch indictment or conuiction, vpon paine that euerie perſon offending herein, ſhall likewiſe forfeit to our ſaid Soueraigne Lord the Kings Maieſtie, his heires and ſucceſſors, the like ſumme of 100. l. the one moitie whereof ſhall bee to the Kings Maieſtie, his heires and ſucceſſors, and the other to him or them that will ſue for the ſame by Action of Debt, Bill, &c. wherein no Eſſoine, &c. Prouided alwayes, That ſuch perſon or perſons as now vſe any Trade, Myſterie, or manuall Occupation within the ſaid Citie of London, or within tenne myles of the ſame, and ſuch as haue or ſhall haue their only dwelling within the ſaid Citie, or tenne myles compaſſe of the ſame, not hauing any other dwelling or place of abode elſewhere, ſhall or may remaine and continue in ſuch place within the ſaid Citie, or tenne myles of the ſame, as they haue dwelled, inhabited, or remained in by the ſpace of three moneths next before this preſent Seſſion of Parliament: Any thing herein contained to the contrarie notwithſtanding. And be it enacted &c. That the Statute made Anno 35. Elizab. for and concerning the confining of Popiſh Recuſants, vnder the paines and penalties therein contained, ſhall by this Act, and by the authoritie of the ſame, be confirmed, and be hereafter put in due execution, according to the tenour, true intent, and meaning of the ſayd Statute, in that behalfe made. And that the Proviſo, in the ſaid Statute contained, giuing power to graunt Licence or Licences vnto the ſayd Recuſants to goe and trauaile from or out of the compaſſe of fiue myles, ſhall be from and after the end of this preſent Seſſion of Parliament, vtterly repealed and void: Any thing in the ſaid Statute to the contrarie notwithſtanding. Prouided neuertheleſſe, &c. That it ſhall and may bee lawfull for the Kings moſt excellent Maieſtie, his Heires, and Succeſſors, or for three or more of his Maieſties moſt Honourable Priuie Counſell, or for three or more of the Priuie Counſell of his Heires or Succeſſors, in writing vnder the hands of the ſayd Priuie Counſellors, to giue Licence to euerie ſuch Recuſant to goe and trauaile out of the compaſſe of the ſayd fiue myles, for ſuch time as in the ſaid Licence ſhall be contained, for their trauailing, attending, and returning, and without any other cauſe to bee expreſſed within the ſaid Licence. And if any of the perſons which are ſo confined by vertue of the ſaid Statute, as is aforeſaid, ſhall haue neceſſarie occaſion or buſineſſe to goe and trauaile out of the compaſſe of the ſaid fiue myles, That then and in euerie ſuch caſe, vpon Licence in writing in that behalfe to be gotten, vnder the hands and ſeales of foure

Recuſants forbidden the Court

Forf.

Depart frō London, & 10. myles compaſſe

Iuſt. of P.

Forf.

Recuſants

Forf.

Forf.

Licences confirmed Recuſants to trauaile

foure of the Iuſtices of Peace of the ſame County, Limit, Diuiſion, or Place next adioyning to the place of abode of ſuch Recuſant, with the priuity and aſſent in writing of the Biſhoppe of the Dioceſſe, or of the Lieutenant, or of any Deputy Lieutenant of the ſame County, reſiding within the ſaid Countie, or Libertie, vnder their hands and ſeales (in euery of which Licence or Licences in writing ſo to be had and made, ſhall be ſpecified and contained both the particular cauſe of the ſaid Licence, and the time how long the ſaid party licenced ſhall be abſent in trauailing, attending, and returning) it ſhall and may thereupon be lawfull for euery ſuch perſon ſo licenced, to go and trauaile about ſuch their neceſſarie buſineſſe, and for ſuch time onely for their trauailing, attending, and returning, as ſhall be comprized in the ſaide Licence, the ſaid party ſo Licenced firſt taking his Corporall Oath before the ſaide foure Iuſtices of the Peace, or anie of them (who ſhall haue Authoritie by Vertue of this Acte to miniſter the ſame) that hée hath truely informed them of the cauſe of this Iourney, and that hée ſhall not make any cauſeleſſe ſtayes. And that all and euerie Licence, hereafter to be made in this behalfe, contrary to the Tenour, Effect, and true meaning of this Statute, ſhall be vtterly voyde, fruſtrate, and of none effect: Anie thing in the ſaid former Acte, or in this Acte to the contrarie notwithſtanding. And euerie perſon ſo confined, which ſhall depart or goe aboue fiue miles from the place, whereunto hée is or ſhall bée confined, not hauing ſuch Licence, and not hauing taken ſuch Oathe, as aforeſaid, ſhall incurre the payne and penalty, and forfaite as a Recuſant conuicted, and paſſing or going aboue Fiue Miles from the ſaid place, whereunto hée is or ſhall bée Confined by the ſaide Statute of 35. Elizabeth. ſhould doe. And be it further enacted, &c. That no Recuſant conuict ſhall at anie time after the end of this Seſſion of Parliament, practiſe the Common Law of this realme, as a Counſellor, Clerke, Attourney, or Sollicitor in the ſame, nor ſhall practiſe the Ciuile Law, as Aduocate, or Proctor, nor practiſe Phiſicke, nor exerciſe or vſe the Trade or Art of an Apothecarie, nor ſhall bée Iudge, Miniſter, Clerke, or Steward, of, or in any Court, or keepe anie Court, nor ſhall bée Regiſter, or Towne-clerke, or other Miniſter or Officer in anie Court, nor ſhall beare anie Office or Charge, as Captaine, Lieutenant, Corporall, Serieant, Enſigne-bearer, or other Office in Campe, Troupe, Band, or Company of Souldiers, nor ſhall be Captaine, Maſter, Gouernour, or beare anie Office or Charge, of, or in anie Shippe, Caſtle, or Fortreſſe of the Kings Maieſties, his heyres, and ſucceſſors, but be vtterly diſabled for the ſame: and euery perſon offending herein, ſhall alſo forfeit for euerie ſuch Offence one hundred pounds: The one Moitie whereof ſhall be to the Kings maieſtie, his Heyres and Succeſſors: And the other Moitie to him that will ſue for the ſame by Action of Debt, Bill, &c. wherein no Eſſoyne, &c. And be it alſo enacted, &c. That no Popiſh Recuſant conuict, nor any hauing a Wife being a Popiſh Recuſant conuict, ſhall at any time after the end of this Seſſion of Parliament, or any Popiſh Recuſant hereafter to bée conuict, or hauing a Wife which hereafter ſhall be a Popiſh Recuſant conuict, at anie time after his or her conuiction, ſhall exerciſe any publique Office or Charge in the Commonwealth, but ſhall be vtterly diſabled to exerciſe the ſame by himſelfe, or by his Deputie (Except ſuch huſband himſelfe, and his children, which ſhallbe aboue the age of nine yeares abiding with him, and his Seruauntes in Houſholde, ſhall once euerie Moneth at the leaſt, not hauing any reaſonable Excuſe to the contrarie, repayre to ſome Church, or Chappell, vſuall for Diuine Seruice, and there heare Diuine Seruice, and the ſaide Huſband, and ſuch his Children and Seruauntes, as are of meete Age, receiue the Sacrament of the LORDES Supper, at ſuch times as are limited by the Lawes of this Realme, and doe bring vp his ſaide Children in true Religion.) And be it alſo enacted, &c. That euerie married Woman, being, or that ſhall be a Popiſh Recuſant conuict, (her Huſband not ſtanding conuicted of Popiſh Recuſancie) which ſhall not Conforme her ſelfe, and remaine conformed, but ſhall forbeare to repayre to ſome Church or vſuall Place of Common Prayer, and there to heare Diuine Seruice and Sermon, if anie then be; and within the ſaide yeare receiue the Sacrament of the LORDES Supper, according to the Lawes of this Realme, by the ſpace of one whole yeare next before the Death of her ſaide Huſband, ſhall forfaite and loſe to the Kings Maieſtie, his Heyres and Succeſſours, the Iſſues and Profites of two partes of her Ioynture, and two parts of her Dower in thrée partes to be diuided during her life, of, or out of any the Lands, Tenements, or Hereditaments, which are or were her ſaid Huſbands, and alſo be diſabled to be Executrix or Adminiſtratrix of her ſaid Huſband, and to haue or demaund any Part or Portion of her ſaid late Huſbands Gwdes, or Chattells, by any Law, Cuſtome, or Vſage whatſoeuer. And be it further enacted, &c. That euerie Popiſh Recuſant, which is, or ſhall be conuicted of Popiſh Recuſancie, ſhall ſtand and be reputed to all intents and purpoſes diſabled, as a perſon lawfully and duely excommunicated, and as if hée or ſhée had béene ſo denounced and excommunicated, according to the Lawes of this Realme, vntill hée or ſhée ſo diſabled, ſhall conforme him or her ſelfe, and come to Church, and heare Diuine Seruice, and receiue the Sacrament of the Lordes Supper, according to the Lawes of this Realme, and alſo take the Oath appoynted and preſcribed in one other Acte made this preſent Seſſion of Parliament, entituled, An Acte for the better diſcouering and Repreſſing of Popiſh Recuſants. And that euery perſon or perſons ſued, or to be ſued by ſuch perſon ſo diſabled, ſhall, and may pleade the ſame, in diſabling of ſuch Plaintife, as if hée

Iuſtices of Peace

Diſabled to exerciſe any publike Office

A woman Recuſant

Sacrament

Forf.

Diſabled to be executrix

Goods

Diſabled as an excommunicate

Oath

Diſabled to ſue

or shée were excommunicated by Sentence in the Ecclesiasticall Court. Prouided neuertheless, That it shall and may be lawfull for anie such person so disabled, for, and notwithstanding anie thing in this Lawe contained, to sue or prosecute anie Action or Suite, for, or concerning onelie such of his or her Landes, Tenements, Leases, Rents, Annuities, and Hereditaments, or for the issues and profites thereof, which are not to be seized, or taken into the Kings handes: his Heyres, or Successours, by force of anie Law, for, or concerning his or her Recusancie, or anie part thereof. And be it further enacted &c. That euerie man being, or which shall be a Popish Recusant conuicted, and who shall be hereafter married otherwise then in some open Church or Chappell, and otherwise then according to the Orders of the Church of England, by a Minister lawfully authorized, shall be vtterly disabled and excluded to haue anie Estate of Frœholde into anie the Landes, Tenements, and Hereditaments of his Wife, as Tenant by the curtesis of England: and that euerie Woman, being, or which shall be a Popish Recusant conuicted, and who shall be hereafter married in other forme, then as aforesaid, shall be vtterly excluded and disabled, not onely to clayme any dower of the Inheritance of her Husband, whereof shée may be endowable, or anie Joynture of the Landes, and Hereditaments of her Husband, or any of his Auncestors, but also of her Widowes estate, and Frankebanke in anie Customarie Landes, whereof her Husband died seized, and likewise be disabled and excluded to haue or enioy anie Part or Portion of the goodes of her said Husband, by vertue of anie Custome of anie Countie, Citie, or Place, where the same shall lie or be. And if anie such Man shall be married with anie Woman, contrarie to the intent and true meaning of this Act, which Woman hath or shall haue no Lands, Tenements, or Hereditaments, whereof hée may be intituled to be Tenant by the Courtesie, then such Man so marrying as aforesaid, shall forfeite and lose one hundred pounds: The one halfe thereof to be to the Kings Maiestie, his Heyres, and Successours: and the other Moity, to such person or persons as shall sue for the same by Action of Debt, Bill, &c. wherein no Essoine &c. And And that euery Popish Recusant, which shall hereafter haue anie Child borne, shall within one moneth next after the birth thereof, cause the same Childe to be baptized by a lawfull Minister, according to the Lawes of this Realme, in the open Church of the said Parish where the Childe shall be borne, or in some other Church nére adioyning, or Chappell where Baptisme is vsually administred: Or if by infirmitie of the Child it can not be brought to such place, then the same shall within the time aforesaid be baptized by the lawful Minister of any of the said parishes or places aforesaid, vpon paine that the Father of such Childe, if hée be liuing by the space of one Moneth next after the Birth of such Childe, or if hée be dead within the said Moneth, then the Mother of such Childe shall for euerie such Offence forfeit one hundred pounds: One third part whereof to be to the kings Maiestie, his Heyres, and Successours: One other third part to the Informer, or him that will sue for the same: And the other third part to the poore of the said Parish, to be recouered by Action of Debt, Bill, &c. wherein no Essoyne, &c. And if any Popish Recusant, Man or Woman, not being excommunicate, shall be buried in any place other then in the Church or Churchyard, or not according to the Ecclesiasticall Lawes of this Realme, That the executors or administrators of euery such person so buried, knowing the same, or the Party that causeth him to be so buried, shall forfeit the summe of twenty pounds: The one third part whereof shall bée to our Soueraigne Lord the King: The other third part to the Informer, or him or them that will sue for the same: The other third part to the Poore of the Parish where such persons dies, to be recouered by Action of Debt, Bill, &c. wherein no Essoyne, &c. And be it further enacted, &c. That if the Children of any Subiect within this Realme (the said children not being Souldiers, Mariners, Marchants, or their Apprentices or Factors) to preuent their good Education in England, or for any other cause, shall hereafter be sent, or goe beyond Seas, without Licence of the Kings Maiestie, or five of his Honourable priuy Counsell, (whereof the principall Secretary to be one) vnder their Handes and Seales, that then all and euery such Childe and Children so sent, or which shall so goe beyond the Seas, shall take no benefite by any Gift, Conueyance, Descent, Deuice, or otherwise, of, or to any Lands, Tenements, Hereditaments, Leases, Goodes, or Chattelles, vntill hée or they, being of the Age of eighteene yeares, or aboue, take the Oath mentioned in an Acte of Parliament made this present Session, entituled, An Act for the Better Discouering and Repressing of Popish Recusants (before 17.) before some Justice of Peace of the Countie, Libertie or Limit, where such Parents of such Children as shall be so sent, did, or shall inhabite and dwell. And that in the meane time the next of his or their kinne, which shall be no Popish Recusant, shall haue and enioy the saide Landes, Tenements, Hereditaments, Leases, Goodes, and Chattells so giuen, conueyed, descended, or deuised, vntill such time as the person so sent or gone beyond the Seas, shall conforme him or her selfe, and take the aforesaide Oathe, and receiue the Sacrament of the Lordes Supper. And after such Oath taken, and conforming of himselfe, and receiuing the Sacrament of the Supper of the Lord, hée or they which haue so receiued the Profits of the said Landes, Tenements, Hereditaments, Goodes, and Chattells, or any of them, shall make account of the Profites so receiued, and in reasonable time make payment thereof, and restore the value of the said goods to such person as shall so conforme him or her selfe, as aforesaid. And that all such persons as shall send the saide Childe or Children

Marriage of a Recusant

Disabled

Tenant by the courtesie Woman

Excluded from dower & toynture

Widowes estate and Frank bank

Goods

Forf.

Baptisme

Forf.

Forf.

Forf.

Oath

Forf.

Confesse

Account

Send children

ouer

ouer Seas without Licence, as aforesaide (vnlesse the said Child or children be Marchants, or their Apprentices, or Factors, Mariners, or Souldiers) shall forfeit a hundred pounds, to be diuided, had, and recouered in three equall parts, whereof the one third part shall be to the King, his Heyres, and Successours: the other third part to such as shal sue for the same: and the other third part to the poore of such Parish, where such offender doth inhabite or remaine, by action of debt, bill, &c. wherein no Essoyne &c. And be it &c. That if any of the said persons so gone beyond the Seas without Licence, which are not yet returned, shall not within sixe Moneths next after their retourne into this Realme, then being of the age of eighteene yeers, or more, take the oath aboue specified, before some Iustice of Peace of the Countie, Libertie, or Limit where such person shall inhabite or remaine, That then euerie such offender shall take no benefite by any gift, conueiaunce, discent, deuise, or otherwise, of, or to anie Lands, Tenements, Hereditaments, Goods or Chattells, vntill he or they being of the said age of eighteene yeares, or aboue, take the said oath, and that likewise in the meane time the next of kinne to the person so offending, which shall be no Popish Recusant, shall haue and enioy the said Lands, tenements, hereditaments, goods and chattels so giuen, conueyed, descended, or deuised, vntill such time as the person so offending shall conforme himselfe, and take the aforesaide oath, and receiue the said Sacrament of the Lords Supper. And after such conforming, taking of the said oath, and receiuing of the said Sacrament, he or they that shall haue so receiued the profits of the said Lands, Tenements, Hereditaments, Goods, and Chattells, shall make accompt of the profites so receiued, and in reasonable time make payment thereof, and of the value of such Goodes and Chattelles, to such person as shall so conforme him or her selfe, as aforesaid. And be it &c. That euery person or persons that is or shall be a Popish Recusant conuict, during the time that he shall be or remaine a Recusant, shall from and after the end of this present Session of Parliament be vtterly disabled to present to any Benefice with Cure or without Cure, Prebend, or anie other Ecclesiasticall Liuing, or to collate or nominate to any Free-schole, Hospitall, or Donatiue whatsoeuer: and from the beginning of this present Parliament, shall likewise be disabled to graunt anie auoydaunce to anie Benefice, Prebend, or other Ecclesiasticall Liuing, and that the Chauncellor and Scholers of the Vniuersity of Oxford, so often as anie of them shall be voide, shall haue the Presentation, Nomination, Collation, and Donation of and to euerie such Benefice, Prebend, or Ecclesiasticall Liuing, Schole, Hospitall, and Donatiue, set, lying, and being in the Counties of Oxford, Kent, Middlesex, Sussex, Surrey, Hampshire, Barkshire, Buckinghamshire, Glocestershire, Worcestershire, Staffordshire, Warwickeshire, Wiltshire, Sommersetshire, Deuonshire, Cornewall, Dorsetshire, Herefordshire, Northamptonshire, Pembrokeshire, Carmarthenshire, Brecknockeshire, Monmothshire, Cardiganshire, Mountgomeryeshire, the citie of London, and in euery City and Towne, being a County of it selfe, lying and being within any of the Limits or Precincts of any of the counties aforesaid, or in, or within any of them, as shall happen to be voide, during such time as the Patron thereof shall be and remaine a Recusant conuict, as aforesaid. And that the Chauncellour and Scholers of the Vniuersitie of Cambridge shall haue the Presentation, Nomination, Collation, and Donation, of and to euery such Benefice, Prebend, or Ecclesiasticall Liuing, Schole, Hospitall, and Donatiue, set, lying, and being in the Counties of Essex, Hartfordshire, Bedfordshire, Cambridgeshire, Huntingtonshire, Suffolke, Norffolke, Lincolneshire, Rutlandshire, Leicestershire, Darbieshire, Nottinghamshire, Shroppeshire, Cheshire, Lancashire, Yorkeshire, the County of Durham, Northumberland, Cumberland, Westmerland, Radnorshire, Denbighshire, Flintshire, Carnaruonshire, Angleseyshire, Merionethshire, Glamorganshire, and in euery Citie and Towne, being a Countie of it selfe, lying within anie of the Limittes or Precincts of anie of the Counties last before mentioned, or in, or within anie of them, as shall happen to be voyde, during such time as the Patron thereof shall be and remaine a Recusant conuict, as aforesaid. Prouided, That neither of the said Chauncellors and Scholers of either the saide Vniuersities, shall present or nominate to any Benefice with Cure, Prebend, or other Ecclesiasticall Liuing, anie such person as shall then haue anie other Benefice with Cure of Soules. And if anie such Presentation or Nomination shall be had or made of anie such person so Beneficed, the said Presentation or Nomination shall be vtterly voyde: Any thing in this Act &c. notwithstanding. And be it &c. That Recusants conuicted, or which shall be conuicted at the time of the death of anie Testatour, or at the time of the graunting of any Administration, shall be disabled to be Executor or Administrator, by force of any Testament hereafter to be made, or Letters of Administration hereafter to be graunted, nor shall haue the custody of any Childe as Guardian in Chiualry, Guardian in Socage, or Guardian in Nurture, of any Landes, Tenements, or Hereditaments, being Freeholde, or Copieholde, but shall be aduudged disabled to haue any such Wardeshippe, or custodie of anie such Childe, or of their Lands, Tenements, or Hereditaments, being Freeholde, or Copieholde, as aforesaide. And that for the better Education and Preseruation of the saide Children and of their Estates, the next of the kinne to such Childe or Children, to whome the said Landes, Tenements, or Hereditaments of such Childe or Children can not lawfullie descend, who shall vsually resorte to some Church or Chappell, and there heare Diuine Seruice, and receiue the holie Sacrament of the Lordes Supper thrice in the yeare next

Vniuersity of Cambridge

Recusants

Disabled to be executor, administrator, or Guardian

Next of kin

before, according to the Lawes of this Realme, shall haue the custodie and education of the same childe, and of his said Lands and Tenements being holden in Knights Seruice, vntill the full age of the said Warde of one and twentie yeeres: and of his saide Landes, Tenements, and Hereditaments, being holden in Socage, as a Gardian in Socage: and of the said Lands, Tenements, and Hereditaments holden by Copie of Court-roll of any Manor, so long as the customs of the said Manor shal permit and allow the same, and in euerie of the saide Cases shall yeelde an account of the profites thereof to the said Ward, as the case shall require. And that if at any time hereafter, any of the wards of the Kings maiestie, or of anie other, shall be graunted or sold to anie Popish Recusant conuict, such graunt or sale shalbe vtterly void and of none effect. And be it further enacted &c. That no person or persons shall bring from beyond the Seas, nor shall print, sell, or buy any popish Primers, Ladies Psalters, Manuells, Rosaries, Popish Catechismes, Missalls, Breuiaries, Portalls, Legends, and Lines of Saints, containing superstitious matter, printed or written in any Language whatsoeuer, nor anie other superstitious Bookes, printed or written in the English Tongue, vpon paine of forfeiture of fortie shillings for euerie such Booke: One third part thereof to be to the Kings Maiestie, his Heyres and Successours: One other third part to him that will sue for the same: And the other third part to the poore of the Parish where such Booke or Bookes shall be found, to be recouered by Action of Debt, Bill, &c. wherein no Essoine, Protection, or Wager of Lawe &c. and the saide Bookes to be burned: And that it shall be lawfull for any two Justices of Peace, within the limits of their Jurisdiction or Authority, and to all Maiors, Baylifes, and chiefe Officers of Cities and Townes Corporate in their Liberties, from time to time, to search the Houses and Lodgings of euerie Popish Recusant conuict, or of euery person, whose Wife is or shall be a Popish Recusant conuict, for Popish Bookes and Reliques of Popery: And that if any Altar, Pixe, Beades, Pictures, or such like Popish Reliques, or anie Popish Booke or Bookes shall bee found in their or anie of their custodie, as in the opinion of the said Justices, Mayor, Baylife, or chiefe Officer, as aforesaid, shall bee thought vnmeete for such Recusant, as aforesaid, to haue or vse the same, shall bee presently defaced and burnt, if it be meete to bee burned: And if it be a Crucifixe, or other Relique, of anie price, the same to bee defaced at the Generall Quarter Sessions of the Peace, in the Countie where the same shall bee found, and the same so defaced, to bee restored to the Owner againe. And be it also enacted by the authoritie aforesaid, That all such Armour, Gunnepowder, and Munition, of whatsoeuer kindes, as anie Popish Recusant conuict within this Realme of England, hath or shall haue in his House or Houses, or elsewhere, or in the handes or possession of any other, at his or their disposition, shall bee taken from such Popish Recusants, or others, which haue or shall haue the same, to the vse of such Popish Recusant, by Warrant of foure Justices of Peace, at their Generall or Quarter Sessions, to be holden in the same County where such Popish Recusant shall bee resident, (other then such necessarie Weapons, as shall be thought fit by the said foure Justices of Peace to remaine and be allowed for the defence of the person or persons of such Recusants, or for the defence of his, her, or their house or houses) and that the said armour and munition so taken, shall bee kept and maintained at the costs of such Recusants, in such places, as the said foure Justices of Peace at their said Sessions of the Peace shall set downe and appoint. And be it further enacted &c. That if anie such Recusant hauing, or which shall haue anie such Armour, Gunne-powder, and Munition, or any of them, or if any other person or persons, which shall haue any such Armour, Gunne-powder, and Munition, or anie of them, to the vse of anie such Recusant, shall refuse to declare or manifest vnto the said Justices of Peace, or anie of them, what Armour hee, shee, or they haue, or shall haue, or shall let, hinder, or disturbe the deliuery thereof, to any of the said Justices, or to any other person or persons, authorized by their Warrant to take and seize the same, then euerie such person so offending, contrarie to this Statute in this behalfe, shall forfeit and lose to the Kings Maiestie, his Heyres and Successours, his and their said Armour, Gunne-powder, and Munition, and shall also be imprisoned by Warrant of or from any Justices of the Peace of such county, by the space of three Moneths, without bayle or mainprise. And yet neuertheless be it enacted &c. That notwithstanding the taking awaie of such Armour, Gunne-powder, and Munition, the said Popish Recusant shall and may bee charged with the maintaining of the same, and with the buying, prouiding, and maintaining of Horse and other Armour, and Munition, in such sort, as other his Maiesties subiects from time to time shal bee appointed and commanded, according to their seuerall abilities and qualities, and that the saide Armour and Munition at the charge of such Popish Recusant, for them, and as their owne Prouision of Armour and Munition shall bee shewed at euerie Muster, shew, or vse of Armour, to bee had or made within the saide Countie. Prouided alwayes, That neither this Act, nor any thing therein contained, shall extend to take awaie or abridge the Authority or Jurisdiction of the Ecclesiasticall Censures for anie cause or matter, but that the Commissioners of his Maiestie, his heires and Successours in causes Ecclesiasticall, for the time being, Archbishoppes, Bishoppes, and other Ecclesiasticall Judges may doe, and proceede, as before the making of this Act they lawfully did, or might haue done: Anie thing in this Act to the contrarie in anie wise notwithstanding. *

Anno 3. Iac. ca. 5.

19 Forasmuch as the Naturalizing of Strangers, and restoring to Blood persons attainted,

19 Forasmuch

Account

Popish Bookes

Fort.

2. Justices of Peace.

Mayors Baylifes Chiefe officers Search

Reliques

Defaced Burnt

Defaced Restored

Armor and Munition

Fort.

Imprisonment

Ecclesiasticall censures.

haue beẽ euer reputed matters of meere grace and fauour, which are not fit to be bestowed vpon anie others then such as are of the Religion now established in this Realme: Be it &c. That no person or persons of what quality, condition, or place soeuer, being of the age of eighteene yeares, or aboue, shall be naturalized, or restored in Blood, vnlesse the same person or person haue receiued the sacrament of the Lords Supper within one Moneth next before any bill exhibited for that purpose: and also shall take the oath of Supremacie, and the oath of Allegiance in the parliament house, before his or her bill be twice read. And for the better effecting of the premisses: Be it &c. That the lord Chauncelor of England, or lord Keeper of the great Seale, for the time being, if the Bill beginne in the Upper House, and the Speaker of the Commons House of Parliament for the time being, if the Bill begin there, shall haue authority at all times during the session of Parliament, to minister such oath and oathes, and to such person and persons, as by the true intent of this statute is to be ministred. This Act to take place from and after the end of this present session of Parliament. An. 7. Iac. cap. 2.

20 Whereas by a Statute made in the third yeare of your Maiesties reigne, Intituled, An Act for the better Discouering and Repressing of Popish Recusants (here before 17.) the forme of an Oath to be ministred and giuen to certaine persons in the same Act mentioned is limited and prescribed, tending onelie to the declaration of such duetie, as euerie true and well affected subiect, not onely by bond of Allegiance, but also by the commaundement of Almightie GOD ought to beare to your Maiestie, your Heires and Successours, which Oath such as are infected with Popish Superstition doe oppugne, with manie false and vnsound Arguments, the iust Defence whereof your Maiestie hath heretofore vndertaken and worthily performed, to the great contentment of all your louing Subiectes, notwithstanding the gaynesayings of contentious aduersaries. And to shew how greatly your loyall Subiects doe approue the saide Oath, they prostrate themselues at your Maiesties feete, beseeching your Maiestie, that the same Oath may bee administred to all your Subiects. To which end wee doe with all humblenesse beseech your Highnesse that it may be enacted: And be it &c. That all and euerie person and persons, as well Ecclesiasticall as Temporall, of what estate, dignitie, preheminence, fees, qualitie, or degree soeuer hee, shee or they be, or shall be, aboue the age of eighteene yeares, being hereafter in this Act mentioned and intended, shall make, take and receiue a corporall Oath vpon the Euangelists, according to the tenor and effect of the saide Oath set forth in the said fore-mentioned Statute, before such person or persons, as hereafter in this Act is expressed: That is to say, All and euerie Archbishoppe and Bishoppe that now is, or hereafter shall bee, before the Lord Chauncellour, or Lord Keeper of the great Seale for the time being: And all and euery Ecclesiasticall Iudge, Officer, and Minister, of what estate, dignity, preheminence, or degree soeuer hee or they be or shall be, before the Archbishoppe of the Prouince, or Bishop or other Ordinary of the diocesse for the time being, wherein such ecclesiasticall Iudge, officer or minister ought to exercise his said Office, place, or function. And all and euery person or persons of or aboue the degree of a Baron of Parliament, or Baronnesse of this your Highnes realme of England, and all of your Highnes priuy Counsel, residing in London or Westminster, or within thirtie miles thereof, and the Presidents of Wales, and the north parts, before any foure of your Highnes priuy Counsell, whereof the lord Chancellor, lord Treasurer, lord priuy Seale, or principall Secretary for the time being, to be one. And if such person or persons liue and reside in the countrie, distant aboue thirty miles from London, then before the L. Bishop of the Diocesse, or such other person or persons, as the Lord Chancellor, or L. Keeper of the great Seale for the time being, shall thereto by Writ of Dedimus potestatem authorize. And all and euery the sworne seruants ordinary and extraordinary of your Highnesse, the Quenes Grace, or of the Houshold of the Prince of Wales, and of the rest of your Highnesse children, before the Lord Steward, the Lord Chamberlaines and Vice-chamberlaines to your Highnesse and the Quene, the Treasurer and Comptroller of your Highnesse Houshold, the Master of your Highnesse Horse, the Deane of the Chappell, and the Knight Marshall for the time being, the Officers of the Greene cloth, or anie three of them. All and euerie Temporall Iudge, Iustices of Peace, Sherifs, Escheators, Feodaries, and other Officers and Ministers of Iustice in this present Acte not specially mentioned, and euerie other person or persons that doth or shall receiue anie Fee of your Highnesse, your Heyres and Successours, before the Lord Chauncellour or Lord Keeper of the Great Seale, Lord Treasurer, Lord Admirall, Lord Warden of the fiue Portes for the time being, or one of them, or before one of the chiefe Iustices either of your Maiesties Bench, or of the Common Pleas, or before Iustices of Assise of the same Countie where the parties reside, or other such persons as the Lord Chauncellour or Keeper of the saide Great Seale shall thereto authorize. And all Mayors, Bayliffes, or other chiefe Officers of cities and townes corporate, by what name soeuer they be called or knowne, before such person or persons as vsually administer the Oath to them at their first Entrance into their saide Offices. And all and euerie the Knights, Citizens, Burgesses, and Barons of the Fiue Portes of the Commons House of parliament, at any parliament or session of parliament hereafter to be assembled, before he or they shall be permitted to enter into the said House, before the Lord Steward for the time being, or his deputie or deputies: And the Master of the Ordonance, Lieutenant of the Tower of London, and Mint-master there, the foure principall officers of your Navie vnder the Lord Admirall, before the

Lord Chancellor or Lord Keeper of the great seale, & the lord Admiral for the time being, or any of the: And al the officers, ministers, seruants, and others within your said tower of London, before the Lieutenant of the Tower: And all the vice-Admiralls, captaines, maisters, officers, ministers and souldiers in your Highnesse Ships, or any of them, before the said principall Officers of your Nauie, or any two of them: And all persons hauing charge of Castles, Fortresses, Blockehouses or Garrisons, and all Captaines who shall haue charge of Souldiers within this your Highnesse Realme, before the Justices of Assise of the same Countie, or before two Justices of the Peace of the same Countie, Citie, or Libertie, where the same Castles, Fortresses or Blockehouses shall stand, or the charge of Souldiers shall be: All Doctors, Aduocates, and Proctors of the Ciuill Lawe, and their Clerkes, before the Bishoppe of the Diocesse, where they shall for the most part dwell or reside: And all and euerie person or persons Tempporall that hereafter shall sue Liuerie or Ouster le maine out of the hands of your Highnesse, your Heyres or Successors, before his or their Ouster le maine sued forth and allowed, before the Master of the Wardes and Liueries, or before the Surueyour and Attourney of your Highnesse said Court, in open Court: All the Sergeants at Lawe, seruaunts to the Judges in your Highnesse Courts at Westminster, and all other in the Sergeants Innes, before the chiefe Justice of your Maiesties Bench, the chiefe Justice of the Common Pleas, and the chiefe Baron of your Exchequer, or some, or one of them. All your Highnesse Subiects in the Innes of Court, or that hereafter shal be admitted thereinto, and the Principalls and Treasurers of euery Inne of Chauncerie, before the Readers and Benchers of the seuerall houses, whereto they belong, or iiij. of them at the least, in their open Halls. All other your maiesties subiects aswell Auncients as other, not being Principall or Treasurers, that now are, or hereafter shal be admitted into any Inne of Chancerie, before the Principall or Treasurer, and Auncients of the seuerall Innes of Chauncerie, or foure of them in their open Halles. All Prothonotaries, Philizers, Officers, Ministers, Attourneys and Clerkes, that now are, or hereafter shall be admitted to write or practise in any of your Highnesse Courts at Westminster, or in anie other Court of Record, before the Judge or Judges of the same Court. All clerks of the Chancery, and all their vnder-Clerks, and all other officers of the said court of Chauncery, & their Clerks, before the master of the Rolles for the time being, or before y. of the masters of the said Court of Chancerie. All parsons, vicars & curates, and all other persons ecclesiasticall taking orders, and all & euery Scholemaster or Vsher, before the bishop of the diocesse, or other Ordinarie in the same, sitting in open court. The vice-Chancellors of both the Vniuersities for the time being, and the presidents, wardens, prouosts, masters of Colledges & Halls, and all other Heads and Principals of houses, Proctors & Beadells of the Vniuersities, publikely in the Conuocation, before the Senior Maisters there present. And all and euery other persons whatsoeuer, that is or shall be promoted to anie Degree in Schoole, before the vice-Chauncellor of the saide Vniuersitie for the time being, in the Congregation House. All Fellowes of Houses, and all Scholers of Halles or Colledges that now are, or hereafter shall be receiued into the same, being vnder the degree of a Baron, before the President, Maister, Prouost, Warden, or other Head or chiefe Gouernour of that Colledge, Hall or House whereinto hee shall be receiued, and in the open Hall. And all Doctors of Phisicke, and all other who practise Phisicke, that now are, or hereafter shall be admitted into the Colledge of Phisitions in London, before the President of the same Colledge for the time being. And all Aldermen, Sheriffes, and vnder-Officers whatsoeuer, of the cities and townes corporate, and all such as hereafter shall be made Freemen of the said citie or towne corporate, before the Maior, Bailifes, or other chiefe Officer of the said city or towne, in the open Hall. And to the intent, that due execution may be had of the premisses without delay, it is further enacted by the authority aforesaid, That all the persons before named, who haue any certaine time limited or expressed, when to take the aforesaid Oath, shall at the time therein prescribed take the same, and the rest within six moneths next after the end of this present session of Parliament. And be it further enacted by authority of this present Parliament, That it shall and may be lawfull, to and for anie one of the Priuie Counsell of your Highnesse, or of your Heyres and Successoues, and to and for euerie Bishop within his Diocesse, to require any Baron, or Baronnesse, of the age of eighteene yeares or aboue, to take the said Oath, and to and for any two Justices of Peace within any countie, citie, or towne corporate, whereof one to be of the Quorum, to require any person or persons, of the age of eighteene yeares, or aboue, vnder the degree of a Baron or Baronnesse, to take the said Oath. And if any person or persons, of or aboue the said age and degree, now stand, or hereafter at any time shall stand, and be presented, indicted, or conuicted for not comming to Church, or not receiuing the holy Communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or other hauing lawfull power to take such Presentment or Indictment, Then three of the Priuie Counsell of your Highnesse, your Heyres, or Successors, whereof the Lord Chauncellor, Lord Treasurer, Lord Priuy Seale, or principall Secretary to be one, vpon knowledge thereof, shal require such person or persons to take the said oath. And if any other person or persons whatsoeuer, of & aboue the said Age, and vnder the said degree now stand, or at any time hereafter shall stand, and be presented, indicted or conuicted for not comming to church, or receiuing the holy Communion or sacrament of the Lords Supper, according to the laws & and statutes of this Realme, before the Ordinarie,

or

or any other hauing lawfull power to take ſuch Preſentment or Indictment, or if the Miniſter, petty Conſtable, and Churchwardens, or any two of them, ſhal at any time hereafter complaine, to any Iuſtice of Peace, neere adioyning to the place where any perſon complained of, ſhall dwell, and the ſaid Iuſtice ſhall finde cauſe of ſuſpition: that then any one Iuſtice of peace, within whoſe commiſſion or power, ſuch perſon or perſons ſhal at any time hereafter be, or to whome complaint ſhall be made as aforeſaid, ſhall vpon notice thereof, require ſuch perſon or perſons to take the ſaid Oath: And that if any perſon or perſons, being of the age of eighteene yeres or aboue, ſhall refuſe to take the ſaid Oath, duely tendred to him or her, according to the true intent and meaning of this Statute, That then the perſons authoriſed by this Lawe to giue the ſaid Oath, ſhall and may commit the ſame offendor to the common Gaole, there to remaine without baile or mainprize, vntill the nert Aſſiſes, or generall quarter Seſſions to be holden for the ſaid Shire, Diuiſion, Limit or Libertie; where the ſaid Oath ſhall be againe in the ſaid open ſeſſions required of ſuch perſon, by the ſaid Iuſtices of Aſſiſe, or Iuſtices of the Peace then & there preſent, or the greater number of them. And if the ſaid perſon or perſons of the age of eighteene yeares or aboue, ſhall refuſe to take the ſaid Oath, being tendred to him or her, by the ſaid Iuſtices of Aſſiſe, & Gaole deliuerie, in their open Aſſiſes or Gaole deliuery, or the Iuſtices of Peace, or the greater part of thē in their generall or Quarter ſeſſions, euery perſon ſo refuſing, ſhall incures the danger and penalty of Præmunire mentioned in a Statute made in the ſirteenth yeare of the raigne of King Richard the ſecond (except women couert, who ſhall be committed only to priſon, there to remain without baile or mainprize, till they will take the ſaid Oath.) And be further enacted, that euerie perſon refuſing to take the ſaid Oath, as aboue ſhal be diſabled to all intents and purpoſes, to execute any publike place of Iudicature, or beare any other office (being no Office of inheritance or miniſteriall function) within this your Highneſſe Realme of England, or to vſe or practiſe the Common law or Ciuil law, or the ſcience of Phiſick or Surgery or ỹ Art of an Apothecary, or any Liberal Science, for his or their gaine, within this Realme, vntill ſuch time as the ſame perſon ſhall receiue the ſame Oath, according to the intent of this Statute. And be it further enacted, that if any married woman (being lawfully conuicted as a popiſh Recuſant for not comming to Church, ſhall not within three Monthes nert after ſuch conuiction conforme her ſelfe, and repaire to the Church, and receiue the ſacrament of the Lords Supper, according to the former Lawes and Statutes, made and prouided on that behalfe touching Recuſants, That then ſhe ſhall be committed to priſon by one of the ſaid priuy Counſell of your Highneſſe, your heires or ſucceſſors, or by the biſhop of the Dioceſſe, if ſhe bee a Baroneſſe, or if ſhe be vnder that degree, by two Iuſtices of the Peace of the ſame County, whereof one to be of the Quorum, there to remaine without Baile or maineprize, vntill ſhe ſhall conforme her ſelfe, and come to Church, and receiue the Sacrament of the Lords Supper, vnleſſe the Huſband of ſuch wife ſhall pay to the kings Maieſty, his heires or ſucceſſors, for the offences of his ſaide wife, for euery Monthten pounds of lawfull mony of England, or elſe the third part (in three parts to be diuided) of all his Lands and Tenements, at the choice of the Huſband whoſe wife is ſo conuicted, as aforeſaid, for and during ſo long time, as ſhe remaining a Recuſant conuicted, ſhall continue out of priſon, during which time (and no longer) ſhe may be at liberty. Anno 7. Iac. ca. 6.

Cui in vita.

IN caſe when the Huſband loſt by default a tenement that was ỹ right of his wife, it was a hard caſe that the wife after the death of the huſband had none other recouery but by a writ of right: Wherfore our ſoueraigne Lord the king hath ordained, that the woman after the death of her huſband, ſhal recouer by a writ of Entre, called Cui ipſa in vita ſua contradicere non potuit, which ſhal be pleaded in forme vnder written. If the tenant do except againſt the demand of the wife, that ſhee entred by by iudgement, and it be found, that his entry was by default, whereto the Tenant of neceſſity muſt make anſwere, if it be required of him, then he ſhal be further compelled to ſhew his right, according to the forme of the writ that he had purchaſed before againſt the Huſband and the wife. And if hee can verifie that he hath, or had right in the tenement demaunded, the woman ſhall get nothing by her writ. But if he cannot verifie it, the woman ſhall recouer the tenement in demaund. This alſo being obſerued, that if the Huſband abſenteth himſelfe, and will not defend his wiues right, or will yeeld vp the tenement againſt his wiues wil, if the wife doe come in before Iudgement, ready to anſwere to the demandant, and to defend her right, the wife ſhall be admitted thereunto. Likewiſe if Tenant in dower, Tenant by the law of the land, or otherwiſe for Terme life, or by gift, whereas the reuerſion is reſerued, doe make default, or will yeeld vp the tenement, the heires, or they to whom the reuerſion belongeth, ſhall be admitted to anſwere, if they come in before iudgement. And if vpon default or reddition, iudgement happen to bee giuen: then the heires, or they vnto whom the reuerſion belongeth, after the death of ſuch tenants, ſhall haue recouery by a writ of Entre, in which like proces ſhall be obſerued, as is aforeſaid, in caſe where the huſband leeſeth his wiues land by default. And ſo in ỹ caſes aforeſaid, two actiõs do cõcurre, one betweene the demandant and tenant, and the other betweene the tenant, ſhewing his right, and the demandant. Weſt. 2. cap. 3. An. 13. Ed. 1.

Writ of Entre

Default

Recouer

Tenant in Dower

Curteſie of England.

WHen a man ſhall take lands in marriage with a wife, if he haue begotte of the ſame his

Cry

his wife an heire, ſonne, or Daughter, which ſhall be heard to cry, within the foure walls, if the ſame husband ouerliue his wife, whether the heire liue or not, the ſame land ſhall remaine to the husband, and after the death of the husband, the lands ſhall returne to the donor, or to his heire: but if he haue no heire by his wife, then after the death of the wife, it ſhall returne to the donor, or to his heire. And this is the cauſe why for land giuen in

Homage

marriage, Homage is not vſed to be receiued, for if any lands were ſo giuen in marriage, or otherwiſe, that homage were receiued, it might then neuer lawfully reuert to ỹ donour or to his heire, as aboue is ſaid. And the ſame iudgement ſhall be of the ſecond husband, as is ſaid of the firſt, whether there be left any heire of the firſt or not. Of tenants by the Law of England. But this ſeemeth to be no ſtatute, but onely one mans opinion.

Cuſtome, Cuſtomers, and Controllers.

Woolf

VVEE nor our heires ſhall demaund, aſſeſſe, nor take, nor ſuffer to be take, more cuſtome of a ſacke of Woll of any Engliſhman,

Woolfels Leather

but halfe a Marke onely. And vpon the Woolfels and Leather the old cuſtome. And the ſacke ought to conteine twenty fiue ſtone, and euery ſtone foureteene pound. And that euery man that ſhippeth Wools ouer the Sea, Engliſh man or other,

Shipping

reſiant, inhabiting, or repairing into England,

Sureties

ſhall finde good and ſufficient ſurety to the Cuſtomers before his paſſing, to bring againe of euery

Plate Siluer

ſacke of Woll, plate of Siluer, to the value of two Markes at his firſt returne or repairing. And to

Cocket

bring the ſame plate to the kings Exchange, and there to receiue his money. And that none cocket Wools, but in the name of him that ſhall bee

Forf.

owner of the ſame. And if any be found otherwiſe cocketted, they ſhall be taken in the kings hands as forfeit. Anno 14. Ed. 3. cap. 21.

2 We nor our heires ſhall demaund, ne aſſeſſe, nor take, nor cauſe to be taken more of the Cuſtome of one ſacke of Woll of no Engliſhman, but

Wooll Woolfels Leather

one halfe Marke, and of foure hundreth Wolfels halfe a Marke, and of a laſt of Leather one marke for cuſtome onely, and the ſacke ought to conteine

Stone

twenty ſix ſtone, and euery ſtone fourteen pound, and that euery one that paſſeth with Woolles beyond the Sea, Engliſhman or other, reſiant, inhabiting, and repairing into England, ſhall finde

Surety

good and ſufficient ſurety before his paſſing, to the Cuſtomers, to bring againe of euery ſack of Woll

Plate

plate of ſiluer, to the valne of two Markes, within three Moneths after that the Woolles ſo charged ſhall paſſe out of the Port, and the ſame Plate to

Exchange

be brought to the kings Exchange, and there to receiue his money: that is to ſay, two Markes. And the cuſtomers of the Port where the Woolles ſhal be ſo charged, ſhall take of them in whoſe names the ſame Wools ſhall be charged, ſuch ſurety for whome they will anſwere, to bring againe Plate, in forme aforeſaide, and that he ſhall certifie the Wardens of the kings Exchange, at the Tower of London, three times by the yeare: that is to ſay, at the Natiuity of Saint Iohn the Baptiſt, at All Saints, and at the Purification of our Lady, of the names of all them which haue found ſuch ſurety, and the number of ſackes which they ſhall haue charged. And in caſe that the ſaid Warden hath not receiued Plate, in forme aforeſaid, of them whereof the certification ſhall come vnto him at Saint Iohn Baptiſt, or before All Saints next enſuing, then he ſhall thereof certifie the Treaſorer, and Barons of the Eſchequer. And the ſaid Treaſorer and Barons ſhall receiue the certification of the ſaid Warden, and ſhall make out ſuch Proces, that the Plate be brought to the kings Exchange, in forme as afore is ſaid, aſwel againſt the Cuſtomers, as againſt thoſe which haue found ſuch ſurety, and haue not brought againe Plate, as aforeſaid. And in the ſame manner it ſhal be done at the Purification, of the certification made to the ſaid Warden at All Saints before, and alſo at S. Iohn, of the certification made to him by the ſame cuſtomers, at the Purification before, and ſo from time to time, at the terms aforeſaid. And that none ſhall cocket Wool, but in the name of him to whom the Wools ſhal be long. And if any Wools be found otherwiſe cocketted, they ſhall bee taken into the kings hands as forfeited. Añ 14. E. 3. Staf Prælatorum capit. 4.

Certific

Treaſorer

Eſchequer

Proces

3 Item that no cuſtomer nor controller, haue any ſhips of their owne, nor meddle in the freight of ſhips, & that the better to eſchewe, as well the damage of our Soueraigne Lord the king of his Cuſtomes, as the loſſe of the Merchants, repairing to the Port, aſwel aliens as Denizens. Anno 14. R. 2. cap. 10. See the like infra 11.

Ships Freight

Merchants Aliens Denizens

4 Euery Cuſtomer from henceforth vpon the yelding of his accompt in the Eſchequer, be ſworn by his oath, to anſwere lawfully to the ſame our Soueraigne L. the king, without fraude, or male ingine, of all manner of profits and commodities, for the paiment of any aſſignement, be it by taile, or in any other manner. Anno 4. H. 4. cap. 20.

Accompt Eſchequer Sworne

Taile

5 No man that holdeth any common Hoſterie in any Citie or Borough of England, ſhall be Cuſtomer, Comptroller, ſinder, nor Searcher, of the ſaid Soueraigne Lord the King, and that to eſchew the damage and loſſe, which thereof may happen, by the fauour that ſuch common Hoſtlers may or will doe to Merchants, and other their hoſtes in their ſaid Offices. Anno 11. H. 4. ca. 2, See the like infra 11.

Hoſteries

6 Whereas our ſoueraigne Lord the K. hath had the Cuſtome & ſubſidie in the forme contained in the grant of his commons, & amongſt other, of euery Cloath of Scarlet, and of other Cloath of whole graine a certaine cuſtome: Now ſo it is that certaine Merchants aliens, dwelling within the Citie of London, and other Townes, haue taken, & do holde great Houſes, in which they be ſole inhabitants, and doe buy ſometime, as in a yeare a thouſand or two thouſand Clothes of fine White, or more, and doe die the ſame of their owne graine in Scarlet, or in Sanguine, or in other

Subſidie

Graine

other colours of whole graine, or halfe graine, and afterward doe the ſame clothes to bee cut to ſmall peeces of fiue or ſixe yardes, or more, or leſſe, and thereof make diuers garments, & packe the ſame in their ſaid houſes, and in the ſame packes, ſubtilly doe pack fine Wool, Gold, and Siluer in Plate, and ſometime they put ſuch Wooll, Gold, and ſiluer in barrels, and other veſſels, and bring ẏ ſame out of the Realme, without paying any cuſtome or Subſidy for the ſame, vnder the colour of ſuch garments ſo made, becauſe that ſuch garments be not cuſtomable, & ſo our ſaid ſouereigne Lord the king by ſuch Merchants aliens ſo dwelling alone in their houſes, is daily defrauded, and greatly deceiued of his Cuſtomes and Subſidie, to his great dammage and preiudice in this behalfe. It is therfore ordained and eſtabliſhed, that all Merchants aliens from henceforth ſhall pay the Cuſtoms and Subſidies, aſwel for ſuch garments after the rate: that is to ſay, if foure, or fiue, or ſixe ſuch garments do conteine one cloath of whole graine, that then they ſhal pay the cuſtomes & ſubdie, as for a whole cloath of Scarlet, if leſſe, leſſe: or if more, more: as alſo of grained Clothes, and al other Clothes of Woll. And moreouer it is accorded, and aſſented in the ſaid Parliament, that Commiſſions ſhal be made to certains perſons, to inquire if the ſaide aliens haue any thing done or attempted to the contrarie of the ſaid ſtatuts, made before this time in this cauſe, and thereof to certifie in the kings Chancery. Anno 11. H. 4. cap. 7.

7 If any Cuſtomer, Collector, or Comptroller of the kings Cuſtomes of Cockets of clothes, of Subſidies, of Tonnage, or pondage, in any port or place of England, be duely attainted or conuict, at the kings ſuit of falſe concealing of the kings cuſtome or Subſidy, duely entred and paied by any Merchant: that then the ſaid Cuſtomer, Collector or Comptroller ſo duely attainted or conuict by the Law, ſhall loſe and forfeit to the king the treble value of the Merchandizes ſo duely cuſtomed, and make fine and ranſome. And he that will ſue ſhall haue the third part for his labour. Anno 3. H. 6. cap. 3.

8 The Cuſtomers & Comptrollers ſhall write and deliuer ſufficient warrants, ſealed with the ſeale of their Office, to be ordained, to the ſaid merchants, and to euery of them for all and euery of their merchandizes, euerie time by them to the cuſtomers and Comptrollers duely ſhewed. And that the ſaid Merchants, nor none of them ſhall any thing pay for the ſaid warrants, but onely their due cuſtome. And in caſe that any Cuſtomer or Comptroller in any of the ſaid Ports doe the contrary: that then euery Merchant ſo grieued, may haue an action by vertue of this ordinance, to purſue againſt euery Cuſtomer or Comptroller that that doth the contrarie in euery Court of Record. And then euery Cuſtomer or Comptroller ſo attainted, ſhall forfeit to the king for euery default ten pound. And to the Merchant thereby grieued that will ſue, an hundred ſhillings. Anno 11. H. 6. cap. 15.

9 Anno 11. H. 6. cap. 16. An Act was made, to indure for three yeres, againſt Cuſtomers for making of blancke cockets.

10 Euery Marchant Denizen for Wooles, woolfels and Tinne, which ſhall be charged and ſhipped in any Galley, Caracke, or other veſſell to be brought and carried by the ſea by the kings licence, or otherwiſe to other places and Ports, then to the Staple of the king, ſhall pay to the king ſuch cuſtomes and Subſidies, and other duties, as merchants aliens pay to the king for ſuch merchandizes. Prouided alwaies, that this graunt or ordinance ſhall not extend to any perſons which haue licences by the kings letters Patents, to them made before this time, to ſhip, carrie, or bring any Wools, woolfels, or Tin, to other places or Ports beyond the Sea, then to the Staple of Calice, but that they ſhal be of this ordinance clearely diſcharged and excepted. Anno 20. H. 6. cap. 4.

11 No Cuſtomer, Comptroller of the cuſtom, Clerkes, Deputies, miniſters, nor their ſeruants, Factors, or Searchers, Comptrollers, or Surueiors of ſearches, nor their Clerkes, Deputies, miniſters, or Factors, ſhall haue any ſhips of their owne, or ſhall buy or ſel by way or colour of Merchandizes, nor they ſhall not meddle with the fraighting of Ships, or haue or occupy any ſuch Wharfes or Keyes, or ſhall hold any Hoſteries or Tauernes, or ſhall be any Factors or Atturneys, for any Merchant Denizen or Alien, nor ſhall be Hoſt to any Merchant alien, vpon paine forfeit pounds to bee forfeit, as often as they doe to the contrarie, that is to ſay: The one halfe to the king, and the other halfe to him that will ſue in this caſe againſt any ſuch perſon doing the contrarie. This ordinance to begin at the feaſt of S. Michael next comming. Anno 20. H. 6. cap. 5. See the like before 3. 5.

12 Anno 20. H. 6. cap. 7. It was enacted to indure to the nert Parliament, that if any merchandize be diſcharged, the cuſtome not paied, or if any merchandize of the Staple be carried ouer, the cuſtome not paied, they ſhould be forfeit.

13 An. 12. E. 4. cap. 3. It appeareth that in An. 3 Ed. 4. a Subſidie of Tonnage and Pondage was granted to the king for his life, of certaine wares. And in the ſaid Act of 12. Ed. 4. cap. 3. it is further enacted as followeth. No Merchant Denizen or ſtranger, ſhall ſet or ſuffer any Cloth of Gold, or Siluer, Bawdkin, Veluet, Damaſk, Satten, Tartaron, or Chamlet, nor none other Cloath of ſilke, nor any corſe of ſilke and of Gold, nor of Silke of the making of any of the parties beyond the Sea, to ſell, before that the Collectors of the Subſidy of Tonnage and Pondage, and the Comptroller of the ſame, in the Port where ſuch Merchandizes is ſet vpon land, hath ſurueyed & meaſured the ſame, and hath ſealed euery peece thereof in the one ende thereof, with the ſeale or marke, eſpecially to be ordained for the ſame, whereof the ſame Collectors haue the one part, and the Comptroller hath the other part, ſeuerally in their cuſtodie. And if any ſuch Cloth of Gold, ſiluer, Bawdkin, Veluet, Damaſke, Satten, Sarcenet, Tartaron, Chamlet, and Cloth of Silke and Golde, be any time hereafter

ſet

Blanck cockets

Denizen Woolls Woolfels Tinne

Licence

Letters patents

Tranſport

Calice

Ships

Wharfes Keyes Hoſteries Tauerns

Foyſ.

Woolls

Tonnage Pondage

Denizen Cloth of gold

Silke

Meaſure

Seale

ſet to ſale not ſealed, nor hauing ſuch ſeale there-
upon: that then hee which ſetteth ſuch Merchan-
Forf. dize to ſale, ſhall forfeit the ſame Merchandize, or
the value thereof, whereof two parts ſhall bee to
the king, and the third part to the finder. Alſo it
is ordeined by the ſame authority, that the Collec-
tors of the ſame ſubſidy, and the ſaid Comptroller,
ſhall at all times requiſite, be ready to ſeale ſuch
Seale marchandizes, and to ſeale the ſame at all times
when they bs required, without delay, or taking
any thing for the ſame in any wiſe, vpon paine of
Forf. forfeiture to the Owner thereof twenty ſhillings
for euery of the ſaid Collectors and Comptrollers
Refuſe at any time that they refuſe to ſeale ſuch merchan-
dize after ſuch requeſt made, or taking any thing
for the ſealing of any ſuch Merchandize. Alſo it is
ordained by the authority aforeſaid, ỹ all maner of
ſuch Cloths of Gold, of ſiluer, Bawdkin, Veluet,
Damaſk, Satten, Harcenet, Tartarõ, Chamlet,
euerie other cloath of ſilke, corſe of Gold and ſilke
now being within this Realme, and after the feaſt
of ſaint Michaell the Archangell next comming,
offered to ſell, ſhall be ſealed with the ſaid ſeales
before the ſaid feaſt, vpon the paine before ſpecified.
Conceale Alſo whereas it is expreſſed in the ſaid grant of the
ſaid ſubſidie, that if any concealment bee found in
the Merchants in the paiment of the ſaid duties,
that they for ſuch concealement, ſhall pay onely
Double ſubſidie double ſubſidie, without other paine or forfeiture
therein, as in the ſame act is more fully conteined
The king, conſidering that not withſtanding the
ſame Ordinance, Merchants doe not regard to
deſtraud him of his duetie of the ſaid Subſidie, in-
aſmuch as they doe nothing forfeit in that behalfe,
but onely pay the double ſubſidie, By the aduice,
aſſent, and authoritie aforeſaid, hath ordained &
eſtabliſhed that the ſame ſtatute in this behalfe bee
Void voide, and of no ſtrength. And if any merchandiſes
which be to be brought from the parts beyond the
ſea, or to be carried out of this realm, whereof any
ſubſidy is or ſhall be due, or pertaining to the King
be hereafter ſhipped to bee carried beyond the ſea,
the collectors of the ſaid ſubſidie not payed, or with
out agreement with the Collectors of the ſaid ſub-
ſidie for the ſame: that then the ſaid merchandizes,
Forf. or ỹ value therof ſhal be forfeit to the k. Alſo wher-
as diuers Merchant ſtrangers, and other, often-
times in the Citie of London, and in other places,
Woollen Cloath haue packed diuers woollen cloths, ſome in grain,
ſome vngrained, and other cloathes not grained,
and the ſame ſo packed, cauſed to be carried by lãd,
London from London and other places, to other Ports, as
to Sandwich, Southhampton, and other Portes,
whereas the Cuſtomers for the time being, with-
out due packing or light of ſuch Clothes, vpon the
information of the merchant, doe cuſtome ſuch clo-
thes as for courſe cloths, wherby the king is great-
ly deceiued of his duties thereof, aſwel in the fine-
neſſe of ſuch clothes, as in not knowing of the
number of the clothes ſo packed: Therefore the K.
by the aduiſe and aſſent aforeſaid, and by the ſame
authoritie, doth ordeine, eſtablish, and enact, that
Ports in euery Port within this Realme of England,
wherein any Woollen clothes ſhall be packed, af-
ter the firſt day of May next comming, in the pre-
ſences of the Collectors of the aforeſaid Cuſtomes
and Subſidies of the ſame port for the time being,
that all ſuch cuſtomes and ſubſidies due and per-
taining to the king for the ſaid clothes, ſhall be pai-
ed and contented to the ſame Collectors where the
ſaid clothes be ſo packed, or elſe ſufficient ſureties Sureties
ſhall be therefore to them found, before that the
ſame clothes be carried from the ſaid Port, to any
other port or place, vpon paine of forfeiture of all Forf.
the ſame clothes, or the the value thereof, to be had
of the owner of the ſame. And if any woollen cloths
be carried ouer the ſea, be packed in any other ma-
ner, or vnder any other forme: that then the Col-
lectours of the Port where they bee ſo packed, or
brought to be packed, ſhall ſeiſe, and there vnpacke Seiſe
all the ſaid packes and fardels, and ſuruey all the
clothes therein, ſo that our Soueraigne Lord the
King, may be truely anſwered of his duety in this
behalfe without any fraud or deceit. And if any
Cuſtomer or Comptroller of any Port or place be
negligent or ſlacke, in vnpacking of the ſaid
clothes, or ſurueying of them, in the forme afore-
ſaid: that then and as often euerie ſuch Cuſtomer
and Comptroller, for euerie ſuch default, ſhall for-
feit to our Soueraigne Lord the King twenty ſhil- Forf
lings for euery ſuch Cloth. Moreouer, it is ordai-
ned by the aduice & the aſſent aforeſaid, that euerie
of the ſaid collectors, receiuing any cuſtom or ſub-
ſidie for any of ỹ ſaid clothes, or ſurety for the ſame
ſhall be thereof charged and chargeable to our So- Charge Account
ueraigne Lord the king, vpon his or their account.
And that the ſame Collectors or Collectors ſhall tō Cocket
time to time, make a cocket, or cockets of all ſuch
clothes, directed to the Collectors of the Port
where the ſame clothes ſhall be ſhipped, witneſſing
their number, and that he or they haue receiued
the cuſtomes and ſubſidies of the ſame clothes or
ſuretie for the ſame. By which cocket or cockets,
the ſaid Collectors or the Receiuers of them, ſhall
be thereof diſcharged againſt our ſoueraigne Lord
the king, and all other of the ſame cuſtomes and
and ſubſidies. Prouided alwaies, that this act or
ordinance be not preiudiciall, nor in any wiſe
hurtfull to any perſon or perſons, in, or for a-
ny Letters Patents made by the king our ſoue- Letters Patents. Licence
raigne Lord, of any graunt of licence to ſhip and
carrie out of this Realme of England, any woollen
clothes, or other merchandizes, eſpecified in any of
the ſaid Letters Patents, to reteine the cuſtomes
and ſubſidies in their owne hands, or in the hands
of any of them. And that the ſame Letters Pa-
tents be to the ſame perſon or perſons, and euery
of them, good and effectuall, after the tenour of the
ſame Letters Patents, and euerie of them. This
Act or ordinance notwithſtanding, by whatſoe-
uer name or names any of the ſaid perſon or per-
ſons be named or called in any of the ſaid Letters
Patents. Anno 12. E. 4. cap. 3.

14 Any perſon made, or hereafter to be made
Denizen, ſhall pay for his Merchandize like cu- Denizen
ſtome and ſubſidie, as hee ought or ſhould pay a-
fore that he were made Denizen: any Letters P. Letters Patents
or other ordinances by parliament contrarie to

this

this made notwithstanding. Anno 1. H.7.cap.2.

15 Euery Merchant as wel denizen as stranger, which shall bring frō henceforth any maner of goods into any port within this Realme by way of merchandize, & there do enter the said goods or merchandizes in the books of the customers of the said port, where ỳ goods or merchādizes shal first come to, and the kings duety thereof to the said Customers contented, or therefore with him agreed, and afterward that done, wil conuey or carry the same goods or merchandizes from thence into any Port within the said Realme: that then the owner of the same goods and Merchandizes, his Factor or Attorney, shall bring from the customers of the port, where the same goods or merchandizes were so entred, a certificate vnder the said Customers seales, directed to the Customers of the Port, whereunto the said goods or Merchandizes shall be conueied or carried, making mention within the same certificate, aswell of the naturall colour, length, & value, of all manner of merchandizes so entered, vsed to be meat with elle or yard, as of the natural weight, content, or value of all manner other Merchandizes vsed to be weighed or valued. And that the same certificate so made, be deliuered to the said Customers before the said goods be discharged, so that they may see whether the naturall colour, length, value, content, or weight of the same do agrée with the said certificate, so that the king be not deceiued of his custome and subsidies thereof due. And if any certificate be made frō henceforth by any customer of any port, whereunto any such goods or merchādizes shal be first brought, & there in their books entred, not making mention according as is aforesaid: that then the said customer or Customers, for their misbehauing, shall lose their Office, and to make fine with the king for the same at his pleasure. And furthermore, if any such goods or merchandizes, or any parcel thereof be discharged, vnpacked, or put to sale within any Port, then within the same where they shall be first entred, before the said certificate be deliuered, and the same goods and merchandizes seene, according as is aboue expressed: that then all the said goods or merchandizes be forfeited to the king our Soueraigne Lord: The one halfe thereof to remaine to his Highnesse, and the other halfe to him & them which shall proue any such goods or merchandizes so forfeited. And ỳ the customer or customers, nor no deputie to any such common officer to whom such certificate shal come, take nothing for the sight of the same goods so certified. Also it is ordained and established by authority aforesaid, that no manner of Merchant, Denizen or Stranger, doe take vpon him to enter, or cause to be entred in the bookes of any customer of any Port within this Realme, any maner of Merchandizes comming into this his said Realme, or going out of the same, in any other Merchants name, sauing onely the name of the true Merchant owing the same, vpon pain of forfeiture of all such goods and Merchandizes so entred, and euerie of the said Merchants, which so shall take vpon him to cause such vntrue entry to to be made, to haue imprisonment, and to make the fine therefore at the kings pleasure. And that no person take vpon him to be Customer, Comptroller, or Searcher, in any Port, City, Borough, or Towne where he is common Officer, nor no Deputie to any such common Officer, vpon pain of forfeiture of euery halfe yeare that he occupieth the said commō office and offices of the customership, Comptroller, or Searcher, the summe of forty pounds: the one halfe thereof to the king, and the other halfe to him that will sue for it, by writ, bill, or information. Anno 3. H.7.cap.7. See part of this Act altered here following 16.

Denizen Stranger

Merchandizes

Certificate

Colour Length

Weight

Office lost Fine

Vnpacked

Forf.

Points

Denizen

Name

Forf.

Imprisonment

Fine

Officer

Forf.

Woollen

16 The Custome and Subsidie of all Woollen Clothes, to be shipped and carried ouer the Sea, whersoeuer they be packed, shall be paied to the Customers of the Port or Ports where any such Clothes shall be laded or shipped, or to their Deputies: This Act (s. Anno 12. Ed 4.cap.3. before 3.) or any other Act heretofore made to the contrarie notwithstanding. Anno 11. Hen.7.cap.6.

Woollen cloth Shipped

17 That all Merchant Strangers and other that be made denizens by the kings Letters P. or otherwise, pay frō henceforth such customes & subsidies for their goods and merchandizes, inward & outward, as they should haue paied if such Letters Patents and grants, had neuer to them bene made. Anno 11. H.7.cap.14.

Strangers Denizens Letters P.

18 See Bowes and Bowestaues 5. that no Custome shall be paied for certaine Bowestaues.

Bowstaues

19 It be lawfull from henceforth, that euerie Englishman, and all other the kings subiects, may in euerie Port or Hauen within this Realme of England, Ireland, and Wales, and in the Marches of the same, and in the Towne of Berwicke, where it shal happen any merchandize to arriue, or to be charged & carried out, to custome in his name all manner of goods and merchandizes of an other Englishman, or the kings subiect. And in like forme euery Merchant stranger to custome in his name any goods or merchādizes of any other merchant stranger, so that the said Merchant stranger that custometh the goods of another Merchant stranger, and the very owner or proprietory of the goods so customed, be charged with like custome, subsidy, and other things, so that the kings grace be not defrauded of his right. And if any merchant stranger or Denizen, or any other the kings subiects, custome any goods or merchandizes of any other stranger or Denizen, or of any other the kings subiects, whereby the kings grace should lose his custome, subsidy, or other his right or duety, that then the said merchant, stranger, or Denizen, or any other the kings Subiect, that so taketh vpon him or them, to forfeit to our Soueraigne L. the king, the goods or Merchandizes so customed: And, ouer that, to forfeit to the party or parties in this behalfe grieued, as much money, as the goods, or merchandizes of the Merchant stranger, Denizen, or other the kings Subiects so cautelously customed amounted vnto. And that no Citizen of London, or other the kings subiects, inhabiting in the Cinque Ports, or any other being free of priuilege, or butlarage of wines, by graunt, custome, or otherwise, custome no wines of any person or persons

Englishmē

Berwike

Stranger

Forf.

Forf.

London Fine Ports Priuilege Butlarage

sons not being free of any priſage or butlarage. And if any perſon free of the ſaid priſage or butlarage ſo do: that then the ſaid perſon or perſons that ſo doe, forfeit to our Soueraigne Lord the double value of the priſage of the ſaid wines ſo cuſtomed. And further that it be lawfull to any perſon or perſons grieued contrarie to this act, to haue an action of debt againſt any perſon or perſons that ſo cuſtomed the goods or merchandizes in his name, and not in the owners name, of the ſumme of the value of the ſaid merchandizes ſo cuſtomed and forfeited: in which action none eſſoine, nor protection ſhall lie, nor the defendant to wage his law. An. 1 H.8.cap.5. See before 15.

Forf. Action

20 From henceforth the Collectors and Controllers of the ſaid ſubſidy (s.in 12.E.4.cap.3. before 13.) nor their Clerkes, nor any of them, take for ỹ ſealing of any peeces of the ſaid marchãdizes aboue rehearſed, (s.in 12.Ed.4.cap.3. before 13.) any thing, vpon paine of forfeiture at euery time xx. pound. And alſo be it &c. that if and as often as the ſame Collectors, and Comptrollers, or any of them, vnreaſonably delay or tarrie the ſaid Merchants, or any of them, for and about the ſealing of the ſame merchandizes: that then and ſo often the ſame Collectors and Controllers, and euerie of them ſo vnreaſonably delaying and tarrying the ſame Merchants, or any of them, to forfeit for the ſame forty ſhillings. The one moity of euery of the ſaid penalties ſo forfeited, to be to the king our ſoueraigne Lord: And the other moitie thereof to the Merchant ſo grieued, that will ſue for the ſame by way of information in the kings Eſchequer, or by action, or bill of debt, after the order of the common law, as in any other actions of debt is vſed, In which action the defendant ſhall not be admitted to wage his law, nor protection, nor eſſoine to be to him allowed in the ſame ſuit for the ſaid forfeiture. Anno 4.H.8.cap.6.

Sealing Forf. Delay Moitie

21 See Engliſhmen 2. that Engliſhmen ſworn to forreine Princes, ſhal pay cuſtome as ſtrangers.

22 See Cordwayners 11. for the cuſtome of Leather.

Leather

23 If any Stranger borne, Denizen, or not Denizen, or any of the kings Subiects, doe at any time from or after the laſt day of March next comming, any act or thing contrarie to the true meaning, tenour, and purport of the ſame former act & ſtatute (s.Anñ 1.H.8.cap.5. before 19.) that then he and they ſo offending, ſhall loſe and forfeit al his and their owne goods and cattels perſonals for euer: The one moity of which forfeiture ſhall be to the king, and the other moity to him or them that will ſue for the ſame, by bill, plaint, action of debt, or information, in which bill, plaint, action, or information no wager of Law, eſſoin, or protection ſhall be admitted or allowed. Prouided alwaies, and be it &c. that euery ſuch bil, plaint, action, or information, ſhall be had and purſued within three yeares next inſuing any ſuch offence committed or done, or elſe the offender to be clearely free, and diſcharged therof: any law, or ſtatute to the contrarie had or made notwithſtanding. An. 2.Ed.6.cap.22.

Denizen Forf. Moitie Bill Diſcharge

Customes and Vsages.

As well all the Lordſhips, Mannors, Landes, tenements, Woods, Paſtures, Rents, Seruices, Reuerſions, Remainders, Aduowſons, & all other whatſoeuer hereditaments, ſet, lying, and being within the County of Kent, of the which Thomas Cromwell knight, of the honorable order of the Garter, Lord Cromwell of Wimbildon, Lord priuie Seale, Thomas Burgh knight, Lord Burgh, George Bꝛoke knight, Lord Cobham, Andrew Windſore knight, Lord Windſore, Th. Cheney knight, Treaſurer of our ſaid Soueraign Lord, the kings moſt honorable houſhold, Chriſtopher Hales knight, Maſter of the Rolles of our ſaid Soueraigne Lords Court of the Chauncerie, Thomas Willoughby knight, one of the Iudges of the kings court of the common place, Anthony Seintleger knight, Edw. Wotton knight, Edward Boueton knight, Roger Cholmley knight Sergeant at lawe, John Champneis knight, Io. Baker Eſquire, our ſaid Soueraigne Lord the kings general Atturney, Reignold Scot Eſquire, John Guildford Eſquire, Thomas Kempe Eſquire, Edward Thwaits Eſquire, William Roper Eſquire, Anthony Sands Eſquire, Edward Iſaac Eſquire, Percival Hart Eſquire, Edward Monins eſchiuall, William Whetnall Eſquire, John Fogge Eſquire, Edm. Fettiplace Eſquire, Tho. Hardres eſquire, William Waller eſquire, Thomas Wilford eſquire, Thomas Moile eſq. Thomas Harlakinden eſquire, Ieoffery Lee eſq. James Hales, Henry Huſee, and Thomas Roydon Gentleman, or any of them, is or be ſeiſed to his or their owne vſe or vſes, in fee ſimple, or fee taile, the which now been of the tenure and nature of Gauelkind, and heretofore haue beene departed, or be departable betweene heires males, by the cuſtome of Gauelkind, ſhal from henceforth be clerely changed from the ſaid cuſtome, tenure, and nature of Gauelkind, and in no wiſe hereafter be departed or departable by the ſaid cuſtome of Gauelkinde, betweene heires males, but ſhall remaine, reuert, abide, deſcend, come, and be, after and according as Lordſhips, manors, lands, tenements, and other hereditaments, do or may deſcend, remaine, reuert, abide, come, or be, according to the Common Law of this Realme, and as other manors, lands, and tenements, being in the ſaid county of Kent, which neuer were holden by ſeruice of Socage, but be, and alwaies haue beene holden by knights ſeruice, do deſcend, remaine, reuert, abide, come & be. And in like maner to deſcend & be deſcendable, remaine, reuert, come, & be inheritable, to the heire or heires, after & according to the ſaid cõmon Lawes of this Realme of England. And that al and ſinguler the ſaid Lordſhips, manors, lands, tenements, and other hereditaments, with the appurtenances of the ſaid Lo. Cromwell, L. Burgh, Lord Cobham, Lord Windſore, Thomas Cheney Chriſtopher Hales, Thomas Willoughby, Anthony Seintleger, Edward Wotton, Edw. Boueton, Roger Cholmley, John Champneis, John Baker,

Lordſhips Mannors Aduowſons Cromwel Cheney Com. Law Gauelkind Kent Socage Knights ſeruice

Baker, Reignold Scot, Iohn Guilford, Thomas Kempe, Edward Thwaits, William Roper, Anthony Sands, Edward Iſaac, Percival Hart, Edward Monins, William Whetnall, Iohn Fogge, Edmund Fetiplace, Thomas Hardres, William Waller, Thomas Wilford, Thomas Moile, Thomas Harlakinden eſquires, Geffrey Lee, Iames Hales, Henry Huſee, and Thomas Royden, or of any of them, and which before the making of this act haue been of the ſaid nature and tenure of Gauelkinde in the ſaid County of Kent, ſhall from henceforth be accepted, taken, inherited, deemed, and adiudged to be, like as Lordſhips, manners, lands, tenements, and other hereditaments at the common law of this Realme, and in ſuch manner and forme, as if the ſame manners, Lordſhips, Lands, tenements, and other hereditaments, had neuer been of the ſaid nature of Gauelkinde, any vſage or cuſtome in the ſaid County of Kent heretofore had, accepted or vſed, to the contracy notwithſtanding. Sauing alwaies and reſeruing to all and ſinguler perſons, other then the ſaid Lord Cromwell, Lord Borough, Lord Cobham, Lord Windſore, Thomas Cheney, Chriſtopher Hales, Thomas Willoughby, Anthony Seintleger, Edward Wotton, Edward Bouetton, Roger Cholmley, Iohn Champneis, Iohn Baker, Reignold Scot, Iohn Guilford, Thomas Kempe, Edward Thwaits, William Roper, Anthony Sands, Edward Iſaac, Percivall Hart, Edward Monins, William Whetnall, Iohn Fogge, Edmund Fetiplace, Thomas Hardres, William Waller, Thomas Wilford, Thomas Moile, Thomas Harlakinden eſquires, Geffrey Lee, Iames Hales, Henry Huſee, and Tho. Royden, or any of them, and to euery of them againſt any other of them, all ſuch right, title, intereſt, and inheritance, as they or any of them had before the making of this act, of, to, or in any of the ſaid manners, Lands, tenements, woods, paſtures, rents, Seruices, reuerſions, remainders, Aduowſons, and other the premiſſes, as if this preſent act had neuer beene had nor made. An. 31. H. 8. cap. 3.

2 See forfeiture 5. Cuſtome of forfeiture for felonie in Gloceſter and Kent, and of Cuſtom of Dower & Partition among heires males in Kent.

3 See for the cuſtome of Kent in the new printed booke commonly called Magna charta, late printed by Rich. T. Anno Domini 1556. fol. 147

4 Anno 32. Hen. 8. cap. 29. it is enacted, that the lands of Oſwalbeck ſoke in Nottinghamſhire ſhall deſcend to the heire at the common lawe, and ſhall not be partable betweene heires males by the cuſtome.

Cuſtos Rotulorum.

WHere before this time the Lord Chancellor hath had the appointment of the Cuſtos Rotulorum, and the Cuſtos Rotulorum the appointment of the Clerke of the Peace, till now of late certain vnworthy and vnlearned men haue by friendſhippe obtained graunts of the ſaid Clerkſhip for terme of their liues vnder the kings Letters Patents, whereby much inconuenience hath inſued: For reformation thereof, be it enacted &c. That no perſon or perſons ſhal from henceforth be nominated and appointed to the ſaid office and offices of the Cuſtos Rotulorum, within any Shire of this Realme of England or Wales, and other the kings Dominions, Marches or Territories of the ſame, but ſuch as ſhall haue a Bill aſſigned with the kings hand for the ſame: Which Bill ſigned ſhall be a ſufficient warrant by the authority aforeſaid, to the ſaid Lord Chancellor of England, and the Lord Keeper of the great ſeale for the time being, to make ſtō time to time commiſſion commiſſions & aſſigning & authoriſing therby the ſame perſon to be Cuſtos Rotulorum, vntil the king hath by another bill aſſigned with his owne hand appointed and ordained one other perſon to haue, occupie, and exerciſe the ſame Office of the Cuſtos Rotulorum, and that the ſaid perſon appointed and aſſigned to be Cuſtos Rotulorum as is aboueſaid, ſhall and may occupy, exerciſe, and inioy the ſame Office of the Cuſtos Rotulorum, by himſelfe or his ſufficient Deputie learned in the Lawes of this Realme, and meet and able to ſupply the ſaid Office, according to the tenour of the ſaid Grant or Commiſſion: But this article aforeſaid is altered againe as appeareth hereafter 2. And be it &c. that euery Cuſtos Rotulorum for the time being, ſhall at all times hereafter in euerie ſhire of this Realme, Wales, and other the kings Dominions, Marches & Territories of the ſame, nominate, elect, appoint, and aſſigne all and euerie perſon and perſons, which hereafter ſhal be clerks of the Peace, within any of the ſaid Shires of this Realme of England, Wales, and other the kings Dominions, Marches and territories of the ſame, and to giue and grant the ſame office and Offices of the Clerkeſhip of the Peace to ſuch able perſon inſtructed in the lawes of this Realme, as ſhall bee able to exerciſe & occupy the ſame, to hold and inioy the ſame during the time that the Cuſtos Rotulorum ſhall occupie and exerciſe the ſaid Office of the Cuſtos Rotulorum, ſo that the ſaid Clerke demeane him in the ſaid Office iuſtly and honeſtly. And that it ſhall be lawfull to euerie ſuch grantees of the ſaid Clerkſhip, to occupy and inioy the ſame Office of the Clerkſhip of the Peace by himſelfe or by his ſufficient Deputy, inſtructed in the lawes of this Realme, ſo that the ſame Deputy be admitted, taken, and reputed by the ſaid Cuſtos Rotulorum, to be ſufficient and able to exerciſe, occupy, keepe and inioy the ſame Office of the Clerkſhip of the Peace. Prouided alwaies, and be it &c. that all ſuch as now haue any of the ſaid offices of Cuſtos Rotulorum, or Clerkſhip of the Peace, by the Kings Letters Patents, or Commiſſion to them made, ſhall and may inioy, haue and exerciſe their ſaid Offices by vertue of the ſame Letters Patents or Commiſſion, by themſelfe or their ſufficient and able Deputy inſtructed in the Lawes of this Realme: any thing in this preſent Act had or made to the contrary notwithſtanding. Prouided alſo, and be it further enacted &c. that the Archbiſhop of Yorke, the Biſhop of Durham, the biſhop

Common Law

Bill aſſigned Warrant Chancellor

Clerkes of the peace

Deputy

Letters P.

Archbiſhop.

of Elie, and euerie of their succeſſors, and all and euery ſuch perſon and perſons, corporations, and bodies corporated, to whome the Kings Maieſtie or any of his noble progenitours, by his or their Letters Patents, haue giuen and granted any liberty or authority, or otherwiſe haue authority by other Lawfull meanes, or waies, to ordeine, make and conſtitute any of the ſaid Officers of Cuſtos Rotulorum or the Clerke of the Peace, within any Countie Palantine or other place, ſhall and may haue and inioy the ſame liberty and authority, according as they haue had and inioyed the ſame: any thing in this preſent act had or made to the contrary notwithſtanding. Anno 37.H.8.cap.1.

Letters P.

2 For the reſtoring of the nomination and appointment of the office of Cuſtos Rotulorū to the office of the Chancellor of Engl. or the L. Keper of the great ſeale, as in old time it did appertain & belong vnto the ſame, Be it &c. that the L. Chancellor of England, or L. Keper of the great Seale for the time being, ſhall at all time and times hereafter and from time to time without any bill or billes to be aſſigned with the kings hand, name, elect, aſſigne and appoint ſuch perſon and perſons to bee Cuſtos Rotulorum within euerie ſhire of this Realme of England, Wales, and other the kings Dominions, Marches, and Territories of the ſame, or by any of them, as by the diſcretion of the ſaid Lord Chancellor or Lord Keper of the great Seale for the time being, ſhal bee thought able and meete to haue and exerciſe the ſame. And that the ſaid perſon and perſons ſo to be appointed, elected, named and aſſigned by the ſaid Lord Chancellor or Lord Keper of the great Seale for the time being, ſhall and may occupie, exerciſe, and enioy the ſame Office of Cuſtos Rotulorum, by himſelfe, or by his ſufficient Deputy or Deputies, in as ample and large manner and forme, as if the ſaide Act had neuer beene had ne made: The before rehearſed Act, or any thing therein contained to the contrarie hereof in any wiſe notwithſtanding. Prouided alwaies, and be it &c. that all ſuch as now haue any of the ſaid Offices of Cuſtos Rotulorum by the Kings Letters Patents, or Commiſſion to them or any of them made, ſhall and may inioy haue and exerciſe their ſaid Offices, by vertue of the ſame Letters Patents or Commiſſion by himſelfe or his ſufficient and able Deputy inſtruted in the Lawes of this realm: any thing in this preſent Act had or made to the contrary notwithſtanding. Prouided alſo, and be it further enacted &c. that the Archbiſhop of Yorke, the Biſhop of Durham, the Biſhop of Elie, and euerie of their ſucceſſors, the Chancellor of the Dutchy of Lancaſter for the time being, and all and euery perſon and perſons, Corporations, and bodies corporated, to whome the kings Maieſtie or any of his noble progenitors, by his or their Letters Patents, or act of Parliament, haue giuen and granted any liberty and authority, or otherwiſe haue authority by other lawfull meanes or waies, to ordeine, make and conſtitute any of the ſaid Offices of Cuſtos Rotulorum within any County Palantine or other place, ſhall and may haue and inioy the ſame liberty, and authority, according as they haue had & inioyed the ſame: Any thing in this preſent Act had or made to the contrarie notwithſtanding. Anno 3. & 4. Ed. 6.cap. 1.

Chancellor

Letters P.

Daies in Banke.

IF a Writ come in at the Vtas of Saint Michael, day ſhall be giuen thereupon vntill the Vtas of Saint Hillarie. And if it come in the Quinzime of Saint Michaell, day ſhall bee giuen vntill the Quinzime of ſaint Hillary. If it come in the three weekes after Saint Michael, then day ſhall be giuen till Craſtino Purificationis. If at Moneth after Michaelmaſſe, then to the Vtas of the Purification. If in Craſtino Animarum, then to the Quinzime of Eaſter. If in Craſtino Martini, then to the three weekes after Eaſter. If in the Vtas of Saint Martine, then to the Moneth after Eaſter. If in the Quinzime of Saint Martine, then to the fiue weekes after Eaſter: And alſo there is day ſpecially giuen in Craſtino Aſcentionis, and it counteruaileth as much as to the fiue weekes after Eaſter. If it come in the Vtas of Saint Hillarie, then to V. tas of the Trinitatis. If in Quindena Hillarie, then to Quindena Trinitatis, and ſometime to Craſtino of Saint John Baptiſt. If in Craſtino Purificationis, then to Craſtino and the Vtas of Saint John Baptiſt. If in the Vtas of the Purification, then to quindena of John Baptiſt. If in Quindena Paſchæ, then to the Vtas of Saint Michael. If in the three weekes after Eaſter, then to quindena of Saint Michael. If in the Moneth after Eaſter, then to the three weekes of the Feaſt of Saint Michael. If in the fiue weeks after Eaſter, or in Craſtino Aſcentionis, then to the Month after the Feaſt of Saint Michael. If in the Vtas of the Trinity, then to Craſtino Animarum. If in quindena Trinitatis, or in Craſtino of Saint John Baptiſt, then to Craſtino Martini. If in the Vtas of Saint John Baptiſt, then to the Vtas of Saint Martin. If in quindena of Saint John Baptiſt, then day ſhall bee giuen vnto quindena Martini. An. 51.H.3.

2 If the writ doe come in Octauis Michaelis, day ſhall be giuen vntill Craſtino Animarum, If it come in quindena Michaelis, day ſhall bee giuen vntill Craſtino Martini. If in Menſe Michaelis, then to quindena Martini. If in Craſtino Animarum, then to Octauis Hillarij, If to Craſtino Martini, then to quindena Hillarij. If in octauis Martini, then to Craſtino Purificationis. If in quindena Martini, then to Octauis Purificationis. If in Octauis Hillarij, then to quindena Paſchæ. If in quindena Hillarij, then to tribus Septimanis Paſchę. If in Craſtino Purificationis, then to Menſe Paſchæ. If in Octauis Purifications, then to Craſt. Aſcentionis. If in quind. Paſc. then to Octauis Trin If in tribus Septimanis Paſchæ, then to quindena Trinitatis. If in Menſe Paſchæ, then to Craſtino Iohannis Baptiſtæ.

If

If in Quinque Septimanis Paschæ, then to Octauis Iohannis. If in Crastino Ascensionis, then to quindena Iohannis. If in Octauis Trinitatis, then to Octauis Michaelis. If in quindena Trinitatis, then to quindena Michaelis. If in Crastino Iohannis Baptistæ, then to tribus Septimanis Michaelis. If in Octauis Iohannis Baptistæ, then to Mense Michaelis. If in quindena Iohannis Baptistæ, then to Crastino Animarū. Dies in Dorte Anno 7 H. Henrici tercij.

Dower

3 If in a plee of Dower, that is called Vnde nihil habet, from henceforth foure daies shall be giuen in the yere at the leaſt, and more, if it may conueniently be: So that they shall haue but foure or fiue daies at the leaſt in the yeare. In Actiues of Darrein presentment, and in a plea of Quare impedit of churches vacant, daies shall be giuen from fifteene daies to fifteene, or from three weekes to three weekes, as the place shall happen to be nere or farre. Marlb. capit. 12. Anno 52. H. 3.

Assise Quare imp.

4 The king vnto his Iuſtices of the Bench, greeting. Know ye that where within our realm of England, it hath beene doubted touching the yeare & day that is wont to be aſſigned vnto ſuche perſons being impleaded, when and to what day of the yeare going before, vnto the other day of the yeare following, the yeare and day in a Leape yeare ought to be taken and reckoned: We therefore willing y a conformitie be obſerued in this behalfe euerie where within this our Realme, & to auoid all danger from ſuch as be in plea, haue prouided, and by the counſell of our faithful Subiects haue ordained, that to eſchew from henceforth all doubt and ambiguity that might ariſe hereupon, The day increaſing in the Leape yere ſhall be accounted in the ſame yere, ſo that becauſe of that day none ſhall be preiudiced that is impleaded, but it ſhall be taken & reckoned of the ſame month wherein it groweth, & that day & the day next going before, ſhal be accounted for one day. Biſſextile An. 21. H. 3.

Leape yere.

Trinity Terme

5 In the ſaid Trinity terme ſhal be foure common daies of Returne only, & not aboue, that is to ſay, the firſt day of Returne ſhall be and be called in Craſtino Sanctæ Trinitatis. The 2. day of Return of the ſame Terme, ſhal be & be called in Octauis Sanctę Trinitatis. The 3. day of returne of the ſame Terme, ſhall be and be called in Quindena Sanctæ Trinitatis And the fourth day of Return, of the ſame Terme, ſhall be & be called à die Sanctę Trinitatis in tres Septimanas. And that the ſame daies of returne ſhall be obſerued & kept in all out Soueraigne Lord the kings high Courts of Record, hereafter to be holden at Weſtminſter, or other place or places, at the aſſignment appointmēt or agreement of our ſaid ſoueraigne Lord his heirs or ſucceſſors. And that from or after the feaſt of S. Michael the Archangell next comming, there ſhall not be, nor be called any daies of return in Craſtino Sancti Iohannis Bapt. octauis Sancti Iohannis Baptiſtæ, nor Quindena Sancti Iohannis Baptiſtæ, nor any of them. And be it further enacted &c. that the ſaid terme of the holy Trinitie, ſhall yerely for euer, from the ſaid feaſt of Saint Michael the Archangell next comming, beginne the Munday next after Trinity Sunday, whenſoeuer it ſhal happen to fall, for the keeping of the Eſſoines, Prokers, Returnes, and other Ceremonies heretofore vſed and kept, in like manner and fourme, as in times paſt hath beene vſed to bee done in the day of Returne, commonly called in Octauis Sanctæ Trinitatis. And that the full Terme of the ſaid Trinitie Terme, ſhall yearely for euer beginne and take his commencement the Friday next after Corp. Chriſti day, in ſuch & like maner & forme, to all purpoſes, intents and reſpectes, as heretofore hath beene vſed the Wedneſday next after Corpus Chriſti day. And that from and after the ſaid Feaſt of Saint Michael the Archangel next comming, the ſaid ſecond and third daies of Returne, called Octauis Sanctæ Trinitatis and Quindena Sanctę Trinitatis, ſhall take their commencement and beginne as in times paſt hath beene vſed. And that the ſaid fourth day called à die Sanctę Trinitatis in tres Septimanas, ſhall take his commencement and beginne from the ſaid Trinity Sunday vnto three weekes then next following, and ſhall haue his returne with the fourth day, as is accuſtomed in other like daies of Returne. And be it alſo enacted by the authority &c. that if after the ſaid Feaſt of Saint Michael the Archangel nert comming, any writ in any Reall Action come in, and be returnable into any of our ſaid Soueraigne Lord the Kings Courts in Octauis Sancti Hillarij, then day ſhall be giuen in Craſtino Sanctæ Trinitatis. If in Quindena Sancti Hillarij, in Octauis Sanctæ Trinitatis. If in Craſtino Purificationis Beatæ Marię, in Quindena ſanctæ Trinitatis. If in octauis Purificationis beatæ Mariæ, then à die Sanctæ Trin. in tres Septimanas. And if after the ſame feaſt of Saint Michael the Archangel, any writ in any real Action come into any our ſaid Soueraigne L. the Kings Courts returnable in Craſtino Sanctæ Trinitatis, then day ſhall be giuen in Craſtino Animarum. If in Octauis Sanctæ Trinitatis, in Craſtino Sancti Martini. If in Quindena Sanctę Trinitais, in Octauis Sancti Martini. If à Die Sanctę Trinitatis in tres Septimanas, in Quindena Sancti Martini. And be it alſo inacted by the authority, &c. that if after the ſaid feaſt of Saint Michael the Archangel nert comming, any writ of Dower come into any of our Soueraigne Lord the kings Courts, and be returnable in Quindena Paſchæ, then day ſhall be giuen in Craſtino Sanctę Trinitatis. If à die Paſchæ in tres Septimanas, in octauis Sanctę Trinitatis. If à die Paſchę in vnum Menſem, in Quindena ſanctæ Trinitatis. If à die Paſchæ in quinque ſeptimanis, or in Craſtino Aſcentionis Domini, then day ſhall be giuen vntill the day of à die Sanctę Trinitatis in tres Septimanas. And if after the ſame Feaſt of Saint Michael the Archangell nert comming, any Writte of Dower come into any of our ſaide Soueraigne LORD the Kinges Courts of Record, in Craſtino Sanctæ Trinitatis, then day ſhall bee giuen in Octauis Sanctæ Michaelis. If in Octauis Sanctæ Trinitatis in Quin-

Virgin

Real actions

Dowre

dena Sancti Michaelis. If in Quindena Sanctæ Trinitatis, à die Sancti Michaelis in tres Septimanas, If à die Sanctæ Trinitatis in tres septimanas, à die Sancti Michaelis in vnum Mensem, or otherwise as is appointed, limited and declared by the statute of Marlebridge in the twelfth chapter thereof made and prouided.

Proces

And it is &c. that all common writtes and processes, aswell personall as mixt which shall fortune to be returnable in the said Trinity Terme, shall haue and keepe the saide Returnes of Crastino Sanctæ Trinitatis, Octauis Sanctæ Trinitatis, Quindena Sanctæ Trinitatis, and à die sanctæ Trinitatis in tres Septimanas, or any one of them. Prouided alway, and it is &c. that in such and like cases and Processes as speciall daies haue beene vsed to be appointed assigned and giuen for the returning of Writtes and Processes, it shall be lawfull to the Justices of euery of the kings said Courts of Record for the time being, in all the Processes by them awarded, to assigne and appoint speciall daies of Returne, as by their discretions shall be thought conuenient.

Attaint

Prouided also, and be it &c. that the daies in Assise of Darreine presentment, and in Plee of Quare impedit, limited and appointed by the Statute of Marlebridge (S. capitulo 12. before 3.) and also the daies to be giuen in Attaint limited in the Statute made in the fifth yeare of the raign of the noble king Edward the third (S. capit. 8. which is in Attaint. 4.) being not contraris to the tenour of this act, shall be holden firme and stable, and shall stand in their full force and effect. Anno 32. H. 8. cap. 21.

Damages and Costs.

Assise Disseisors

VVHereas heretofore Dammags were not awarded in Assise of Nouel disseisin, but onely against the disseisors: It is prouided, that if the disseisors doe alien the Lands, and haue not whereof the Dammages may be leuied, that they to whose hands such Tenements shall come, shall bee charged with the dammages, so that euery one of them shall answere for his time. It is prouided also, that the disseisee shall recouer Dammages in a Writt of Entre, grounded vpon disseisin, against him that is found Tenant after the disseisor. It is prouided also, that where before this time Dammages were not awarded in a plea of Mortdancester (but in case where Lands were recouered against the chiefs Lords) that from hencefoorth Dammages shall be awarded in all cases, where a man recouereth by Assise of Mortdancester, as before is said in Assise of Nouel disseisin. And likewise Dammages shall be recouered in Writs of Cosinage, Aile, and Besaile. And whereas before time Dammages were not tared but to the value of the issues of land: It is prouided, that the Demandant shall recouer against the Tenant, the costes of his Writ purchased, together with the Dammages aboue said. And this Act shall hold place in all cases where the party is to recouer Dammages. And euerie man from hencefoorth shall bee compelled to render Dammages where the Land is recouered against him, vpon his owne intrusion or vpon his owne act. Gloucester capit. 1. Anno 6. Edw. primi.

Writ of Entre

Mortdancester

Cosinage

London

2 The king of his speciall grace graunteth vnto his Citizens of London, that whereas before times they that were disseised of their Freehold in the same City could not recouer their Damages before the comming of the Justices to the Tower: That from hencefoorth the disseisees shall haue Damages by recognisance of the same Assise, whereby they recouered their lands. And the disseisor shall be amerced before two Barons of the Eschequer, which shall resort once a yeare into the City to doe it. And it shall be commanded vnto the Barons, and to the Treasorer of the Eschequer, that they shall cause it euery yeare to be done by two of them at their vprising after Candlemasse. And the amerciaments, shall be by the summons of the Eschequer leuied to the kings vse, and bee deliuered into the Exchequer. Glouceſter cap. 14. Anno 6. Ed. 1.

Disseisin

Amerc

Exchequ

3 In cases where any haue entred by the disseisor, the Damages shall run from the time of the statute published. In the same wise for Damages in Writtes of Entre vpon disseisin. And in al writs of Mortdancester, Cosinage, Aile, or Besaile, and touching intrusion or of ones owne act, by any manner of Writ, the Damages shall runne after the Writ purchased against them that held since the Statute, albeit that their ancestors died seised thereof. Exposition of Gloucester Anno 6. Edward. 1.

Intrusio

4 Where oftentimes plaintise or demandant, plaintises or demandants that haue iudgement to recouer be delayed of execution, for that the defendant or tenant, defendants or Tenants against whome iudgement is giuen, or other that beene bounden by the said iudgement, sueth a Writ or writs of Error, to annull and reuerse the saide iudgement, to the intent only to delay execution of the same iudgement: It is enacted, ordained, and established by the aduise of the Lords Spirituall and temporall, and at the praier of the Commons in the said Parliament assembled, and by authoritie of the same, that if any such defendant or Tenant, defendants or Tenants, or if any other that shall be bound by the said iudgement, sue afore execution had, any Writ of Error to reuerse any such iudgement, in delaying of execution: that then if the said iudgement be affirmed good in the said Writ of Error, and not erronious, or that the said Writ of Error bee discontinued in the default of the party, or that the person or persons that sueth Writ or Writs of Error, be nonsuted in the same: that then the said person or persons against whom the said writ of Error is sued, shall recouer his costes and Dammages for his delay and wrongful veration in the same, by the discretion the Justice afore whome the said Writ of Error is sued. Anno 3. Henrici Septimi, capit. 10. And Anno 19. Henrici Septimi capitulo 20. It is enacted, that

Error

Discont

Nonsuit

that this Act be good and effectual, and that from thenceforth it be duely put in execution.

5 See Auowrie 1. and Recoueries 1. that the auowant shall recouer damages and costes.

6 If any person or persons at any time after the feast of the Purification of our Lady, in the 23. yeare of the raigne of our Soueraigne Lord king Henry the eight, commence or sue in any court of Record, or elsewhere in any other Court, any action, bill, or plaint of trespalle, vpon the statute of king Richard the second, made in the fifth yeare of his raigne (S. cap. 7.) for Entrie into lands and tenements, where none Entry is giuen by the Lawe, or any action, bill or plaint of debt or couenant vpon any especialtie, made to the Plaintife or plaintifes, or vpon any contract supposed to be made betweene the Plaintife or Plaintifes, and any person or persons, or anye Action, Bill, or plaint of Detinue of anie goods or Cattels, where the plaintife or plaintifes shall suppose that the property belongeth to them or to any of them, or any action, bill or plaint of accompt, in the which the plaintife or plaintifes suppose the defendant or defendants to be their Bailife or Bailifes, Receiuor or Receiuors of their Mannour, Mese, money or goods to yeld accompt, or any action, bill or plaint vpon the case, or vpon any Statute for any offence, or wrong personall immediately supposed to be done to the plaintife or plaintifes: and the plaintife or plaintifes in any such kinde of Action, bil or plaint after apparance of the defendāt or defendāts be nonsuted, or ỹ any verdict happen to passe by lawfull triall against the plaintife or plaintifes in any such action, Bill or plaint: that then the defendant or defendants in euery such action, bill or plaint, shall haue iudgement to recouer his costes against euery such plaintife or plaintifes. And that to be assessed and tared by the discretion of the Judge or Judges of the Court, where any such action, bill or plaint shall be commenced sued or taken. And also that euery defendant in such action, bill or plaint, shall haue such Processe and execution for the recouery, and hauing of his costes against the same plaintife or Plaintifes, as the same Plaintife or Plaintifes should or might haue had against the defendant or defendants, in case that iudgement had beene giuen for the part of the said plaintife or plaintifes, in any such action, bill or plaint. Prouided alwaies, that all and euery such poore person or persons being plaintife or plaintifes in any of the said actions, billes, or plaints which at the commencement of their suits or actions be admitted by discretion of the Judge or Iudges where such suits or actions shall be pursued or taken, to haue their Processe and Councell of charity, without any money or fee paying for the same, shall not be compelled to pay any costs by vertue or force of this Estatute, but shall suffer other punishment, as by the discretion of the Iustices or Iudge afore whom such suits shall depend, shal be thought reasonable: any thing afore rehearsed to the contrarie hereof notwithstanding. An 23. H. 8. cap. 15.

Detinue

Accompt

Verdict

Defendant

Tared Judge

Iudges

Costs

Punishment

7 Albeit that the plaintife or plaintifes, be or shall bee nonsuted in any whatsoeuer action, suite, bill, or plaint commenced, or to be cõmenced, sued, or to be sued, to the vse of our said soueraigne Lord the king, his heires or successors kings of Englād, or that it shall happen any verdict to passe against any such plaintife or plaintifes in any action, suit, bill, or plaint, sued or to be sued to the kings vse, the defendant or defendants shall not recouer any costs against any such plaintife or plaintifes: any Act or statute made in this present Parliament or any other thing to the contrarie, being in any wise notwithstanding. Anno 24. H. 8. cap. 8.

Plaintife

Verdict

Defendant

8 If vpon any action personal to be brought in any her Maiesties Courts at Westminster, not being for any title or interest of lands, nor concerning the freehold or inheritance of any lands, nor for any battery, it shall appeare to the Judges for the same Court, and so signified or set downe by Iustices before whome the same shal be tried, that the debt or damages to be recouered therein in the same Court, shall not amount to the summe of forty shillings or aboue, that in euery such case the Judges & Iustices, before whome any such action shall be pursued, shall not award for costes to the party plaintife, any greater or more costs then the summe of the debt or damages so recouered shal amount vnto, but lesse at their discretions. This Act to endure to the end of the first session of the nert Parliament. Anno 43. Eliz. cap. 6. And by Anno 1. Iac. cap. 25. it is continued vntill the end of the first Session of the next Parliament.

40. shillings.

Costes

9 Be it enacted &c. That if any person or persons at any time after the end of this present Session of Parliament, shall commence and sue in any Court of Record, or in any other Court, any Action, bill, or plaint of Trespalle, or Ejectione firmæ, or any other action whatsoeuer, wherein the Plaintife or Demaundant might haue costs, if in case Iudgement should be giuen for him: And the plaintife or plaintifes, Demandant or Demandants, in any such action, bill, or plaint, after appearance of the defendant or defendants, be nonsuted, or that any Verdict happen to passe by any lawfull triall against the Plaintife or Plaintifes, demandant or demandants in any such action, bil, or plaint, ỹ then the defendant & defendants in euery such action, Bil, or plaint, shall haue Judgement to recouer his costs against euery such plaintife and plaintifes, demandant and demaundants, to be assessed, tared, and leuied in maner and form, as costs in the said actions are to be assessed, tared, and leuied in and by the law of the three and twentieth yeare of king Henry the eight. Anno 4. Iac. cap. 3.

Nonsuite

Verdict

Costs

Darreine presentment.

THe assise of Darrein presentment, shall bee taken alway before our Iustices of the bench, and there shall bee determined. Magna. Charta cap. 13.

Decies tantum.

Iurors

AS to the Article of Iurors in the 34. yeare (which see in Iurors 8.) it is assented and ioyned to the same, that if any Iurors in Assises,

Assise Inquests

Iuries, and other Inquests to be taken betweene the k. & the partie, or party and party do any thing take by them or by other of the party plaintife or defendant to say their verdict, and thereof be attainted by Proces contained in the same Article,

Reward Attaint

be it at the suit of the partie that will sue for himselfe, or for the king, or at the suit of any other person: euery of the said Iurors shall pay ten times as much as he hath taken. And he that will sue, shall haue the one halfe, and the king the other halfe. And that all the imbraceors to bring

Fork. Moitie

Imbraceors

Punish

forth or procure such inquests in the countrey for gaine or profit, shall bee punished in the same maner and forme as the Iurors. And if the Iuror or imbraceor so attainted haue not whereof to make grée in the maner aforesaid, he shal haue the imprisonment of one yeare. And the intent of the King, of great men, and of the Commons, is, that no Iustice or other Minister shall enquire of Office vpon any of the points of this Article, but onely at the suit of the partie, or of other as afore is said. Anno 38. E. 3. cap. 1.

Imprison

Not inquire

Declaration.

BY the ancient termes and formes of declarations, no man shal be preiudiced, so that ỳ matter of the action be fully shewed in the declaration and in the writ. An. 36. Ed. 3. cap. 15.

Deeds and Writings.

Insurrectiõ

ANno 5. Rich. 2. cap. 8. It was enacted, that they whose writings were destroyed in the last insurrection should haue remedy by ỳ councel.

Statutes Recognisances Indenture

2 All Statutes, Recognisances, Indentures, and other Writings, whatsoeuer, knowledged or made, by or to any person or persons, bodies politike or corporats, being the Quéenes subiects, since the first day of July last past, and before the first day of August then next following, vnder ỳ name of the raign of any other person, then vnder the name of our Soueraigne Lady the Quéene, shall be as good and effectuall in the law, to all intents, purposes, constructions and meanings, as if vpon the making thereof the name of our Soueraigne Lady the Quéenes Maiestie with her stile appropriated and vnited vnto her Maiesties Imperiall Crowne, had béene fully and plainely expressed and contained in the same Obligations, Recognisances, Indentures, Estatuts,

Obligation

and other Writings. And the same Obligations, Recognisances, Indentures, Estatutes, and other writings, shall and may bee sued and ministred in bacre exhibited, auerred, vsed and pleaded, in the name, Title & Stile of our Soueraigne Lady the Quéenes Maiestie, in such, and the same manner and forme, as though the name of the same our soueraigne Lady the Quéene with her Graces vsuall stile had béene expressed, written and contained in the same: the lack of naming or mentioning of the name of our Soueraigne Lady the Quéene, of her Maiesties stile, in the date or time of the making of the said Estatutes, Recognisances, Indentures, and other Writings, in any wise notwithstanding. Prouided alwaies that this act, nor any thing therein contained, shall not extend to make good any Letters Patents, Commissions, Gifts, Graunts, Leases, Demises or other writings, made by the said Lady Jane Dudley, otherwise called the Lady Jane Gray, sithence the saide first day of July last past, of any manors, lands, tenements, hereditaments, offices, fées, or other writings whatsoeuer, now or then being by any waies or meanes, parcell, member, or belonging to the said Imperiall Crowne, or to make good any other writings whatsoeuer, made by the saide Lady Jane, sithen the said first day of July: But that they and euerie of them shall remaine and bée vtterly void and of none effect: any thing aforesaid to the contrary notwithstanding. Anno primo Mariæ 1. Parliamento cap. 4.

Date

Letters patents. Commissions Leases Lady Jan

Void

3 See Rome 5. That deeds and writings before made with the Seale of the Supremacie, should be good and pleadable.

Seale

Denizens.

ONe Act was made concerning French Denizens, Anno 4. & 5. Phi. & Mar. which was to continue but during the life of Quéene Mary.

Denmarke.

ANno 8. H. 6. cap. 2. An Act was made concerning Englishmen to remaine to the Staple in Denmarke, but it is repealed by 1. Henr. 8. cap. 1.

Staple

2 Anno 10. H. 6. cap. 3. It was enacted, that the Garden of the priuy Seale should make Letters of request vnder the priuie seale to the king of Denmark, to haue restitution of Englishmens goods, taken by him or his Subiects. And if thereby restitution were not made, the king by aduise of his Councell should prouide remedy for the same party grieued. See Breakers of Truce, Anno 4. H. 5. cap. 7.

Priuie Seale

Restitution

Debt.

IT is prouided also, that in no City, Borough, Towne, Market, nor faire, there be no forreine person (which is of this Realme) distrained for any debt whereof hee is not debtor or pledge. And whosoeuer doth it shal be grieuously punished, and that without delay the distresse shall be deliuered vnto him by the Bailifes of the place, or by the Kings bailifes, if need be. West. 1. cap. 23. Anno 3. Ed. 1.

Distrein

Punish

2 See of an Action of debt against a Gaoler, Accompt 2.

3 See Recognisances 2. of an action of Debt against the Gaoler, that will not receiue one sent vnto him vpon a statute merchant, or if he receiue him, and after let him escape.

Gaole

4 From henceforth no Warden of the Fleet shall suffer any prisoner there being by iudgement

Warden of the Fleet Prisoner

at

at the ſuite of the party, to goe out of priſon, by mainepriſe, baile, or by baſton, without making gree to the ſaid parties of that whereof he were iudged, vnleſſe it be by writ or other commaundement of the King, vpon paine to loſe his office, and the keeping of the ſaide priſon. And moreouer, if any ſuch Warden from henceforth be attainted by due proceſſe, that hee hath ſuffered, or let ſuch priſoner to goe at large againſt this Ordinaunce, then the Plaintifes ſhall haue their recouerie againſt the ſame Wardens by a writt of Debt. And alſo it is ordained, that if any at the ſuite of the party being iudged to any other priſon for debt, treſpaſſe, or other quarrell, will confeſſe himſelfe voluntarily, and vpon a fained cauſe to be Debtor to the King, and thereby be iudged to the ſaid priſon of the Fleet, there to haue greater libertie of priſon then elſewhere, and ſo to delay the party of his recouerie, the ſame Recogniſance ſhall be there receiued, and if he be not otherwiſe debtor to the King of record, his bodie ſhall incontinently be remaunded to the priſon where he was before, there to remaine till he hath made gree to the ſaid party, and the ſame gree be made, hee ſhalbe immediatly ſent againe to the Fleete, there to abide, till he hath made gree to the King of his Recogniſance aforeſaid. An 1. R. 2. ca. 12. See the like matter Recogniſance 2.

5 In caſe of Debt, where the debtors make fained gifts and feoffements of their goods and lands to their friends and other, and after withdraw themſelues and flie into places of holy Church priuiledged, and there holde them a long time, and take the profite of their ſaid lands and goods ſo giuen by fraude and colluſion, whereby their creditors haue beene long, and yet be delayed of their debts and recouerie, wrongfully againſt good faith and reaſon: It is ordained and eſtabliſhed, that after that the ſaid creditors haue thereof brought their writs of Debt, and thereupon a Capias awarded, and the Sherife ſhall make returne, That he hath not taken the ſaid perſons, becauſe of ſuch places priuiledged, in which they be or ſhalbe entred: then after ſuch returne made, an other Writte ſhal be graunted and made to the Sherife. In which writ ſhalbe compriſed, that Proclamation be made openly at the gate of the place ſo priuiledged, where ſuch perſons be entred, by fiue weekes continually, euery weeke once, that the ſame perſon be at a certaine day, compriſed in the ſame Writ, before the Kings Juſtices, there to anſwer to the Plaintife of his demaund, and vpon this Writ returned by the ſaid Sherife, that Proclamation is made in the ſaid forme if the ſaid perſons called, come not in proper perſon, nor by Attourney, iudgement ſhall be giuen againſt them vpon the principall for their default. And out of the ſame iudgement, execution ſhall be made of their goods and lands being out of the place priuiledged, that is to ſay, as well of thoſe lands and goods ſo giuen by colluſion, as of any other out of the ſame Franchiſe, after that ſuch colluſion or fraude be duely found, in the ſame maner as that ought to haue beene if no demiſe had beene thereof made, notwithſtanding the ſame demiſe. But it is not the Kings minde, that by vertue of this Statute, any man be barred of his ſuite againſt ſuch Debtors by the common courſe of the Lawe, before this preſent Statute vſed. Anno. R. 2. Stat. 2. cap. 3.

6 Be it enacted &c. That euery perſon and perſons whatſoeuer being free of London, which now hath, or hereafter ſhall haue any debt or debts owing vnto him or the, not amounting to xl. s. by any debtor or debtors inhabiting in London, or within the Liberties thereof, ſhall or may cauſe ſuch debtor or debtors to be warned or ſummoned by the Bedle or Officer of the ſaid Court of Requeſts for the time being, to appeare before the Commiſſioners of the ſaid Court holden in the Guildhall of the ſaid City: And that the Commiſſioners, or the greater part of them, ſhall from time to time ſet downe ſuch order or orders, betweene ſuch partie or parties plaintife, and his or their ſuch debtor or debtors defendants, touching ſuch debts, not exceeding the value of xl. s. in queſtion before them, as they ſhall finde to ſtand with equitie and good conſcience: All ſuch their order or orders to be regiſtred in a Booke, as they haue beene accuſtomed, and as well the partie Plaintife as the Debtor or Defendant, to obſerue, performe and keepe the ſame in all points.

And be it further enacted &c. That if any ſuch Defendants or Debtor, ſhall after warning giuen him, her or them by the ſaid officer of the ſaid Court for the time being, refuſe or neglect to make his appearance in the ſaid Court of Requeſts before the Commiſſioners for the time being, at the time appointed: or if any party Plaintife or Defendant, ſhall not performe ſuch order as the ſaid Commiſſioners ſhall ſet downe, That then it ſhall be lawfull for the ſaid officer of the ſaid Court, or any of the Sergeants at Mace within the ſaid City, by order of the Commiſſioners of the ſaid Court for the time being, or of the greater part of them, to commit ſuch party or parties to priſon into one of the Counters of the ſaid City, there to remaine vntill he or they ſhall performe the order of the ſame Commiſſioners, or of the more part of them in that behalfe made. And be it further enacted &c. That if any perſon or perſons whatſoeuer, being free of London, and there inhabiting, ſhall hereafter for any Debt not amounting to xl. s. ſue any perſon or perſons whatſoeuer, being Citizen or Freemen of London, dwelling within the ſaid City of London or the liberties thereof, in any of the Kings Courts at Weſtminſter, or elſewhere out of the ſaid City, euery ſuch Defendant ſhall be free from paying to the Plaintife the coſtes and charges due to him for the ſame Suite: And the ſame Plaintife ſhall pay ſo much ordinary coſts to the party Defendant, as ſuch Defendant ſhall iuſtly proue before the Commiſſioners in the ſaid Court, or the greater part of them, it hath truely coſt him in defence of the ſaid ſuite. And if ſuch perſon or perſons Plaintife, ſhal after warning giuen him or them, or to his or their Attourney or Attourneys in the ſaid ſuite, by the ſaid officer of the Court of Requeſts, refuſe to appeare in the ſaid Court before the ſaid Commiſſioners, being thereunto warned by the officer of the

ſaid

ſaid Court, or to ſatiſfie to the Defendant ſo much for his or their charges, as ſhall be proued before the ſaid Commiſſioners, and by them aſſeſſed as aboueſaid: or if the ſaid Plaintife or Defendaunt ſhall not performe ſuch order, as the ſaid Commiſſioners, or the more part of them, ſhall ſet downe for his or their debts, or other controuerſies not exceeding xl. ſhillings, That then it ſhall be lawfull for the ſaid officer of the ſaid Court, or anie other of the Sergeants at Mace of the ſaid City, by order of the ſaid Commiſſioners or the greater part of them, to commit ſuch party or parties to priſon into one of the Counters of the ſaid City, there to remaine, vntill he or they ſhall performe the order of the ſaid Commiſſioners in that behalfe. Prouided that this Act nor any thing therein contained, ſhall extend to any Debt for any Rent, vpon any Leaſe of Lands or Tenements, or other reall contract, or to any other debt that ſhall ariſe by reaſon of any cauſe concerning Teſtaments or matrimony, or any thing concerning or properly belonging to the Eccleſiaſticall Court, albeit the ſame ſhall be vnder forty ſhillings: Any thing before contained to the contrary in any wiſe notwithſtanding. 1. Ia. cap. 14. But this Statute (for and concerning anie order to be made in the ſaid Court of Requeſts) is repealed by 3. Iac. ca. 15. here next enſuing.

7 Whereas by vertue of diuers Acts of Common Counſel made within the city of London, the lord Maior and Aldermen of the ſame city, for the reliefe of poore Debtors dwelling within the ſaide city, haue accuſtomed monthly to aſſigne two Aldermen and twelue diſcréte Commoners, to be Commiſſioners, and ſit in the Court of Requeſts, commonly called, The Court of Conſcience in the Guildhall of the ſame City, there to heare and determine all matters of debt not amounting to the ſumme of xl. ſhillings to be brought before them: And whereas at the Seſſions of Parliament holden at Weſtminſter the xix. day of March, in the firſt yeare of the raigne of our Soueraigne Lord the Kings Maieſty that now is, for the further reliefe of ſuch poore Debtors, and more perfect eſtabliſhing of the ſaid Court there was made and prouided an Act, entituled, An Act for Recouerie of ſmal Debts, and Releiuing of poore Debts in London; (here before 6.) And whereas ſince the making of the ſaid Act, diuers perſons intending to ſubuert the good and charitable intent of the ſame, and taking holde of ſome doubtful and ambiguous words therein, doe wreſt the ſame for their owne lucre and gaine, to the auoyding the Juriſdiction of the ſaid Court, contrary to the godly meaning of the ſaid Act. For remedy whereof, and to the intent that ſome more full & ample prouiſion may be made for the reliefe of ſuch poore Debtors, Be it enacted, &c. That euery Citizen and Freeman of the Citie of London, and euerie other perſon and perſons, inhabiting, or that ſhall inhabite within the ſaid city, or the Liberties thereof, being a tradeſman, victualler, or a labouring man, which now haue, or hereafter ſhall haue any debt or debts, owing vnto him or them, not amounting to xl. ſ. by any citizen, or by any other perſon or perſons being a victualler, tradeſman, or labouring man inhabiting, or that ſhall inhabite within the ſaid City, or the liberties thereof, ſhall or may cauſe ſuch debtor or debtors to be warned or ſummoned by the Bedle or Officer of the Court of Requeſts, (commonly called the Court of Conſcience in the Guildhall of the ſame City) for the time being, by writing to be left at the dwelling houſe of ſuch debtor or debtors, or by other reaſonable warning or notice to be giuen to the ſaid debtor or debtors, to appeare before the Commiſſioners of the ſaid Court of Requeſts, holden in the Guildhall of the ſaid Citie. And that the ſaid Commiſſioners, or any three of them, or more, ſhall haue power and authority by vertue of this Act, from time to time, to ſet downe ſuch order or orders betweene ſuch party or parties Plaintife, and his or their ſuch debtor or debtors Defendants touching ſuch debts, not amounting to the value of xl. ſ. in queſtion before them, as they ſhall find to ſtand with equity and good conſcience. All ſuch their order or orders to be regiſtred in a Booke, as they haue beene accuſtomed, and as well the party Plaintife, as the Debtor or Defendant to obſerue, performe, and keepe the ſame in all points. And that for the more due proceeding herein, it ſhall be lawfull for the ſame Commiſſioners, or any three or more of them, to miniſter an Oath to the plaintife or defendant, and alſo to ſuch witneſſes as ſhall be produced on each partie, if the ſame Commiſſioners, or any three of them, or more ſhall ſo thinke it meete. And be it &c. That if in any action of Debt, or action vpon the Caſe, vpon an Aſſumpſit, for the recouerie of any Debt to be ſued or proſecuted againſt any the perſon or perſons aforeſaid, in anie of the Kings Courts at Weſtminſter, or elſewhere, out of the ſaid Court of Requeſts, it ſhall appeare to the Judge or Judges of the Court, where ſuch action ſhalbe ſued or proſecuted, that the Debt to be recouered by the Plaintife in ſuch Action, doth not amount to the ſumme of xl. ſ. and the Defendant in ſuch Action ſhall duely proue, either by ſufficient teſtimony, or by his owne oath, to be allowed by any the Judge or Judges of the ſaid Court where ſuch Action ſhal depend, That at the time of the commencing of ſuch Action, ſuch Defendant was inhabiting and reſiant in the city of London or the liberties therof as aboue: That in ſuch caſe the ſaid Judge or Judges ſhall not allow to the ſaid Plaintife any coſtes of Suite, but ſhall award, that the ſame Plaintife ſhall pay ſo much ordinary coſts to the party Defendant, as ſuch Defendant ſhall iuſtly proue before the ſaid Judge or Judges, it hath truely coſt him in defence of the ſaid ſuite. And be it &c. That if any ſuch Plaintife, or Creditor, Defendant, or debtor, after warning giuen him or them, in maner and forme before in this Act mentioned, by the ſaid officer of the ſaid Court of Requeſts, ſhall without ſome iuſt or reaſonable cauſe of excuſe, refuſe to appeare in the ſaid Court, before the ſaid Commiſſioners, or ſhall not performe ſuch order as the ſaid Commiſſioners, or any three, or more of them, ſhall ſet downe, for, or concerning ſuch Debts as aforeſaid: That then it ſhall be lawfull for the ſaid

Officer

Warne

Commiſſioners of the Court of Requeſts

Order

Regiſter Booke

Oath

Other Courts

Coſts

Citizen of London

Refuſe to appeare or not perform order

Officer of the said Court, or anie other of the Sergeants at Mace of the said City, by order of the said Commissioners, or any three or more of them, to commit such party or parties to prison into one of the Counters of the said City, there to remaine, vntill hee or they shall performe the order of the saide Commissioners in that behalfe. Prouided allwayes, that this Act, or anie thing therein contained, shall not extend to any Debt, for any Rent vpon any Lease of Landes or Tenements, or any other reall Contracts, nor to any other debt that shall arise, by reason of anie cause concerning Testament or Matrimony, or anie thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shall be vnder forty shillings: Anie thing before contained to the contrary in any wise notwithstanding. And be it &c. That the said Act made in the first yeare of his Maiesties reigne be from the end of this session of Parliament, for, and concerning any order to be made in the said Court of Requests, after the end of this session of Parliament, vtterly repealed. Anno 3. Iac. cap. 15.

Rent

Testament Matrimonie

8 Whereas diuers men of Trades, and Handie-craftes men keeping Shoppe Bookes, doe demaund Debts of their Customers vpon their Shoppe Bookes long time after the same hath beene due, and when as they haue supposed the particulars and certainty of the Wares deliuered to be forgotten, then either they themselues or their Seruauntes haue inserted into their saide Shoppe Bookes, diuers other Wares supposed to be deliuered to the same parties, or to their vse, which in trueth neuer were deliuered, and this of purpose, to increase by such vndue meanes the saide Debt: And whereas diuerse of the saide Tradesmen and Handicraftesmen, hauing receiued all the iust debt due vpon their said Shoppe Bookes, doe oftentimes leaue the same Bookes vncrossed; or any way discharged, so as the debtors, their Executors or Administrators, are often by suite of Lawe enforced to pay the same Debts againe to the partie that trusted the saide Wares, or to his Executors or Administrators, vnlesse hee or they can produce sufficient proofe by Writing or Witnesses of the saide payment, that may counteruaile the credite of the saide Shoppe Bookes, which few or none can doe in any long time after the saide payment: Be it enacted &c. That no Tradesman or Handicraftesman keeping a Shoppe Booke, as is aforesaide, his or their Executours or Administratours, shall after the Feast of Saint Michaell the Archangell next comming, be allowed, admitted or receiued to giue his Shoppe Booke in Euidence in anie Action for anie Money due for Wares hereafter to be deliuered, or for Worke hereafter to bee done, aboue one yeare before the same Action brought, Except hee or they, their Executours or Administratours, shall haue obtained or gotten a Bill of debt, or obligation of the debtor for the said debt, or shall haue brought or pursued against the saide Debtor, his Executours or Administratours some Action for the said Debt, Wares, or Worke done within one yeare next after the same Wares deliuered, Money due for wares deliuered, or worke done.

Prouided allwayes, that this Act, or any thing therein conteined, shall not extend to anie entercourse of traffique, marchandizing, buying, selling, or other trading, or dealing for Wares deliuered, or to be deliuered, money due, or worke done or to be done betweene Marchant and Marchant, Marchant and Tradesman, or betweene Tradesman and Tradesman, for any thing directly falling within the circuite or compasse of their mutuall Trades and Marchandizes: But that for such things onely, they, and euery of them shall be in case as if this Act had neuer beene made, any thing herein contained to the contrarie thereof notwithstanding. This Act to continue to the end of the first Session of the next Parliament, and no longer. Anno 7. Iac. cap. 12.

Debt to the King.

WE, nor our Bailifes, shall not seise anie land or rent for any Debt, as long as the present goods and cattells of the debtor do suffice to pay the debt, and the debtor himselfe be ready to satisfie therefore. Neither shall the pledges of the debtor be distrained, as long as the principall debtor is sufficient for the payment of the debt. And if the principall debtor faile in paiment of the debt, hauing nought wherewith to pay, or will not pay, where he is able enough, then the Pledges shall answer for the debt, and if they will, they shall haue the Landes and Rents of the Debtor, vntill they be satisfied of the debt which they before payd for him, except that the principall Debtor can shew himselfe to be acquited against the said Suerty. Magna Charta cap. 8.

Baylifes
Lands
Goods
Suerties
Distraint

1. If anie man that holdeth of vs anie lay Fee, doe die, and our Sherife or Baylife doe shew our Letters Patents of summons for the debt, which the dead did owe vnto vs, it shall be lawfull to our Sherife or Baylife to attach and to inroll all the goods and cattells of the dead man, being found in the said Fee, to the value of the same debt, by the sight and testimony of lawfull men: So that nothing thereof shall be taken away, vntill we be clearely payed of our debt. And the residue shall remaine to the executors, to performe the will of him that is dead. And if it be found that hee owe nothing vnto vs, all the goods and cattells shall goe to the vse of the dead man: sauing to his Wife and Children their reasonable partes. Magna Charta cap. 18.

Lay fee
Sherife
Baylife
Letters P.
Attach Goods
Executors Will

3 In right of Sherifes or other, which answer by their owne handes vnto the Eschequer, and which haue receiued of the Kings fathers debts, or the Kings owne debts before this time, and haue not acquited the debtors in the Eschequer: It is prouided, that the King shall send good and lawfull men through euery Shire, to heare all such as will complaine thereof, and to determine the matters there, that such as can proue that they haue so paid, shalbe thereof acquited for euer, (whether the Sherifes

Sherifes
Eschequer
Shire
Determine

rifes or other be liuing or dead) in a certaine forme that shall be deliuered them. And such as haue not so done (if they be liuing) shall be grieuously punished. And if they be dead, their heires shall answere and be charged with the debt. And the King hath commaunded, that Shirifes and other aforesaid, shall from henceforth lawfully acquite the debtors at the nert accompt after they haue receiued such debts, and then the debt shall be allowed in the Exchequer, so that it shall no more come in the summons, And if the Sherife otherwise doe, and thereof be attainted, he shall pay to the Plaintife thrice as much as he hath receiued, and shall make fine at the Kings pleasure. And let euerie Sherife take heede, that he haue such a receiuor, for whom he will answer, for the King will be recompenced of all, of the Sherifes and their heires. And if any other that is answerable in the Exchequer by his own hands so do, he shall render thrice so much to the Plaintife, and make Fine in like manner. And that the Sherifes shall make tales to all such as pay their debt to the King: And that the summons of the Exchequer be shewed to all Debtors, that demaund a sight thereof, without denying it to any, and that without taking any money or reward, and he that doth the contrary, the King shal punish him grieuously. West. 1. ca. 19. Ann 3. Ed. 1.

Punished
Heires
Accompt
Attaine til. Value Fine
Fine
Tales
Summons
No reward

4 Such distresses as are to be taken for the K. debts, shall not be made vpon beasts of the plough, nor shepe, so long as they may find any other, vpon the same paine that is ordained heretofore by estatute (which see Distresse 10.) And he will not that euer great distresses be taken for his debts, nor driuen to farre, and if the debtor can finde able and conuenient surety vntil a day, the day giuen to the sherife, within the which he doth find means to satisfie the demand, the distresse shal be released in the meane time, & he that otherwise doth, shall be grieuously punished. Articuli super Chartas ca. 12. Ann 28. Ed. 1.

Distresse
Suertie
Release
Punish

5 For the ease of the people which hath been before this time grieued by outragious leuying of the K. debts: the king wil and granteth, that the Treasorer and barons of the Eschequer, may determine and stall euery debt due to the K. vnto the summe of 300. l. according to the estate of the debtor, sauing his countenance. And that they shall not charge the sherifes, bailifes of liberties, nor none other Accomptants in the Eschequer, to leuie any summe of any person, if he do charge him vpon his oth with as much as he may leuy, without abating the debtors countenance, but the answeres of the sherifes & other ministers, shall be taken according to the point of their oaths. Ann 1. E. 3. ca. 4. Stat. 2.

Treasorer Barons of the Escheq.
Sherifes Baylifes Eschequer
Oath

6 Be it declared and enacted, that all lands, tenements, profites, commodities, & hereditaments, which any Treasorer or Receiuor, in, or belonging to any of the Quenes maiesties Courts of the Eschequer, Wards and Liueries, or Duchy of Lancaster, Treasorer of the Chamber, Coferer of the houshold to the Quenes maiesty, her heires or successors, Treasorer for the warres, treasorer of any fort, towne, or castle, where any garrison is or shall be kept, Treasorer of the Admiraltie or Nauie, treasorer, vndertreasorer, or other person accomptable to the Quenes maiestie, her heires or successours, for any office or charge, of, or within the Mint, Treasorer or Receiuor of any summes of money in prest, or otherwise, for the vse of the Q. Maiestie, her heires or successors, or for prouisions of victuall, or for fortificatiõs, buildings, or workes, or for any other prouisions to be vsed in any the offices of the Quenes maiesties Ordnance and Artillery, Armory, Wardrobe, Tents and Pauillions, Reuelles, Customer, Collector, Farmer of Customes, Subsidies, Impostes, or other duties, within any Port of the Realme, Collector of the Tenths of the Tenths of the Clergie, Collector of any Subsidy or Fifténe, Receiuor generall of the reuenues of any County or Counties, answerable in the receipt of the Eschequer, or in the Court of Wards and Liueries, or the Duchy of Lancaster, or Clerke of the Hamper, now hath, or at any time hereafter shall haue within the time, whilest hee or they, or any of them shall remayne accomptable, shall for the payment and satisfaction vnto the Qu. Maiestie, her heires and successours, of his or their arrerages, at any time hereafter to be lawfully, according to the Lawes of this Realme, adiudged and determined vpon his or their accompt (all his due and reasonable petitions being allowed) be lyable to the payment thereof, and be put and had in execution for the payment of such arrerages or debts, to be so adiudged and determined, vpon any such Treasorer, Receiuor, Teller, Customer, Collector, Farmer, Officer, or accomptant, as is before named, in like, and in as large and beneficiall maner to all intents & purposes, as if the same Treasorer, Receiuor, Teller, Customer, Farmor, or Collector, vpon whom any such arrerages or debts shall be so adiudged or determined, had the day hee became first Officer or Accomptant, stand bound by writing Obligatorie, hauing the effect of a statute of the Staple to her Maiestie, her heyres and successors, for the true aunswering and payment of the same arrerages of debts. And forasmuch as many times it may come to passe, that the Quens Highnesse, her heyres or successors, shall not, or may not be conueniently satisfied of the debt to be determined, or due vpon any Accompt or Farme, as is aforesaid, by way of extent, for that the yerely value of the lands extended will not satisfie her Highnes, her heires or successors, within the compasse of many yers, so as thereby great losse might ensue to her Highnesse, her heires and successors: For remedy thereof, be it further enacted, that if any treasorer, receiuor, collector, farmor, customer, teller, collector of custome, subsidy or impost, or other person Accomptant before mentioned, which shall from or after the feast of S. Michaell the Archangell, now nert comming receiue or be chargeable with any mony or treasure of our saide soueraigne Lady the Quene, her heires or successors, and shall vpon the determining of his or their accompt (all his & their due petitions to them vpon the same accompt being allowed) or by reason of any farme, as aforesaid, be found in arrerages, or to

Lands Treasorer Receiuor
Eschequer
Payment
Liable
Execution Arrerages
Statute Staple
Extent
Accompt

owe

owe vnto our said Soueraigne Lady the Quéene, her heires or successors, any summe or summes of mony, and shall not within the space of sixe Monethes next after his or their Accompts finished, or debt knowne (hauing allowance of his or their due & reasonable petitions, as is aforesaid) truly satisfie and pay all such arrerages and summes of money, as he or they shall owe vpon determination of his or their accompt, or vpon his or their debt known, as is aforesaid: That then it shall and may be lawfull to the Quéens highnes, her heires and successors, at any time, and from time to time, after the said six months ended, to make sale by her or their Letters Pat. vnder the great Seale of England, of so much of the lands, tenements, & hereditaments, of euerie such Accomptant or Debtor, so being found in arrerages, or in debt, as is aboue mentioned, as may suffice our said Soueraigne Ladie the Quéene, her heires or successors, for the satisfaction of his or their debt or arrerages to be determined or adiudged vpon his or their accompt or farme, as is aforesaid, (all due Petitions being allowed, as is aforesaid) vntill her Maiestie her heires or successours, be by such sale, fully satisfied and paid of such arrerages & debt to be found vpon accompt or farme, as is aforesaid: And if any ouerplus of money shall be reserued or had vpon any such sale, then the same shall be payed and deliuered to the Accomptant or Farmer, or his heyres, by the Officer that shall receiue the money vpon any of the said sales, without any further or other Warrant in that behalfe to be made or obtained. And bée it further enacted by the authoritie aforesaide, That all the said sales to be made by the Quéenes Maiestie, her heyres or successours, as is aforesaid, shall be good and auaileable in Lawe, against the party accomptant indebted as is aforesaid, and his heires claiming as heires, and against the Quéens maiesty, her heires and successors, notwithstanding any former charge or incombrance to her Maiestie, her heires or successours, by the person or persons for whose debt or duetie the same shall fortune to be sold. And be it further enacted by the authoritie aforesaid, that if anie person or persons accomptant, or indebted, as is aforesaid, shall at anie time after he or they shall become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any lands, tenements, or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is indéed meant or intended to the vse, profite, or behoofe of such person accomptant or indebted, or of any other person or persons, & that the same maner of purchasing, and secret vses, profites, or behoofes, shalbe found by office or inquisition: that then all and euery landes, tenements, and hereditaments, so to be bought or purchased, or caused to be purchased, as is before mentioned in this last Prouiso, shall by vertue of this Act, be taken, déemed, and vsed for the satisfaction of the arrerages & debt of euery such Accomptant or debtor, as is aboue mentioned, to al intents and purposes, as though the person or persons indebted, vpon his or their Accompt or Farme, were thereof actually seised of such estate as was conueied to any person or persons, by any such Accomptant or Debtor, or by his meanes, as is aforesaid. And that all Sales to be thereof made by the Quéenes Maiestie, her heires or successors, for satisfaction of such Debt or Arrerages, as shall bée found as is aforesaid, to be due and owing to our said Soueraigne Ladie the Quéene, her heires or successours, shall be of the like effect, and be vsed and done in such like manner and forme, as is before erpressed. And whereas heretofore some treasorers, tellers, receiuors, collectors, and others, hauing had charge of the Qu. maiesties mony and treasure, haue gotten into their hands great sums of the Q. maiesties mony and treasure, & thence the beginning of her M. reigne, and haue most fraudulently imployed her Maiesties mony and treasure which they had in their charge, in sundrie wise to their owne vses, partly in the purchasing her Maiesties owne lands, and partly in purchasing lands of other, and to the intent the same should not bée liable to satisfie and pay her Maiestie, her heires or successors, of that which to her or them should appertaine, haue purchased the same, sometimes in their owne names, and sometimes in the names of sundry their friends and kinsfolkes, wiues and children, and yet neuertheless haue taken and receiued the rents and reuenues therof, to their own vses: Be it therefore further enacted and ordained by the authoritie aforesaid, That all and singuler lands, tenements, and hereditaments which anie Treasorer, Receiuor, Teller, Customer, Collector, Officer, or Accomptant before named, hath heretofore since the beginning of the Quénes maiesties reigne, purchased, or caused to be purchased, to the intent the same should not be liable, as is aforesaid, (the fraude and couin aforesaid being firste found by office or inquisition) shall and may be seised and taken by her Maiestie, her heires and successors, and retained by her Maiesty, her heyres and successours in fée simple, to be sold, or otherwise vsed at her and their willes and pleasures, towards the payment and satisfaction of all and euery arrerages, already set or determined, and adiudged, or that hereafter shall be set, determined, or adiudged vpon his or their Accompt, (all reasonable and due Petitions being allowed) at such rate and value, as the same were purchased or bought or caused to be purchased or bought by any such Treasorer, Receiuor, Teller, Customer, or Collector before named, or by any other person to their vse. Prouided alwaies, that if the lands and tenements so to be seised, taken, or sold, by her Maiesty, her heires or successors, as is last aboue mentioned, do surmount after the rate and value aforesaid, the debts and arrerages to be set, determined, or adiudged, vpon the Accompt of any Treasorer, Receiuor, Teller, Customer, Collector or Accomptant before named: That then her Maiestie, her heires and successours, shall take and seize onelie so much as shall amount after the rate and value aforesaid, to the iust payment and satisfaction of such Debt and Arrerages, as hath bene, or shall bée set, determined, or adiudged vpon his or their accompt,

Sales

Lands Treasurer Receiuer Teller Customer Collector Officer

Fraude

Fee simple

Lands

accompt, as is aforesaid. Prouided alwayes, and be it further enacted by the authority aforesaid, that no Bishop, hauing the collection of any Subsidy or Tenths, or any his lands, tenements, or hereditaments, whereof he is seised in the right of his Bishopricke, shall be charged by vertue of this Act, for any arrerages of tenths or subsidie, otherwise, or in any other maner then he might lawfully haue been before the making of this Act: Any thing therein contained to the contrary thereof notwithstanding. And be it also further prouided and enacted by the authority aforesaid, that this Act, or any thing therein contained, shall not in any wise extend to charge any treasorer, receiuor, teller, customer, collector, or accomptant aforesaid, hauing any yerly receipt, nor any their landes, tenements, or hereditaments, whose yearely receipt, collection, and charge, or whose whole receipt, from the beginning of his charge, is not, or hath not beene, or hereafter shall not be aboue the summe of iij. hundred poūds, otherwise, or in any other manner and forme, then hee or they might lawfully haue beene charged before the making of this Act: Any thing herein contained to the contrarie thereof notwithstanding. And forasmuch as sundry the accomptants before named, namely the treasorer of the Chamber, and Coferer of the houshold of our said soueraigne Lady the Quéene, her heyres and successors, treasorers of warres, or garrisons, treasorers of the Nauie, treasorers or receiuors of any summes of money for prouisions of victuall or for fortifications, or for buildings, and Maister of the Wardrobe, are by order of their offices and charge, after their accompts ended and determined, to disburse, erpend, & defray the debt remaining vpon their accompts, in such charges, as are necessarily and incidently to be spent and prouided in their offices and charges, so as they are not of such summes of money or debt remaining vpon their accompt, to make present payment & satisfaction, as other accomptants are: Be it therefore enacted and ordained by the authority aforesaid, that this Act, or any thing therein contained, shall not extend to giue any power or authority to make sale of any lands, tenements or hereditaments, for any such debt to be set and adiudged, in any of his or their accompts, mentioned in this branch, vnlesse the Quenes Maiesty, her heires and successors, vpon the ending or determining of his or their accompts (all his or their due petitions to them vpon the same accompts being allowed) require, or commaund present payment thereof, or otherwise eftsoones require a new accompt of the same debt so set or remaining in anie the accompts mentioned in this braunch, and that then the same debt, or any part thereof, shall be found to be owing and vnexpended in the matters or charges pertaining to any of the said offices or charges mentioned in this braunch, and the same debt remaine vnpaied by the space of fiue moneths, after such request or commaundement. Prouided alway, that this Act shall not extend to charge anie Sherife, Escheator or Baylife of Liberties, or the lands, tenements or hereditaments of any Shirife, Escheator, or Bailife of Liberties, nor of any their heires or alligns, for any thing touching his or their office of sherifewike, escheatorship, or bailifewike, nor for any mony by him or thē receiued or to be receiued, by reason of any their said offices, otherwise, or in any other maner then he or they might lawfully haue been charged before the making of this Act: any thing herein contained to the cōtrary notwithstanding. Prouided also, that this Act as touching only the sale of any lands or tenements, shal not extend to any lands, tenements, or hereditaments, which any person or persons now haue or enioy, and haue purchased or obtained bona fide, and not being priuy or consenting vnto any such intent, to defraud the Quéens maiesty, as is aboueaid: and that it shal be lawfull to euery person and persons, whose lands, tenements, or hereditaments, shal by any office or inquisition be found to be fraudulently conueyed or assured, as is aboueaid, to haue his and their lawfull Trauerse to euery such office or inquisition: And if it be found with the party that tendereth the Trauerse: That then he shall haue the said lands out of the Princes hands, without any Petition, Liuery, or Ouster le maine, or anie other suite to be had, made, or vsed. And the same being found for such person or persons so trauersing, the same lands, tenements, & hereditaments shall be adiudged as not liable, chargeable, nor to be sold by force of this Statute. Prouided also, and be it enacted, That if the Qu. Maiesty, her heires or successours, shall by sale of any lands by force of this Statute, be fully satisfied of the debt or arrerages of any such Accomptant or debtor, or any part thereof, then the Sueties of such Accomptant or Debtor shalbe discharged of so much of the said debt, forfaiture and arrerages, as so shall bee satisfied, and for the residue onely, shall be ratably according to their habilities charged: Any thing in this, or any other Statute to the contrary notwithstanding. Prouided alwayes, that this Act, nor any thing therein contained, shall in anie wise extend to charge Henry Golding, & Thomas Neale, one of the Quenes Maiesties Auditors, or the Lands or Tenements of either of them, to whom the Quenes Maiestie hath demised anie Customes, Subsidies, or Impostes, in anie thing onely touching the said demise and lease, otherwise, or in any other manner, then they might haue beene lawfully charged, if this Act had neuer beene had or made, except they or either of them, do hereafter take any of the profittes of the said Subsidies, Customes, or Impostes, by force of the saide demise: Any thing herein contained to the contrary thereof notwithstanding. Anno 13. Elizabeth. cap. 4.

Bishop

Receipt

Coferer

Accompts

6. Moneths

Sherife Escheators Bailife

Debtor

Sale of lands

Trauerse

Office or inquisition

Sueties Debtor

Auditors

7 For auoiding and redresse of great deceits done to the Quéens Maiestie, and to the Prelates and Clergie of this Realme, by Undercollectors of the Tenths and Subsidies of the Clergie, appointed by and vnder the Archbishops and Bishops of this Realme, and Deanes and Chapters (Sede vacante:) Be it enacted, That the Statute made in the thirteenth yeare of her Maiesties raigne, to make the lands, tenements, goods, and cattels of Tellers, Receiuers, &c. to bee lyable to the pay-

Collectors

Statute of 13. Eliz.

payment of their debts, ſhall to all intents & purpoſes, as amply and largely extend, and be conſtrued to extend to all ſuch Vndercollectors of Tenthes and Subſidies of the Clergie, and to their lands, tenements, and hereditaments, goods and cattels, for ſatisfying of ſuch money as they haue collected, or ſhall collect of the ſaid Tenthes and Subſidies, to the vſe of the Quéenes Maieſtie, her heires or ſucceſſors (of what yearely ſumme ſoeuer the charge of their collection is or ſhall be) in like ſorme as it doth extend to the Tellers, Receiuers, and other perſons accomptant, whom the ſaid Act ſpecially and expreſſely concerneth, and in as ample wiſe, as if ſuch Vndercollectors were immediately accomptant to the Quéenes Maieſtie, her heires or ſucceſſors: any prouiſion in the ſaid Statute, or other matter whatſoeuer, to the contrarie notwithſtanding. And that euerie ſuch Vndercollector ſhall vpon Proceſſe to be awarded out of the Court of Exchequer, be chargeable to accompt for his receit of ſuch Tenthes and Subſidies, as any Receiuer, immediately accomptant to her Maieſtie, is or ought to be. And that euerie Archbiſhop and Biſhop, and Deane and Chapter (ſede vacante) to whoſe charge the collection of ſuch Tenthes or Subſidies doth or ſhall appertaine, ſhall be diſcharged of ſo much of the ſaid Tenthes and Subſidies, as ſhalbe ſatiſfied to the Quéenes Maieſtie, her heires or ſucceſſors, of, or by the lands, tenements, hereditaments, goods, or cattels of ſuch Vndercollector, or his heires, without any other warrant whatſoeuer, in that behalfe to be obtained. Anno 14. Eliz. cap. 7. And Añ 1. Iac. cap. 25. it is from the end of that Seſſion of Parliament reuiued, and to ſtand in force; any repeale thereof before made to the contrarie notwithſtanding.

8 Where in the Parliament holden at Weſtminſter the ſecond day of Aprill, in the thirteenth yeare of the raigne of our Soueraigne Ladie Quéen Elizabeth, there was amongſt other things an Act made, intituled, An Act to make the lands, tenements, goods and cattels of Tellers, Receiuers, &c. lyable to pay their debts, vpon which Act, ſome doubt and queſtion hath béene moued, whether the Quéenes Highneſſe, her heires and ſucceſſors, might for the ſatisfaction of her and their debts and farmes, by her or their Letters Patents, vnder the great Seale of England, make ſale of any the lands, tenements, or hereditaments, whereof her Highneſſe, her heires or ſucceſſors, haue power or authoritie to make ſale by vertue of the ſame Act, after the death of ſuch Accomptant or Debtor, as is mentioned in the ſaid Act, or where the accompt of ſuch Accomptant or Debtor was not, or is not made, or his or their debt knowne in the life time of the ſame Accomptant or Debtor: For declaration and explanation whereof, Bée it declared and enacted by the authoritie of this preſent Parliament, That the ſayd Act in euerie part thereof, touching the power giuen by that recited Act vnto her Highneſſe, her heires and ſucceſſors, to make ſale of any the lands, tenements, or hereditaments, by the ſame Act limited to be ſold, is, ſhall, and ought to be expounded and intended, as well in caſe where the ſale is to bee made after the death of ſuch Accomptant or Debtor, as where it is to bee made in his or their life time. And alſo as well in caſe where the account is made, or the debt knowne, within eight yeares after the death of ſuch Accomptant or Debtor, as where the ſame accompt is made, or debt knowne, in the life time of the ſame Accomptant or Debtor: any ambiguitie or queſtion that hath riſen or growne, or may ariſe, grow, or be conceiued vpon the letter of the ſame Act, to the contrarie thereof in any wiſe notwithſtanding. Prouided alwayes, and be it enacted by the authoritie aforeſaid, That after the death of ſuch Accomptant and Debtor, as is mentioned in the ſayd recited Act, and before ſuch time as any the lands, tenements, and hereditaments deſcended vnto the heire of ſuch Accomptant or Debtor, as heire vnto the ſaid Accomptant or Debtor, ſhall be ſold as aforeſaid, a Scire facias ſhall be awarded out of her Maieſties Court of Exchequer vnto the Shirife of the Countie where any ſuch lands doe lye, to garniſh the ſame heire, to ſhew cauſe why the ſame lands, tenements, and hereditaments ſo to him deſcended, as is aforeſaid, ſhould not be put to ſale for ſatisfaction of the ſayd Debts or Farmes in the ſame Act mentioned, according to the tenor of the ſayd Act: Whereupon if the ſaid heire doe not within a conuenient time, vpon a Garniſhment, or two Nihils returned, ſhew and proue vnto the ſaid Court, that the executors or adminiſtrators of ſuch Accomptant or Debtor, haue ſufficient, which ought to anſwere or be lyable for the ſame Debt or Farme, and whereby the ſayd Debt or Farme ſhall and may be duely and fully ſatiſfied: That then after tenne moneths next after ſuch two Nihils or Garniſhment returned, the ſame lands, tenements, and hereditaments ſhall be ſold by her Maieſtie, her heires or ſucceſſors, and the money thereof comming, diſpoſed according to the true intent and meaning of the ſaid former recited Act. And be it further enacted by the authoritie aforeſaid, That the ſaid recited Act, and this Statute of Explanation alſo, as touching only the ſale of any lands, tenements, or hereditaments, to be made after the death of ſuch Accomptant or Debtor, as is aforeſaid, ſhall not extend to any lands, tenements, or hereditaments, which any perſon or perſons not being priuie or conſenting vnto any ſuch intent to defraud the Quéenes Maieſtie, her heires or ſucceſſors, as in the ſaid recited Act is mentioned, now haue or enioy, and haue purchaſed or obtained, or before any Scire facias to be awarded, as aforeſaid, ſhall haue or enioy, purchaſe or obtaine bona fide, and vpon good conſideration: any thing in this Act, or in the before mentioned Act to the contrarie thereof in any wiſe notwithſtanding. Prouided alwayes, and be it enacted, that this Act of Explanation ſhall extend onely vnto ſuch as haue béene, or ſhall be Tellers, Receiuers, Treaſurers, Cuſtomers, Coferers of the Houſehold, Farmers of Impoſt, Collectors, Baylifes, Mitailers, and other Officers of Receits and Accompts vnto our Soueraigne Ladie the

Quéenes Maieſtie, her heires and ſucceſſors, and to euerie of them, their heires, executors and adminiſtrators, and to no other. Prouided alſo, and be it further enacted by the authoritie aforeſaid, That in ſuch caſes where any accompt ſhall or ought to be made, or any debt ſhall be owing in the Courts of the Duchie of Lancaſter, & Wards and Liueries, or in any of them, Then after the death of ſuch Accomptant or Debtor, as is mentioned in the ſaid former Act, in any of the ſaid laſt mentioned Courts, and before ſuch time as any of the lands, tenements or hereditaments deſcended vnto the heire of ſuch Accomptant or Debtor, as heire vnto the ſame Accomptant or Debtor, ſhall be ſold as aforeſaid, ſuch Proces ſhall be awarded as hereafter is expreſſed: that is to wit, firſt a Priuie Seale, commaunding the ſame heire to make perſonall apparance in the Court, out of which the ſame Priuie Seale ſhall be awarded to ſhew cauſe, as in the Writ of Scire facias to be awarded out of the Exchequer, is before appointed. And if the ſame heire ſhall make default at the day of the returne of the ſame Priuie Seale, That then vpon Affidauit made, that the ſame Priuie Seale was duely ſerued, either vpon the perſon of the ſame heire, or left at the place of his or her dwelling, or moſt vſuall abode, an Attachment with Proclamation ſhall be awarded againſt the ſame heire, and ſhall be openly publiſhed and proclaimed in ſome Market Towne, in the Countie where the ſame heire was laſt dwelling, or made his or her vſuall abode, vpon ſome Market day there in the time of open Market, twentie dayes at the leaſt before the returne thereof. And if vpon returne thereof, the ſaid heire ſhall eſſoines make default, That then all things ſhall bee done and executed for the ſale of the ſame lands, tenements, and hereditaments, and for the full ſatisfaction of the ſame Debt or Farme, in like and as large and ample manner and forme to all intents and purpoſes, as before in this Act is limited and appointed in caſes where default is made vpon a Garniſhment or two Nihils returned vpon a Scire facias awarded out of the ſaid Court of Exchequer. Prouided alſo, and be it likewiſe enacted, That if the heire of any Accomptant or Debtor before mentioned, ſhall happen to be within the age of twentie one yeares when any ſuch Proceſſe ſhall fortune to be awarded, that then during the time of his or her nonage, this Act or any thing therein contained ſhall not in any wiſe be extended, executed, or put in vre, as touching or concerning onely the ſelling of the lands, tenements, or hereditaments of any ſuch heire: any thing in the ſame Act contained to the contrarie in any wiſe notwithſtanding. And yet neuertheleſſe, after ſuch time as any ſuch heire ſhall accompliſh the full age of one and twentie yeares, all and ſingular the lands, tenements, and hereditaments, deſcended vnto the ſame heire from any ſuch Debtor or Accomptant, as aforeſaid, ſhall at all times during the ſpace of eight yeares then next enſuing, be ſubiect and lyable to be ſold for the payment and ſatisfaction of her Maieſtie, her heires or ſucceſſors, according to the intent and true meaning of this Act, in ſuch manner and forme, to all intents and purpoſes, as if the ſame heire had béene of full age at the time of the death of ſuch Debtor or Accomptant. Prouided alwayes, and be it enacted, That this Act, or any thing therein contained, ſhall not extend to the ſale of lands, tenements, or hereditaments of any ſuch heire or heires, for, or by reaſon of any Accompt, Debt, or Farme, whereof any ſuch Debtor or Accomptant haue, or ſhall haue a Quietus eſt or diſcharge in his or their life time. Anno 27. Eliz. cap. 3. And Añ 1. Iac. cap. 25. it is from the end of that Seſſion of Parliament reuiued and to ſtand in force; any repeale thereof before made to the contrarie thereof notwithſtanding.

Accompt

Proceſſe

Priuie ſeale

Affidauit

Attachment Proclamation

Heire within age

9 The ſaid Statute 14. Eliz. cap. 7. & 27. Eliz. cap. 3. were repealed by 39. Eliz. cap. 7. and thereby it is further enacted, That the ſaid Act made in the thirteenth yeare of the Quéenes Maieſties raigne, in euerie part thereof touching the power giuen by that Act vnto her Highneſſe, her heires & ſucceſſors, to make ſale of any the lands, tenements or hereditaments, by the ſame Act limited to bee ſold, is, ſhall and ought to be expounded and intended as well in caſe where the ſale is to be made after the death of ſuch Accomptant or Debtor, as where it is to be made in his or their life time: And alſo as well in caſe where the account is made, and the debt knowne, within eight yeares after the death of ſuch Accountant or Debtor, as where the ſame account is made, or debt knowne in the life time of the ſaid Accountant or Debtor. And that no perſon ſhall be expounded a Debtor within the meaning and intent of this Act, but ſuch onely as haue béene, are, or ſhall be Farmer or Farmers of any Cuſtomes, Subſidies, or Impoſts, Priſage, Butlerage, or other duetie within any Port of the Realme, and ſuch Officers and Accountants hereafter in this Act mentioned and expreſſed, as vpon their accounts finiſhed & determined (all his & their due & reaſonable petitions being allowed) ſhall remaine debtor, vpon the foot of his & their accounts: Any ambiguitie or queſtion that hath riſen or growne, or may ariſe, grow, or may be conceiued vpon the letter of the ſame Act of the thirteenth yeare, or of this preſent Act, to the contrarie thereof in any wiſe notwithſtanding. And be it further enacted, by the authoritie of this preſent Parliament, that after one yeare next after the Account hereafter to be made, or the debt or dutie hereafter to be knowne of any Treaſurer, Receiuer, Teller, Cuſtomer, Farmers of Impoſts, or other perſon or debtor, named or mentioned in ỹ ſaid Act, made in the thirteenth yere of her Maieſties raigne, and hereafter mentioned & expreſſed (all his & their due and reaſonable petitions vpon the ſame account finiſhed, or debt knowne, being allowed) and for accounts heretofore made, or debts knowne of any ſuch Accountant or Debtor aboueſaid, after one yeare next following after the end of this preſent Seſſion of Parliament, it ſhall and may be lawfull to and for our Soueraigne Ladie the Quéene, her heires and ſucceſſors, for and towards the

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ſatiſfaction of the ſaid debt or dutie, or of ſo much thereof as ſhall then be vnpayed, by Letters Patents vnder the great Seale of England, to ſell, conuey, and aſſure ſuch and ſo much of the manors, lands, tenements and hereditaments, which any ſuch Officer, Farmer, Debtor, or perſon accountable, at any time ſince the ſecond day of Aprill, in the ſaid thirteenth yeare of her Maieſties raigne, had, or hereafter ſhall haue, from or during ſuch time as ſuch perſon or perſons were, are, or ſhall be ſuch Officer or Offices, Farmer, Debtor, or perſon accountable, as aforeſaid, vnto her Maieſtie, or which otherwiſe are to be ſold for ỹ ſame, by the true intent & meaning of the ſaid Act, made in the thirteenth yeare of the Queenes Maieſties raigne, as ſhall ſuffice our Soueraigne Ladie the Queenes Maieſtie, her heires and ſucceſſors, for the ſatiſfaction of hꝭ or their debt or dutie. And if any ouerplus of money ſhall be had vpon any ſuch ſale, that then the ſame ſhall be deliuered and payed preſently vpon requeſt, without other petition to be made for the ſame, to the partie or parties, whoſe land ſhall be ſold, his or their heires, out of the receit of her Maieſties Exchequer, by warrant of the Lord Treaſurer, Undertreaſurer of the Exchequer for the time being, without other warrant from her Maieſtie, her heires and ſucceſſors, and without any fees or charges to be payed for the ſame, and that euerie ſale, conueyance, and aſſurance ſo to be made by her Maieſtie, her heires and ſucceſſors, ſhall be as good and effectuall in the Law, as if the ſame were or had beene made by any ſuch Officer, Farmer, Debtor, or perſon Accountant for money, or other valuable conſideration, by bargaine and ſale, deed inrolled, feoffement, recouerie, with ſingle or double voucher, or by all or any of them: And ſhall alſo bind and barre onely euerie ſuch Officer, Farmer, Debtor, and perſon accountable, and his and their heires, and all other clayming by, from, or vnder them or any of them, after ſuch time as hee or they became, or ſhall become Officer, Farmer, Debtor, or perſon accountable, as is aforeſaid, and all and euery other perſon & perſons, their heires & ſucceſſors, which any ſuch Officer, Farmer, Debtor, or perſon accountable, might haue barred, or may barre by any ſuch recouerie, and all ſuch whoſe lands are to be ſold by the true intent and meaning of the ſaid Act of the thirteenth yeare, and all perſons clayming from, by, or vnder them, and ſhall alſo be good and auaileable againſt the Queens Maieſtie, her heires and ſucceſſors, & all other perſons clayming from, by, or vnder her Maieſtie, her heires or ſucceſſors, for or by reaſon of any former charge, or other incumbrance to her Maieſtie, her heires and ſucceſſors, by the perſon or perſons, for whoſe debt or dutie the ſame ſhall happen to be ſold. Prouided allwayes, and be it enacted, That ſuch ſale, conueyance, or aſſurance, which ſhal at any time hereafter be had or made by vertue of this Act, or of the ſaid Act of the thirteenth yeare of her Maieſties raign, ſhal not impeach or auoid any demiſe, leaſe, or graunt heretofore made, or hereafter to be made by the Queenes Maieſtie, her heires or ſucceſſors, of any ſuch lands, tenements or hereditaments, which ſhall bee ſold, conueyed or aſſured, as is aforeſaid, or of any part thereof, any otherwiſe, or in any other ſort, manner, or forme, then the ſame ſhould haue beene auoided or impeached by the ordinarie courſe of the common Law, if her Maieſtie, her heires or ſucceſſors had beene or ſhall bee fully ſatiſfied of ſuch debt or dutie, for which any ſuch lands, tenements or hereditaments ſhall be ſold, conueyed, or aſſured by vertue of this Act, or of the ſaid Act of the thirteenth yeare of her Highneſſe raigne, any thing herein contained to ỹ contrarie thereof notwithſtanding. And be it further enacted by the authoritie aforeſaid, That as well this Act and euerie clauſe therein contained, as the ſaid Act made in the thirteenth yeare of her Highneſſe raigne, and euerie clauſe therein contained, ſhall extend to all manner of Undercollectors of Tenths and Subſidies of the Clergie, which haue beene, now be, or hereafter ſhall be, for ſatiſfying of ſuch money as any ſuch Undercollector hath collected, or ſhall collect of the ſaid Tenths and Subſidies, in as ample wiſe, as if euerie ſuch Undercollector were immediately accountant to the Qu. Maieſtie, her heires and ſucceſſors. And that euerie ſuch Undercollector ſhall vpon Proces to be awarded out of Court of Exchequer of our ſayd Soueraigne Ladie, her heires and ſucceſſors, be chargeable to account for his receit of ſuch Tenths and Subſidies, as any Receiuer immediately accomptant to her Maieſtie is or ought to be. And that euerie Archbiſhop & Biſhop, and their heires, executors and aſſignes, and Deane and Chapter ſede vacante, to whoſe charge the collection of ſuch Tenthes or Subſidies doth or ſhall appertaine, ſhall be diſcharged of ſo much of the ſaid Tenthes and Subſidies, as ſhall be ſatiſfied to the Queenes Maieſtie, her heires or ſucceſſors, of, or by the lands, tenements, hereditaments, goods or chattels of ſuch Undercollector or his heires, without any other warrant whatſoeuer, or charge in that behalfe to bee obtained or ſuſtained. Prouided alwayes, and bee it enacted, That this Act or any thing therein contained, or the ſaid Act of the thirteenth yeare, or any thing therein contained, ſhall not impeach or auoid any ſale, leaſe, demiſe, grant, charge, extent, execution, or other aſſurance made before the beginning of this Parliament bona fide by any ſuch perſon ſo accountable or indebted, as is aforeſaid, or by his heires, or by any perſon or perſons clayming bona fide, from, by, or vnder them, or any of them, nor ſhall extend to auoid any leaſe or demiſe, not exceeding the terme of xxj. yeares, or three liues, whereupon ſo much yearely rent hath or ſhall be reſerued and yearely payable during euerie ſuch leaſe and demiſe, as at any time within twentie yeares next before the making of ſuch demiſe or leaſe, hath or ſhall be yelded or payed for the ſame, nor to auoid any leaſe for yeres determinable vpon three liues or vnder, made or to be made, whereupon ſuch yearely rent is or ſhalbe reſerued, as is aforeſaid. Nor to auoid any cuſtomarie eſtate, made or to be made, according to the cuſtome of the manor, whereof ſuch cuſtomarie lands

so let or demised are parcell. Prouided alwayes, and be it enacted, That this Act shall extend onely to such as sithence the beginning of the Quenes Maiesties raigne haue bene, now are, or shall be Treasurer, Teller, or Receiuer, or vsing, exercising, or hauing the Office of Treasurer, Teller, or Receiuer, in or belonging to any of the Quenes Maiesties Courts of Exchequer, Wards and Liueries, or Duchie of Lancaster, Treasurer of the Chamber, Coferer of the Household, Treasurer for the warres, Treasurer of any Fort, Towne, or Castle, where any garrison is or shall be kept, Treasurer of the Admiraltie or Nauie, Treasurer, Undertreasurer, or other person accountable to the Quenes Maiestie, her heires or successors, for any office or charge of or within the Mint, and others exercising or hauing any Office or Offices, of Treasurer or Receiuer of any summe of money for prouision of victuals, or for fortifications, buildings, or workes, or for any other prouisions to be vsed in any the Offices of the Quenes Maiesties Ordnance and Artillerie, Armorie, Wardrobe, Tents and Pauilions, or Reuels, Customer, Collector, Farmer of Imposts, Customes, Subsidies, Butlerage, Prisage, or other duties within any Port of the Realme, Collector or Undercollector of Tenths and Subsidies of the Clergie, Collector of any Subsidie or Fifteene, Receiuer generall or particular of the reuenues of any Countie or Counties answerable in the receit of the Exchequer, or in the Courts of Wards and Liueries, or Duchie of Lancaster, Clerke of the Hamper, and other person or persons vsually or ordinarily and voluntarily exercising, vsing, or hauing any Office of Receits, or vsually or ordinarily and voluntarily taking vpon him as an Officer of any Receits, and to none other. Prouided alwayes, and be it &c. That the said Act of the thirteenth, or this Act or any thing therein contained, shall not extend to the sale of the lands, tenements, or hereditaments of any Officer, Accountant, or Debtor, or of his or their heire or heires, or of any other person clayming from, by, or vnder them, or any of them, for or by reason of any account, debt, or farme, whereof any such Debtor or Accountant, his or their heires, executors, or administrators haue or shall haue a Quietus est, or other vsuall discharge, vpon the declaration of his & their account, according to the vsuall order of the said Court of Exchequer. Prouided also, and be it &c. That this Act, or any thing therein contained, shall not extend to giue any power or authoritie to make any sale, conueyance or assurance of any mannors, lands, tenements or hereditaments of any Archbishop, Bishop, Deane and Chapter, or of any other Ecclesiasticall person, whereof he or they, or any of them, be or hereafter shalbe seised in the right of his or their Bishoprick, Church, or other Corporation Ecclesiasticall whatsoeuer. Prouided alwayes, and be it &c. That the said Act of the 13. or this Act, shall not extend to the sale, conueyance or assurance of any mannors, landes, tenements or hereditaments for any debt being installed. Prouided alwayes, and be it &c. That this Act shall not extend to charge any Shirife, Escheator, or Bailife of Liberties, nor any of their heires or assignes, nor to the sale of the lands, tenements or hereditaments of any Shirife, Escheator, or Bailife of Liberties, nor of their heires or assignes, for any thing touching his or their Office of Shirifwicke, Escheatorship, or Bailiwike, nor for any money or other thing by them, or any of them, by reason of any of their said Offices, otherwise, or in any other manner then they or any of them might lawfully haue been charged before the making of this Act, or of the sayd Act of the 13. yeare of her Maiesties raigne, any thing herein contained to the contrarie notwithstanding. And be it &c. That if the Qu. Maiestie, her heires & successors, shall by any sale, conueyance or assurance of any manors, lands, tenements and hereditaments by force of the said Act of the 13. or of this Act, or by other matter, appearing of record, be fully satisfied of the debt or arrerages of any such Officer, Accomptant, or Debtor, or of any part thereof: Then the sureties of such Officer, Accountant, or Debtor, and other person or persons bound or to be bound for such Accountant or Debtor in that behalfe, shall be discharged of so much of the said debt, forfeiture, and arrerages, as so shalbe satisfied, and for the residue onely, shall be ratably according to their abilities charged, any thing in this Act, or in any other Statute to the contrarie notwithstanding. Prouided alwayes, and be it &c. That the said Act of the 13. yeare, or this Act, or any thing therein contained, shall not extend to giue any power or authoritie to make sale, conueyance or assurance of any manors, lands, tenements or hereditaments of the Master and Lieutenant of the Ordnance, Master of the Horse, Master of the Armorie, the generall Receiuer of the Duchie of Lancaster, and of the Wards & Liueries, Treasurer of the Chamber, Master of the Iewell House, Cofferer of the Household of our Soueraigne Ladie, the Quéene, her heires and successors, Treasurers of Warres or Garrisons, Treasurer of the Nauie, Treasurers or Receiuers of any summes of money for victuall, or fortifications, or for buildings, or M. of the Wardrobe, for any debt to be adiudged or knowne, as is aforesaid, concerning their, or any of their offices mentioned in this branch, vnlesse the Quenes M. her heires & successors, vpon, or after their debt knowne, or account determined (all his or their due petitions to thē vpon the same acounts being allowed) require or cōmand by, or vnder the great seale, or priny seale, present payment thereof, or otherwise essoines require a new account of the same debt, so set or remayning in any the Accounts mentioned in this branch: And that then the same debt or anie part thereof shall be found to be owing or vnerpended in the matters or charges pertaining to anie of their saide offices or charges mentioned in this Braunch, and the same debt remaine vnpaid by the space of one whole yere after such request or cōmandement. Prouided also, and be it &c. That this act or any thing therein contained, shall not extend to the sale, assurance, or conueyance of any manors, lands, tenements, or hereditaments

Error

Appeale Inditement

Iuries Iudgments

Executors

Archbishop Bishop Deane Archdeacon Officer

Heires of the Kinges Creditors

pꝛeſſe together with his demurrer. And that no iudgement to be giuen ſhalbe reuerſed by any writ of Erroꝛ foꝛ any ſuch imperfection, defect, oꝛ want of fourme, as is afoꝛeſaid, except ſuch onely as is beſoꝛe excepted. And be it &c. That after demurrers ioyned and entred, the Court where the ſame ſhall be, ſhall and may by vertue of this Act, from time to time amend all and euerie ſuch imperfections, defects, and wants of foꝛme, as is beſoꝛe mentioned, other then thoſe onely, which the partie demurring ſhall ſpecially and particularly expꝛeſſe and ſet downe together with his demurrer, as is afoꝛeſaid. Pꝛouided alwayes and be it &c. That this Act oꝛ any thing therein contained, ſhall not extend to any Writ, Declaration, oꝛ ſuit of Appeale of Felonie oꝛ Murder, noꝛ to any Inditement oꝛ Pꝛeſentment of Felonie oꝛ Murder, Treaſon, oꝛ other matter, noꝛ to any pꝛoces vpon any of them, noꝛ to any writ, bill, action, oꝛ inforꝛmation, vpon any popular oꝛ penall Statute: Any thing afoꝛeſaid to the contrarie notwithſtanding. An. 27. El. cap. 5.

Dilapidations.

WHereas diuers and ſundꝛie Eccleſiaſtical perſons of this Realme, being endowed and poſſeſſed of auncient Palaces, Manſion houſes, and other Edifices and buildings belonging to their Eccleſiaſticall benefices oꝛ liuings, haue of late yeares not onely ſuffered the ſame foꝛ want of due reparations, partly to run to great ruine and decay, and in ſome part vtterly to fall downe to the grounde, conuerting the timber, lead, and ſtones, to their owne benefit and commoditie: but alſo haue made dedes of gift, and colourable alienations, and other conueyances of like effect, of their goods and cattels in their liues time, to the intent and of purpoſe after their deathes to defeat and defraud their ſucceſſoꝛs of ſuch iuſt actions and remedies, as otherwiſe they might and ſhould haue had foꝛ the ſame, againſt their executoꝛs oꝛ adminiſtratoꝛs of their goods, by the Lawes Eccleſiaſticall of this Realme, to the great defacing of the State Eccleſiaſticall, and intollerable charges of their ſucceſſoꝛs, and euill pꝛeſident and example foꝛ others, if ſpeedie remedie bee not pꝛouided. Be it &c. That if any Archbiſhop, Biſhop, Deane, Archdeacon, Pꝛouoſt, Treaſoꝛer, Chanter, Chauncelloꝛ, Pꝛebendarie, oꝛ any other hauing any dignitie oꝛ office in any Cathedꝛall oꝛ Collegiate Church within this Realme: oꝛ if any Parſon, Vicar oꝛ other Incumbent of any Eccleſiaſticall liuing, whereunto doe belong any houſe oꝛ houſes, oꝛ other buildings, which by law oꝛ cuſtome he is bound to keepe and maintaine in reparation, do from henceforth make any deed oꝛ deeds of gift, oꝛ alienation, oꝛ other like conueyances of his mouable goods oꝛ cattels, to the intent and purpoſe afoꝛeſaid: That then the ſucceſſoꝛ and ſucceſſoꝛs of him that ſhall make ſuch deed oꝛ deeds of gift oꝛ alienation, ſhall may commence ſuit, and haue ſuch remedie in any Court Eccleſiaſticall of this Realme, competent foꝛ the matter, againſt him oꝛ them to whom ſuch deed oꝛ deeds of gift oꝛ alienation ſhall bee ſo made, foꝛ the amendment and reparation of ſo much of the ſaid dilapidations and decayes, oꝛ iuſt recompence foꝛ the ſame, as hath happened by his fact oꝛ default, in ſuch ſoꝛt as he might, ſhould, oꝛ ought lawfully to haue, if he oꝛ they to whom ſuch deed oꝛ deeds of gift oꝛ alienation ſhall be ſo made, were executoꝛ oꝛ executoꝛs of the Teſtament and laſt Will of him that made ſuch deed oꝛ deeds of gift oꝛ alienation, oꝛ were adminiſtratoꝛ oꝛ adminiſtratoꝛs of his goods oꝛ cattels: Any Law, cuſtome, oꝛ other thing to the contrary in any wiſe notwithſtanding. An. 13. El. cap. 10. And by 1. Iac. cap. 25. it is continued to remaine in force vntill the end of the firſt Seſſion of the next Parliament.

Reparation

Executoꝛ

Adminiſtratoꝛ

2 And be it &c. That all ſummes of money hereafter to be recouered, foꝛ oꝛ in name of dilapidations, by ſentence, compoſition, oꝛ otherwiſe, ſhall within two yeares after recoꝛit, be truely imployed vpon the buildings and reparations, in reſpect whereof ſuch money foꝛ dilapidations ſhalbe paid, on paine that euerie perſon ſo receiuing, and not imploying as is afoꝛeſaid, ſhall foꝛfeit double as much, as ſo ſhall be by him receiued and not imployed: the which foꝛfeiture ſhalbe to the vſe of the Quenes Maieſtie, her heires and ſucceſſoꝛs. An. 14. Eliz. cap. 11.

Recouer Sentence Compoſition

Foꝛf.

Diſceit.

IT is pꝛouided alſo, That if any Serieant, Pleader, oꝛ other, doe any manner of diſceit oꝛ colluſion in the Kings Court, oꝛ conſent to it in diſceit of the Court, oꝛ to beguile the Court oꝛ the partie, and thereof be attainted, he ſhall be impꝛiſoned foꝛ a yeare and a day, and from thenceforth ſhall not be heard to plead in the Court foꝛ any man. And if hee be no Pleader, he ſhall be impꝛiſoned in like manner by the ſpace of a yere and a day at the leaſt. And if the treſpaſſe require greater puniſhment, it ſhall be at the Kings pleaſure. Weſt. 1. cap. 29. An 4. Ed. 1.

Serieant Colluſion Attaint Impꝛiſ.

2 A Writ of Diſceit ſhall bee maintainable, and hold plea as well in the caſe of garniſhment touching plea of land, where ſuch garniſhment is giuen, as in caſe of Summons in a plea of land. An. 2. E. 3. cap. 17.

Garniſhment Summons

Diſcontinuance of right or eſtate.

IF any woman which hath had, oꝛ hereafter ſhall haue any eſtate in dower oꝛ foꝛ terme of life, oꝛ in taile, ioyntly with her huſband, oꝛ onely to her ſelfe, oꝛ to her vſe, in any Mannoꝛs, &c. of the inheritance oꝛ purchaſe of her huſband, oꝛ giuen to the ſaid huſband and wife in taile, oꝛ foꝛ terme of life, by any of the auncеſtoꝛs of the ſaid huſband, oꝛ by any other perſon ſeiſed to the vſe of the ſaid huſband, oꝛ of his auncеſtoꝛs, and haue oꝛ ſhall hereafter (being ſole, oꝛ with any other after taken to huſband) diſcontinued oꝛ diſcontinue, alened, releaſed oꝛ confirmed, alien, releaſe, oꝛ confirme with warrantie, oꝛ by couin ſuffered, oꝛ ſuffer any recouerie of the ſame againſt them oꝛ any of them, oꝛ any

Dower

Diſcontinue Alien Releaſe

ſo let or demiſed are parcell. Prouided alwayes, and be it enacted, That this Act ſhall extend onely to ſuch as ſithence the beginning of the Quenes Maieſties raigne haue bene, now are, or ſhall be Treaſurer, Teller, or Receiuer, or vſing, exerciſing, or hauing the Office of Treaſurer, Teller, or Receiuer, in or belonging to any of the Quenes Maieſties Courts of Exchequer, Wards and Liueries, or Duchie of Lancaſter, Treaſurer of the Chamber, Coferer of the Houſehold, Treaſurer for the warres, Treaſurer of any Fort, Towne, or Caſtle, where any garriſon is or ſhall be kept, Treaſurer of the Admiraltie or Nauie, Treaſurer, Undertreaſurer, or other perſon accountable to the Quenes Maieſtie, her heires or ſucceſſors, for any office or charge of or within the Mint, and others exerciſing or hauing any Office or Offices, of Treaſurer or Receiuer of any ſumme of money for prouiſion of victuals, or for fortifications, buildings, or workes, or for any other prouiſions to be vſed in any the Offices of the Quenes Maieſties Ordnance and Artillerie, Armorie, Wardrobe, Tents and Pauilions, or Reuels, Cuſtomer, Collector, Farmer of Impoſts, Cuſtomes, Subſidies, Butlerage, Priſage, or other duties within any Port of the Realme, Collector or Undercollector of Tenths and Subſidies of the Clergie, Collector of any Subſidie or Fifteene, Receiuer generall or particular of the reuenues of any Countie or Counties anſwerable in the receit of the Exchequer, or in the Courts of Wards and Liueries, or Duchie of Lancaſter, Clerke of the Hamper, and other perſon or perſons vſually or ordinarily and voluntarily exerciſing, vſing, or hauing any Office of Receits, or vſually or ordinarily and voluntarily taking vpon him as an Officer of any Receits, and to none other. Prouided alwayes, and be it &c. That the ſaid Act of the thirteenth, or this Act or any thing therein contained, ſhall not extend to the ſale of the lands, tenements, or hereditaments of any Officer, Accountant, or Debtor, or of his or their heire or heires, or of any other perſon clayming from, by, or vnder them, or any of them, for or by reaſon of any account, debt, or farme, whereof any ſuch Debtor or Accountant, his or their heires, executors, or adminiſtrators haue or ſhall haue a Quietus eſt, or other vſuall diſcharge, vpon the declaration of his & their account, according to the vſuall order of the ſaid Court of Exchequer. Prouided alſo, and be it &c. That this Act, or any thing therein contained, ſhall not extend to giue any power or authoritie to make any ſale, conueyance or aſſurance of any mannors, lands, tenements or hereditaments of any Archbiſhop, Biſhop, Deane and Chapter, or of any other Eccleſiaſticall perſon, whereof he or they, or any of them, be or hereafter ſhalbe ſeiſed in the right of his or their Biſhopricke, Church, or other Corporation Eccleſiaſticall whatſoeuer. Prouided alwayes, and be it &c. That the ſaid Act of the 13. or this Act, ſhall not extend to the ſale, conueyance or aſſurance of any mannors, landes, tenements or hereditaments for any debt being inſtalled. Prouided alwayes, and be it &c. That this Act ſhall not extend to charge any Shirife, Eſcheator, or Bailife of Liberties, nor any of their heires or aſſignes, nor to the ſale of the lands, tenements or hereditaments of any Shirife, Eſcheator, or Bailife of Liberties, nor of any their heires or aſſignes, for any thing touching his or their Office of Shirifwike, Eſcheatorſhip, Bailiwike, nor for any money or other thing by them, or any of them, by reaſon of any of their ſaid Offices, otherwiſe, or in any other manner then they or any of them might lawfully haue bin charged before the making of this Act, or of the ſayd Act of the 13. yeare of her Maieſties raigne, any thing herein contained to the contrarie notwithſtanding. And be it &c. That if the Quen Maieſtie, her heires & ſucceſſors, ſhall by any ſale, conueyance or aſſurance of any manors, lands, tenements and hereditaments by force of the ſaid Act of the 13. or of this Act, or by other matter, appearing of record, be fully ſatiſfied of the debt or arrerages of any ſuch Officer, Accomptant, or Debtor, or of any part thereof: Then the ſureties of ſuch Officer, Accountant, or Debtor, and other perſon or perſons bound or to be bound for ſuch Accountant or Debtor in that behalfe, ſhall be diſcharged of ſo much of the ſaid debt, forfeiture, and arrerages, as ſo ſhalbe ſatiſfied, and for the reſidue onely, ſhall be ratably according to their abilities charged, any thing in this Act, or in any other Statute to the contrarie notwithſtanding. Prouided alwayes, and be it &c. That the ſaid Act of the 13. yeare, or this Act, or any thing therein contained, ſhall not extend to giue any power or authoritie to make ſale, conueyance or aſſurance of any mannors, lands, tenements or hereditaments of the Maſter and Lieutenant of the Ordnance, Maſter of the Horſe, Maſter of the Armorie, the generall Receiuer of the Duchie of Lancaſter, and of the Wards & Liueries, Treaſurer of the Chamber, Maſter of the Iewell Houſe, Cofferer of the Houſehold of our Soueraigne Ladie, the Quene, her heires and ſucceſſors, Treaſurers of Warres or Garriſons, Treaſurer to the Nauie, Treaſurers or Receiuers of any ſummes of money for victuall, or fortifications, or for buildings, or of the Wardrobe, for any debt to be adiudged or knowne, as is aforeſaid, concerning their, or any of their offices mentioned in this branch, vnleſſe the Quenes Maieſtie her heires & ſucceſſors, vpon, or after their debt knowne, or account determined (all his or their due petitions to thē vpon the ſame acounts being allowed) require or cōmand by, or vnder the great ſeale, or priuy ſeale, preſent payment thereof, or otherwiſe eſtſoones require a new account of the ſame debt, ſo ſet or remayning in any the Accounts mentioned in this branch: And that then the ſame debt or anie part thereof ſhall be found to be owing or vnerpended in the matters or charges pertaining to anie of their ſaide offices or charges mentioned in this Branch, and the ſame debt remaine vnpaid by the ſpace of one whole yeare after ſuch requeſt or cōmandement. Prouided alſo, and be it &c. That this act or any thing therein contained, ſhall not extend to the ſale, aſſurance, or conueyance of any mannors, lands, tenements, or

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hereditaments, as is aforesaid, vnlesse the debt of such Officer, Accountant, or Debtor, do exceed the summe of 300. l. any thing in this Act to the contrarie notwithstanding. Prouided also, and be it &c. That this Act or any thing therein contained, shall not extend to make any sale, conueyance, or assurance of any mannors, lands, tenements, or hereditaments descended, or which hereafter shall descend to any heire or heires within the age of xxj. yeares, so long as such heire or heires shall be within the age of xxj. yeares. And yet neuertheless, after such time as any such heire or heires shall accomplish his or their full age of xxj. yeares, and after two yeares expired after such full age, it shall and may be lawfull to and for our said Soueraigne Ladie, her heires and successors, to make sale, assurance and conueyance of such mannors, lands, tenements and hereditaments so to him and them descended, in such sort, order manner and forme, to all intents, constructions and purposes, as if such heire or heires had bin of full age at the time of the account finished and determined, or debt knowne of any such Officer, Debtor, or Accountant. Prouided alwayes, and be it &c. That before such time as any the mannors, lands, tenements, or hereditaments, which any such Officer, Accountant, or Debtor shall bona fide, and for valuable consideration, sell, conuey, or assure to any person or persons, shall be by the Quenes Maiestie, her heires and successors sold, conueyed or assured, as is aforesaid, a Scire facias shall be awarded out of her Maiesties Court of Exchequer vnto the Shirife of the Countie, where any such mannors, lands, tenements or hereditaments so to be sold for the said debt doe lye, generally to garnish, summon, or warne any of the Tertenants vpon any part of the said mannors, lands, tenements or hereditaments, to shew cause why the said mannors, lands, tenements or hereditaments should not be put to sale for satisfaction of the debt of her Maiestie, her heires or successors: Whereupon if the Tertenant vpon such garnishment or warning returned, shall make default, or shall appeare, and doe not within two yeares next after such returne sufficiently proue in the sayd Court of Exchequer, that the Officers, Accountants, or Debtors (if he or they bee then liuing) haue sufficient lands, tenements or hereditaments to answere vpon sale thereof to be made, by the Quenes Maiestie, her heires or successors, by force of this Act the sayd Debt or Farme, or sufficient goods or cattels, lyable and subiect to the payment of such Debt or Farmes, or if he or they be dead, that the executors or administrators of such Officers, Accountants, or Debtors haue sufficient goods or cattels, lyable and subiect as aforesaid, or the heire of such Officer, Accountant, or Debtor, haue sufficient lands, tenements and hereditaments, lyable to answere vpon sale thereof to be made, by the Qu. Maiestie, her heires and successors, by force of this Act, the same Debt or Farme, and whereby the said Debt and Farme shall and may bee fully and duly satisfied, that then after two yeares and tenne moneths next after such returne, such and so much of the mannors, lands, tenements and hereditaments, which any such Officer, Debtor, or person accountable, had, or at any time hereafter shall haue, after hee became, or shall become any such Officer, Debtor, or person accountable, or which otherwise are to be sold, by the true intent & meaning of the said Act made in the thirteenth yeare of the Quenes Maiesties raigne, as shall suffice for the satisfaction of our Soueraigne Ladie the Quenes Maiestie, her heires or successors, of his, or their debt or dutie, shall be sold by her Maiestie, her heires or successors, and the money thereof comming to dispose according to the true intent and meaning of this Act. Prouided also, and be it &c. That in such cases where any account hath beene, or shall be made, or any debts haue beene, or shall be knowne in the Courts of Wards and Liueries, and Duchie of Lancaster, or in either of them, Then before such time as any the mannors, lands, tenements, or hereditaments, which any such Officer, Accountant, or Debtor shall bona fide, for valuable consideration, sell, conuey, or assure to any person or persons, shall bee by the Quenes Maiestie, her heires and successors, sold, conueyed and assured, as is aforesaid, such Proces shall be awarded, as is hereafter expressed: To wit, a Summons or Garnishment with Proclamation, shall be awarded to the Shirife of the Countie where any such mannors, lands, tenements or hereditaments, so to be sold for the said debt doe lye, generally to garnish, summon, or warne any of the Tertenants thereof, by open publication or proclamation to be made, either vpon some part of the said mannors, lands, tenements and hereditaments, or in some Market Towne adioyning in the same Countie twentie dayes at the least, before the returne thereof, to shew cause why the same mannors, lands, tenements or hereditaments, should not bee put to sale, for satisfaction of the debt of her Maiestie, her heires or successors, whereupon if the Tertenants vpon such garnishment or warning returned, shall make default, or shall appeare, and do not within two yeares next after such returne make such sufficient proofe as aforesaid, as by the order and decree of either of the same Courts shall be allowed in that behalfe. That then all things shall be done and executed for the sale of the same mannors, lands, tenements, or hereditaments, and for the full satisfaction of the same Debt, or Farme, in like, and in as large and ample manner & forme, to all intents and purposes, as before in this Act is limited and appointed in cases where default is made, or apparance, and no cause and proofe as afore made vpon a Scire facias, awarded out of the said Court of Exchequer. Prouided alwayes, and be it &c. That euerie such Scire facias, so to be awarded, and the returne thereof, shall be entred of record in the Court of Exchequer. And euerie such Proces of Summons and Garnishment, with Proclamation, and the returne thereof, so to bee awarded out of euerie the sayd seuerall Courts of Wards and Liueries, and Duchie of Lancaster, and the seuerall returnes thereof,

ſhall be entred into the booke of Decrées of the ſaid Courts, out of which ſuch p̄oces ſhal be awarded. And that euery perſon and perſons to whom the Quéenes Maieſtie, her heires or ſucceſſors ſhall make ſale of any manno̅rs, lands, tenements or hereditaments of any ſuch officer, accountant or debtor, ſhall or may haue exemplified the ſeuerall p̄oces aforeſaid, & the returne or returnes thereupon vnder the great Seale of England, and that aſwell the ſaid inrolment and entries aforeſaid of the ſayd P̄oces, and the Returns therupon, as the ſaid exemplifications ſhalbe of as good force and validitie in the Law, to all intents and purpoſes, as if the ſayd P̄oces and Returnes therupon were extant, remaining and ſufficient. And to the intent ſuch manno̅rs, landes, tenements and hereditamēts as are liable to ſale by the Quéens Maieſtie her heirs and ſucceſſors by force of this Act, may be ſold according to the value therof, for the more ſpédie paiment of the debts, and dueties due to her Highnes, her heires and ſucceſſors, and for the benefit of the perſon or perſons whoſe lands ſhall be ſold, It is enacted &c. that if any perſon or perſons, other then the Officer, Debtor or Accomptant aforeſayd, whoſe landes, tenements or hereditaments are or ſhall be liable to be ſold by force of this Act, doe or ſhall at any time within the ſayd two yeares and tenne months after ſuch returne as aforeſaid, procure any other able & ſufficiēt perſon or perſons to purchaſe or buy ẏ ſame at ſuch p̄yce & value as the ſame lands, tenemēts or hereditamēts at that time ſhalbe reaſonably worth to be ſold, then vpon payment & ſatisfaction to be made to the Qu. Maieſtie her heires & ſucceſſors, of the value of ẏ ſaid lands, tenements or hereditaments ſo to be ſold, our ſaid Soueraigne Ladie her heirs and ſucceſſors by Letters Patents vnder the great Seale of England will be pleaſed to ſell ſuch landes, tenements and hereditaments to ſuch perſon or perſons before any other, as will purchaſe and buy the ſame by the meanes and procurement of him or them whoſe lands, tenements and hereditaments ſhall be ſold as aforeſaid. And be it &c. that all and euery perſon and perſons, whoſe manors, lands, tenements or hereditaments, ſhall be liable and ſubiect to be ſold by force of this Act vpon P̄oces to be awarded out of the Court of Exchequer and other the Courts aforeſaid, ſhall bring and ſhew into the ſayd Courts, all ſuch euidences, concerning the ſaid manors, lands, tenements and hereditaments liable and ſubiect to be ſold as aforeſayd, being in his or their cuſtody or poſſeſſion, or in the cuſtody or poſſeſſion of any other by his deliuery, conſent, or appointment, to the intent the ſtate or title of and in the ſaid manors, lands, tenements and hereditaments may be knowne, to the end the better and more auaileable ſale thereof may bee made, according to the true intent and meaning of this Act. And it is alſo the true intent of this Act, and of the ſayd Statute of the 13. yeare of the Quéenes reigne, That if any perſon or perſons, whoſe lands, tenements and hereditaments are, or ſhalbe liable, and ſubiect to be ſold by vertue of this Act, or the ſaid Act of the 13. haue ſufficient manors, lands, tenements or hereditaments, ouer and beſide his chiefe manſion houſe & demeſnes belonging thereunto, to ſatiſfie the debts and duties of her Maieſtie, her heires and ſucceſſors, and do procure the ſame to be bought or purchaſed for ſo much money, as will ſatiſfie the ſaid debts and duties, within the ſaid ſeuerall time and times, before limited & appointed for the ſaid lands, &c. to be ſold as aforeſaid, and doe ſatiſfie the ſaid debts and duties accordingly: That then his and their ſaid chiefe manſion houſe and demeſnes thereunto belonging, ſhal not be ſold by her Maieſtie, her heires & ſucceſſors, by force of this Act, or of the ſaid Statute of the 13. yeare of the Quéenes Maieſties raigne. Prouided alwayes, that this Act ſhall endure onely to the end of the next Seſſion of the next Parliament enſuing. And in Anno 43. Eliz. cap. 5. this Statute is continued vntill the end of the firſt Seſſion of the next Parliament.

10 Whereas it is conceiued, that ſome manner of Aſſignements of Debts, if they ſhould be made to his Maieſtie, his heires and ſucceſſors, the ſame would be inconuenient, his Maieſtie therefore is well pleaſed, that it be enacted, And be it &c. That no Debt ſhall at any time after the firſt day of July, which ſhall be in the yeare of our Lord God 1610, be aſſigned to the Kings Maieſtie, his heires or ſucceſſors, by or from any Debtor or Accomptant to his Maieſtie, his heires or ſucceſſors, other then ſuch Debts as did before grow due originally to the Kings Debtor or Accomptant bona fide. And that all Graunts and Aſſignements of Debts to the Kings Maieſtie, his heires or ſucceſſors, which from and after the ſaid firſt day of July ſhall be had or made contrarie to the true intent of this Act, ſhall be void and of no force: Any Law, Cuſtome, Priuiledge, or thing to the contrarie in anywiſe notwithſtanding. An. 7. Iac. cap. 15.

Demurrers.

FOraſmuch as exceſſiue charges and expences, and great delay and hinderance of Juſtice hath growne in actions and ſuits betweene the ſubiects of this Realme, by reaſon that vpon ſome ſmall miſtaking, or want of forme in pleading, iudgements are often reuerſed by Writs of Error, and oftentimes vpon demurrers in Law giuen otherwiſe then the matter in Law, and very right of the cauſe doth require, whereby the parties are conſtrained either vtterly to loſe their right, or elſe after long time and great trouble and expences to renue againe their ſuits: For remedie thereof, Be it &c. That from henceforth after demurrer ioyned and entred in any action or ſuit in any Court of Record within this Realme, the Iudges ſhall proceed & giue iudgement according as the very right of the cauſe and matter in Law ſhall appeare vnto them, without regarding any imperfection, defect, or want of forme in any Writ, Returne, Plaint, Declaration, or other Pleading, Proceſſe, or courſe of proceeding whatſoeuer. Except thoſe onely, which the partie demurring ſhall ſpecially and particularly ſet downe and expreſſe

preſſe together with his demurrer. And that no iudgement to be giuen ſhalbe reuerſed by any writ of Error for any ſuch imperfection, defect, or want of forme, as is aforeſaid, except ſuch onely as is before excepted. And be it &c. That after demurrers ioyned and entred, the Court where the ſame ſhall be, ſhall and may by vertue of this Act, from time to time amend all and euerie ſuch imperfections, defects, and wants of forme, as is before mentioned, other then thoſe onely, which the partie demurring ſhall ſpecially and particularly expreſſe and ſet downe together with his demurrer, as is aforeſaid. Prouided alwayes and be it &c. That this Act or any thing therein contained, ſhall not extend to any Writ, Declaration, or ſuit of Appeale of Felonie or Murder, nor to any Indictment or Preſentment of Felonie or Murder, Treaſon, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information, vpon any popular or penall Statute: Any thing aforeſaid to the contrarie notwithſtanding. An. 27. El. cap. 5.

Dilapidations.

WHereas diuers and ſundrie Eccleſiaſtical perſons of this Realme, being endowed and poſſeſſed of auncient Palaces, Manſion houſes, and other Edifices and buildings belonging to their Eccleſiaſticall benefices or liuings, haue of late yeares not onely ſuffered the ſame for want of due reparations, partly to run to great ruine and decay, and in ſome part vtterly to fall downe to the ground, conuerting the timber, lead, and ſtones, to their owne benefit and commoditie: but alſo haue made dedes of gift, and colourable alienations, and other conueyances of like effect, of their goods and cattels in their liues time, to the intent and of purpoſe after their deathes to defeat and defraud their ſucceſſors of ſuch iuſt actions and remedies, as otherwiſe they might and ſhould haue had for the ſame, againſt their executors or adminiſtrators of their goods, by the Lawes Eccleſiaſticall of this Realme, to the great defacing of the State Eccleſiaſticall, and intollerable charges of their ſucceſſors, and euill preſident and example for others, if ſpeedie remedie bee not prouided. Be it &c. That if any Archbiſhop, Biſhop, Deane, Archdeacon, Prouoſt, Treaſorer, Chanter, Chauncelor, Prebendarie, or any other hauing any dignitie or office in any Cathedrall or Collegiate Church within this Realme: or if any Parſon, Vicar or other Incumbent of any Eccleſiaſticall liuing, whereunto doe belong any houſe or houſes, or other buildings, which by law or cuſtome he is bound to keepe and maintaine in reparation, do from henceforth make any deed or deeds of gift, or alienation, or other like conueyances of his moueable goods or cattels, to the intent and purpoſe aforeſaid: That then the ſucceſſor and ſucceſſors of him that ſhall make ſuch deed or deeds of gift or alienation, ſhall & may commence ſuit, and haue ſuch remedie in any Court Eccleſiaſticall of this Realme, competent for the matter, againſt him or them to whom ſuch deed or deeds of gift or alienation ſhall bee ſo made, for the amendment and reparation of ſo much of the ſaid dilapidations and decayes, or iuſt recompence for the ſame, as hath happened by his fact or default, in ſuch ſort as he might, ſhould, or ought lawfully to haue, if he or they to whom ſuch deed or deeds of gift or alienation ſhall be ſo made, were executor or executors of the Teſtament and laſt Will of him that made ſuch deed or deeds of gift or alienation, or were adminiſtrator or adminiſtrators of his goods or cattels: Any Law, cuſtome, or other thing to the contrary in any wiſe notwithſtanding. An. 13. El. cap. 10. And by 1. Iac. cap. 25. it is continued to remaine in force vntill the end of the firſt Seſſion of the next Parliament.

Reparation. Executor. Adminiſtrator.

2 And be it &c. That all ſummes of money hereafter to be recouered, for or in name of dilapidations, by ſentence, compoſition, or otherwiſe, ſhall within two yeares after receit, be truely imployed vpon the buildings and reparations, in reſpect whereof ſuch money for dilapidations ſhalbe paid, on paine that euerie perſon ſo receiuing, and not imploying as is aforeſaid, ſhall forfeit double as much, as ſo ſhall be by him receiued and not imployed: the which forfeiture ſhalbe to the vſe of the Queenes Maieſtie, her heires and ſucceſſors. An. 14. Eliz. cap. 11.

Recouer Sentence Compoſitis. Forf.

Diſceit.

IT is prouided alſo, That if any Serieant, Pleader, or other, doe any manner of diſceit or colluſion in the Kings Court, or conſent to it in diſceit of the Court, or to beguile the Court or the partie, and thereof be attainted, he ſhall be impriſoned for a yeare and a day, and from thenceforth ſhall not be heard to plead in the Court for any man. And if hee be no Pleader, he ſhall be impriſoned in like manner by the ſpace of a yere and a day at the leaſt. And if the treſpaſſe require greater puniſhment, it ſhall be at the Kings pleaſure. Weſt. 1. cap. 29. An. 4. Ed. 1.

Serieant Colluſion Attaint Impriſ.

2 A Writ of Diſceit ſhall bee maintainable, and hold plea as well in the caſe of garniſhment touching plea of land, where ſuch garniſhment is giuen, as in caſe of Summons in a plea of land. An. 2. E. 3. cap. 17.

Garniſhment Summons

Diſcontinuance of right or eſtate.

IF any woman which hath had, or hereafter ſhall haue any eſtate in dower or for terme of life, or in taile, ioyntly with her huſband, or onely to her ſelfe, or to her vſe, in any Mannors, &c. of the inheritance or purchaſe of her huſband, or giuen to the ſaid huſband and wife in taile, or for terme of life, by any of the auncеſtors of the ſaid huſband, or by any other perſon ſeiſed to the vſe of the ſaid huſband, or of his auncеſtors, and haue or ſhall hereafter (being ſole, or with any other after taken to huſband) diſcontinued or diſcontinue, alienеd, releaſed or confirmed, alien, releaſe, or confirme with warrantie, or by couin ſuffered, or ſuffer any recouerie of the ſame againſt them or any of them, or

Dower Diſcontinue Alien Releaſe

any

any other ſeiſed to their vſe, or to the vſe of either of them after the forme aforeſaid: That all ſuch recoueries, diſcontinuances, alienations, releaſes, confirmations, and warranties ſo had and made, and from henceforth to bee had and made, be vtterly void and of none effect. And that it ſhal be lawfull to euerie perſon and perſons, to whom the intereſt, title, or inheritance, after the deceaſe of the ſaid women, of the ſaid Manors, lands, & tenements, or other hereditaments, being diſcontinued, alienued or ſuffered to be recouered, after the firſt day of December next comming in the forme aforeſaid ſhould appertaine, to enter into all and euery of the premiſſes, and peaceably to poſſeſſe and enioy the ſame, in ſuch manner and forme, as hee or they ſhould haue done, if no ſuch diſcontinuance, warrantie, ne recouerie had beene had nor made. And ouer this be it &c. That if any of the ſayd husbands and women, or any other ſeiſed, or that ſhall be ſeiſed to the vſe of them of the eſtate afore ſpecified, after the ſaid firſt day of December do make or cauſe to be made, or ſuffer any ſuch diſcontinuance, alienations, warranties or recoueries, in forme aforeſayd: that then ſhall be lawfull to the perſon or perſons, to whom the ſaid Manors, lands, and tenements ſhould or ought to belong after the deceaſe of the ſaid woman, to enter into the ſame, and them to poſſeſſe and enioy, according to ſuch title and intereſt, as they ſhould haue had in the ſame, if the ſame woman had beene dead, no diſcontinuance, warrantie, nor recoueries had, as againſt the ſayd husband during his life, if the ſaid diſcontinuance, alienation, warranties and recoueries be hereafter had by or againſt the ſame husbands and women, during the couerture and eſpouſals betwixt them. Prouided alwayes, That the ſaid women after the deceaſe of their ſaid husbands may reenter into the ſame Manors, lands, and tenements, and them to enioy according to their firſt eſtate in the ſame. And ouer this &c. That if the ſaid woman at the time of ſuch diſcontinuance, alienations, recoueries, warranties, after the ſaid firſt day of December, in forme aboueſaid, to be had and made of any the premiſſes, be ſole: that then ſhe ſhall be barred and excluded of her title and intereſt in the ſame from thenceforth. And that the perſon and perſons to whom the title, intereſt, and poſſeſſions of the ſame ſhould belong after the deceaſe of the ſame women, ſhall immediately after the diſcontinuances, alienations, warranties and recoueries, enter into the ſame Manors, lands, and tenements, and other hereditaments, and them to poſſeſſe and enioy according to his or their title in the ſame. Prouided alſo, That this Act extend not to auoyd any recouerie, diſcontinuance or warrantie, after the forme aforeſaid, afore this time had, made or ſuffered, but onely where the ſaid husband and woman or either of them, now being aliue, or any other to their vſe, now haue intereſt and title to the ſaid Manors, lands, tenements, and other hereditaments alienedy, diſcontinued, or ſuffered to be recouered after the forme aforeſaid, and thereof now taking the iſſues and profits, or any other perſon and perſons to their vſe. Prouided alſo, That this Act extend not to any ſuch recouerie or diſcontinuance, to be had with the heires next inheritable to the ſaid women, if he or they that next after the death of the ſame woman, ſhould haue eſtate of inheritance in the ſame Manors, lands, tenements, be aſſenting or agreeable to the ſaid recouerie, where the ſame aſſent and agreement is of record or inrolled. Prouided alſo, That it ſhall be lawfull to euerie ſuch woman being ſole or married, after the death of her firſt husband, to giue, ſell, or make diſcontinuance, of any ſuch land for terme of her life onely, after the courſe and vſe of the Common Law before the making of this preſent Act. Anno 11.H.7.cap.20.

Conſirmations Marriages Void

Women Reenter

Sole Barre

Iſſues Profits

Diſcontinuance of Proceſſe.

OVr Soueraigne Lord the King conſidering the great loſſes and damnages which oftentimes haue come and be likely to come hereafter, as well to himſelfe, as to many of his lieges, for that where as well diuers Indictments and ſuites for our Soueraigne Lord the King, as other ſuites betweene partie and partie, haue beene taken before diuers Iuſtices of the Peace, aſſigned by diuers Commiſſions of our Soueraigne Lord the King in diuers Counties of England, and diuers plees and proceſſes vpon thoſe Indictments haue often beene made, and hanging before the ſame Iuſtices not determined, the which plees and proceſſes been often diſcontinued by making of new Commiſſions of the Peace in thoſe Counties, to the great loſſe of our ſaid Soueraigne Lord the King, and his ſubiects, in delay of the ſame plees and ſuites, and of the deliuerance of his ſaid ſubiects: And vpon that, our Soueraigne Lord the King willing to prouide remedie, Of the aſſent and authoritie of this preſent Parliament, hath ordained and eſtabliſhed, That all ſuch plees, ſuites, and proceſſes, from henceforth to be taken and to be made before Iuſtices of the Peace in any Countie of England, the ſaid plees and proceſſes in ſuch ſuits to be made ſhall not bee diſcontinued by ſuch new Commiſſions of the Peace to be made, but that thoſe plees and proceſſes ſhall ſtand in their ſtrength. And the Iuſtices in the ſame new Commiſſions ſo aſſigned, after that they ſhall haue the Records of the ſame plees and proceſſes before them, ſhal haue full power and authority to continue the ſaid plees and proceſſes, and the ſame plees and proceſſes, and all that depend vpon them to heare and finally to determine, as the other Iuſtices might and ought to haue done, of and in the ſame, if no new Commiſſion had beene made. An. 11.H.6.cap.6.

2 To take away the delayes that haue happened heretofore to ſuitors, by the death or demiſe of the Kings of this Realme: Be it &c. That by the death or demiſe of the Kings Maieſtie that now is (whoſe life Almightie God long preſerue, keepe and maintaine in moſt royall eſtate) nor by the death or demiſe of any that hereafter ſhall be King of this Realme, any Action, Suit, Bill, or Plaint, now or that hereafter ſhall depend, betweene partie and partie, in any of the Courts aforeſaid ſhall not

not in any wise be discõtinued or put without day, but that the proces, plees, demurrers, and continuances in euery actiõ, actions, suits, bills, or plaints, which now or that hereafter shall depend, shall stand good and effectuall, and be prosecuted and sued forth, in such manner and forme, and in the same estate, condition and order, as if the same King had liued or continued in full life, the death or demise hereafter of any K. of this realm notwithstanding. And that all and all manner of Judiciall Proces, that hereafter shall be had or pursued in the time of the raigne of any other King then raigned at the time of the pursuit of their originall or other former proces, shall be made in the name of the King that for the time shall raigne and bee King of this Realme, and the variance touching the same proces betweene the names of the Kings, shall not bee in any wise materiall, as concerning any default to be alledged or obiected therefore. And also be it &c. That all and euerie Assise of Nouel disseisin, Assise of Mortdancester, Iuris vtrum, and Attaint, which at any time hereafter shalbe arraigned, commenced or sued before any of the Kings Iustices of Assise, shall not from henceforth be discontinued or put without day, by reason of death, new Commission, association, or not comming of the same Iustices of Assise, or any of them, but shall stand good and effectual in the law, to all intents, constructions, and purposes, the death, new Commission, association or not comming of the same Iustices, or any of them, in any wise notwithstanding. And ouer that be it &c. That albeit any demaundant or plaintife in any manner of action, bill, or suit, shall fortune to bee made or created Duke, Archbishop, Marquelle, Earle, Vicount, Baron, Bishop, Knight, Iustice of the one Bench or of the other, or Serieant at Law, depending the same action, bill, or suit, yet that notwithstanding, that no writ, action, or suit, shall for such cause in any wise be abatable or abated, but shall remaine in like force, goodnesse, and strength, as the same was before: Any law or vsage to the contrarie in any wise notwithstanding. And also be it &c. That albeit any person or persons being Iustice of Assise, Iustice of Gaole deliuerie, or Iustice of Peace within any of the Kings Dominions, or being in any other of the Kings Commissions whatsoeuer, shall fortune to bee made or created Duke, Archbishop, Marquelle, Earle, Vicount, Baron, Bishop, Knight, Iustice of the one Bench or of the other, or Serieant at the Law, or Sherife, yet that notwithstanding, he or they shall remaine Iustice and Commissioner, and haue full power and authoritie to execute the same, in like manner and forme as he or they might or ought to haue done before the same.

This Article touching Iustices of Peace being made Sherifes, is altered by 1. M. 1. Parliament. ca. 8. as appeareth in Sherifes 36. And be it &c. That in all cases, where any person or persons heretofore haue beene, or hereafter shal be found guiltie of any manner of Treason, Murder, Manslaughter, Rape, or other Felonie whatsoeuer, for the which iudgement of death should or may ensue, and shall be repried to prison, without iudgement at that time giuen against him, her, or them so found guiltie, that those persons that at any time hereafter shall by the Kings Letters patents be assigned Iustices, to deliuer the Gaole where any such person or persons found guiltie, shall remaine, shall haue full power and authoritie to giue iudgement of death against such person so found guiltie and repried, as the same Iustices before whom such person or persons was or were found guiltie, might haue done if their Commission of Gaole deliuerie had remained and cõtinued in full force & strength. And ouer that, That no manner of procesle or suit made, sued or had, before any Iustice of Assise, of Gaole deliuerie, Oyer and terminer, Iustice of Peace, or other of the Kings Commissioners, shall not in any wise bee discontinued by the making and publishing of any new Commission or association, or by altering of the names of the Iustices of Assise, Gaole deliuerie, Oyer and terminer, Iust. of Peace, or other the Kings Commissioners, but that the new Iustices of Assise, Gaole deliuerie, and of the Peace, and other Commissioners, may proceed in euerie behalfe, as if the old Commissions and Iustices and Commissioners had still remained and continued not altered. Anno 1. E. 6. cap. 7.

Repriue

Letters patents.

Iudgement

Proces

Iust. of P.

Not discontinus

Altering

Dispensations.

BE it enacted by authoritie of this present Parliament, That all Bulls, Breues, Faculties, Dispensations, of what names, natures or qualities soeuer they be of, heretofore had or obtained of the Bishop of Rome, or of any other his predecessors, or by the authoritie of the Sea of Rome, by or to any subiects, reliants, or bodies politique or corporate, of or in this Realme, or of, or in any other the Kings Dominions, shall from henceforth be cleerely void and of no value, force, strength, nor vertue, and shall neuer hereafter be vsed, admitted, allowed, pleaded, or alledged in any places or Courts of this Realme, or of any other the Kings Dominions, vpon the paine contained in the Statute of Prouision and Premunire, made in the sixteenth yeare of the raigne of King Richard the second. Yet notwithstanding at the most humble petition and intercession of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, It may please the Kings Maiestie of his most gracious benignitie, goodnesse, and blessed disposition, that it may be enacted by authoritie of this Parliament, That all mariages had and solemnized within this Realme, or in any other the Kings Dominions before the third day of Nouember in the sixteenth yeare of the Kings most gracious raigne, whereof there is no diuorce or separation had, by the Ecclesiasticall Lawes of this Realme, and which mariages bee not prohibited by Gods Lawes, limited and declared in the Act made in this present Parliament, for the establishment of the Kings succession, or otherwise by holy Scripture, shall be by authoritie of this present Parliament, good, lawfull, and effectuall,

Bulls

Rome

Void

Mariage

Diuorce

fectuall, and shalbe from the beginning of such mariages, reputed, esteemed, taken, adiudged, receiued, approued, and allowed by the authority of this present Parliament, to all and singular purposes, effects, and intents, as good, as sufficient, and as bailable, as though no impediment of Matrimonie had euer beene betweene them, that haue contracted and solemnized such mariages. And that all children procreated, and to be procreated, in and vnder such mariages, shall be lawfull to all intents and purposes. And that it may be also enacted by the authoritie of this present Parliament, That all Archbishops and Bishops of this Realme, or of any the Kings Dominions, consecrated, and at this present time taken and reputed for Archbishops and Bishops, may by authoritie of this present Parliament, and not by vertue of any prouision, or other forreine authoritie, licence, facultie, or dispensation, keepe, enioy and retaine their Archbishoprickes and Bishoprickes, in as large and ample manner, as if they had beene promoted, elected, confirmed, and consecrated, according to the due course of the Lawes of this Realme. And that euerie Archbishop and Bishop of this Realme, and of other the Kings Dominions, may minister, vse, and exercise all and euerie thing and things pertaining to the Office or Order of an Archbishop and Bishop, with all tokens, ensignes, and ceremonies thereunto lawfully belonging. And that all Ecclesiasticall persons of the Kings Realme and Dominions, which at this time be taken, had, and reputed for Abbots, Priors, Abbesses, Prioresses, and other heads of Religion (which be not, neither shall be excluded from their dignities, by the late Act of Suppression) and the religious persons liuing vnder their obedience, and all persons now taken and reputed as Masters, Presidents, Prouosts, and Wardens of Cathedrall Churches and Colledges, with the Companies and Fellowships of the same, all Priests and Clerkes which haue receiued any of the Ecclesiastical Orders, all Archdeacons and Deanes, and other hauing Offices, Cures and Dignities Spirituall, may by authoritie of this Act, and not by the vertue of any forrein power or authoritie, administer, vse, and exercise all things pertaining to their Dignities, Offices, Orders, Cures, Religions and Fellowships, & may lawfully hereafter vse all tokens, ensignes, and ceremonies, which they haue beene accustomed to vse in times past (so it be not expressly against the lawes of God and this Realme) any thing or things contained in any Act or Acts, made sithen the beginning of this present Parliament to the contrarie of any the premisses in any wise notwithstanding. And where diuers and many of the kings said subiects haue purchased and obtained many Dispensations, Bulls, Brieues, and Faculties of the Bishop of Rome for the time being, or by authoritie of the Sea of Rome, as Pluralities, Unions, Trialities, Appropriations, Commendams, Exemptions, and other Bulls, Brieues, and Faculties, for diuers causes and matters, other then bee afore expressed, which be of no strength or vertue: It may therefore please the Kings Maiestie, that it may be enacted by authoritie aforesaid, That al and euerie his said subiects, during the time of one whole yeare, next after the feast of Saint Michael the Archangel next comming, may enioy, vse, and haue by authoritie of this present Act, and not by the vertue of the said Bulls, Brieues, and Faculties, all and euerie the effects contained and specified in such Buls, Brieues, and Faculties, in all such cases onely as may be dispensed with by the Archbishop of Canterburie, by authoritie of the Lawes and Statutes of this Realme. And that it may be further enacted by authoritie aforesaid, That all and euerie the Kings said subiects, bringing, rendring and deliuering to such persons of his Counsell, or of the Masters of his Chauncerie, as the Kings Highnesse shall name & appoint, any Buls, Brieues, or any other Faculties, concerning any the premisses, that then if it shall appeare to such persons as the Kings Highnesse shall so name and appoint, to receiue such Bulls, Faculties, and Brieues, after due examination thereof had, that the effects contained and specified in such Bulls, Faculties, and Brieues, or in any part therof, may be fully granted by the said Archbishop of Canterburie by authoritie of the Lawes and Statutes of this Realme: That then and in euerie such case the Kings said subiects, making humble suit to haue the effects contained in the said Bulls, Brieues, and Faculties, to be granted vnto them, shall haue, receiue and obtaine of the Chauncellor of England, or Keeper of the great Seale for the time being, by sufficient writing in due forme to be made, and to be sealed vnder the Kings great Seale, all and euerie such effects contained and specified in such Bulls, Brieues, and Faculties, as may bee lawfully graunted by the said Archbishop of Canterburie, by authoritie of the Lawes and Statutes of this Realme, paying onely for the sealing of euerie such writing xx. s. iiij. d. and ouer that for the reasonable costs for paines of the writing thereof iij. s. iiij. d. and not aboue, and for the paine taken for due examination of euerie such Bulls, Brieues, and Faculties, iij. s. iiij. d. and not aboue. And that this present Act shall bee sufficient and immediate warrant to the Chauncellor or Keeper of the great Seale, for the insealing and deliuerie of such licences, faculties, dispensations, and other writings which shall be made, graunted and sealed vnder the kings great Seale, by vertue and authoritie of this Act. And it is also enacted by authoritie aforesaid, That all and euerie such Licence, Dispensation, Facultie, Confirmation, or other writing to bee had, made or granted vnder the Kings great Seale out of the sayd Court of Chauncerie by authoritie of this Act, in forme as is aboue rehearsed, shall be good and effectuall to the said parties suing for the same, according to the tenor and effects thereof, and shall bee admitted, accepted and allowed in all Courts and places of this Realme, and in all other the Kings Dominions: any vsage, prescription, forreine lawes, customes or ordinances to the contrarie thereof notwithstanding. Anno 28. H. 8. cap. 16.

Distres-

Children legitimate

Archdi. thops Bishops

Religious Abbots

Masters of Colledges

Priests

Archdeacons Deanes

Ceremonies

Faculties

Rome Pluralities

Dispens. Archbishop of Cant.

Counsell

Masters of the Chancerie.

Seale

Chancellor

Sealing 20. s. iiij. d.

Writing 20. s. iij. d.

Warrant

Licence

Distresses.

Commotion

WHereas at the time of the commotion late stirred vp within this Realme and also sithence, many great men and diuers other haue disdained to be iusticed by the King and his Court, as they ought and were wont in the time of the Kings noble progenitors, and also in his time, but haue taken great reuengements and distresses of their neighbors and of others by themselues, vntill they had amends and fines at their owne pleasure: And further some of them will not be iusticed by the Kings ministers, nor will suffer them to make deliuery of such distresses, as they had taken of their owne authoritie: It is prouided, agreed, and granted, That all persons as well of high as of low estate, shal receiue Iustice in the Kings Court. And none from thenceforth shall take any such distresse of his own authority, without award of our Court, though he haue damage or iniurie, wherefore hee ought to haue amends of his neighbor either great or lesse. And vpon the foresaid Article it is prouided and granted, That if any from henceforth take such distresses of his owne authoritie, without award of our Court (as before is said) and be conuict thereof, he shalbe punished by redemption, and that according to the trespasse. And likewise if one neighbor take a distresse of another, without award of our Court, whereby hee hath damage, hee shalbe punished in the same wise, and that after the quantitie of the trespasse. And neuertheless sufficient and full amends shall bee made to them that haue sustained losse by such distresses. Marl. cap. 1. An. 52. H. 3.

Iustice

Court

2 Moreouer none (of what estate soeuer he be) shall distraine any to come to his Court, which is not of his fee, or vpon whom he hath no iurisdiction, by reason of his Hundred or Bailiwike, nor shall take no distresses without his fee or in place where he hath no Bailiwike nor Iurisdiction. And he that offendeth against this Statute, shall be punished in like manner (as before 1.) and that according to the quantitie of the trespas. Marl. ca. 2. An 52. H. 3.

Officers

3 If any of what estate soeuer he be, will not suffer such distresses as he hath taken, to be deliuered by the Kings Officers, after the law & custome of the Realme, or will not suffer Summons, Attachments, or Executions of Iudgements giuen in the Kings Court to be done, he shalbe punished in manner aforesaid (before 1.) as one that wil not obey the law. And if any, of what estate soeuer he be, distraine his tenant for seruices and customes being due vnto him, or for any other thing, wherefore the Lord of the Fee hath cause to distraine, and after it is found, that the same seruices are not due the Lord shal not therefore be punished by redemption, as in the cases aforesaid, if he doe suffer the distresses to be deliuered, according to the law and custome of the Realme, but shall be amerced, as hitherto hath beene vsed, and the tenant shall recouer his dammages against him. Marlbr. cap. 3. Anno 52. H. 3.

Amerce

Dammages

4 None from henceforth shall cause any distresse that he hath taken, to be driuen out of the Countie where it was taken, and if any neighbour doe so to his neighbour of his owne authoritie, and without iudgement, he shalbe punished by redemption (as aboue is said before 1.) as for a thing done against the peace. Neuertheless, if the Lord presume so to do against his tenant, he shalbe but grieuously punished by amerciament. Moreouer, the distresses shal be reasonable, and not too great. And he that taketh great and vnreasonable distresses, shall be grieuously amerced for the excesse of such distresses. Marl. cap. 4. An. 52. H. 3.

Out of the Countie

Lord

Punish

5 It shall be lawful to no man from henceforth for any manner of cause, to take distresses out of his fee, nor in the Kings highway, nor in the common street, but onely to the King or his Officers, hauing speciall authortie to doe the same. Marl. ca. 15. An. 52. H. 3.

Out of his fee

Highway

6 In right of that that diuers persons take, and cause to be taken the beasts of other, chasing them out of the Shire where the beasts were taken, It is prouided also, That if any from henceforth doe so, he shall make a grieuous fine, as is contained in the Statute of Marlbridge, made in the time of K. Henrie, father to the King that now is, (before 4.) And likewise it shall bee done to them which take beasts wrongfully, & distraine out of their fee, they shall be more grieuously punished if the manner of the trespas do so require. W. 1. ca. 16. An. 3. E. 1.

Out of the Shire

7 It is prouided, That if any from henceforth take the beasts of other, and cause them to be driuen into a Castle or Fortresse, & there within the close of such Castle or Fortresse doe withhold them against gage and pledges, whereupon the beasts bee solemnely demanded by the Sherife, or by some other Bailife of the kings, at the suit of the plaintife, and the same Sherife or Bailife taking with him the power of the Shire or Bailiwicke, doe assay to make pleuin of the beasts from him that tok them, or from his Lord, or from other being seruants of the Lord (whatsoeuer they be) that are found in the place whereunto the beasts were inchased: if any before him of the deliuerance of the beasts, or that no man be found for the Lord, or for him that toke them, for to answer and make the deliuerance after such time as the Lord or the taker shall be admonished to make deliuerance by the Sherife or Bailife, if he be in the countrey, or nere, or there where as he may be conueniently warned by the taker, or by any other of his to make deliuerance, if he were out of the countrey, when the taking was, and doe not then cause the beasts to be deliuered incontinent: then the king for the trespasse and despight, shall cause the sayd Castle or Fortresse to be beaten downe without recouerie. And all the dammages that the plaintife hath sustained in his beasts, or in his gainure, or any otherwise (after the first demaund made by the Sherife or Bailife for the beasts) shall bee restored to him double by the Lord, or by him that toke the beasts, if hee haue whereof, and if hee haue not whereof, hee shall haue it of the Lord, at what time, or in what manner the deliuerance bee made, after that the Sherife

Castle Fortresse

Demaund Sherife Bailife

Pleuin

Castle beaten downe

Sherife or Bailife ſhal come to make deliuerance. And it is to wit, That where the Sherife ought to returne the Kings Writ to the Bailife of the Lord, or of the Caſtle or Fortreſſe, or to any other, to whom the returne belongeth, if the Baylife of the Franchiſe will not make deliuerance, after that the Sherife hath made his returne vnto him, then ſhall the Sherife execute and doe his office without further delay, and vpon the forefayd paine, notwithſtanding any ſuch Libertie. And in the ſame manner ſhall deliuerance be made vpon Attachment of a plaint made without Writ, and vpon the ſame paine. And this is to bee vnderſtood euerie where, where the Kings Writ runneth. And if it bee in the Marches of Wales, or in any other place, where the Kings Writ doe not runne, the King which is chiefe and Soueraigne Lord ouer all, ſhall doe right there, vnto ſuch as will complaine. Weſt. 1. cap. 17. Anno 3. E. 1.

Libertie

Marches

8 Becauſe that Baylifes, vnto whom of Office it belongeth to make diſtreſſes, minding to burden their ſubiects that they may extort money from them, doe ſend vnknowne men to make the diſtreſſes, whom they will not permit to make diſtreſſe, being vnknowne vnto them: It is prouided, That no diſtreſſe ſhall bee taken but by Baylifes ſworne and knowne. And if they take diſtreſſes otherwiſe, and thereof bee conuict, if the parties greeued will purchaſe a Writ of Treſpaſſe, they ſhall bee reſtored to their dammages, and the other greeuouſly puniſhed towards the King. Weſtmonaſt. 2. cap. 36. Anno 13. E. 1.

Bailife ſworne

Conuict Writ

9 Alſo the Kings Officers, as Sherifes and other doe enter Spirituall fees to take diſtreſſes, and ſometimes they take the Parſons beaſts in the Kings highway, where they haue nothing but their glebe land. The anſwer. The Kings pleaſure is, That from henceforth ſuch diſtreſſes ſhall neither be taken in the Kings highway, nor in the fees wherewith Churches haue been indowed. Neuertheleſſe hee willeth diſtreſſes to bee taken in the poſſeſſions of the Church newly purchaſed by the Parſon. Articuli Cleri cap. 9. Anno 9. Edw. 2.

Officers Sherifes Spirituall fees

10 Foraſmuch as the Comminaltie of the Realme hath ſuſtained great loſſe and dammage by wrongfull taking of diſtreſſes, which haue been made by Sherifes, and by other the Kings Baylifes, for the Kings debt, or for any other cauſe: It is therefore prouided and ordained, That when a Sherife, or any other man doth take the beaſts of other, they to whom the beaſts doe belong, may giue them their feeding without diſturbance (ſo long as they be impounded) without giuing any thing for their keeping. And that the beaſts nor no other diſtreſſe taken for the Kings debt, nor for any other cauſe, be giuen ne ſold within fifténe dayes after the taking. And if any bring a tayle of a paiment made in the Exchequer, the diſtreſſes ſhall ceaſe. And if he bring the tayle of any Sherife or Baylife, of payment made to them of the thing demaunded, and will find pledges to appeare in the Exchequer, vpon the next accompt, to doe as right ſhall require, then the diſtreſſe ſhall ceaſe. And the Sherife or Baylife ſhall cauſe him to bee attached that ought to haue acquited him, that hee appeare vpon the ſame accompt to doe as right ſhall require, and there ſhall haue the names of the pledges. Yet it is prouided, That no man of Religion, nor other, ſhall be diſtrained by his beaſts that gaine his land, nor by his ſheepe for the Kings debt, nor of any other man, except they can find no other diſtreſſe, or cattels ſufficient, whereof they may leuie the debt, or that is ſufficient for the demaund: except impounding of beaſts, that a man findeth in his ground damunage feſant, after the vſe and cuſtome of the Realme: And that ſuch diſtreſſes be reaſonable, after the value of the debt or demaund, and after conuenient eſtimation, and not outragious. Howbeit the King willeth and commaundeth, That Sherifes, or their Baylifes, that haue receiued the Kings debt of the ſummons of the Exchequer, and haue not acquited the debtors thereof, at the next accompt ſhall be puniſhed after the Statutes made thereupon, (which ſee in Debt to the King 3.) And the King willeth, That all debts of ſummons of the Exchequer, that the Sherife or Baylife confeſſeth receit of, ſhall bee allowed forthwith, ſo that whether hee receiued all the debt or part, it ſhall neuer come more in demaund nor ſummons, after the Sherife hath confeſſed the receipt. Anno 21. Edw. 1.

Sherifes

Debt to the King

Impound

Tayle Exchequer

Sherife Bailife Quarties

Account

Attach

Religious Plough Beaſts Sheepe

Impound

Damage feſant

Puniſh

11 No diſtreſſe of cattell ſhall be driuen out of the Hundred, Rape, Wapentake, or Lath where ſuch diſtreſſes is or ſhall bee taken, except it bee to a Pound ouert within the ſayd Shire, not aboue three miles diſtant from the place where the ſayd diſtreſſe is taken. And that no cattell or other goods diſtrained or taken by way of diſtreſſe for any manner of cauſe at one time, ſhall bee impounded in ſeuerall places, whereby the owner or owners of ſuch diſtreſſe, ſhall be conſtrained to ſue ſeuerall Repleuies for the deliuerie of the ſayd diſtreſſe ſo taken at one time, vpon paine euerie perſon offending contrarie to this Act, ſhall forfeit to the partie grieued for euerie ſuch offence one hundred ſhillings, and treble dammages. And further bee it &c. That after the firſt day of Aprill, no perſon or perſons ſhal take for keeping in pound, impounding, or poundage of any manner of diſtreſſe, aboue the ſumme of foure pence for any whole diſtreſſe that ſhall be ſo impounded, and where leſſe hath beene vſed, there to take leſſe, vpon the paine of v. l. to be paid to the partie grieued, ouer and beſides ſuch money as he ſhall take aboue the ſumme of iiy. d. any vſage or preſcription to the contrarie in any wiſe notwithſtanding. And it is &c. That euerie Sherife of Shires, being no cities nor towns made Shires, ſhal at his firſt County day, or within two moneths, next after he hath receiued his patent of his Office of Sherifewike, depute, appoint, and proclaime in the Shire towne within his Bailiwike, foure deputies at the leaſt, dwelling not aboue xy. miles one diſtant from another, which ſaid deputies ſo appointed and proclaimed, ſhall haue autho-

Vntes Rape Wapentake

Foreſt

iii. Miles

Seuerall pounds

Replevin

Fol.

3. Dam.

Poundage

Paine

Sherife

County

Deputies

authoritie in the Sherifes name to make Replevies and deliuerance of such distresses, in such maner and forme, as the Sherife may or ought to doe, vpon paine that euerie Sherife for euerie moneth that he shall lacke such Deputie, or Deputies, shall forfeit for euerie such offence v.l. The one halfe of which forfeitures shalbe to the King &c. the other halfe to him that will sue &c. in which &c. An. 1. & 2. P. & M. cap. 12.

Douer.

THe Constable of the Castle of Douer, shal not from henceforth hold any forreine plee of the Countie, at the Castle gate, except it touch the keeping of the Castle. Nor the said Constable shall not distraine the inhabitants of the fiue Ports to plead any other where, nor otherwise then they ought, according to the forme of their Charters obtained of Kings, of their old franchises confirmed by the great Charter. Articuli super Chartas cap. 7. An. 28. E. 1.

2 An. 32. H. 8. cap. 48. It is enacted, That the tenants of the Castle of Douer, that hold by Castle ward, shall pay their rents at the Exchequer, yearely at the feast of Saint Simon and Jude, or within fifténe dayes after, and for default thereof to double the rent. And that they that hold to repaire houses within the Castle, shall performe the same. And if the lands come into the kings hands, the rent of Castlegard to be discharged. And the Constable of the Castle to haue yearely 100. l. paid at Canterburie, at the dore of the common Hall there. And the sayd Constable, the Warden of fiue Ports, to suruey and controll all the new Castles and forteresses in Kent and Sussex, and to reforme the faults there &c. An. 32. H. 8. cap. 48.

3 Wheras the Marchants of this Realme, and other passing through the narrow Seas, sustaine yerely great damages for want of conuenient harbor vpon the coast of the said narrow Seas, whereunto they may enter to auoid imminent danger of tempest, Pirats, or the comnon enemie in time of warre: Her Maiestie minding to prouide for their safetie, vnderstanding by the Lords of her Honorable Priuie Counsell and other, that Douer was the most conuenient place for harbour: and that skilfull men haue contriued a probable platte, and vndertaken the finishing and perfecting thereof, for a competent summe of money, in accomplishing whereof, as well her Maiestie of her Highnesse liberalitie, as the inhabitants of the said Towne of Douer to their abilitie, haue alreadie bestowed great summes of money, in and about the same: Now for the better furtherance & finishing thereof, Be it enacted &c. That for euerie Ship, Vessell, or Crayer, whereof any of her Maiesties subiects shall be owners or part owners, of the burthen of twentie Tuns or vpward, loading or discharging within this realme, & passing to & fro any forreine countrey, during the space of vij. yeares next comming, from xl. dayes after the end of this Session of Parliament, there shalbe paid for euery such voyage, by the Master or owner of such Ship, Vessel, or Crayer, the summe of ij. s. for euery Tun of the burthen of such Ship, Vessell, or Crayer (except vessels laden with seacole or grindstones) & for euery Chaldron of seacole or grindstone, j. s. ob. The same to be paid vnto such Customer or Customers, or Collector of customes or subsidies, with whom the entrie shall be made, or their Deputies, within this Realme, from whence such Ships shall come, or where such Ship or Ships, or any of them shall arriue, before they load or vnload such goods within the Realme, taking of the said Customer, Officer, or Deputie, a writing, testifying the receit therof to the said vse, for which writing he shall pay nothing. The said summes so to be collected, to be paid ouer by such Customer or Officer, to the receit of her Maiesties Exchquer, & to be from thence deliuered to the vse aforesaid, by warrant of the L. Treasorer, or Chancelor of the Exchequer, for the time being, without further warrant from her Maiestie. The account of the number of the said Tunnes to be made according to the entrie of such Ship, Vessell, or Crayer, in the Custome-house. And that no entrie of such vessell shalbe receiued or allowed in any office of her Maiesties customs or subsidies, without true information by the oath of such owner, Master, or Shipper, cõcerning the burthen of such Ship, Vessel, or Craier, nor without or before paimẽt of the sums aforesaid, by the Shipper, Master, or owner of such Ship, Vessel, or Crayer, of which paimẽt ẏ said Master, owner, or Shipper shal haue allowance of the Marchãts, according to the rate of the goods in such Ship, Vessel, or Craier, by way of Auerage. And ẏ euery customer or officer, in whose wilfull default the said summes shall not be truely collected and answered, as is before appointed, shal forfeit to the vse aforesaid, ten times as much as so shall not be collected to be answered by his wilfull default, to be recouered by the Maior & Jurates of the towne of Douer, to the said vse, against such Customer or officer, by action of debt in any court of Record: In which action no Essoine, Protection, or Wager of Law shalbe admitted or allowed. An 23. Eliz cap. 6.

Customer

Writting

Warrant

Entrie

Dath

Shipper

Auerage

Forf.

Customer

4 The said Statute (viz. 23. Eliz. ca. 6 before 3.) and all and euerie the branches, clauses, and articles therein contained, shall be reuiued, and haue continuance from forth dayes after the end of this Session of Parliament, vnto the end of seuen yeares then next and immediately following. And be it also enacted by the authoritie aforesaid, That euerie Customer and Officer, shall by vertue of this Statute, be in all things answerable and chargeable for the wilfull default or negligence of his Deputie, assignée, or substitute, as farre forth as by the said former Statute he was or ought to haue bene charged for his owne wilfull default, for, or touching any thing contained in the said former Statute. Anno 31. Eliz. cap. 13. And after Ann. 35. Eliz. cap. 7. this Act is continued to endure from the end of the said terme, limited in the said Act (before 4.) and yet continuing, vntill the end of the next Parliament then next ensuing: with this Prouiso following. And in Anno 39. Elizab. cap. 18. this Act was continued in force vntill the end of the next Parliament. And in Anno 43. Eliz. cap. 9. this Act with the pro-

vij. yeares

Customer chargeable

Default Deputie

uisions and alterations thereof made, by an Act made in Anno 35. Eliz. was continued to remaine in force vntill the end of the first Session of the next Parliament. Prouided alwayes and be it enacted by the authoritie of this present Parliament, That all Ships, Barkes, Vessels, or Crayers, whereof any of her Maiesties Subiects shall bee owners, or part owners, of the burthen of twentie Tunne or vpwards, loading or discharging within this Realme, and passing to and fro any forreine country, that are of any Port, Hauen, or Creeke in Seuerne, from the lands end in Cornewall to Bristow, and from thence to Gloucester, and from Milford hauen to Chester, Liuerpole, and all the Ports and Creekes to them, or either of them belonging in Saint Georges Channell, and from the said places backe againe, shall after the eighth day of May, which shall be in the yeare of our Lord God one thousand fiue hundreth Discharged ninetie and six, be discharged of the three pence vpon euerie Tunne, for the reparation of Douer hauen: The sayd Statutes made for the repairing of Douer hauen, or either of them, or any thing therin contained to the contrary notwithstanding. Except Except any of the said Ships, Barkes, Vessels, or Crayers, shall goe for Douer, or to the Eastward. And that as well the said Ships, Barkes, Vessels, and Crayers, that shall goe for Douer, or to the Eastward as also all the Ships, Barkes, Vessels, and Crayers, which shall trolle the narrow Seas, shall pay in manner and forme as hereafter is expressed, and no more: That is to say, if they goe outward with any manner of loading, not a quarter loaden, then to pay after the rate of a quarter loading, and so ratably vpwards, according to their loading, but homeward to pay according to the full rate of the entrie of their loading of euerie Ship, Barke, Vessell, or Crayer. An. 35. Eliz. cap. 7.

Repaire of Douer haue 5 Be it enacted &c. That from and after the end of this Session of Parliament during the space of seuen yeares next ensuing, and no longer, there shall bee paied by the Maister or owner of euerie Ship, Vessell, or Crayer, (other then the Ships, Lyme Regis Vessels, or Crayers of Lyme Regis in the Countie of Dorset) whereof any of his Maiesties subiects of England shall be owners, or part owners, of the burthen of twentie Tunnes, or vpward, for euerie voyage loading, or discharging within this Realme, to or from any forreine countrey beyond the Seas, and passing to or from London, or for, from, to, or by Douer, or comming into the harbor there, not hauing a Coquet, testifying his paiment before for that voyage, towards the repaire of Douer Pauen, the summe of three pence for euerie Tunne, of the burthen of euerie such Vessell, or Seacoales Crayer, except vessels loaden with seacoales, or Grindstones grindstones, and for euerie Chaldron of seacoales or grindstones, 1.s.ob. the same to be payed to the Customer or Collector of Customes or Subsidies, or their Deputies within this Realme, vnto whence such Ships, Vessels, or Crayers shall come, or where such such Ship, Vessell, or Crayer shall arriue before they load or vnload the goods therein: the account of the number of the said Tunnes to be made according to the entrie of goods, in euerie such Ship, Vessell, or Crayer, in the Customehouse, and no entrie thereof to be allowed in any Office of Customs or Subsidies, without true information before made, by oath of the Maister, owner, or Shipper, of such Ship, Vessell, or Crayer, concerning the burthen thereof, and payment by him made, of the summes aforesaid: Of which paiment, the Maister, owner, and Shipper, paying the same, shall haue allowance of the Marchants, according to the rate of the goods, in the same Ship, Vessell, or Crayer, by way of Auerage, and the Customer or Collector, or his Deputie receiuing the summes aforesaid, or any of them, shal disburse and pay the same from time to time to such person and persons as shall be alligned to receiue and expend them in and about the repaire of the said Hauen, by Warrant of the Lord Warden of the Cinque Ports, for the time being, and two other of the Commissioners at the least, alligned for seeing the reparations done of the said Hauen. And euerie Customer or Controller, and their Deputies, that shall make any Entries of Customes or Subsidies of any goods in the said Ships, Vessels, or Crayers, before such information, as aforesaid, concerning the burthen thereof to be made, or before payment made of the summes before limited, to be paid by this Act, or shall make any wilfull default in not collecting the said summes, or not paying the same ouer from time to time to such person or persons as shall be alligned to receiue the same or any part thereof by warrant of the said Lord Warden of the Cinque Ports for the time being, and two at the least of the said Commissioners, shall forfeit to the vse of the reparations of the sayd Hauen, 10.l. for euerie such default, to be recouered by Action of debt, in any Court of Record, by the Maior and Iurates of the Towne of Douer: In which suit, no Essoine, Protection, or Wager of Law shall be allowed. An. 1. Iac. cap. 31.

Custome-house

Oath

Auerage

L. Warden of the Cinque Ports

Customer Comptroller

Forf.

Dower.

FFrelt of widowes, which after the death of their husbands are expulsed out of their Dowers, & cannot haue their Dowries or Quarentine without plea: We will, That whosoeuer deforce them of their Dowers or quarentine, in the lands whereof their husbands died seised, and that the same widowes do after recouer by plea, they that be conuict of such wrongfull deforcement, shal yeeld damages to the same widowes: that is to say, the value of the whole Dower to them belonging, from the time of the death of their husbands, vnto the day that the said widowes by iudgement of our Court shall recouer seisin of their Dowers. And the deforcers neuertheless shall be amerced to the king. Merton ca. 1. An. 20. H. 3. See the like Statute in part, Women 1.

Widowes

Quarentine

Seisin

Conuict

Damages

Amerced

2 In a writ of Dower called (Vnde nihil habet) the writ shall not abate by the exception of the tenant, because she hath receiued her Dower of another man before her writ purchased: vnlesse he can shew, that she hath receiued part of her

Dower

Dower of himſelfe, and in the ſame towne, before the Writ purchaſed. Weſt. 1. cap. 48. Anno 13. Edw. 1.

Iuſtices Writ

3 In caſe where the huſband being impleaded for land, giueth plainely vp the land demanded vnto his aduerſarie, after the death of the huſband, the Iuſtices haue awarded to the wife her Dower, if ſhee demaund it by Writ. But in caſe where the huſband leeſeth by default the land in demand, and the wife after the death of her huſband demaundeth her Dower, it hath beene ſeene that ſome Iuſtices haue awarded vnto the woman her Dower, notwithſtanding the default which her huſband made, other Iuſticers being of the contrarie opinion, and iudging otherwiſe. To the intent that from henceforth ſuch ambiguitie ſhall be taken away and put in certaine: It is prouided, That in both caſes the woman demaunding her Dower, ſhall be heard. And if it be alledged againſt her, That her huſband loſt the land, whereof the Dower is demaunded, by iudgement, whereby ſhe ought not to haue Dower, and then it be demaunded by what iudgement, and it be found that it was by default, (whereunto the tenant muſt anſwer) then it behoueth him to anſwer further, and to ſhew that he had, and hath right in the foreſaid land, according to the forme of the Writ, that the tenant before purchaſed againſt the huſband. And if he can ſhew, that the huſband of ſuch wife had no right in the lands, nor none other but onely he, then hee ſhall goe quit, and the wife ſhall recouer no Dower: But if he cannot ſhew ſo much, the wife ſhall recouer her Dower. And ſo in theſe caſes, and in certaine other following: That is to ſay, when the wife being endowed leeſeth her Dower by default, and tenants in free mariage, by the Law of England, or for terme of life, or in fee tayle, diuers actions doe concurre: For when ſuch tenants are to demaund the land loſt by default, and it is come to that point, that they muſt be compelled to ſhew their right, foraſmuch as they cannot of right make anſwer without them, to whom the reuerſion belongeth: Therefore be it granted vnto them, that they may vouch to warrantie, according to the tenor of the Writ, as if they were tenants, if they haue any warrantie. And when the warranto' hath warranted, the plea ſhall proceed betweene him that is ſeiſed and the warranto', according to the tenor of the Writ that the tenant purchaſed before, and by which he recouered by default: And ſo from many actions at length they ſhall deſcend to one Iudgement, which is to this, That either the demandants ſhall recouer their demaund, or that the tenants ſhall goe quit. And if the Action of ſuch tenant, which is compelled to ſhew his right, was moued by a Writ of Right, though that the great Aſſiſe or battell cannot bee ioyned by words accuſtomed, yet it may be ioyned by words conuenient ynough: for whereas the tenant in that that he ſheweth his right which belongeth to him, by the Writ that he before purchaſed is in ſtead of a demaundant, the warranto' may well defend the right of the tenant, which is come in place of a demaundant, as before is ſayd, and may offer the ſeiſin of his anceſtor, and to defend it by the bodie of a freeman, or may put himſelfe vpon the great Aſſiſe, and pray that the inquirie may be made thereof, whether hee hath more right to the land being in demaund, or elſe the foreſayd ſuch a one: or the great Aſſiſe may bee ioyned otherwiſe, and ſo the warranto' may defend the right, and knowledge the ſeiſin of his auncеſtor, and put himſelfe vpon the great Aſſiſe &c. and pray inquirie to be made, whether hee hath more right in the foreſaid land, as in that whereof hee infeoffed ſuch a man, or that ſuch a one releaſed and quite claimed &c. or elſe the aforeſayd partie &c. And where ſometime it chaunceth that a woman which hath no right to demaund Dower of the land of an heire being within age, doth purchaſe a Writ of Dower againſt the Gardein, and the Gardein yeeldeth Dower to the woman by fauour, or maketh default, or by colluſion defendeth the plea ſo faintly, wherby the wife is awarded her Dower in preiudice of the heire: It is prouided, That the heire, when hee commeth to full age, ſhall haue ſuch action to demaund the ſeiſin of his auncеſtor againſt his wife, as hee ſhould haue againſt any other foreigner. Prouided alwayes, That the wife ſhall haue her exception ſaued againſt the demaundant, to ſhew that ſhee had right to her Dower, which if ſhee can ſhew, ſhee ſhall goe quit, and retaine her Dower, and the heire ſhall bee grieuouſly amerced, according to the diſcretion of the Iuſticers: And if not, the heire ſhall recouer his demaund. In like manner the wife ſhall bee aided, if the heire, or any other doe implead her for her Dower, if ſhee loſe her Dower by default: In which caſe the default ſhall not bee ſo preiudiciall to her, but that ſhee ſhall recouer her Dower, if ſhee haue right thereto, and ſhe ſhall haue this Writ. Præcipe A. quod iuſtè &c. reddat B. quæ fuit vxor F. tantam terram cum pertinentijs in C. quam clamat eſſe rationabilem dotem ſuam, vel de rationabili dote ſua, & quod prædictus A. ei deforceat &c. And to this Writ the tenant ſhall haue his exception, for to ſhew that ſhee had no right to bee endowed, which if hee can preſſe, hee ſhall goe quit, and if not, the wife ſhall recouer the land whereof ſhee was endowed before. And whereas before time, if a man had loſt his land by default, hee had none other recoueries then by a Writ of Right, which was not maintainable by any that could not ſpeake of meere right, as be tenants for terme of life, in free mariage, or in tayle, in which caſes a reuerſion is reſerued: It is prouided, That from henceforth their default ſhall ſhall not bee ſo preiudiciall, but that they may recouer their eſtate, if they haue right, by another Writ then by a Writ of Right. For land in free mariage loſt by default, ſuch a Writ ſhall be made. Præcipe A. quod iuſtè &c. reddat B. manerium de D. cum pertinentijs, quod clamat eſſe ius & maritagium ſuum, & quod prædictus A. ei deforceat. Likewiſe of land for terme of life loſt by default, this Writ ſhall be made. Præcipe A. quod iuſtè &c. reddat B. manerium de D. cum pertinen, qd' clam tenere ad terminum vitæ ſuæ, & quod p̄dict

Ancеſtor

Women

Gardein

Default Colluſion

Heire

Action

Seiſin

Exception

Amerce

Exception

Frankmariage Default

A.ci deforceat. Likewiſe, quod clamat tenere ſibi, & hæredibus de corpore ſuo legitimè procreatis, et quod prædictus A.ci deforceat. Weſt.1.ca.4. An. 13.Ed.1.

4 See Rape 2. how a wife ſhall loſe her Dower, for going a way with her adulterer. Adulterie

5 See Forfeiture 5. concerning Dower by the cuſtome of Kent.

6 Albeit any perſon or perſons, of what eſtate, condition, or degree he or they be, ſhall hereafter fortune to be attainted, conuicted, or outlawed, of any Treaſon, petie Treaſon, Miſpriſion of Treaſon, Murder, or Felonie whatſoeuer, yet that notwithſtanding, euerie woman that is, or ſhall fortune to bee wife of the perſon ſo attainted, conuicted, or outlawed, ſhall be endowable, and enabled to demaund, haue, and enioy her dower, in like maner and forme, as though her huſband had not been attainted, conuicted, or outlawed: any Statute, Law, vſage, or cuſtome, to the contrarie in any wiſe notwithſtanding: Sauing to all and euerie other perſon or perſons, bodies politick & corporat, their heires and ſucceſſors, and to euerie of them, other then to ſuch offendor and offendors, as ſhall be attainted, conuicted, or outlawed, all ſuch right, title, intereſt, entrie, leaſes, poſſeſſion, condition, profit, commoditie, and hereditaments, as they or any of them had, or ſhould, or of right ought to haue, before, or at the time of the ſayd attainder, conuiction, or outlagarie. Anno 1.E.6. cap. 12. See Treaſon 10. this laſt Act altered in part. Attaint Outlawed Treaſon Murder Felonie Leaſes

Draperie.

ALl Clothes in ſuch places where they ſhall be put to land, ſhall be meaſured by the kings Aulnagers, in the preſence of the Maiors and Bailifes, where there is a Maior, and where no Maior is, in preſence of the Bailifes of the ſame places: that is to ſay, the length of euerie cloth of Ray, by a line of ſeuen yards foure times meaſured by the liſt, and the breadth of euerie Ray cloth, ſix quarters of meaſure by the yard. And of coloured clothes the length ſhall bee meaſured by the backe, by a line of ſix yards and a halfe, foure times meaſured, and the breadth ſix quarters and an halfe meaſured by the yard, without marring the clothes. And that the Maior and Bailifes, where a Maior is, or the Bailifes where no Maior is, of the Townes or places where ſuch clothes ſhall come, ſhall be readie to make proofe what time they ſhall be required by the meter, without taking any thing of the Marchants. And clothes which be of the ſayd aſſiſe, ſhall bee marked by the Maior and Bailifes, where a Maior is, or by the Bailifes where there is no Maior, as well as by the Aulnager. And that all the clothes which ſhalbe found defectiue of the ſame aſſiſe, ſhall bee forfeit to the King, and prized at their true value in the preſence of the ſayd Mayor and Bailifes, and to remaine with the Aulnagers by Indenture betwixt them, to anſwer to the King of the ſayd clothes ſo forfeited. And that the Maior and Bailifes ſhall deliuer the Indentures made of ſuch clothes forfeit euerie yeare into the Exchequer, the morrow after the feaſt of Saint Michael, for to charge the ſayd Aulnager. And at the ſame time ſhall the Aulnager bee put to aunſwer at the Exchequer of the ſayd forfeitures. It is the Kings mind and his Counſels, That this Act ſhal extend to ſuch clothes as ſhall come into the land after the Feaſt of Saint Michael. And this Act ſhall be publiſhed and proclaimed throughout the Realme, ſo that no Marchant, priuie nor ſtranger, ſhall bee ſurpriſed by this Statute. An.2.Ed.3.cap.14. But ſee here after 3. Clothes Meaſure Aulnager Maiors Bailifes Length Breadth Marke Defective Fort. Indentures Exchequer Marchant

2 And that in the ſayd lands of England, Ireland, Wales, and Scotland, within the Kings power, a man may make the clothes as long and as ſhort as a man will. Anno 2. Ed. 3. cap. 14. But ſee this is altered by diuers Statutes after. Scotland Ireland Wales

3 Item it is accorded and eſtabliſhed, That no Marchant, forreine nor denizen, nor none other, after the ſayd Feaſt of Saint Michaell, ſhal bring, or cauſe to bee brought priuily nor openly, by himſelfe, nor by other, into the ſaid lands of England, Ireland, Wales, and Scotland, within the kings power, any clothes made in any other places, then in the ſame, vpon the forfeiture of the ſaid clothes, and further to bee puniſhed at the Kings will. Anno 11.E.3. cap.3. Marchant Denizen Clothes Fort.

4 All the Clothworkers of ſtrange lands, of whatſoeuer countrey they bee, which will come into England, Ireland, Wales, and Scotland, with in the Kings power, ſhall come ſafely and ſurely, and ſhall bee in the Kings protection and ſafeconduct, to dwell in the ſame lands, chuſing where they will. And to the intent the ſayd Clothworkers ſhall haue the greater will to come and dwell here, Our Soueraigne Lord the King will grant them Franchiſes, as many and ſuch as may ſuffice them. Anno 11.E.3.cap.5. Clothworkers Ireland Wales Scotland Gaſcoigne Franchiſes

5 It is accorded and aſſented in the Parliament, That all manner of clothes vendible, which ſhall be ſold for whole clothes in England, in whoſe hands, of the Marchants of the Realme of England, or other of the ſame Realme they be found, ſhall be meaſured by the Kings Aulnager, and his deputies, in all Cities, Borroughes, and other Townes within franchiſe or without, as well in the Citie of London, as elſewhere. And that all the clothes which ſhalbe found of leſſe meaſure by a yard, then of the aſſiſe contained in the Statute of Northhampton (before 1.) by which it is ordained, That the length of euerie cloth of Ray, ſhalbe meaſured by a line of vij. yards, foure times meaſured by the liſt, and the breadth of euery cloth of Ray vj. quarters of the meaſure by the yard. And of coloured clothes the length ſhalbe meaſured by the back, by a line of ſix yards and a halfe, foure times meaſured, & the breadth vj. quarters and a halfe meaſured by the yard, without defoiling the clothes, ſhalbe forfeited & arreſted to the king. And that the Aulnager deliuer the ſame to the K. wardrobe by Indenture, notwithſtanding any franchiſe, vſage, or priuiledge made to cities, borroughs, or to any perſon of the Realme of England to the contrarie. And the Cloths Marchant Aulnager Lawes Ray Fort. Marſhals Indentures

the kings Aulnageor shall bée ſworne to doe his Office well and lawfully. And in caſe hée thereof be found in default, and thereof bee attainted, before the keepers of the Faires, and Maiors and Bailifes of the places where the cloth ſhall bée bought, or before any other, whom our Soueraigne Lord the King ſhall thereto aſſigne, he ſhall haue imp*r*iſonment for one yere, and be ranſomed at the kings will, and put out of his Office for euer. And the Aulnageor ſhall anſwer as well for his Deputies as for himſelfe. And alſo it is accorded and eſtabliſhed, That euerie buyer of cloth, or other that will ſue, and affirme that the ſaid Aulnageor hath done any fraud or deceit in his Office, and the falſitie bée notorioully p*r*oued and knowne, at his ſuit, ſhall haue the one halfe. And that euerie buyer of ſuch cloth, after that he hath agréed of the p*r*ice with the ſeller, may freely meaſure the cloth at his will, to aſſay if it be of the aſſiſe or not, before he hath paied his money, although the Aulnageors ſeale be put to the ſame. And if the buyer find any default after the buying, he ſhall ſhew the ſame default to the Maiors and Bailifes of the place, or to the Kéepers of the Faire or Market, and if the default bée found notorioully before them, the cloth ſhall be forfeit to the King, and ſeiſed in the Kings hands, by the ſayd Maiors and Bailifes, or kéepers of the Faire or Market, and ſhall remaine in their cuſtodie. And the ſayd Maiors and Bailifes, or Kéepers, ſhall certifie the Chauncelor of the ſame forfeiture, at the ſuit of the buyer, or of other, which will ſue, without any thing taking of him. And the Chauncelor vpon this certification, ſhall ſend a Writ to the ſayd Maiors and Bailifes, or Kéepers, to deliuer to him, which ſo hath ſued, the one halfe of the forfeiture, and to ſaue the other halfe to the Kings vſe. And if the Mayor, Baylifes, or Kéepers, refuſe to doe execution of this accord, in the manner aforeſaid, they ſhall bée puniſhed by fine and ranſome, when they ſhall bée thereof attainted as well at the Kings ſuit as the parties. And that this Article begin to hold place the firſt day of September next comming, ſo that the Marchants and other which haue clothes to ſell, may freely deliuer them of the clothes that they haue in their hands in the ſame time. Anno 25. Ed. 3. cap. 1. Stat. 4. But this is now repealed.

6 There ſhall be no clothes forfeit, although they bée not of the ſame aſſiſe, but the Kings Aulnageor ſhall meaſure the cloth, and marke the ſame, by which marke a man may know how much the cloth containeth. And of as much as the cloth which is bought for cloth of aſſiſe, ſhall bée found to bée leſſe then the aſſiſe, allowance or abatement ſhall bée made to the buyer in the payment, which he ſhall make for the ſame cloth, after the quantitie of the p*r*ice for which the cloth was bought: and the Aulnageor ſhall take for euerie cloth ſo meaſured, which is of aſſiſe, that is to ſay, of the ſeller an halfepenie, and of halfe a cloth a farthing, for his Office, and no more, nor they ſhall take nothing of the clothes which bée leſſe then of the halfe cloth: And therefore the ſayd Lords and Commons haue graunted to the King a Subſidie of euerie cloth, which is to bée ſold, to take of the ſeller ouer the cuſtomes thereof due: that is to ſay, of euerie cloth of the ſaid aſſiſe, wherein there is no graine foure pence, and of euery halfe ſuch cloth two pence, and of euerie cloth of aſſiſe of Scarlet ſix pence, and of euerie halfe ſuch cloth three pence, and of euerie cloth of halfe graine of aſſiſe fiue pence, and of euerie halfe ſuch cloth two pence halfepenie. And of euerie cloth paſſing the halfe cloth of aſſiſe by ij. yards and more, which is no cloth whole of aſſiſe, and alſo of euerie cloth paſſing the whole cloth by three yards and more, it ſhall bée taken after the rate of the Subſidie, which is to bée payed for the whole cloth of the ſame ſort: So alwayes, that of no cloth, which containeth not halfe a cloth: Nor of clothes, which a man maketh to his owne vſe to cloth him and his menie: Nor of cloth ſealed with the Seale of the Collector of the ſaid Subſidie, of which the ſame Subſidie was once payed by the ſeller, to whoſe hands that ſuch clothes ſhall come afterward to ſell, or in other manner, nothing of the ſayd Subſidie ſhall bée payed nor demaunded. And that ſuch manner of clothes which bée put to ſale before that they be ſealed with the ſaid Seale, ſhall be forfeit to the King, and taken into his hand by the ſayd Collector or Aulnageor, or by the Deputie of one of them, or elſe by the Baylifes of the Towne where ſuch cloth vendible not ſealed ſhall bee found. Anno 27. Ed. 3. cap. 14. Stat. 1.

Subſidie

iiij. s. a cloth

ij. s halfe a cloth Scarlet

vj. d. Demie iij. s. Grained

v. s. Demie ij. s. od.

Euer rate

Vnder half a cloth Dwelled

Once payed

Seale

Forf.

7 That all the makers of clothes within the Realme, as well men as women, ſhall conforme them to make their clothes according to the p*r*ice limited by this ordinance. And that all Drapers ſhall buy and purſue their ſorts according to the ſame p*r*ice: So that ſo great plentie of ſuch clothes be made and ſet to ſale in euerie Citie, Borough, and Marchant Towne, and elſewhere within the Realme, that for default of ſuch clothes the ſayd ordinance bee in no point broken. And to that ſhall the ſayd Clothmakers and Drapers bee conſtrayned by any manner way that beſt ſhall ſeeme to the King and his Counſell. Anno 37. Edw. 3. capit. 15. See the prices in the Statute at large. But they bee not now in force.

Clothiers

Price

Drapers

8 The clothes of Kay to be made in England, ſhall haue the length of eight and twentie yards meaſured by the liſt, and the breadth of ſix quarters. And the cloth of colour, of the length of ſix and twentie yards meaſured by the backe, and the breadth of ſix quarters at the leaſt, and that the halfe cloth, be it of colour, or of Kay, ſhall hold the length and breath aforeſayd, after the rate. And if any cloth be put to ſale after the gule of Auguſt, that is not of the ſayd aſſiſe, it ſhall be forfeited to the King, in whoſe hands ſoeuer it bee found: Sauing the clothes which people make for their owne vſe, or for their menie, or to ſell to poore people, which ſhall not be forfeit, although they be not of ſuch meaſure. An. 47. Ed. 3. cap. 1. But this is repealed.

Kay

Content

Forf.

Carrie out

9 No woollen clothes shall bee carried into any part out of our Realme of England, before they bee fulled. Nor that any Subsidie be thereof demaunded nor payed before that they bee fulled. An. 50. E. 3. cap. 7.

Fulled Subsidie

Subsidie Aulnage Frise

10 No Subsidie nor Aulnage shal be payed, leuied, nor demaunded of cloth called Frise ware, which be made in Ireland, or otherwise in England of Irish woll, brought within the Realme of England, because those clothes doe not contain the length and breadth ordained by the Statute, and for so much they ought not to be comprised in the Estatutes late made of Ray clothes, and coloured clothes. An. 50. E. 3. ca. 8.

Irish woll

11 The Statutes made of the said clothes before this time, and not repealed, shall be kept and duely put in execution. And moreouer it is assented, That if any the said Aulnagers, or Collectors of the Subsidie of the said clothes, doe from henceforth set his seale to any such cloth so sowed in deceit, the same cloth shall bee forfeit to the king, in whose hands soeuer it be found. And the Aulnager or Collector thereof found guiltie, shall forfeit his office. And if he haue put the same seale to any other cloth vendible, that is not of the said assise, the same Aulnager or Collector shal forfeit to the king the value of the same cloth so sealed in deceit of the people, together with his said office. And neuertheless, for the said falsitie, he shall haue one yeres imprisonment, and thereof be ransomed at the Kings will. An. 3. R. 2. ca. 2. Stat. 1. Most of this is not in force now.

Aulnagers Collectors

Seale

Fork.

Fork Office

Fork.

Imprisonment. Ransome

12 Upon mischiefe which daily happeneth vpon the falsitie and deceit which is found in clothes vendible, as well coloured, as Ray clothes, against the assise thereof ordained before this time: It is ordained and assented, That all the Statutes thereof made in times past, with the Statutes made of Aulnagers and Collectors of the Subsidie of the said clothes, be holden, kept, and put in due and good execution: Joyning to the same, That hee which from henceforth shal espie and proue default in any such cloth set to sale, against the assise thereof ordained of the said clothes, and against the form of the said Statutes, shall haue the third part of euerie such cloth defectiue, for his labour, by the deliuerie of the Sherifes, if they be present, or of the Lords of the Faires and Markets, and other places, where such clothes shall be found defectiue, or of their Stewards or Bailifes, or of the Constable of the Townes and places aforesaid, by Indenture betwixt them duely to bee made: which Indenture shall be euerie yeare from the Feast of S. Michael, deliuered to the Exchequer, by them which so shall make the said deliuerie, to the effect there to charge the Aulnagers and Collectors aforesayd, by whom such defaults ought to haue been searched, corrected, and amended, and bee not, but commonly maintained and concealed in all partes: For which third part that pertaineth to the King as his forfeiture, by force of the Statutes made in times past, the Aulnagers and Collectors aforesaid in euerie Countie and place, where such clothes defectiue shall bee found, for the paine against the said offences, and concealement, shall make gree of their owne money to our Soueraigne Lord the King in his Exchequer, of the value of the said third part: So that as well of the same third part, as of the remnant of the said cloth, the King shall bee wholly answered at the said Exchequer. Anno 7. R. 2. cap. 9. But this concerning the assise is now of no force.

Default

iij. part

Sherifes

L. of Faires & Markets

Stewards Baylifes Constables

Indenture

Exchequer

Aulnagers

13 Coloured clothes to bee made and wrought at Brikelw, and in the counties thereabout, shall bee of the measure, another time ordained by a Statute made at Westminster the seuen and fortieth yeare of King Edward, grandfather to our Soueraigne Lord the King that now is: (before 8.) that is to say, The clothes of Ray of the length of eight and twentie yards measured by the list, and fiue quarters of breadth, that the coloured cloth be of six and twentie yards of length measured by the backe, and six quarters of breadth at the least, and that the halfe cloth be it of Ray and colour, vpon the paine contained in the same Statute. Anno 12. R. 2. cap. 14. But this is altered after.

Dyers

Content

14 From henceforth it shall be lawfull to euerie man to make such manner of clothes (See Coggeware and Kendal) of the length and breadth as it hath beene vsed before this time, notwithstanding any Statute to the contrarie. Prouided alwayes, That the makers and workers of such clothes shall not make them of no better woll then they were wont to doe. And also it is assented, That all such clothes as be arrested by force or colour of the said Statutes, or any of them, shall be disarrested and redelinered. Anno 13. R. 2. cap. 10. But see of this after.

Coggeware Kendal

15 No plaine cloth tacked nor folded shall be set to sale within the said counties, Somerset, Dorchester, Bristow, and Gloucester, but that they bee opened, vpon paine to forfeit them, so that the buyers may see them, and know them, as it is vsed in the Countie of Esser, and that the Workers, Weauers, and Fullers, shall put to their seales to euerie cloth that they shall worke, vpon a certaine paine to be limited by the Justices of the peace. And that this ordinance begin to hold place at the Feast of S. John Baptist next following. Prouided alwayes, That after that the Marchãts haue bought the same clothes for to carrie them out of the realm, they may take them and fold them at their pleasure for the more easier carriage of them. An. 13. R. 2. ca. 11. But see of this after.

Plain cl.

Fol.

Weauers Fullers Seale

Iustices

Marchãts

16 No Fuller nor other person whatsoeuer he bee, shall buy within the said townes and counties (s. Somerset, Sussex, and Southampton) any cloth, before the same cloth be fulled and fully performed in his nature, and also sealed vnder the seale there to ordained, vpon paine of forfeiture of the same. An. 15. R. 2. cap. 10.

Fulles

Buy

Seale

17 Euerie man of the Realme may make and put to sale and sell clothes, as well Kerseyes as other of such length and breadth as him please, paying the Aulnage, Subsidie, and other dueties: that is to say, of euerie peece of cloth after that rate, not-

Kerseys

Duties

notwithstanding any Statute, Ordinance, Proclamation, restraint or defence made to the contrarie. And that none shall sell nor put to sale any clothes, before that they be measured by the Kings Aulnagers, and sealed with the seale to that ordained, upon the paines contained in the Statutes thereof made, and that no man shall put, meddle, cause, nor make other deceit in the clothes of Kersies, upon paine of forfeiture of the same. Anno 17. Rich. 2. cap. 2. But this is altered againe afterward.

18 The said aulnage (s. of clothes throughout the Realme) may be set to farme by improvement after the advice of the Treasurer of England for the time being, & of the Barons of the Exchequer, notwithstanding the said Statute (s. 17. Rich. 2. cap. 5. after in Officers 3.) made to the contrarie. Anñ 4. H. 4. cap. 24.

19 The Marchants of London from henceforth shalbe as free to packe their clothes, and quit for the same packing, as the other Marchants, or other Strangers within the same Citie, or within other Cities and Boroughes in the Realme, and if any Letters Patents be made to the contrarie, they shalbe utterly repealed, annulled, and holden of no force nor vertue. Anñ 1. H. 4. cap. 16.

20 Anñ 1. H 4. cap. 19. it was enacted to endure for three yeares, that certaine clothes should not be sealed, nor no Subsidie payed for them.

21 One sufficient man shall be assigned by the same our Soueraigne Lord the King, to seale the said Clothes, which shall be brought, wouen, and fulled in the said Citie (s. of London) and the suburbes of the same, with a Seale of Lead, as in old time was vsed in the same Citie and suburbes, that no such cloth so wrought, wouen, and fulled within the same Citie and suburbes, be in any wise sold or bargained, or set to sale, vnlesse it be sealed with a Seale of Lead, as before is said. And the same our Soueraigne Lord the King shal haue the forfeiture of the clothes sold contrarie to this Statute, if any be. Anñ 4. H. 4. cap. 6.

22 The whole coloured cloth shall containe in length xxviij. yards, and the cloth of Ray as much, measured without defoyling the clothes, & in breadth as before is ordained by the Statute. And if the Clothmakers from henceforth make their clothes of lesse length or breadth, that then the same makers shall forfeit the clothes, which by the Aulnagers shall be found of lesse length or breadth: And the Aulnagers take the same and deliuer them to the Wardrobe, to the vse of our Soueraigne Lord the King. Anñ 7. H. 4. cap. 10.

23 No cloth called Kendal, whereof the Dozen palleth not vj. s. viij. d. shal not be sealed with none of the Kings seales, nor aulnage great nor little be payed for the same. And that the owners of such clothes may freely sell the same clothes not sealed, without forfeiting any thing to the King for the same, notwithstanding any Statute or Ordinance made to the contrarie. Anñ 9. H. 4. cap. 2.

24 The makers of the said clothes of Ray, and the sellers of the same, shalbe as free in the making and selling of the same, as they were before the said Parliament holden at Westminster (Anñ 7. H. 4. cap. 10. before 22.) And that the sayd Statute made in the said Parliament touching this matter, be wholly annulled, repealed, and of no force nor value. Anñ 9. H. 4. cap. 6.

25 A new Seale hauing a Signe and a marke differing from the old seale of the said office of Aulnagers, shalbe made & deliuered to the Aulnagers, and that after the same so newly made, to be deliuered to the said Aulnagers, Proclamation shall be made openly in the West parts, and other places through y said Realme, that no person making such manner of Clothes and Dozens in the same West parts, nor elsewhere within y Realme of England, be so hardie to tack and plite together such manner clothes, before that the Aulnager hath duely made his search and surueying of the same clothes, that they hold their length and breadth, ordained in the Statute, upon paine of forfeiture of the same, and that the said Aulnagers after that shall set the new seale of his office to the said Clothes and Dozens: Sauing alwaies, that the Clothes & Dozens of the colour of the Ray, which be insealed with the sayd old seale, after the Proclamation made, may haue their course to be sold, without any impediment, impeachment or restraint vpon them to be made by the said Aulnagers, or any other officers, betwixt the day of the said Proclamation, and the Feast of Saint Peter ad vincula next comming. And in case that any Aulnager in doing his said office doe contrarie to this Statute, & thereof be duly attainted, that he at the first time that he shalbe so attainted, shall lose x. l. and at the second time xx. l. to be leuied and payed to the vse of our said Soueraigne Lord the King, of all his lands & tenements, goods and cattels, in whose hands soeuer they be, & at the third time his bodie arrested, and all his goods and cattels at the Kings will. And moreouer, the same our Soueraigne Lord the King will, that euerie person that will sue for the King, or for himselfe, shall haue the suit to attaint such Aulnagers, so doing against this Statute. And the same partie pursuing shal haue for his labour the fourth part of the paine of x. l. or xx. l. aforesaid, according as the case shall happen: Sauing to the Lords and other their Franchise, if they haue any in this case. Anno 11. H. 4. cap. 6.

26 The said Statutes Anñ 7. H. 4. cap. 10. & 11. H. 4. cap. 6. (before 22 and 25) be firmely holden and kept, and put in due execution. Anno 13. H. 4. cap. 4.

27 This word (Cloth) in the said Statutes before rehearsed, shall haue relation and shalbe vnderstand of whole cloth called Broad clothes & Broad Dozens, and not of other clothes, and pieces of clothes called Streits now made or to be made. And moreouer hath ordained and established, that euery man may make, set to sale, & sell all manor of clothes called Streits, containing in length xiiij. yards, and in the breadth j. yard vnwatered, or else xij. yards watered without impeachment of any officer of our Soueraign Lord the King, paying to the King the aulnage, subsidie, customes, & other dueties, that is to say, of euery cloth & of euery piece of cloth after the

Seale
Aulnagers
Proclamation
West part
Search
Fort.
Dozens
Officer
Fort.
Arrest
iij. part
Cloth
Broad clothes
Broad dozens
Streits
Content
Aulnage
Custome

the rate contained in the said Statutes. And if the makers of the said clothes called Streits, make any clothes to sell of lesse length & breadth then nert aboue is declared, that then it shall be lawfull to the Cut Aulnageor to cut off the Liſt at the one end of all such streit clothes, not containing the said length, and the same to be sold for a remnant or a piece, and not for a cloth. And that no such clothes be put to sale till the Aulnageor hath measured them, & made his search, & put to them the Kings seale thereto ordained, vpon paine of forfeiture of the same. And if any Aulnageor enseale any such clothes called Streits, not containing the length & breadth of the Streits abouesaid, & cut not off the Liſt of all such clothes that doe not hold the same length & breadth of the Streits, that then the said Aulnageor shall pay to the King for euery piece of cloth so found defective vj.s.viij.d. Aũ 11.H.6. cap.9.

Seale Forf.

Forf.

28 Aũ 18.H.6. cap.16. An Act was made to endure to the nert Parliamẽt, concerning the measuring of cloth.

29 Euerie whole woollen cloth called Broad cloth, which shalbe made & set to sale after the Feast of S. Peter called ad vincula, which shall be in the yeare of our Lord 1465. after the full watering & racking, straining or tentering of the same readie to sale, shall hold & containe in length xxiiij. yards, and to euery yard an ynch, containing the breadth of a mans ynch, to be measured by the creſt of ỳ same cloth, and in breadth ij. yards or vij. quarters at the leaſt within the Liſts, and if the cloth be longer in measure then xxiiij. yards and the ynches, then the buyer thereof shall pay to the seller for as much as doth exceede such measure of xxiiij. yards, after the rate of the measure aboue ordained. And it is ordained & eſtablished by authoritie of the said Lords, that all manner clothes called Streits to be made & put to sale after the same Feaſt, after the full watering & racking, straining or tentering thereof readie to sale, shall hold & containe in length xij. yards, and their ynches, after the measure aforesaid, and in breadth one yard within the Liſts. And it is ordained & eſtablished by authoritie aforesaid, that euerie cloth called Kersey, to be made & put to sale after the said Feaſt, after the full watering & racking, straining or tentering of the same readie to sale, shall hold & containe in length xviij. yards and their ynches, as is aforesaid, & in breadth one yard & a naile, or at the leaſt one yard within the Liſt. And also it is ordained & eſtablished, that euery halfe cloth of euerie of the said whole Clothes, Streits, and Kerseyes, shall kẽpe his measure in length & breadth, after the rate, forme, & nature of his whole cloth aforesaid. And no person which shall make or cause to be made any manner woollen cloth to sell after ỳ said Feaſt, shall meddle or put in or vpon the same cloth, nor the woll whereof the said cloth shall be made, any Lambs woll, Flockes, or Corke in any manner, vpon paine to forfeit xx.s. for euerie cloth or halfe cloth, wherein or whereupon any such Lambs woll, Flocks, or Corke shal be put or medled: The one halfe thereof to be to the King, & the other halfe to him that shall seise the same cloth, and duely proue the same to be made contrarie to this Ordinance: except that he shall chuse to make of Lambes woll by himſelfe without mingling with any other woll: except also that Corke may be vsed in dying vpon woaded woll, & also in dying of all such cloth that is onely made of woaded woll, so that the same wol & cloth be perfectly boiled & maddered: Except also that Corke may be put vpon cloth which is perfectly boiled & maddered. Also it is ordained & enacted, that euery of the said clothes and demy clothes shall perfectly & rightfully pursue and follow one order of workmanship, from one end to the other, without difference in ỳ weaving, fulling, knotting, or burling. And in case any such difference or raw or skaw cocle or sagge happen to be in any part of the said Clothes, Streits, or Kerseyes, that then a Seale of Lead therefore ordained, and by the Treaſorer of England for ỳ time being prouided, shalbe set & hanged in ỳ lowest part of the edge of ỳ same Cloth, Streit, or Kersey, for perfect knowledge to be had to the buyer thereof. And that euery of the said Clothes, Streit, and Kersey, of the length & breadth aforesaid, & also of the said perfection, shall be from the Feaſt of S. Peter ad vincula, sealed at the end of the same with a double print in Lead, deuised & ordained by the said Treaſurer, in record and witnesse of the aforesaid true length, breadth & making. And if any of ỳ aforesaid Clothes, Streits & Kerseyes doe not containe the aforesaid length & breadth, or be not of ỳ perfect workmanship aforesaid, & the ij. parts of ỳ same Clothes, Streits, or Kerseyes be of the true & perfect workmanship aforesaid kẽping their said length and breadth, that then euery such Cloth, Streit & Kersey shall be sealed with the said seales in the forme aforesaid. And that euery halfe cloth containing greater length then the halfe cloth, & lesse length then the whole cloth, of the sorts of the clothes aforesaid, being of the said perfect workmanship & breadth, shalbe sealed with a seale printed in Lead, hauing a marke differing frõ both the seales aforesaid, in record & witnesse of the true length, breadth, and making of the halfe cloth. And if any woollen cloth of any sorts of the clothes before recited perfectly made, & hauing breadth after their sort before limited, containing iij. yards & demy, or more, lesse then the halfe cloth, be put to sale after the said Feaſt, the same cloth shall be sealed with a seale printed in Lead, hauing a marke differing from any of the said seales, for a knowledge to be had of that default of the halfe cloth, ỳ said seales to be deuised & ordained by the said Treaſorer, and to be put at the end of euery of the halfe clothes and clothes lesse then halfe clothes. Also by the aduice, assent & authority aforesaid, it is ordained and eſtablished, that the Treaſorer of England for the time being, shall haue power & authoritie to make such & as many kẽpers of the said seales as he shall think necessarie, so that no stranger borne be made any of the said kẽpers. And that euery of the said kẽpers so to be made, shall accompt yearely of the reuenues of their said offices in the said Exchequer, before the Treaſorer of England, and the Barons there for the time being, duly shewing in ỳ same accompts the number of the Clothes, halfe Clothes, Streits & Kerseyes, sealed by them, with the names

Content

Heare is allowed 2 yard or 7 quarter at the leaſt

Pay for the ouerplus

Streits

Kersey

Halfe cloth

Lambes woll Flockes Corke Forf.

Mottle

Dying with woaded woll Mottle

Imperfections

Seale

Treaſor

Seale

Treaſor

Kepers

Accompt

Exchequer

of

of the owners of the same. Euerie of the same keepers to be rewarded yearely at his said accompt for his labor & diligence in this behalfe, at the receit of the said Exchequer, by the discretion of the said Treasorer and Barons, without payment of any thing in the said Exchequer, in, or for the making of his said accompt. And in case any of the said keepers doe seale any of the aforesaid clothes with any other seale, or any of the same clothes, otherwise made then after the manner and ordinance aboue specified, and that by sufficient proofe & examinatiō shewed and approued before the said Treasorer and Barons, by the deposition, testimonie, and record of such sufficient persons, of good and due reputation, which haue had prompt experience in weauing, fulling, & making of clothes, or if ỳ same keper do refuse to seale any of ỳ said clothes, made according to the same manner and ordinance, or if any such keeper or Aulnageor do take after the said Feast for the King, of any person for the sealing or measuring of any manner cloth, any other summe of money then is contained in the Statutes & Ordinances made before this time, and not repealed: or if any such keeper or Aulnageor, after the said Feast, doe refuse to shew his Commission of his office to any person desiring the same, vpon the sealing or measuring of any such clothes before rehearsed, and that examined & duly proued, that then he, as often as he shall offend in any of the premisses, shall forfeit the summe of xx. s. The one halfe thereof to the King, & the other halfe to the partie proning the said offences, by suit to be made before the said Treasorer & Barons, by bill of Debt in the same Exchequer: In which Bill like iudgement & execution shalbe had, as is accustomably had & vsed against other accomptants in the same Exchequer: and that these Statutes & Ordinances, and other Statutes & Ordinances made before this time, and not repealed, concerning any of the premisses, shal be contained & specified in euery Commission to be made to euery such keeper or Aulnageor after the said Feast. Also, whereas before this time in the occupations of Clothmaking, the laborers thereof haue beene driuen to take a great part of their wages in pinnes, girdles, and other vnprofitable marchandises of vnreasonable prices, and also haue deliuered to them wols to be wrought by verie excessiue weight, whereby both men & women haue bin discouraged of such labor, therefore it is ordained, That euery man and woman being Clothmakers, from the Feast of S. Peter, shall pay to the Carders, Spinsters, & all such other Laborers, lawfull money for all their lawfull wages and payment of the same, and also to deliuer wols to bee wrought according to the faithfull deliuerie and due weight, vpon paine of forfeiture to the same laborer the treble of his said wages so not payd, as often as ỳ said Clothmaker doth refuse to pay the same, in the said manner and forme to any such laborer put by him to the occupation, in any of the said members of Clothmaking, & also to forfeit to the same laborer for euerie deliuerie of excessiue & vnlawfull weight to him deliuered to be wrought, vj. d. for euerie default. And it is ordained & established by the authoritie aforesaid, that euery Carder, Spinster, Weauer, Fuller, Shereman & Dyer shall duly do his labour in his occupation, vpon paine to yeld to the partie grieued in this behalfe his double damages. And that euery Fuller from the said Feast of S. Peter, in his craft & occupation of fulling, rowing, or taseling of cloth, shal exercise Tasels & no Cards, deceitfully impairing the same cloth, vpon paine to yeld to the party grieued his double damages. And that euery Justice of Peace for the time being of euery Countie of this Realme, throughout the same Countie, out of Cities, Borroughes, and Townes, where any Mayor, Maister, Warden, Baylife, or Baylifes is or be, and euery Mayor where there is no Maister, & euery Maister where there is no Mayor, & euery Baylife or Baylifes where there is no Mayor nor Maister, and euery Portreue, where no Mayor, Maister, Bailife or Bailifes is or be, of euery Citie, Borough and Towne within euery such Countie aforesaid, & euery Constable of Hundred where any Constable of Hundred is, out of euerie Citie, Borough & Towne where any Mayor, Maister, Bailife or Bailifes or Portreues is or be. And that euery Steward keping or holding Wapentake or Leet of any person out of Citie or Borough or Towne, where no Mayor, Maister, Bailife or Bailifes or Portreues is or be, shall haue power & authoritie by this ordinance to heare and determin the complaints of euery such Clothmaker & Laborer, as well for nonpayment of the said Laborers wages, as of the said forfeiture & damages, by due examination of the parties in this behalfe, thereupon for nonpayment of the said duties & forfeiture, and for the said damages, to commit the said offendors in this behalfe to the next Goale within the same Countie, there to remaine till the said duties, forfeitures & damages be duly payd to the said Laborer or Clothmaker. And also that euery of ỳ said Justices of Peace, Mayor, Maister, Warden, Bailife or Bailifes, Portreue & Steward of Wapentake & Leet, vpon the information or complaint of any other person which is not grieued in this behalfe, shall haue power by the said authoritie within his iurisdiction, to cause the partie to come before him, against whom such information or complaint shalbe made, for offending this ordinance, & to examine them in & vpon the matter contained in the same information or complaint. And if the partie by examination or other due proofe, be found guilty or defective, that then the same partie, as often and for euerie time that he is so found guilty or defective, shall forfeit to the King, or to such person or persons, which is or be intituled to haue fines or amerciaments for offences done within their iurisdiction, iij. s. iiij. d. And that euery of the said Justices of Peace, & other Officers aforesaid, within his iurisdiction, vpō euery of the said informations & complaint, shal haue full power to make like Proces against the partie, vpon whō any such information or complaint, as before is rehearsed, shalbe made, to cause him personally to appeare before him, thereupon to be examined, as Justices of Peace haue vpon information or complaint made to them for suretie of Peace, without any fee or reward

Weauer
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Dyer
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Tasels
Cards
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Maiors
Bailifes
Maister
Portreue
Constable
Steward
Dyer & ter.
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Just. of P.
Guiltie
Forf.
Just of P.
Officers
Proces
Informatiō
No fee

ward to be take or had by any of the said Justices, or any other officer in this partie, for the execution of their offices in this behalfe. Also it is ordained & established, that all manner of Woollen clothes made in any other region, brought into this realme of England, and set to sale within any place of this realme of England, after the said feast of S. Peter, shalbe forfeit to our Soueraigne Lord the King, except clothes made in Wales & Ireland, and clothes taken by any of the K. liege people vpon the sea, without fraud or collusion. And by the authoritie aforesaid, it is ordained & established, that any other Act or Ordinance made in this present Parliament concerning Clothmaking, or any of the premisses, contrarie or not according to this Act, shall be void and of none effect. Añ 4. Ed. 4. cap. 1.

Woollen clothes brought into England

Forf.

Wales Ireland.

Void

30 All the said inhabitants and residents in any place within the said three Hundreds (s. Lestome, Tauestoke and Rowburgh within the Countie of Deuon) may make & cause to be made all maner of Woollen cloth of the said woll, & to the same lawfully put & do to be put such quantitie of Flocks as shalbe needfull & profitable to the maker & owner of the same cloth. And that all the clothes after such forme to be made with Flocks within the said three Hundreds, and euery one of them, may bee bought and sold at all times without any impeaching or damage of any person, & without forfeiting of any of the said clothes, notwithstãding the said ordinãce aboue rehearsed, that is to say, (An. 4. Ed. 4. before 29.) Anno 7. Ed. 4. cap. 2.

Flockes

31 No person denizen nor stranger, from the Feast of Thassumption, which shalbe in the yeare of our Lord God 1468, shall carrie or cause to be carried into any parts beyond the sea any Woollen yarne, or Cloth not fulled, but that the Woollen yarne, which shall be made after the same Feast in this Realme, shall be wouen in the same Realme. And also all Cloth therein made after ỳ said Feast shalbe fulled & fully wrought within ỳ said Realm, before that it be had and carried out of this Realme, vpon paine of forfeiture of ỳ very value of all such yarne vnwouen and cloth not fulled, had or carried out of this Realme: the one halfe of the same forfeiture to be leuied to the Kings vse, & the other halfe thereof to him or them that espieth or maketh proofe of any such vnwouen yarne or cloth not fulled after the said Feast to be carried to any place beyond the sea. Añ 7. Ed. 4. cap. 3.

Denizen

Carrie out woollẽ yarn Cloth not fulled

Forf.

Moitie

32 All the said Clothes called Broad set clothes and Streit set clothes, & euerie of them, which shall be made within any of the said Counties (s. Norfolke, Suffolke, & Essex) after the first day of August, which shalbe in the yeare of our Lord 1468, shall be rightfully made in forme ensuing: That is to say, euerie of the said clothes called Broad set clothes, after they be sufficiently, perfectly, & rightfully made, cleane scoured, fulled, searched, & readie to sale, shal containe in length xxviij. yards & xxviij. ynches measured by the creft, & in breedth vij. quarters within the Lists, directly from one end of the said cloth vnto the other. And euery of the said Broad set clothes, after all the said sufficient & perfect workmanship, cleane scouring & full searching, and made readie to sale, shall weigh xxxviij. pounds at the least. And also that euery of the said Streit set clothes, which shall be made in any of the said Counties after ỳ first day of August, after all manner sufficient, perfect, & right workmanship, cleans scouring, & full search, & readie to sale, shall containe in length xiiij. yards and xiiij. ynches measured by the List, and in breedth iij. quarters & demy quarter of a yard within the Lists, directly from one end to another. And euerie of the said Streit clothes, after all the said sufficient & perfect workmanship, cleane scouring, & full searching, and made readie to sale, shall weigh ix. pounds & demy at the least. And that all the said clothes called Broad set clothes, & Streit set clothes, which shal be made within any of ỳ said Counties after the said first day of August, of right & perfect workmanship, according to this ordinãce, shall be sealed by the Kings Aulnageor or Sealer, with the seales of the subsidie & aulnage within euery of the said Counties therefore ordained, printed in war. And that no person or persons after the said first day of August, shall offer or put to sale any of the said clothes called Broad set clothes or Streit set clothes, not keping full length, breedth & weight, or not cleane scoured or fully searched, according to this ordinance, vpon paine of forfeiture of ỳ same: the one halfe thereof to the vse of our said Soueraign Lord the King, & the other halfe thereof to the partie that shall espie & seise the same. And that no person or persons after the said first day of August shall take, packe, or carrie the said clothes called Broad set clothes or Streit set clothes, out of any of the said Counties, vnlesse the same be sealed by the Kings Aulnageor or Sealer, after the manner aboue ordained by this ordinance, vpon paine of forfeiture of the same: the one halfe to the King, and the other halfe to the partie which shall espie & seise the same. And if any Aulnageor or any of his deputies within any of the said Counties shall seale any of the said set clothes, not containing ỳ same length, breedth & weight aforesaid, that then he shall forfeit for euerie Broad cloth so sealed vj. s. viij. d. and for euerie of the said Streit set clothes so sealed xx. d. the one halfe of the same forfeitures to be payed to the vse of our said Soueraigne Lord the King, and the other halfe to him that will sue for the same by Action of Debt, by Writ or Bill in any of ỳ Kings Courts at his election that will sue in this behalfe. And in the same action to recouer ouer & beside the same forfeiture such costs & damages as be cõmonly vsed in an Action of Debt sued at the common Law. Añ 8. Ed. 4. cap. 1.

Broad set clothes Streit set clothes

Scoured Searched Content

Forf.

33 All the Woollen clothes, Halfe clothes, Streits & Kerseyes being of good & perfect making of length & breedth, after the forme of ỳ said act made in the said fourth yeare (s. 4. E. 4. cap. 1. before 29.) shall be sealed with wax at both ends, taking no more for the same both seales, then before was taken for the sealing of one whole cloth, halfe cloth, Streit or Kersey: except onely that in the Citie of London & in the Towne of Bristow, all the clothes ỳ ought to be sealed, shall be sealed with Lead, as hath bene there accustomed. Moreouer, it is ordained, enacted & established by the authority aforesaid, that the said

Trea-

Treasorer of England for the time being shal haue power & authority to let to farme, the subsidie and aulnage of clothes which ought to be sealed, vnto persons willing to haue the same to farme by sufficient mainprise in the forme as was vsed and done before the said statute made in the said fourth yere: The farmors to haue the one halfe of the forfaiture of all the clothes and pieces of clothes to bee set to sale, not sealed with the said seales to their owne vse, paying therfore & for the said subsidy & aulnage, to our soueraigne Lord the King at his Eschequer such yerly summes of money, as shalbe agreed betwixt the Treasorer of England and them, & to be accomptants to the King of the one halfe of the said forfeiture at the said Eschequer: the said statute made in the said fourth yeare notwithstanding. An. 17. Ed. 4. cap. 5.

34 No person whatsoeuer he be, clothmaker nor other, shal sel nor put to sale after ỳ feast of S. Michael ỳ Archangel nert insuing, any maner woollē clothes called broad clothes, vnlesse the same cloth be before fully watered. And ỳ euery whole cloth, & also broad cloth, which shal be made in this realm of England, after ỳ said feast of S. Michael the Archangell nert comming, after that it be fully watered ready to sale, shal hold and conteine in length xviij. yards, and to euery yard an ynch, conteining the breadth of a mans ynch, to be measured by the cresk of the same cloth, and also it shall hold and conteine in breath two yards within the lists by the whole length in the same. Also that euery halfe cloth of the said whole clothes to be made after the said Feast, after his full watering readie to sale, shall hold and containe twelue yards in length at the least, with the ynches aforesaid, to be measured by the cresk, and ij. yards in breath within the lists: so that alway the same halfe cloth doeth not exceede the length of xiiij. yards, vpon paine of cutting the whole cloth in three pieces, and of cutting the halfe cloth in two pieces: And also to lose for euery whole cloth vj. s. viij. d. & for euery halfe cloth iij. s. iij. d. made, sold, or put to sale after ỳ said feast, not fully watered, or made after the said feast, not keeping their measure aboue ordeined. And if ỳ whole cloth be longer in measure then ỳ said xviij. yards & the ynches aforesaid, & the halfe cloth of the same be longer then xij. yards with the said ynches, that then the buyer of the same whole cloth shall pay for as much as it doeth exceede in the measure of xviij. yardes, and the buyer of the same halfe cloth to pay for as much as it doth exceed twelue yards: so that alwayes the said halfe cloth do not passe the length of xij. yards as is aboue said. Also that all maner of clothes called Streites to be made after ỳ said feast, after the full watering ready to sale, shal hold & conteine xij. yards in length, and the ynches after the measure aforesaid, and in breath one yard within the lists, and throughout the length of the same: vpon paine of cutting of the said streit in 2. pieces, and also to lose for the same streit xx. d. Also that euery cloth called kersey to be made or put to sale after the said Feast after the full watering ready to sale, shall hold and containe in length xviij. yards & the ynches as is aforesaid, and in breadth one yard and a naile at the least within the lists, vpon paine of cutting of the said kersey in two pieces, & to lose for the same kersey iij. s. iiij. d. All the said paines forfeitures, and losses to run vpon the sellers of the said clothes, that shall be made contrarie to this Act. And that euery of the said whole clothes, halfe clothes, streits and kerseies be perfectly and duely made throughout from one end to the other. Also before the said Feast, Seales shall be prouided and ordeined by the Treasorer of England to be printed in lead, hauing ỳ Kings armes of England in one side, and in the other side the armes, signe, or token of euery citie, borough, or town, within this realm of England, where the cloth is made hauing such armes, signe or token for a mark, or an euident token and knowledge of the cloth made within euery such citie, borough, and town of this Realm, and besides the Seales for euery Countie of this Realm, for the sealing of al maner cloth made within euery Countie, out of citie, borough or Towne of the same Countie, shall haue on the one side the kings armes, and on the other side the name of the Countie printed in the same. And that the treasorer of England for the time being, or his Deputie, after the said feast, shall make no person or persons to be Aulnagers, sealer or keeper of the seale, in any part of this Realm, but such as be expert in making of cloth, of the sufficiencie of one hundreth pounds at the least, at the time of the said Deputation. And that no Aulnager, sealer or keeper of any Seale to be prouided as is aforesaid, after the said feast, shall seale any of the said whole clothes, halfe clothes, Streits or Kerseies, but such as shal be onely made after the same feast, within the Countie, Citie, Borough or Towne, where they shall be deputed Aulnager, sealer or keeper, vpon pain to forfait to our Soueraigne L. the king for euery such whole cloth cõtrary sealed v. marks, for euery halfe cloth xx. s. and iiij. d. for euery streit xx. s. and for euery kersey x. s. Also that no person whatsoeuer he be, after the said feast, shall set nor draw, nor cause to be set nor drawne in length or breath, within this Realm of England, any manner woollen clothes, after ỳ it be fully watered, by tentering or otherwise vpon paine to forfeit the same cloth. Also that no man of what condition soeuer he be, within this Realme, after ỳ said feast, shal set, cast or put vpon any maner of cloth, any Flore, or any other like deceitfull thing, vpon pain of x. s. for euery cloth, whereupon any such person shall cast any flore or such other thing. Also that no clothmaker nor other person whatsoeuer he be within the said Realme after the said feast, shal set or cast vpõ any white cloth or kersey any chalke vpon like paine. Also that no sheereman or other person after the said feast, shall sheere nor cancell any clothes within this realme except such cloth be before fully watered vpon pain to forf. xl. s. for euery cloth as often as he shal so do. And ỳ no person stranger nor other, shal send nor conuey any woollen cloth ouer the sea after the said feast, vnlesse the same cloth be before fully watered. And after ỳ the same cloth be so fully watered that then it shall in no wise be set nor drawne in length nor breath, vpon paine of x. s. for euery cloth conueyed

Seale

Citie

Treasorer

Aulnagers

Seale

Forf.

Drawn in length

Tentering

Forf.

Flocks

Paine

Chalke

Paine

Sheerman

Watered

Forf.

Stranger

Ouer sea

Drawne

Paine

or

or sent ouer the sea contrarie to this Act. Also, that no manner person within this realme, after the said Feast, retaile any woollen cloth or clothes, lining, nor other, except it be fully watered before, & after that it be fully watered, it shall in no wise be set nor drawne in length or bredth, vpon paine to forfeit ỳ same cloth or the value thereof, The same paine to run vpon the seller of all such clothes. And our said Soueraigne Lord the King, in the eschewing of great falsitie & deceit which hath growne and dayly doth grow by the meane of tentors, by the assent & authoritie aforesaid hath ordained & enacted, That no person whatsoeuer he be, shall kepe, haue, or occupie any tentor, or any other thing in his owne house or place of his inhabiting, whereby woollen clothes may be in any wise drawne out in length or breadth, vpon paine to forfeit xx.l. as often as he shall do contrarie to this Act, but that all tentors which hereafter shall be vsed or occupied for due stretching of cloth only, after that it commeth from the mill, and before it be rowen, and for none other cause, as well within the Citie of London, as other Cities, Boroughes, or Townes of this realme shal be set in open places. And that euerie Mayor of London for the time being, & all other Mayors and Bailifes, & other Gouernors of Cities, Boroughs, Townes & Villages of this said Realme, shall diligently suruey & oversee, that all clothes, which shal be put vpon tentors, shall not be drawne out in length & bredth, otherwise then before is rehearsed. Also, that after the said Feast no stranger shall buy any woll, which shall be sent or shall passe through the straits of Marroke, by Gallies, Carackes, or ships, or other vessels forted, clacked, or barked: nor no woll whereof any lockes or refuse shalbe made, but that the same woll be as it is clipped and purely wound without deceit, & marchandisable after the growing of the countrey, without any forting, berding, clacking of lockes, or refuse thereof to be made, as afore is said, vpon paine to forfeit ỳ same woll & the double value therof (See Marchants 41, this last article concerning wools altered.) Moreover, our said Soueraigne Lord the King hath ordained & enacted by authoritie aforesaid, That no Dyer nor none other person shall dye or cause to be dyed within this Realme, after the said Feast, any Woollen cloth with Orchel or Corke, called Jarroke, vpon pain to forfeit & lose xl.s. for euery cloth that he or any other for him or to his vse, shall dye or cause to be dyed. Nor that no person after ỳ said feast shall sell or put to sale within this said realme any such cloth, which after the said feast shalbe dyed with Orchal, or Corke, called Jarrock, vpon paine of forfeiture of such cloth so dyed or put to sale contrarie to this Act: These paines & losse alwayes to run vpon the seller, except ỳ corke made within the realme of England may be vsed in dying vpō woolwards, and also in dying of all such cloth which is made only of woolwards, so ỳ the same wool & cloth be perfectly boiled & maddered. Also the corke made in this realme may be put vpon cloth ỳ is perfectly boiled & maddered. Also, that no Dyer after ỳ said feast shall dye any cloth within this said realme, except the same Dyer do dye the said cloth & the list of the same with one colour, without tacking or sowing of any bulrushes, or such like thing vpon the lists of the same, vpō paine to forfeit xl.s. for euerie cloth ỳ he shall so dye cōtrarie to this Act. And that no maner person whatsoeuer he be, shall put to sale within the said realme, after the said feast, any manner of cloth, which after the same feast shalbe deceitfully dyed, vpon paine to forfeit ỳ same cloth or the value thereof: The same forfeiture & paine alwaies to run vpō the seller. Also, if any of the K. subiects, or any other hereafter happen to seise any woollen cloth, otherwise made or dyed then afore is said, thē the same subiect or other shall bring all ỳ same cloth or clothes so by him seised, before ỳ Maior, bailifes, or other gouernor of the Cities, boroughs, townes or villages where any such seising shall happē to be made of the same cloth or clothes, there to iudge by the discretion of the said Maior, bailife, or other gouernor, calling to him or thē such persons, as by his or their discretions shall seeme cōuenient, whether the same cloth be otherwise made, wrought or dyed, then is according with the Acts before recited. And if it be iudged by the said Maior, bailife, or other gouernor, or other persons, called to thē or any of thē, as afore is said, that the same cloth is made or dyed & put to sale contrarie to the aforesaid Acts, then the same clothes so seised, & by them iudged, as is afore said, shalbe cut in iij. pieces in the presence of ỳ said Maior, bailife, or other gouernor: ỳ one part therof to be deliuered in the Exchequer by him or thē that so shall seise ỳ same cloth or clothes to the K. vse, & the second part thereof to be deliuered to ỳ seisor of ỳ same cloth or clothes, & the third part thereof to be deliuered to ỳ said Maior, bailise or gouernor, to the vse of the Cōminaltie, where they or any of them be Maior, bailife or gouernor: the one halfe of all the other fines, forf. and penalties aforesaid, & of euerie of thē to be to our soueraigne L. the King, & ỳ other halfe to him or thē of the K. subiects ỳ shall seise the same, or sue for the same by actiō of debt, by writ at the cōmon law, or by bill or plaint, after ỳ custome of the citie, town, or port, where such fines, forf. and penalties shall happē to fall or be. And ỳ the def. in any such action be not admitted to wage or doe his law: nor ỳ any Protection or Essoine in the K. seruice be allowed for any such defēdant. Prouided alwaies, ỳ this Act, nor any thing therein contained, shal not extend nor be preiudiciall to the making of any woollen cloth called Kay, nor to any cloth made in Winchester or Salisburie, vsed to be put & ioyned with ray: the cloth thereof cōmonly vsed to be sold at xl.s. or within: nor to ỳ making of any cloth called beruse, otherwise called plonkets, turkens, or celestrins, with laised lists: Nor any clothes called packing whites, nor to ỳ making of any cloths called belles, cogware, or worsteads, nor to ỳ making of any clothes called florēces with cremill lists, nor to ỳ making of any woollen clothes called bastards, nor of any clothes called Kēdals, nor to clothes called sailing ware, with cremill lists, laised lists, or small lists, nor to any cloth called frise ware, nor to any of thē, nor to ỳ maker or seller of them, so that the same clothes & euerie of them, for the Kings honor & profit of this realme, be truly, duly, & perfectly made,

Retaile
Forf.
Seller
Tentor
Forf.
Mayor London
Surney
Stranger
Wooll
Marroke
Lockes
Forf.
Dier
Orchel
Corke
Forf.
Sell
Forf.
Woolwards
Boyled
Maddered
List
Forf.
Sell
Forf.
Forf.
Bailife
Exch.
Forf.
Ray
Plonkets
Bastards

mads, according to the nature and making of euery of the said clothes. Añ 1.Ri.3.ca.8. See infra 37. how this Statute is suspended for certaine times.

35 No stranger nor denizen carry nor make to be carried out of this realm any woollen cloths, but they before be barbed, rowed, and shorn, within the same realme, for the relefe & setting on work of the poore commons, vpon pain of the forfeiture limited in the statute of king Ed. (s.Añ 7.E.4.ca.3. before 30.) made vpon cloth carried out of this realme, not fulled, to be diuided in maner & forme as in the same statute is contained. Prouided alwaies, that cloths called Uelles, Raies, Sailing clothes, and all other cloths commonly sold at xl.s, or vnder, be not comprised in this present Act. Añ 3.H.7.ca.11.

36 No person sell within this realme at retaile, a broad yard of woollen cloth of the finest making, scarlet grained, or other cloth grained, what colour soeuer it be, to any of the K. subiects, aboue the price of xvj.s a broad yard. And a broad yard of woollen cloth of any other colour out of graine, or any maner of russet of the finest, not aboue the price of x.s, vpon paine of forfeiture for euery such yard sold to any of the K. subiects aboue the said price, xl.s, and of euery other cloth, what colour soeuer it be, that is vnder the said price, a broad yard to be sold to the K. subiects after the rate of the goodnes thereof. And he that will sue for any such forfeiture, haue an action of debt thereof, against him that so doth forfeit: In which action none essoine, ne protection be allowable. And the defendant not to be admitted to wage his Law. The king to haue the execution of the one halfe thereof, and the party that will sue, the other halfe. Anno 4.H.7.ca.8.

37 The act made Añ 1.R.3.ca.8. is by 12.H.7. ca.4. suspended to the beginning of the nert parliament. And after An.1.H.8.ca.2. it is suspended to the beginning of the nert parliament.

38 The said Acts & Ordinances (s.An.7.Ed.4. cap.3. & An.3.H.7.cap.11. before 30. & 34.) may stand & continue in their full strength and vertue. And that they from henceforth be duly put in execution according to the tenor, purport, and effect of the same and of either of them. And that euery person that will sue for the same forfeitures, be admitted to his actiõ of debt, by bill or information, in any of the K. courts of record, wher the same may be determined after the course of the Common law, & that the defendant in such behalfe in no wise be admitted to wage his law, nor that any protection or essoine be in the same allowable: Neuertheleſſe &c. Be it &c. that cloths called uelles, raies, sailing cloths, and other cloths now commonly sold at 4. marks or vnder, be not comprised in this or any of the said acts, but may be caried and conueyed out of this realme, into the partes beyond the sea, not barbed, rowed, nor shorne, this or any of the said acts notwithstanding. Añ 3.H.8.ca.7. See this Statute altered here following 40.

39 No person make such clothes (called white streits) to sel, without that it be when it is raw ready to be tucked, of the breadth of a yard and halfe a quarter, & of length xv. yards: And that no person make such cloths, but he set his speciall marke vpon euery of the said cloths so by him or thē made. And that no person vse no mark on his cloths, such as any other person doth & hath vsed before hun, vpon pain of forfeiture of euery of the said cloths, the one halfe to the King, and the other halfe to him that so seiseth the said cloths so made or marked, contrarie to the forme and effect afore expressed. And this Act to indure to the nert parliament. An.5.H.8.cap.2. This Act is made perpetuall here following 41. Forf. Moitie

40 Euery white woollen cloth sold at fiue marks and vnder, may be carried and conueyed into the parts beyond the sea, there to be sold at the pleasure of the buiers of the said cloth, vnbarbed, vnshorne, & vnrowed: any act or acts to the contrary made notwithstanding. And ouer this be it enacted &c. that if any person or persons cõuey, or cause to be conueied into the parts beyond the sea, any white woollen cloth, vnrowed, vnbarbed, & vnshorn, aboue the value of 5. marks, in other forme then is afore said, that then the person or persons so offending, shall forfeit the value of the said cloth or cloths so caried or conueyed into the parts beyond the sea: the one moitie &c. to be to our said soueraigne lord the K. & thother moity to any person &c. wherein &c. An.5.H.8.ca.3. This act is altered here following 47. White Ouer sea Unrowed Unrowed Forf. Moitie

41 The said act, (s.Añ 5.H.8.ca.2. before 39.) concerning making of cloths (called white streits) and euery thing therein contained, stand & be in his full strength, vertue & effect. And ouer that it is ordained by the said authority, That no person nor persons from the feast of S. John Bapt. nert comming, shall make any such clothes (called White streits) ne any cloths of the making of russet colour (called russet streits) without that they & euerie of them (being raw) be of the breadth & length before reherſed, & marked in maner and forme before expressed, & so being raw to weigh 14.l by true weight at least, vpon paine of forfeiture of euery of the said clothes made, and being lesse in length, or else in breadth, or marked contrary to the forme before reherſed, or else being of weight contrary to the form before expressed: the one halfe of the said forfeiture to be to the king: and the other halfe to him that so seiseth the same clothes so made, & being of weight, contrary to the forme and effect afore said. And this Act to indure for euer. Anno 6.H.8.ca.8. White streits Russet streits Weight Forf. Moitie

42 The woll which shalbe deliuered, for, or by the clothier, to any person or persons, for breaking, kembing, carding, or spinning of the same, the deliuery thereof therefore shalbe by euen, iust, and true pois & weight of haberdepois, sealed by authoritie, not exceeding in weight after the rate of ry.l. of semed wol, aboue j. quarter of a pound for the waste of the same woll, & in none other maner. And that the breaker or kember doe deliuer againe to the same clothier, the same woll so broken and kempt, and the carder and spinner to deliuer againe to the said Clothier yarne of the same woll by the same euen, iust and true poys and weight (the waist thereof excepted) without any part thereof concealing, or any more oile, water, or other thing put thereunto deceiueably, vpon the paine to forfeit to the Lord of the Leete, within the precinct where such default is done, for euery such default xij.d. vpon Wooll Waste Clothier Broken Kempt Yarne Deceit Forf. L. of Leete

Mayor Baylife

due proſe of ſuch deceit afore, and by the diſcretion of the Maior, Bailife, or other head Officer of the city, borough, or towne where the deceit ſhall appeare, the ſame Maior, Bailife, or head Officer, calling to him ſuch perſons as ſhal ſeem to him conuenient for the proſe of ſuch deceit. Item that the weauer which ſhall haue the weauing of any woollen yarn to be webbed into cloth, ſhal weaue, worke, and put into the webbe for cloth to be made thereof, aſmuch, and all the ſame yarne, as the Clothier, or any other perſon for him ſhall deliuer to the ſame weauer with his vſed marke put to the ſame, without changing any parcel thereof, or leauing out of the ſame webbe, & to reſtore to the ſame clothier the ſurplus of the ſame yarne, if any ſhalbe left not put into the ſame web, & without any more oyle, brine, moiſture, duſt, ſand, or other thing deceiuably putting or caſting to the ſame web, vpon paine to forfeit for euery default iij.ſ.iiij.d. Item that no perſon buy any coloured woll, or colored yarne of anie carder, ſpinner, or weauer, but onely in open market, vpon paine of forfeiture of ſuch wool & yarne ſo bought. Item that the Walker & Fuller ſhal truly walke, ful, thicke, and worke euerie web of woollen yarne, which he ſhal haue to walke, ful, thicke, and worke without any flor, or any other maner deceit to be vſed on the ſame, & ſhall not row nor worke any cloth or web with any cardes on the right ſide, nor the wrong ſide, vpon paine to forfeit for euerie ſuch default vj.ſ.viij.d. Item that the Clothier nor other perſon whatſoeuer he be, ſhall not put anie cloth to ſale, which when it ſhall be full wette, ſhall ſhrinke more then one yard in all the length, & one quarter of a yard in the breadth, for the more part thereof, & cloths called Narrowes or Streits after the rate, vpon paine to forfeit for euery cloth otherwiſe put to ſale vj.ſ.viij.d. And beſide to deduct of his price for the ſame to be rebated to ỹ buier thereof aſmuch after the rate, as the ſame cloth, ſo otherwiſe put to ſale, being ful wet, ſhalbe ſhrunke more then one yard of that it was in length, at the time of the ſame ſale, and as it ſhal (being wet) want of the breadth of one yard, & three quarters of a yard. Item that the buier of woollen cloths, denizens or aliens, after the buying thereof, ſhal not draw nor cauſe to be drawen in length, nor ſtraine, nor cauſe to be ſtrained in breadth the ſame clothes, or any of thẽ, by tentor, or winch, or by any other mean, vpon pain of forfeiture for euerie of the ſame clothes ſo to be drawne or ſtrained C.ſ. Prouided alway, that if ſuch buyer of woollen clothes for proſe, cauſe the ſame to be wet, hee may draw & ſtraine thẽ for euening of them only, ſo that he exceed not one yard in length more then it ſhal be when it ſhal be full wet. Item that no manner of perſon worke or put vpon anie woollen clothes, any flore, or other deceiueable thing, vpõ pain to forfeit for euery cloth ſo wrought deceiuably with flor, or other deceiuable thing xx.ſ. Item that no maner perſon buy or ſell any woollen cloths by other meaſure more or leſſe, then after the true content thereof, to be meaſured and meaſured by the yard, adding to euery yard one inch of the rule, vpon paine to forfeit for euery cloth to the contrary meaſured C.ſ. The one moity &c. to be to our ſouereigne Lord the K. & the other moity to the perſon which ſhal ſue &c. wherin &c. Prouided alway, that this Act extend not to woollen clothes called Kendals, nor cloths called capernel whites, commonly made for lining for hoſen, nor to any clothes called Tauelloks, made in the county of Deuon. nor to any woollen cloth made in the county of Cornewal, nor for any cottons or plaine lining, or frize made or to be made in Wales, Lancaſhire, & Cheſhire or any of them. Añ 6.H.8.ca.9. Note that Añ 3.H.8. ca.6. an act was made to endure to the next parliament, almoſt word for word like this former act of Añ 6.H.8.ca.9. with an article, That none ſhould take aduantage of any forfeiture or penaltie, made by 1.R.3.ca.8. concerning Clothes.

Weauer

Warke

Surplus

Deceit Fork.

Buy Coloured Wooll Yarne Warker Fork Fuller

Flor Deceit Row with cardes

Fork. Clothier

Shrinke

Streits Fork.

Abate

Buyer Denizen Alien

Straine Tentor Winch Fork.

Euening

Flor Fork.

Buy Meaſure

Fork.

Woll

Cornewal Cotton Frize Wales Lancaſh. Cheſhire

43 Añ 14.H.8.ca.1. An Act was made, concerning broad woollen clothes, to endure to the laſt day of the nert Parliament.

Broad cloths

44 All cloths called Veſſes, otherwiſe called ſet clothes, what colour ſoeuer they be of, not being aboue the value of xl.ſ. a cloth, ſhal not be forfeit for that they lacke in length & breadth when they be full wet, after the ſale of them before this time made, or hereafter to be made: The ſaid Act made in the firſt yeare of king Henry the eight (s.ca.9. before 42.) or any other Act heretofore made to the contrary notwithſtanding. Anno 14.H.8.ca.11.

Set cloth

45 No maner perſon ne perſons, of what degree or condition ſoeuer they be of, ſhal make, or cauſe to be made within ỹ ſaid ſhire of Worceſter, any maner woollen clothes to be ſold, except only ſuch perſon or perſons, as after the ſaid laſt day of September ſhalbe dwelling and inhabiting within the ſaid city of Worceſter, the boroughs and townes of Eueſham, Droitwich, Kidderminſter, & Bromſgroue, within the ſaid countie of Worceſter, or in any one of them, vpon paine of forfeiture for euerie ſuch broad cloth, made after the ſaid day, by anie perſon or perſons, contrary to the true meaning of this Act, xl.ſ. And further it is &c. That the Lords and owners of the meaſes, tenements, or cottages within the ſaid city, or any of the townes and boroughs aforeſaid, ſhall at no time hereafter dimit, ſet, or let any meaſe, tenement, or cottage, ſufficiently repaired within the ſaid Citie, Borough, or Townes before limited, to any perſon or perſons, that hereafter ſhal inhabit in the ſaid city, boroughs or townes, & exerciſing any of the ſaid myſteries or craft, at any higher rent, impoſition, or charge, then was giuẽ for the ſame at any time within xx. yeres nert before the making of this act only except. Prouided alway that this act be not hurtfull nor preiudiciall to any perſon or perſons, for making anie clothes for their owne wearing, their children or ſeruants wearing. Alſo prouided, that in the ſaid citie and towne, and euery borough aforeſaid, there ſhall be due ſearch made of euerie ſuch Cloth beforeſaide there made, and that they bee meated both length and breadth being wette from the Mill, and before they be ſet vpon the rack and dried. And that they ſhal be ſealed with the ſeale of the ſearcher of the ſame citie, towne, or Borough, which Seale ſhall haue a ſtampe, containing the true numbers for the length and breadth of the ſame Cloth being wet.

Lords tenements

Rent

Woollen cloths

Search Meaſure

Seale

wette, in paine of forfeiting for euery Cloth put to sale, not hauing the said seale of the Searcher, xx.s. And the Sealer to forfeite for euerie Cloth by him searched and sealed contrary to the true meaning of this act, vj.s. viij.d: The one halfe of the said forfeits to be to the King &c. and the other halfe to the party that will sue &c. wherein &c. And the searcher shall haue for the searching and sealing of euerie cloth a peny, and not aboue. Anno 25. H.8. ca. 18. See the Statute next following.

46 All and euery Clothier within this realme, shall weaue, or cause to be wouen his or their seuerall token or marke in all & euery cloth, kersey, and other clothes whatsoeuer they be, made & wrought, to be vttered and solde. And when any such Cloth shall be ready made & dressed to be put to sale, euery of the same Clothiers shall set his seale of lead vnto euery of the same his or their Clothes & kersies, in which seale of lead shall be contained the true and iust length of euery of the same Cloths or kersies, as it shalbe duly found by euery buyer of the same, vpon due proofe thereof to be tried by the water. And in case vpon anie such proofe to be made by any buyer of them at the water, there shall be found lesse, or smaller content in length, then is contained & specified in euery of their said seales: then euerie of the said clothiers making such default, shal lose & forfeit vnto euery such buier of the same, the double value of so much Cloth as shall want & lacke of his said content in length, at the onely sight and iudgement of any two indifferent persons that shal measure the same clothes & kersies. And euery Clothier sending or putting any of their Clothes to sale, before such time as all & euery of the same cloths shall be sealed by the Aulnageor of the same Counties, where it shall chance any of the same Clothes so to be made, and also to be ordered & sealed by euerie of the said Clothiers, in forme aforesaid, shall lose and forfeit his Cloth or Clothes, whatsoeuer they be: the one halfe &c. to the king &c. and the other half to him that will sue &c. wherein &c. And it is &c. That after the said feast of S. Michael the Archangell, euery broad cloth shall containe in breadth vij. quarters of a yard within the lists at the least, & to holde the same Content always, if it be proued at the water. The Act made in the first yere of the reigne of our said soueraigne Lord, that euerie broad cloth should containe vj. yards in breadth within the lists, or any other thing therein contained, touching the keping of the same breadth of vj. yards, in any wise notwithstanding. And euery kersey shall containe in breadth one yard within the list at the least, if it be proued in the water, vpon paine to forfeit for euery such broad cloth iij.s. iiij.d, and for euery such kersey xx.d. to be recouered to the vse of the Kings highnes, & of any other that will sue for the same, in manner and forme before declared. Prouided alway, that this present Act extend not to any cloths called Set clothes, of all sorts made in the Counties of Suffolke, not exceeding the price of xlvj.s. viij.d the cloth, nor to any cloths called Tauestoks, Westerne dozens, frizes, kendalls, cottons, and all maner of course clothes made for linings. And be it &c. that the Aulnageor of any county, shall not seale any of the said cloths with the kings seale, vntil such time as they and euery of them shal be first ordered and sealed with their content, according to the true meaning of this present Act, in forme aforesaid, vpon paine of losing of his office. And that no buyer of any of the said Clothes or Kersies marked and sealed, in forme aforesaid, presume by any maner of sleight, means or engins, to draw, pull, or to stretch out, any of the same cloths or kersies, otherwise the to make them euen after they be wette, and to agree with the Contents specified and contained in the seale of euery of the same cloths and kersies, as nere as they can, vpon paine to forfeit the double value of euery cloth or kersey so misused, contrary to the true intent & meaning of this present Act, to be leuied to the vse of the K. Highnes, and of any other that will sue for the same, in like maner and forme, as is before declared. Prouided alway, that al cloth hereafter made to be sold within the city of Worcester, the townes of Droitwich, Euesham, Redderminster, & Bromesgroue, in the county of Worcester, shall be sealed with the seale of the Searchers there, according to an act of parliament in that behalfe prouided & made the 25. yere of our said soueraigne Lord (s.ca. 18. before 45.) and that the Owners of the Clothes made within the said city and townes shall not be compelled by this Act, to put their owne seales to any cloths there made, or hereafter to be made. An 27. H.8. ca. 12. See this Statute altered in part here following 49.

47 Euery white woollen cloth, sold for iij.l and vnder, and euery coloured cloth sold for iij.l. and vnder, may be carried and conueyed into the parts beyond the Sea, there to be sold at the pleasure of the buyers of the said cloth or cloths, vnbarbed, vnshorne and vncrowed: Any Act or Acts to the contrary made notwithstanding. And ouer this be it &c. That if any person or persons, send or conuey, or cause to be sent for conueyed into the partes beyond the sea, any white woollen cloth, aboue the value of iij.l, or any coloured cloth aboue the price of iij.l, vncrowed, vnbarbed & vnshorne, in other forme then is aforesaid, that then the person and persons so offending, shall forfeit the value of the said cloths so carried and conueyed into the partes beyond the sea: the one moity &c. to be to the king, and the other moity to him that will sue, &c. wherein &c. An 27. H.8. ca. 13.

48 Where a certaine kinde and sort of Welsh clothes called Whites, Russets, and Kenets, made and wrought in Northwales & Worcester hundred, adioyning to Northwales, of long time haue bin, & be so craftily and hard rolled together, that the buyer thereof cannot perceiue, nor discerne the vntrue making and breadth thereof, to the great hurt, deceit, and impouerishing of the kings true & louing subiects: For remedy whereof, Be it &c. that al and euery the said clothes, from and after the feast of the Natiuitie of S. Iohn Baptist next comming, that shalbe brought to any common markets or faires, to be vttered and sold, shalbe folded either in pleits or euttell, as the clothes of all other Countries of this realme commonly haue beene vsed, and be vsed, to the intent that the buyers thereof may plainely se

Breadth

and perceiue the breadth and fynenesse of such Cloth and Clothes that he shal buy. And that euery peece of the said clothes, which after the said feast shall be brought to any markets & faires to be vttered and sold, contrary to the forme aboue said, shalbe forfaited: that is to say, the one moity thereof &c. to the King, and the other moitie to him that will sue, &c. wherein &c. Anno 33. H. 8. cap. 3.

Forf. Moitie

49 It shall and may be lawful to al & euery of the K. subiects, to make, worke, and put to sale at their liberty & pleasure, all maner of such coloured kersie & kersies, which shall be sold at, or for rr. or rry. d the yard or vnder, and not aboue, of such lengths, and breadths as they did, might, or were wont to doe before the making of the said act, made in the said 27. peere of K. Henry the 8. (s. ca. 12. before 46.) or any other Act, without incurring or running into anie danger or penalty for the same: the said Act made in the said 27. peere, or any thing therin contained, or any other act or statute made to the cõtrary notwithstanding. Prouided alway, that all maner of kersies to be made, wrought, and put to sale within this realme, of the colours of blacke, marble, russet, and white, which said colours be commonly sold & retailed within this realm, shalbe made of such content in breadth, as is limited in the said former Act, vpon paine in the said former Act contained: Any thing in this present Act contained to the contrary notwithstanding. And it is &c. That all and euery person and persons, which shall make or worke any kersies of the prices aboue rehearsed, or vnder, shal at all times hereafter from time to time, make the same kersies truly without deceit, & that they or any of them doe, nor shall falsly or vntruly make by stop any maner of kersies with flor, thrums, or other deceiuable thing or things, to the deceit of anie person or persons, nor shal by colour of any liberty to them giuẽ, or other matter comprised in this statute, make, work, & put to sale, any coloured kersey or kersies of the prices aboue rehearsed, which shall containe any lesse in breadth then iiij. quarters of a yard, and one naile within the list, to be tried at the water, vpon paine to forfeit for euery kersie so falsly made or stopped with flor, thrums, or other deceiuable thing or things, to the deceit of any person or persons rr. s. and vpon paine to forfeit for euerie such coloured kersey of the price aboue rehearsed, to be made and put to sale, not containing 3. quarters of a yard, & one naile in breadth within the list, to be tried at the water as is aforesaid, rr. d. The one half &c. to be to the K. and the other halfe to him that will sue &c. wherein &c. Prouided alway, that the saide former Act, made in the said 27. yere (s. c. 12. before 46.) and all clauses & articles in the same contained (other then concerning the breadth of coloured kersies, of the price afore rehersed) shal stand and be in their ful strength and effect, and be kept & obserued according to the tenor and purport of the same Act. Prouided also, and be it &c. that the Aulnageor of euery county, shal & may lawfully seale euery of the same coloured kersies of the prices aboue said, in like maner & forme, as he or they should or might haue done, if the said Act had neuer beene had nor made. Prouided also, that none of the said kersies of the prices afore limited, nor any other kersey or broadcloth, made within this realme to be vttered & sold, shall be put to sale, before that they & euery of them shalbe sealed by the Aulnageor with the kings seale as hath bin accustomed. Añ 33. H. 8. cap. 18.

Kersey Price

Blacke Marble Russet White Retaile

Make Kersies

Flor Thrummes

Breadth

Forf.

Forf.

Moitie

Aulnageor Seale

50 No person or persons from henceforth shal carry, or shippe, or cause to be shipped in any ship, boate, cray or vessel, any white woollen cloth aboue the value of 4. l or any coloured cloth aboue the value of 3. l vnrowed, vnbarbed, or vnshorne, to thintent to be conueyed vnto the parts beyond the sea, vpon pain of forfeiture of the same cloth, or cloths, or the value therof, the same forfeiture to be recouered in such maner & form as is afore mentioned. (s. Añ 27 H. 8. ca. 13. before 47.) Añ 33. H. 8. ca. 19.

Shippe white clothes

Vnshorne Vnbarbed

Forf.

51 No maner of person within the said 3. shires of Caermarthen, Cardigan, and Pembroke, doe make any raw frizes, called welsh frize, or any cottons called welsh cottons, to be sold in any faire or market, or elsewhere, in any other place, vnlesse euery peece of frize called a high frize raw, be made of cleane wool, without flor or thrum, weying in yarn 54. l of haberdepois at the least, and containing in length xxj. yards raw, and in breadth one yard & one quarter, And that euery halfe peece frize-high shall weigh 27. l. and containe in length xxij. yards, and in breadth one yard one quarter. And that euery peece of cotton raw, shal weigh 48. l of yarne at the least, without flor or thrum, and containe in length 48. yards, & in breadth one yard, and one quarter & one naile. And that euery halfe peece of cotton shal weigh 34. l. of yarne without flore or thrum, and containe in length 24. yards, & in breadth flue quarters & one naile, vpon paine to forfeit euery peece & halfe peece frize, and euery peece cotton, & halfe peece cotton, so put to sale, contrary to the true meaning, intent, & purport of this present Act: The one half &c. to the King: and the other halfe to him that wil sue &c. wherein &c. Añ 34. H. 8. cap. 11.

Wales Cotton

High frize Flor Thrum Yarne Forf. Moitie Cotton

Cotton

Forf.

Moitie

52 Forasmuch as by subtil making of clothes & colours, great slander hath growne to the realme, and great losse ensued to the K. subiects, by the vse & wearing of the same: Be it &c. that euery Clothier and Clothmaker, shal from the feast of the Annunciation of our Lady next comming, set his seale of lead to his cloth, declaring thereby the iust length therof, to be tried by the water. And that no person shall from the said Feast, straine or stretch any set cloths, or any other cloth aboue one yard & a half in length, & a quarter of a yard in breadth, vpon pain to forfeit xl. s. for euery default. And that no person or persons shal from the said feast, vpon paine last before remembred, put to sale any cloth, which when it shalbe wet, shal shrinke more then one yard and a halfe in all the length, & a quarter of a yard in the breadth, & that narrow streits & kersies shal not for the said feast be stretched aboue a yard in length, and halfe a quarter of a yard in breadth, vpon paine for euery default therein xx. s. Nor shal put to sale any cloth, narrow streit, or kersey, the peeces wherof being wet, shall shrinke more then after the same seuerall rates in the whole peece, vpon paine to forfeit for euery such offence xx. s. And further, that no person or person occupying the feate of Dying, shall

Clothier

Seale

Straine

Forf.

Kersies

Paine

Shrinke

Forf.

Dyers

shall die or alter into colours, or cause to be died or alterd into colours any woollen cloths, as brown, blew, pieuks, tawnies, or violets, except the same woollen clothes be perfitly boiled, grained, or maddered vpon the woad, & shot with good and sufficiēt colke, or orchal, after a due, substantiall, & sufficient maner of workemanship according to the auncient workmanship in time past vsed, vpon pain for euery default to forfeit xx.s. Nor that any person shal from the said feast, die any woll to be conuerted into cloth, called russets, muskers, marbles, graies, raies, & such like colours, or to be conuerted & made into hats or caps, vnlesse the same woll be perfectly woaded, boiled, & maddered, according to the true & ancient vsage: vpon the paine of forfeiture for the false dying of euery such cloth, or of asmuch woll as shall serue for the making of euery cloth, contrarie to the true meaning thereof xl.s. Nor shal die with brasel to thintent to make a false colour in cloth nor woll, hats nor caps, vpon pain for euery default to forfeit xx.s. And that no person or persons shall after the said Feast put any flockes, chalke, flower, or sherch, or any other deceiueable thing vpon any set cloth, or vpon any other cloth or cloths, coloured or vncolored, (but see after 55. some exception) vpon paine to forfeit for euery such offence xl.s. And that no person shall from the said feast occupy any iron cards or picards, in rowing of any set cloth, or any maner of woollen cloth, vpon paine to forfeit aswell the said iron cards, or picards, as also the summe of xx.s. for euery such offence. Nor that any person shall from the said Feast sell any Cloth by any lesse measure then after the true content thereof, to be meaten and measured by the yard, adding to euery yard an inch of the Rule, according to the Statute made in the firt yeare of the reigne of the most worthy prince of most famous memory K. Henry the 8. (s. ca. 9. before 41.) vpon paine to forfeit for euerie yard of cloth so put to sale by any other lesse mesure vj.s. viij.d. And that no person shall from the said feast put to sale here within the realm, either by retaile, or otherwise, any cloth being pressed, to be occupied & worne here within the realm of England, Wales, or Ireland, vpon paine of forfeiture of the same Cloth, or the value thereof, that haue beene so pressed and put to sale, as is last before remembred. And for the better executing of this Statute: Be it enacted &c. that in euery towne, village, or hamlet, being not corporate, where any cloth shall be made or sold, the Justices of P. of the same Shire where any such towne, village, or hamlet is, or v. of them at the least, & in euery city, borough, or towne corporate, the head officer or officers of euery of the same city, borough, or towne corporate, together with the wardens of the Clothworkers, or two of them at the least, shall haue full power & authoritie by vertue of this Act, once euery yeare, to conuent & call before them by their precept, or otherwise, 2. 4. 6. 8. or more, as they shall think good by their discretion, of the most honest, discreet & indifferent men of euery such city, borough, towne, village, or hamlet, where any cloth shalbe made or sold, and them shall constitute, ordaine and appoint to be ouerseers for one whole yeare then next following, within the citie, borough, towne, village, or hamlet, where the same Ouerseers shal be dwelling, charging them vpon all their oaths, & as they do tender the honour of the realme, & the common wealth of the same, that they do indeuor themselues for that yeare, as much as in them shall lie, to see that this Statute be truely obserued & kept within the limits of their charge, in euery part thereof. And that the same ouerseers, or v. of them, shal euery quarter of the said yeare at the least, or so often as neede shall require, by their discretions, by force hereof, visit, & go into euery Clothiers, Drapers, Clothworkers, Diers, & Dressers houses, shops and other places, where cloth or died woll shalbe, and there to make due search & to view the cloths & wolls, made or died, or remaining to be sold, and to serch & try aswel whether the said cloths be drawne or strained, or falsly died, as also of all other the defaults before specified, cōmitted or done contrary to the true meaning of this act. And if vpō the search, the cloths be found drawne or strained, or the cloth or wools falsly died, or colored, or any other of the said faults cōmitted or done, contrary to the true meaning of this Statute: that then the said seuerall forfeitures to incurre vpon the partie or parties which shall offend in the same, or in anie of them: The one halfe of all which forfeitures to be vnto the K. his heires or successors: and the other halfe to such of the said Ouerseers as both finde the said defaults or causes of forfeitures, & that will sue for the same in any of the K. Courts of Record, or before the Justices of Peace, within any such city, borough, or towne corporate, or before the Justices of P. within any shire, where any such forfeitures shall be had out of any city, or tolone corporate, the same sute to be pursued by bil, plaint, action of debt, information, or otherwise: In which suite, no wager of law, essoine, or protection shalbe allowed for the defendant. And if the said ouerseers shalbe negligent, & wil not sue for the same forfaitures, by the space of one halfe yeare, next after the cause of the same forfeitures committed and done: that then the one halfe of the same forfeitures, to be vnto the K. his heires or successors, and the other halfe to them that wil sue for the same, as is aforesaid, within one other halfe yere next after such default be had by the said Ouerseers. And if any of the said persons so cōmaunded to appeare to be made Ouerseers, as is aforesaid, and hauing no reasonable excuse, do refuse to come & take vpon him or thē to be an ouerseer, as is aforesaid: that then euery such person so refusing, and hauing no reasonable excuse so to doe, to forfeit for euery such refusing xl.s. The one halfe therof to be to the K. and the other halfe to the Just. of peace, or other head officer or officers, by whose commandement he was commanded to appeare, or to be an Ouerseer. And the same Ouerseer so offending, to remaine in the warde of the Sheriffe, vntill such time as hee hath made payment of the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. And if the same ouerseers, or two of them at the least, do not once euery quarter of the yeare, make due search for the true executing of this Statute: that then euery of the said Ouerseers to forfeit for euery such default x.l. The one

Oaths

Search Woolls

Straines

Forf.

Wollis

Just. of P.

Negligent

Halfe yeare

Wollis

Ouerseers

Refuse

Forf. Wollis

Just. of P. Officers

Imprisl.

Ouerseers

Moitie halfe to be to the K. &c. and the other halfe to him that will ſue &c. wherein &c. And if the ſaid Queſtors Interrupt ſhal be interrupted and not ſuffred to enter into the ſaid houſes, ſhoppes and other places where anie ſuch clothes or woolls ſhall be made or died, or anie other of the ſaid defaults ſhall happen to be done or committed, there to make ſearch for the better executing of this Statute: That then euerie one that ſo ſhall make anie ſuch interruption, ſhall forfeit xx. Forf. Moitie pounds: The one halfe of which forfeiture to be to the King, and the other halfe to the ſaid Queſtors, to whom anie ſuch interruption ſhall be made, and the ſame to be obtained and purſued for, in ſuch manner and forme, as before in this Act is expreſſed for the recouerie of other of the ſaid forfeitures. Prouided alſo, that no manner of perſon ſhall take anie aduantage of anie the ſaid forfeitures, by reaſon of this Statute, vnleſſe the ſame perſon doth com- Within one yeare mence his ſuite within one yeare next after the ſaid offences and forfeitures committed. And to the intent that all ſuch clothes as ſhall be made within this Realme, or anie other the Kings dominions, after the ſaid Feaſt, ſhalbe the better knowne from other clothes, made before the ſame time: Be it Clothier &c. That euery Clothier ſhall before ſuch time as he ſhall put his cloth to ſale, being made after the ſaid Feaſt, cauſe euery cloth to be marked with a Marke letter E. crowned, wrought in the cloth, vpon Forf. paine of forfeiture for euerie cloth ſo being ſold and not marked with the ſaid letter E. by anie ſuch Clo- Moitie thier xx. ſ. The one halfe to the King &c. and the other halfe to him that wil ſue for the ſame in maner and forme before rehearſed. Añ 3. & 4. Ed. 6. ca. 2.

§ 3 Where diuerſe good Statutes haue beene made for the true making of Cloth within this Realme, which notwithſtanding Clothiers for their gaine do ſtill daily practiſe ſleight and ſlender making thereof, ſome by mingling of Yarnes of diuers ſpinnings in one Cloth, ſome by mingling Fell woll and Lambs woll, or either of them with fleece woll, ſome by putting too little ſtuffe, ſome by taking them out of the Mill before they be full thicked, ſome by ouer-ſtretching them vpon the Tenter, & then ſtopping with ſtockes ſuch breackes as ſhal be made by means thereof: finally, by vſing ſo many ſubtill ſleights and vntruths, as when the Clothes be put in water, they riſe neither in length nor in breadth as they ought to do, beſides cockling, bauding, and diuers other notable faults. And do not onely procure the Aulnegeor to ſet the Kings Seale to ſuch falſe and faulty cloth, but do weaue into the ſame the likeneſſe of the Kings Imperiall crowne, and alſo the firſt letter of his name, which ſhould be teſtimonies of trueth, to the great ſlaunder of the King, and the ſhame of this Land, and to the vtter deſtruction of ſo notable a commodity, as the like is not in anie forreine Nation. The king therefore minding to aduaunce Trueth, and alſo to prouide for the continuaunce of the ſaid commoditie to his honour, and the common profite of the Realme, hath by the aduiſe &c. cauſed as well diuerſe honeſt Clothiers, as alſo diuerſe Drapers, Marchant Tailers, Clothworkers, Shereremen, and other Artificers, to whom it appertaineth, to be examined by certaine ſage Knights, and Burgeſſes of this preſent Parliament, by whoſe declaration, conſent, and aduiſe, after diuerſe meetings, and great deliberate aduiſe taken in the premiſſes: It is enacted as hereafter followeth, to remaine firm and perfect, notwithſtanding any ſuggeſtions hereafter to be made to the contrary: that is to ſay, That euery Cloth, Kerſey, peece of Frize and Cotton, ſhall be made in ſuch ſorte and forme, and ſhall containe in length, breath, and weight, as is here- in hereafter particularly mentioned, vpon ſuch paines, penalties and forfeitures, as be hereafter expreſſed and appoynted. All and euerie broade Broade Cloth and Clothes, which ſhall be made after the feaſt of Saint Michaell the Archangell next com- ming, within the Shires of Kent and Suſſex, or Kent Suſſex at the Towne of Redding, or any of them, or elſe- Reading where of like making, as the Clothes there made ſhall be of, ſhall containe in length at the water, e- Content uery peece being throughwette, betwixt xxviij. and xxx. yards of meaſure, that is now cuſtomably vſed, and in breadth by quarters at the leaſt within the liſts, by the whole length of the ſame Cloth, the liſts of the ſame Clothes to be of like making and aſſiſe as they haue here before time beene vſed to be made. And that euery peece of the ſaide Clothes be- ing well ſcoured, thicked, milled, and fully dried, Broad Weigh ſhall be in weight, and weigh foure ſcore and tenne pounds at leaſt. (See this weight altered after 60.) And that all and euery white Cloth and Clothes Glouc. which ſhall be made within the citie of Worceſter, commonly called Long Worceſters, and all like Clothes of like making, made within the Citie of Couentry, or elſewhere, after the ſaid Feaſt, ſhall Couent. Content containe in length being wette, as is aforeſaid, be- twixt xxix. and xxxj. yards the peece, and euery yard one inch of the Standerd, and ſhall be of the breath aboue ſpecified, throughout and by all the length of the whole Cloth, and liſted as hath beene accuſ- Lis tomed, and being well ſcoured, thicked, milled, and fully dried, ſhal weigh foure ſcore and foure pound Weight the peece at the leaſt. (See this weight altered after 60.) And all coloured Clothes made in the ſaid Ci- ties of Couentry and Worceſter, or elſewhere of like making after the ſaid Feaſt, ſhall containe and be of length and breadth, as is laſt before mentio- ned, and be liſted as aforeſaid, and being wel ſcou- red, thicked, and fully dried, ſhal weigh foure ſcore pounds the peece at the leaſt. And that all and eue- ry white Cloth & Clothes, commonly called Short Worceſters, which ſhalbe made within the ſaid ci- ty or county, or elſewhere of the ſame ſort after the ſaid Feaſt, ſhall containe in length, being wette, Content betwixt foure and twenty & fiue and twenty yards yard and inch of the Rule, and ſhall be of breadth, as is aforeſaid, throughout, & by al the whole cloth, & liſted according to the ancient Cuſtome, & being well ſcoured, thicked, & fully dried, ſhall weigh lx. Weight pounds the peece at the leaſt. And that all coloured long Cloths, which after the ſaid feaſt ſhal be made within the Shires of Suffolke, Norffolke, and Eſſex, or any of them, or elſewhere of like ſort, Suffolke Norffolke Eſſex Content ſhall containe in length, wette, as is aforeſaid, betwixt eight and twentie and xxx. yards, yard and inch

inch of the Rule, and shall be in breadth seaven quarters of the yard within the list at the least, throughout and by all the whole Cloth, and listed as hath beene accustomed, and being well scoured, thicked, milled, and fully dryed, shall weigh 80 pound the peece at the least. And that all and euery short Cloth and Clothes coloured, which after the said Feast shall be made within the said shires last remembred, or of any of them, or else where of like sort, shall conteine wet, as is aforesaid, betwixt 24. and 25. yards, yard and ynch of the rule, and shall be in breadth as last is remembred, throughout and by the whole Cloth, (See this breadth altered after 60.) and listed as is aforesaid, and being fully scoured, thicked, milled, and fully dried, shall weigh 64. pound the peece at the least. And that all and euery coloured Cloth and Clothes, which after the said Feast shal be made within the said shires last remembred, or elsewhere, of like sorts, commonly called handy warpes, of what length they shall happen to be, shall be in breadth out of the water throughout, and by all the whole Cloth, as is last remembred, and listed as they haue beene accustomed, and being well scoured, thicked, milled, and fully dryed, euerie yard of euery such cloth shall Weigh 3. pound at the least. (See this weight altered after 60.) And that all whites which after the said feast shal be made in ỳ said shires or elsewhere, as Cockfall whites, Glanford, & other being handy warps of what lengths soeuer they shall be, shall conteine in breadth as is afore remembred, and be listed as is aforesaid, and being well scoured, thicked, milled, and fully dryed, shall weigh by the yard three pound at the least, of such measure as hath beene before vsed. And that all Whites and Reddes which after the said feast shall be made in the shires or Counties of Wiltshire, Glocester, & Somerset, or any of them, or elsewhere of like making, & all other whites which shall bee made in any other parts of this Realme, and not afore remembred, shall conteine in length being through wet betweene fiue and twenty & eight and twenty yardes, and shall bee seuen quarters of the yard in breadth within the lists at the least, and listed according to the ancient custome, & being well scoured, thicked, milled, and fully dryed, shall weigh euery peece threescore & foure pounds being white, (See this altered after 60.) and threescore being coloured at the least. And that all broad Plonketz, Azures, blewes, & other coloured cloth, which after the said feast shall be made within the said shire of Wiltshire Glocester, or Somerset, or elsewhere of like making, shall conteine being Wet as is aforesaid, betwixt fiue & twenty & eight and twenty yardes, yarde and ynch of the rule, and shall be seuen quarters of a yard within the lists at the least, and listed according to the ancient custome, and being well scoured, thicked, milled, and fully dryed shall weigh fourescore and eight pound the peece at the least. And that all Kerseys, called ordinaries, shall conteine in length betwirt seauentene and eighten yards, yard and inch, as is aforesaid. (See this length altered after 60.) and being well scoured, thicked, milled, dressed, and fully dryed, shall weigh twenty pounds at the least. (See this weight altered after 60.) And all the Kerseys called Sorting Kerseys, which after the said Feast shall be made in any part of England, shall conteine in length at the water, betweene seauentene & eighteene yards, yard and inch, as is aforesaid, and being well scoured, thicked, milled, dressed, and fully dried, ready to be shewed, shal weigh twenty foure pounds the peece at the least. And that all Deuonshire Kerseys called dozens, which shal be made after the said feast, shall conteine in length at the water betweene 12. and thirteene yards, yard and ynch of the rule, and being fully scoured, thicked, milled, & fully dryed, shall weigh foureteen pounds the peece at the least (See this weight altered after 60.) And that all and euery broad cloath and clothes, called Taunton clothes, Bridgewaters, and other cloathes, which shall be made after the saide feasts in Taunton, Bridgewater, or other places of like sort, shall conteine at the water in length betwirt twelne and thirteene yards, yard and inch of the rule, and in breath seuen quarters of a yard. And euery narrow Cloth made after the said feast in the said townes or elsewhere of like sorts, shall conteine in the water in length betwirt twenty foure and twenty fiue yards, yard and ynch, as is aforesaid, and in breath one yard of like measure, & euery such Cloth, both broad and narrow, being well scoured, thicked, milled, and fully dryed, shall weigh xxiiij. pounds the peece at the least. And that all Clothes named Checke Kerseys & Streits, which shall be made after the said feast, shall conteine in length being wet, betwirt seauentene and eightene yardes with the ynches as is aforesaid, & in breath one yard at the least at the water, and being well scoured, thicked, milled, and fully dryed, shall weigh twenty foure pounds the peece at the least. And that all and euery Welsh cotton & cottons, which after the said feast shall be made and wrought, ready to be sold for a whole peece, shall not be stretched on the tenter, nor otherwise, a naile of a yard in breadth, and shall bee in length thirty two goads in the water at the mosk, and in breadth three quarters of a yard at the water at the least, & being so fully wrought, euery whole peece thereof shall weigh forty fiue pounds at the least, & euery halfe peece of Welsh cotton, being fully wrought, as is aforesaid, shall conteine in length, weight and breadth after the same rate. (See this altered both for length and weight after 60.) And that all Welsh Frizes, which after the feast aforesaid, shall be made and wrought within the Shires of Cardigan, Carmarden, and Pembroke, or any of them, or elsewhere of like making, ready to be sold for a whole peece, shall conteine in length at the water xxxvj. yards at the least, yard and ynch of the rule, and in breath three quarters of a yard, and being so fully wrought shall weigh euerie whole peece forty eight pound at ỳ least, & euery halfe peece of Welsh Frizes, being fully wrought as is afore said, shall conteine in length, breadth and weight after the same rate. And that all and euery Northern Clothes which after the said feast shall be made,

Weigh

Sorting Kerseys

Content

Weigh

Deuonshire Kerseys

Content

Weight

Taunton clothes Bridge waters

Content

Weight

Checke Kerse Streits

Content

Weigh

Welsh cottons

Content

Weigh

Frizes

Cardigan Carmarden Pembrooke

Content

Weigh

Northern Clothes

Content

made, shall conteine betwirt xxiij. & xxvj. yards in length, yard & inch of the rule, and in breadth being throwow wet, seuen quarters of a yard within the lists, at the least, and being well scoured, thicked, milled and fully dryed, shall weigh sixty fiue pound the peece at the least. And euery halfe peece called douzen, made after the said fasshion, shall conteine in length betwirt twelue and thirteen yards of measure aforesaid, and seuen quarters of a yard in breadth as afore within the lists, and being well scoured, thicked, milled, & fully dryed, shall weigh 33. pounds at the least. And that all cloth commonly called Penistones or forest whites, which shall be made after the fasshion aforesaid, shall conteine in length being wet, betwirt twelue and fourteene yardes, yard and inch as is aforesaid, & in breadth fiue quarters and a halfe quarter out of the water at the least, and being well scoured, thicked, milled and fully dryed, shal weigh xxviij. pounds the peece at the least. And that all and euerie cottons called Manchester, Lancashire and Cheshire Cottons, which shall be made after the said fasshion, full wrought to the sale, shall be in length xxij. goads, & conteine in breadth three quarters of a yard in the water, and shall weigh xxx. pound the peece at the least. And that al clothes called Manchester rugs, otherwise named Manchester Frizes, which shal be made after the said fasshion, and fully wrought to sale, shal conteine in length, xxvi. yards, and in breadth three quarters of a yard, comming out of the water, and shall not be stretched on the tents or otherwise, aboue a naile of a yard in breadth; and being so fully wrought, and wel dryed, shall weigh euery peece xviij. pound at the least. (See alteration of the lengh and weight of certaine of these Cottons and rugges after 60. & 64.) And be it further enacted, that all and euerie person and persons which after the said feast of S. Michael the Archangell next comming, shall make or cause to bee made any of the seuerall kindes of broad clothes, aboue rehearsed, of any shorter or longer measure then is aboue specified and appointed for euerie countrey, or seuerall kinde of clothes to be made, or make any such cloth or clothes of lesse breadth or weight being well scoured, thicked, milled, and fully dried, then is aboue specified and appointed for euerie seuerall countrie, or kindes of clothes, and shall put the same to sale, shall forfeit and lose for euerie such default of euerie cloth sold, or offered to be sold in length or breadth, xl.s. & for euery pound weight which any cloth so made and sold, or offered to be sold, shall lacke, exceeding not aboue iij. pound in weight, shal also forfeit two shillings for euery pound, the same forfeiture to go to the finder thereof. And that if any such cloth lacke aboue 4. pound weight of the seueral weights aboue mentioned, that euerie owner thereof shall then forfeit forty shillings for euery such cloth so lacking of his weight, as is aforesaid. Prouided alwaies, that if any broad cloth shall exceede the seuerall length before appointed for euerie Countrey, or kinde of making, by meanes of the fineneſſe of the good, perfect, & stiffe making of the same cloth: that then the maker thereof shall not incurre any losse or penalty for the ouer length of any such fine cloath: any thing herein to the contrary in any wise notwithstanding. And be it &c. that all and euery person or persons, which after the said feast shall make or cause to be made any of the seuerall kindes of kerſies, narrow clothes, streits, douzens, Frizes, or cottons aboue mentioned, which shall not be made in such manner and forme, as is aboue said, nor conteine and haue in length, breadth, and weight seuerally appointed and limited as is aboue specified, shall lose and forfeit for euerie peece of Cloth called streit or douzen, and for euerie peece of narrow cloth, Kerſey, Frize or Cotton so to be made and sold, or offered to be solde for forty shillings. And be it further enacted, that from & after the said feast, no person or persõs shal put any haire flocks or any yarn made of Lambs wool, into any Cloth, Kerſey, Frize or cottõ so made or sold, or offered to be sold, vpon pain to forfeit euery such cloth, Kerſey, Frize & Cotton, wherein any such yarn, hayre or flockes shall be put, or the value of such Cloath, Kerſeys or Frize. (See this Article repealed for some places here following 55. And it is wholly repealed here following 69.) And be it further enacted, & if at any time after the said feast, any cloth through the default or negligence of the Carders, Spinners or Weauers, or any of them, shall or do proone either purſey, bandie, squally by warpe, or woofe, or else shall happen to be euill burled or walked in the mill, or else through the default or negligence of the Milman, or otherwise to be full of holes, milbacks, or to be holely, that then the seale of the aulnage or shal not be fixed or set to any such cloth: any law, statute, or vsage to the contrarie notwithstanding. But the accustomable fee & allowance to the Aulnage or shall neuertheleſſe be paied, vpon paine of forfeiture of such whole cloth or the value thereof. And be it further enacted, that if any Clothier or Clothmaker doe after the saide feast put any cloth or Kerſey to sale, before he shal haue paied to the Aulnage or or his deputie the accustomable fee, or agree for the same, as he, shee, or they haue beene accustomed, shall lose and forfeit for euerie default xx.s. And be it further enacted, that no person or persons, English, Denizen, Alien, or Stranger, shal after the said feast carry or transport, or cause to be carried or transported into any of the parts beyond the Sea, any cloth, kerſey, frize or cotton, of the seuerall sortes aboue recited, vnles the Kings Seale, or Aulnage rs seale of this Realme, and the seale of the owner or maker of cloth (declaring therein the length of the cloth as it shall be in the water) be set vpon euerie such cloth, vpon paine to forfeit euerie such cloath lacking the same seales, or any of them, or the value thereof. And be it &c. that no Draper, Merchant, Tailor, Clothworker, or other person, which shall retaile any of the Clothes or Kerſies, frizes, rugs, or Cottons, of the seuerall makings aforesaid, shal after the said feast put to sale any of the cloths afore mentioned, whereupon the Aulnage or shall haue set to the kings seale, and the owner his Seale, till such time, as he or they haue made triall, aswell by the water as by the weight and measure, whether they

Weigh

Penistones Forest Whites Content

Weight Cottons of Lancaster Cheshire Manchester

Content

Weight

Rugges Frizes

Content

Weight

Forf.

Forf.

Forf.

Forf.

Foyl.

Dales Flocks Lambs wooll Forf.

Purſey Bandy Burled wooll

Aulnage

Forf.

Clother

Put to sale

Forf.

Denizen Alien

Transport

Seale

Forf.

Draper Merchant Tailor Clothworker Retaile Put to sale

Triall

and euerie of them shal be made according to the purport, and true meaning of this act or no. And if any person or persons shall finde any defective or faulty cloth in length, weight or measure, made contrarie to the orders aforesaid: that then hee or they shall present euerie such Cloth, to euery Maior, Bailife, or other head Officer or Officers of euery City, borough or Town corporate, or to the two Iustices of Peace next adioyning out of a Citie, Borough, or towne corporate where such cloth shal be found faulty, as is aforesaid: to the intent the same cloth may be cut into three equal partes & peces. The one pece thereof to be forfeited to our Soueraigne Lord the King, another pece to be to the presenter thereof, and the third part residue to such person or persons, as it shal then be presented to, vpon paine that euery such person as shall not so search euery of the Clothes Kerseys, Cottons or Frizes aforesaid, so by him to be bought and solde, and shall not seise and present such cloth or clothes as he or they shall finde defective, as is aforesaid, shal forfeit and lose the double value of euerie such cloth. And be it further enacted, that euery Clothier or other person whatsoeuer, which so shal sell any such faulty Kersey, cotton or Frize, whereunto the Aulnageor and the owner shall haue set to their Seales, and shal so be sealed, as is aforesaide, shal within fourteen daies next after request made by writing, message, or otherwise, by such person which shal so buy such cloth, make payment of such sums of money as he receiued for the same, or shal otherwise satisfie, discharge & acquite him for so much mony as he shal or should haue receiued for ỳ same, vpõ pain of forfeiture to the party grieued for euery non paymẽt or not acquitall, as is aforesaid, the double value of ỳ money so receiued, or to be receiued, ỳ same to be recouered by bil, plaint &c. wherein &c. And for the further auoiding of much vntruth practised by stretching of cloths, Be it enacted, that no person or persons, shal after the said Feast, streine or stretch, or cause to be strained or stretched any cloth aboue one yard in length, and one halfe quarter in breath, vpon paine to forfeit for euery such default 5. l. And be it further enacted, that no person, which shall after the said feast keepe, haue, vse, or occupy any tento, shall haue, vse, or occupie without, rope or ring with the same tento, or shal vse any other engine vnlawfully to streine or stretch any cloth or cloths, vpon paine that euerie offendor that shall vse or occupy any tento or other engine to the contrary, shall forfeit twenty pound. And be it &c. that if any merchant shal by any meanes transport or carrie ouer into the parts beyond the Sea any cloth, Kersey, frize or cotton, which shall be found defective or faulty, either in length, breath, or weight, or else shall haue any of the faults aforesaid: that then the Merchant or other person which shal so transport the same, shall returne againe the same cloth so found defective into England, at the costs & charges of the Clothier or Clothmaker that solde the same Cloth, the same costs and things to be recouered against such clothmaker or clothier, by action of debt, bil, plaint or information, in any of the kings courts, any promise or bargaine to the contrarie notwithstanding: vpon paine that euerie merchant or other person which shal not so return such faulty or defective cloth (if through misfortune by tempest, Pirates or enemies, he be not letted) shall forfeit and lose the valne of the cloth so shipped, and transported, and not returned, as is aforesaid: The one moity thereof to the King, and the other moity to him that will sue &c. wherein &c. And to the intẽt that it may perfectly be known which clothes are perfectly dressed, died, and pressed with the cold presse, without fraud, couin and deceit, as wel within the Citie of London as elsewhere, and haue sufficient workmanship: Be it further enacted, that as wel the Maior of ỳ city of London and Aldermen, or the most part of them, for the time being, as all and euerie other Maior, Bailife, or other head officer or officers of euerie Citie, Borough, or Towne corporate within this realm, shal haue full power & authority by vertue of this act, to nominate, depute and appoint from time to time, as occasion shall serue, & shall so from time to time nominate, depute and appoint two or more honest, discrete and expert persons, which shall from time to time vpon their othes view and search all and euerie cloth and clothes that shall be dressed, died or pressed with ỳ cold presse, within euerie such Citie, Borough, Towne Corporate, or Port Towne, and view, and search whether the same cloth or clothes be wel and sufficiently dressed and pressed with the cold presse, without putting therto flockes, sollace, chalke, flower, or any other deceitfull thing, and also whether the same shal be wel and substantially died with good and perfect colours, without any deceiueable thing, or whether it shall be stretched or streined any more then is aboue specified, and shall haue full power and authority by vertue of this act to enter into al and euerie persons house or houses, where they shall thinke meete to search and seise all and euery such cloth and clothes, as they shall finde defective in the premisses as forfeited, in whose hands soeuer they shall be found. The moity of which forfeit shal be to the king, & the other moity to the maior and Communaltie of the city of London, or to the vse of euerie City, Borough, Towne corporate, Port Towne or Market Towne, where the same shall be seised. And that euery person or persons in whose hands or possessiõ such defective or faultie cloth, either by emit or deceiueable dying, dressing or pressing, as is aforesaid, shall be found and seised, as is aforesaid, shall haue his, her, or their remedie by action of debt, bil &c. wherein &c. against all and euery such person or persons, by whose defaults or negligence such cloth shall be so found faultie, & shal thereby recouer al such costs, losses and dammages, as he shall sustaine by occasion thereof. And be it &c. that al ye. the said Maior of the city of London, as euery other Maior, Bailife, Portreeue, or other head Officer of euery Citie, Borough, Towne Corporate, or Port towne, shal on this side the said feast, cause to be prepared a seale of leade, wherein al wel the armes, as the name of euerie such Citie, Borough, Towne corporate

Fort.
Wollie
London Workmanship
Maior Bailife
Search
Flockes Sollace Chalke Flower
Good colours
Search Seise
Fort.
Woolle Maior
Remedy
Maior London Bailife Portreeue
Seale of lead

porate or Port Towne, shall be grauen, which the same Searchers shall cause to be fired to euery cloath that they shall finde after the said feast, well and sufficiently drelled, dyed and prelled with the cold prelle, without any of ỹ deceits aforesaid, and shall haue for their paines and trauailes therein to be taken by the owner thereof for the sealing of euerie cloth two pence. And if any Searcher or searchers so to be appointed, doe after the said feast finde any of the clothes being coloured or dyed, so made after the said feast, either cockly, pursey, baudy, squally or rowy, or euil burled, or walked in the Mill, or full of holes or bracks: that then the same searcher or searchers shall besides the Seale of the City, Borough or Towne corporate where the same cloth shal be found, put another seale of lead, at euerie end of the said cloth wherein shall be grauen the Letter F. and shall also set a marke in the list, right against such place where any of ỹ faults aforesaid shall be, with the print of a letter or marke of an inch compasse at the least, whereby euerie buyer may well know what and where the fault is. And further, if any of the searchers aforesaid shal set the seale of any citie, borough, Towne corporate, or port towne, to any coloured cloth, which shal not be sufficiently drelled, died, prelled, & wrought as is aforesaid: that then the Maior and Comminaltie, or Bailifes or Comminalty, or other corporation of the townelhip, by whatsoeuer name or names they shall be incorporated, where such cloth shall be so sealed, shall forfeit and lose the whole value of the cloth so sealed. And be it &c. that if any of the searchers aforesaid, after the said feast do set to the seale of the City, Borough or Towne-corporate, within the limits of their Search, to any cloth which shal be cockly, pursey, baudy, squally, rowy, euill burled, walked in the Mill, or full of holes, as is aforesaid, and not set at any end of the clothes one seale with the letter F. as is aforesaid, and also shall declare by the lists as aforesaide, what and where the faults of ỹ cloth be, that then the Maior and Comminalty, or other the corporation of euerie such Borough, City, or town corporate where such searcher shall be appointed, shall forfeit and lose for euerie such omission or not setting to of any such seale as is aforesaid 5. pound. And be it further enacted, that no person or persõs whatsoeuer they be, which commonly vse to retaile cloth or Kersey, shall put to sale in grosse, or by retaile to any manner of person, any maner of cloth which shall be made after the said feast, being dressed, dyed, & prelled, as is aforesaid, except there be fired therũto at euerie end of ỹ same cloth, the seale of such Citie, Borough, or town corporate, where the same cloath shall be so dyed, drelled, or prelled, or the seuerall seale of euerie such City, Borough, or towne corporate, where it shall be dyed, drelled, or prelled, to remaine at the last end of euery of the said clothes, which shall be sold, during and by all the time that any peece or remnant of such cloth is to be sold, vpon paine of forfeiture of the whole value of such cloth. And be it further enacted, that euerie Maior, Bailife, or other head officer of any Citie, Borough, or Towne corporate, in which any such cloth or clothes after the said feast shall be made, dyed, drelled or prelled with the cold prelle, as is aforesaid, which doth not, or shall not after the said Feast of Saint Michael, nominate & appoint from time to time, so many Searchers as shall be requisite to view and search clothes, vpon their othes, as is aforesaid, shall lose and forfeit for euerie default ten pound. And be it further enacted, that if any of the said Searchers so to be appointed by the said Maior, being a freeman of the said Citie, or by the Maior, Bailife, or other head officer of any City, Borough, or Towne corporate, as is aforesaid, hauing no reasonable excuse, doe refuse to take vpon him to be a Searcher, and doe not vse the Office of a Searcher as is aforesaid, shall forfeit and lose for euery such refusal, and not executing of his office so to him appointed fiue pound. The one halfe thereof to be to the king, and the other halfe to be to the vse of the comminalty of euery Citie, Borough, or Towne corporate, where he shall so be assigned, and to remaine in Ward till such time as he hath made payment of the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. And for asmuch as there be now in this time many false and deceiueable colours made in diuers places of this Realme, whereby many of the kings loving subiects are deceiued: Be it enacted that from and after the said feast of Saint Michael the Archangel next comming, no person or persons shall put to sale by retaile within this realme, any cloth or clothes which shall be made after the said feast, of any other colour or colours, then is hereafter expressed: that is to say, Scarlet, Redde, Crimson, Murrey, Violet, Puke, Browne, Blew, Blacks, Greene, Yellowes, Blewes, Orenge Tawney, Russet, Marble, Grayfad new colour, Azure, Watchet, Sheepes colour, Lyon colour, Motley, or yron Gray, vpon paine that euerie person so offending to the contrary, shal lose and forfeit the value of the cloth sold by retaile which shall be of any other colour. And that no person or persons after the said Feast of Saint Michael the Archangel, shall prelle any kinde of cloth with the hot prelle, or in any other deceiueable maner, but onely with the cold prelle as is aboue specified, vpon paine of forfeiture of the whole cloath so prelled contrarie to the meaning of this Statute, or the value thereof. And further if any person or persons (but such as are appointed, assigned and permitted by this act doe at any time after the said feast counterfeit, set to, or take away from any of the Clothes, Kerseys, Frizes, Rugges, or cottons aforesaid, any of the seales so to be fired, as is aboue recited: that then euery person so offending, shal for the first offence (being thereof duely conuicted by verdict of twelue men, by two sufficient witnesses, or by confession of the party) forfeit and lose ten pound. And for the second offence (being likewise thereof conuicted) shall be set on the pillorie, and lose and forfeit to our Soueraigne Lord the king all such his goods and cattels (his debts being duely & truly paide without fraude or couin) as he had or shal haue at the time of his conuiction. And be it further

Auinagers

Defectiue

An other seale

Marke

Searchers

Forf.

Seale

Defectiue

Maior

Forf.

Retaile

Seale

Forf.

Maior Bailife

Searchers.

Maior Bailife

Forf.

Forf. Bailife

Imprif.

Bond

Falle colors

Put to to Retaile

Colours

Forf.

Forf.

Counterfeit

Seale

Corporal Confeſſion Forf.

Pillorie Forf.

ther enacted, that if betweene the first day of May next comming, and the Feast of Saint Michaell the Archangel then next comming, any person or persons, which now doth vse the art or mysterie of Draperie or Clothmaking, shall giue ouer drapering or clothmaking, except he be licenced so to doe by three Justices of the Peace at the least, of the citie, countie, borough, or towne corporate, where he dwelleth, vpon some reasonable cause shewed vnto the said Justices, shall neuer after take vpon him to make or cause to be made any kinde of cloth or Kersey, to sell the same againe, vpon paine of forfeiture of euery such cloth or Kersey that he shal so sell, And be it further enacted, that all and euerie article, clause, or sentence in any Act of Parliament heretofore made, concerning making dying, drelling, prelling, searching or sealing any of the kindes of cloathes broad or narrow, white or coloured kerſies, frizes, rugges, or cottons heretofore in this act mentioned, and being repugnant or contrariant to any Article or sentence in this Statute, shall from the feast of Saint Michael the Archangell next, be vtterly void and of none effect, And to the intent that all such clothes as shall bee made within this Realme or any other the kings Dominions, after the said feast, shall be the better knowne from the other Clothes made before the same time: Be it &c. that from & after the said feast, the letter E. crowned, shall not be wrought in the cloth, for and by the space of two yeares then next ensuing, vpon paine of forfeiture of xx. shillings for euerie cloth or Kersey, wherein the said Letter E. shal so be wrought: The moity of all which forfeiture and of all other forfeitures before expressed, & not otherwise appointed by this present act, shal be to the K. &c. & the other moity to him that wil sue &c. wherein &c. Prouided also and be it &c. that it shall not be lawfull to any person or persons at any time after the feast of saint Michael the Archangell next cõming, to boile or cause to be boyled any kinde of wols to be conuerted into any kinde of broad cloth or kersey, with any kinde of gales, rines, barkes of Trées, or Sawdust: vpon paine to forfeit all such wool, or the value thereof, to be recouered and had in such forme and sort, as in the foresaid Act is limited and appointed. Prouided alway, that this Act or any thing therein contained, shall not in any wise extend to any cloth or clothes made in the Towne of Tauestoke in the county of Deuonshire, or elsewhere within the said County commonly called Tauestoke clothes, but that it shall be lawfull to all and euery inhabitants of the said towne or makers of the aide clothes commonly called Tauestokes, to make & seale the same with the accustomable seale, as they haue heretofore bẽn accustomed: any thing in this act to the contrary in any wise notwithstanding. Anno 5. Ed. 6. cap. 6.

Clothmaking licence Iust. of P.

Forf.

Repeale

Repugnant

Void

Letter E.

Forf.

Boile

Woolles

Tauestoke

54 In Anno 5. Ed. 6. cap. 8. It was enacted, that none should weaue or make, or put to weauing or making any broad woollen cloth, to be sold, vnlesse such person haue bene apprentice to the occupation of broad woollen cloth making or weauing, or haue bẽn exercised therein by seuen yeres before: vpon paine of forfeiture of such Cloth. But this Act is repealed by 1. M. as appeareth hereafter 56.

55 Anno 7. Ed. 6. cap. 9. An Act was made for the making of plaine white streits & pinned white streites in Deuon and Cornwall: But it was repealed by 27. Eliz. cap. 18. as appeareth here after 69.

56 Euerie person or persons inhabiting in any of the said cities, boroughs, or towne corporate, or in any market townes within the realme of England where Clothmaking at any time before the making of the said act hath bẽne vsed, shall or may from henceforth lawfully make al manner of broad clothes aforesaid, and put them to weauing, walking, fulling, dying, and shering, without any impediment, so the same clothes be substantially made, bearing lawfull length, breedth and weight, according to the Statute for good and true Clothmaking, made in the fifth yeare of the raigne of our said late Soueraigne Lord King Edward the first (5. cap. 6. before 52.) any Article or clause in the said former estatute (s. Anno 5 Ed. 6. cap. 8. before 54.) or any other estatute made to the contrary in any wise notwithstanding. 1. M. cap. 7.

Broad cloth

57 No person vsing the feat or mysterie of clothmaking, and dwelling out of a City, borough, market towne, or corporate towne, shall from the feast of Saint Michael the Archangell now next insuing, kẽpe, reteine, or haue in his or their house or possession, any more or aboue one woollen Lome at one time, nor shall by any meanes directly or indirectly, receiue or take any manner profit, gaine, or commodity, by letting or setting any Lome, or any house wherein any Lome is, or shall be vsed and occupyed, which shall be together by him set or let, vpon paine of forfeiture for euerie weeke that any person shall doe contrary to the tenor and true meaning thereof twenty shillings. And be it &c. that no Woollen Weauer vsing or exercising the feat or mysterie of weauing, & dwelling out of a City, Borough, Market town, or towne corporate shal after the said feast haue or kẽpe at one time aboue the number of two Woollen Lomes, or receiue any profit, gaine, or commoditie, be it directly or indirectly, as is aforesaid by any more then two Lomes at one time, vpon paine to forfeit for euery week that any person shal offend or do to the contrary twenty shillings. And it is &c. that no person which shal after the said feast vse, exercise, or occupy onely the feat or mystery of a Weauer and not Clothmaking, shall during the time that he shall vse the feat or mystery of a Weauer, kẽpe or haue any Tucking Mill, or shall vse or exercise the feat or mysterie of a Tucker, Fuller or Dyer, vpon paine to forfeit for euerie weeke that he shall so doe xx.s. And it &c. that no person which after the said Feast shall vse, exercise, or occupy the feat or mystery of a Tucker, or Fuller, shall during the time that hee shall so vse the saide feat or mystery, kẽpe or haue any Lome in his house or possession, or shall directly or indirectly take any profit or commoditie by the same, vpon paine to forfeit for euerie weeke xx.s. And it is &c.

One woollen Loome

Letting of Loomes

Forf.

Woollen Weauer

Two woollen loomes

Forf.

Weauer

Tucking mill Fuller Dyer Forf.

Loome

Forf.

cloath-

that no person whatsoeuer, which heretofore hath not vsed or exercised the feat, mysterie or Art of clothmaking, shal after ẏ said feast make or weaue or cause to be made or wouen any kinde of broade white woollen clothes, but only in a citie, borough, or towne corporate, or market towne, or else in such place or places where such clothes hath bene vsed to be commonly made by the space of x. yeres next before the making of this Act, vpon paine of forfeiture of euerie cloth otherwise made v. pound. Prouided alwaies and be it &c. that it shall not be lawfull to any person or persons being a Weauer or that doth or shall vse the art or mysterie of a Weauer, weauing or dwelling out of a city, Borough, towne corporate, or market town, to haue in his or their seruice any more or aboue the number of two apprentices at one time, vpon paine to forfeit for euerie time that he shall offend or doe contrarie to this branch or article, the summe of ten pound. And further be it &c. that it shall not be lawfull to or for any person or persons, to set vp the Art or mysterie of weauing, after the said feast of Saint Michael, vnlesse the same person or persons so setting vp the same Art or mysterie of Weauing, haue beene apprentice to the same Art or mysterie, or exercised the same by the space of seuen yeres at the least: vpon paine of xx. pound to be forfeited to the king &c. the one moitie of all which forfeitures shall be to the king &c. and the other moitie to him that will sue &c. wherein &c. Prouided alwaies and be it &c. that this Act or any thing therein conteined, shall not in any wise extend to be preiudiciall to any person or persons, that doth or shall dwell in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but that they and euerie of them, shall and may haue and keepe Lomes in their houses, and doe and exercise all and euery thing and things for or concerning spinning, weauing, clothworking, and cloth making in the said Counties, as they or any of them might haue done or exercised lawfully before the making of this Estatute, any thing conteined in this Statute to the contrary in any wise notwithstanding. Anno 2. & 3. Phil. & M. cap. 11.

Citie

Forf.

Apprentices Forf.

Weauer

Apprentice

Forf. Moitie

Spinning

58 No person whatsoeuer, inhabiting, or which shall hereafter inhabite within the said Countie (S. of Somerset) shall after the feast of the Purification of our Lady next comming, commonly called Candlemasse, put to sale any kinde of such clothes, as is aforesaid, or clothes of like nature, making and sort, made or to be made within the said countie, except such cloth be first viewed, searched and seene in one of the boroughs or townes aforesaid (S Bridgewater, Taunton and Chard) whether the same be perfectly and truely made, according to the Statute, and also that the same bee sealed with the seale of one of the said Boroughes or townes in such sort maner and forme, as in the Statute made in the fift yere of King Edward the first, intituled. An Act for the true making of woollen Cloth, is for Sealing of clothes prouided and enacted: vpon paine that euery person offending or doing contrarie to the true meaning of this act, shall forfeit the cloth sold or the valne thereof, the moitie of all which forfeitures shall be to the king and Queene &c. and the other halfe to him that will sue &c. Anno 2. & 3. P. & M. ca. 12.

Put to sale

Bridgewater Taunton Chard

Seale

Forf. Moitie

59 Anno 24. H. 8. cap. 2. An Act was made concerning true dying of cloth, hats and caps, to endure to the last day of the next Parliament.

Dying Hats Caps

60 Where in the parliament holden at Westminster, in the fift and first yeare of the raigne of our late Soueraigne Lord King Edward the first (before 52.) there was by great deliberation and aduise, one good act made for the true and perfect making of woollen cloth within this realme, sithence the making whereof, diuers clothiers soũ themselues agreeued, alleadging that it is impossible for them to obserue the same act in all points, & haue in this present parliamẽt praied some mitigation thereof: It is therefore at their speciall instance and request, ordered, established, enacted and prouided in maner & forme following. In primis ẏ euery white cloth & clothes commonly called long Worcesters, & all like cloth of like making, mentioned in ẏ said act which by the same was limited to weigh lxxxiij pounds, being well scoured, thicked, milled and fully dried, shall weigh lxv. l. at the least: Itẽ euerie white cloth which shal be made in the counties of Wiltshire, Glocester, and Somerset, or any of them, or elsewhere, of like making, being appointed by the said Act to weigh lxiij. pounds, shall weigh being well scoured, thicked, milled, and fully dryed lxi. pounds at the least. This is altered in part after 68. Item euery broad cloth made in the Shires of Kent and Suller, or at the towne of Redding, or any of them, or elsewhere of like making, mentioned in the said Act, which by the same was limitted to weigh lxx. pounds at the least, shall weigh being well scowred, thicked, milled and fully dried lxxvi. pound at the least. Item that euerie course short cloth made in the Shires of Suffolke, Norffolke, and Esser, or any of them, or elsewhere of like sort, and euery course cloth to be made within the Shire of Kent, not exceeding the price of fiue pound, all which by the said Act are appointed to conteine seuen quarters of a yard at the least in bredth, shall conteine and be at the water, being thorow wet, fiue quarters and a halfe within the list, thorow, and by all the whole cloth at the least. Item euery yard of cloth commonly called handy warpe, being well scoured, thicked, milled, and fully dryed, shall conteine ẏ breadth specified in the said act, and shall weigh two pounds and a halfe at the least. And for asmuch as many persons doe counterfeit the making of Cocksal, Bocking and Braintree clothes, commonly called handwarps, adding thereunto such like list, as the makers of such clothes doe, to the great disceit of the King and Quenes Maiesties Subiects: Be it therefore enacted, that no person or persõs from the first day of May next comming, shal adde vnto any cloth or clothes any such list or lists, except the warpe thereof be spun vpon the rocke or distaffe, vpon paine of forfeiture of the same cloth or clothes, or the verie value thereof. Prouided alwaies that the cloth makers within the

Whitecloth long Worcester

Weight

Wiltshire Glocester Somerset Weight

Kent Suffex Reading

Weight

Suffolke Norfolke Essex

Width

Kent Weight

Counties

List

Forf.

the citie of Worcester, may make such lists as they haue done heretofore, Item, that no person or persons inhabiting within the west riding, in the county of Yorke, shall make or cause to be made, any broad cloth or clothes called Yelwkes, Towneys, Violets or greenes, except the wooll thereof before it be conuerted into yarne, be first dyed, litted, & coloured with the colour blew, of the value of y. d. a l. vpon paine of forfeiture of euerie such coloured cloth, or the value thereof, whereof the wooll shall not be first died, litted & coloured, with the colour blew of two pence a pound as is aforesaid. Item, that euerie ordinarie Kersey, mentioned in the said Act shall contein in length in the water betwixt 16. and 17. yardes, yard and inch, and being wel scoured, thicked, milled, dressed, and fully dried, shall weigh nineteene pounds the peece at the least. And euerie Kersey called sorting Kersey, mentioned in the said act, being well scoured, thicked, milled, dressed and fully dryed to be shewed, shall weigh xxij. pounds at the least. Item, that euerie Deonshire Kersey, called dozens, the which is appointed by the same statute to weigh, being die foureteene pounds at the least, shall weigh being well scoured, thicked, milled, and fully dried, after the rate of euery yard one pound at the least. Item, that one article mentioned in the said statute concerning Welsh cottons, touching the length and weight, shall bee clearely void: and euerie goad of Welsh lining shall conteine and be three quarters of a yard in bredth in the water, and shall weigh one pound and a halfe quarter, & euerie yard of cotton being fully wrought and cottoned shall weigh one pound at the least. And be it further enacted, that no person or persons, which shall buy to sell againe by way of retaile or otherwise, any of y said Welsh linings, shal dresse or worke, or cause to be dressed or wrought within his or their dwelling house or houses, or in any other place, by himselfe, or his seruant or seruats, any of the said Welsh linings, but shal put the same to some such person or persons, as shall be of the art or science of sheremen, cottoners, or frizers, to be by them wrought and dressed, vpon paine of forfeiture for euery welsh cotton or lining, frized or cottoned to the contrarie vi.s. viij d. (See some addition to this article after 63.) Item, that all and euerie cotton or cottons, called Manchester, Lancshire, and Chelshire cottons, and al clothes called Manchester rugs, or Manchester frizes, may be diuided into two halfe peeces, and shall conteine and be after the rate of such bredth and weight, as in the said act is limited and appointed to a whole peece of euerie of the seuerall peeces of cottons and rugges aforesaid: any thing in the said former statute to the contrarie in any wise notwithstanding. And if any cloth or Kersey, of the seuerall kindes of makings mentioned in the said former act, or this estatute, do exceed the seuerall lengths mentioned in the same: that then euery yard so exceeding, shall weigh after such rate as euerie yard of such cloth or kersies conteining the said seuerall lengths, shall or ought to weigh, vpon paine of forfeiture for euery yard not weighing after such rate v.s. And if any such cloth or kersey shall lacke of such weight, as by the said statute, or this act it ought, & is appointed to haue, then the maker thereof, or other person in whose hands or possessions the same be found, shall forfeit for euerie pound lacking aboue iij. pound, v.s. and also for euerie pound exceeding not aboue iij. paid y.s. in maner & form, as in the said former act is appointed. Item, one article mentioned in the said statute, wherein the Aulnager is prohibited to set his seale to any cloth or kersey which shall proue pursey, baudy, squally, in, or by warpe or woofe, or else shall happen to be euill burled, or walled in the mill, or otherwise to be full of holes, milbracks, or to be holely, shall be void and of none effect. Item it is enacted, that if at any time after the first day of May, any cloth or kersey through the default or negligence of the Carders, spinners, or Weauers, or any of them, shall or doe proue either pursey, cockley, bauby, squally, or rowy, by warp or woofe, or else shal happen to be euill burled or walled in the Mil, or else through the default or negligence of the mill man, or otherwise to be full of holes, milbracks, or to be holely: that then the maker of euerie such cloth or kersey so being defectiue or faulty, as is aforesaid, shall fire vnto euerie end of the said cloth or kersey so being defectiue & faulty, & offered to be sold, one seale of lead, in the which seale shal be ingraued this word (faulty) vpon pain of forfeiture of such cloth or kersey, or the value therof so offered to be sold, whereunto such seale shall not be set. Item, the article mentioned in the said former act of returning of defectiue clothes, kerseys, frizes, or cottons, being transported ouer the Seas by the Merchants, shall be vtterly void. But neuertheless, be it enacted by the authoritie aforesaid, that if it shall fortune hereafter any Merchant or Merchants, to transport any cloth or clothes, kersies, frizes, or cottons, whereunto the seale with this word (faulty) was not annexed at the time of the sale thereof by the Clothier, and the same clothes, kerseis, frizes, or cottons so transported, or any of them to be found faulty or defectiue, and the same Merchant or Merchants thereof, within two yeares after such sale, to bring a certificat, sealed with the seale of any towne or company in the parties beyond the seas, or assigned by a Notarie there, after the customed maner, certifying and declaring thereby the losse & damage which the Merchant shall haue susteined by such defectiue and faulty cloth or clothes so transported: that then the clothier or clothiers, or other person of whoin the cloth or clothes were bought, their executors or administrators, shall within six weekes next after request made by the said Merchant, his executors, administrators, or assignes, wel & truely satisfie, content, & pay to such merchant, his executors, administrators, or assignes, all & euery such sum & sums of money, as shal be so mentioned, exprested and declared in the said certificat, vpon paine of forfeiture to the party grieued, for euery nonpayment vpon such request, double the value of such summe or summes mentioned in the same certificate. Prouided allwaies, that such Merchant shall not in any wise haue by vertue of this Act, any recompence for lacke of length, bredth, or weight, of, or for any cloth, whereunto the

Fork.

Aulnager Seale

Cloth

Negligence

Faultie

Seale

Faulty Fork.

Transport Cloth

Merchants

Transport

Seale Certificats Towne Company Notaries Losse

Clothier

Executors Administrators

Fork.

seale of any city, borough, or towne corporate shal be fired. Item if any person shal by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersie, frize, rugge, or cotton, anie seale appoynted to be fired to anie cloth, kersie, frize, rugge, or cotton, either by this act or by the said former statute: that then euery such person so offending shall incurre and haue like penalties, forfeitures, and punishments, as in the said former act is appointed and limited for the like offence. And for the better execution, as wel of this present Act, as of the said former statute, and to the intent that al kinde of kersies, cottons, frizes, rugs, & other woollen cloth made in any town, shal be the better knowne: It is further enacted, that the seale of euery borough or towne corporate, appoynted, or to be appoynted for the sealing of any such kind of cloth, shalbe fired to all and euery such kind of cloth, being wel and substantially made within such city, borough, or towne corporate, which cloth so sealed with the Seale of any City, Borough, or Towne Corporate, shal not be searched, tried, or viewed by any Searcher or Sealer of any other city, borough, or towne corporat, by vertue of his said office: Any thing in this Act, or in the said former statute to the contrarie notwithstanding. Item, be it further enacted by the authority aforesaid, that euery person and persons, now dwelling and inhabiting within any Citie, borough, or towne corporate, and making any of the clothes or kersies aforesaid, may lawfully bring the same to the next citie, Borough, or town corporate, where any such kinde of cloth or kersies be, or shall be commonly made, there to be sealed in manner and forme as is before expressed, Item, if any searcher or sealer, appointed, or to be appointed by vertue of this present Act, or of the said former statute, shall set the seale of any citie, borough, or towne corporat, to any cloth which shal not contein such length, weight & breath, as in ỳ said former statute, or in this present act is appointed: then the Maior & communaltie, or ballife & comminalty, or other Corporation of the Towneship, by whatsoeuer name or names it, or they shall be incorporated, where such cloth, kersie, frize, cotton, or rugge, shall be so sealed, shal forfeit and lose the whole value of the cloth so sealed. It is also enacted by the authority of this present Parliament, that the said searchers or sealers, and euerie one of them, shall haue full power and authority by vertue of this act, in the day time to enter into all and euery house and houses of euery person or persons, where hee or they shall thinke meete, to search and to trie all and euerie kinde of clothes, kersies, frizes, and rugs, as they shall find defective, either in length, breath, or weight, and the same to trie by water and weight, and also to search and seise as forfeit, all and euerie cloth and clothes made of other colours, then in the saide former act is appointed, Friers Gray, Crane colour, Purple, and old Medley colours, most commonly vsed to be made before twenty yeares last past, onely excepted. And if any manner of person or persons, at any time after the first day of May next comming, shall deny, withstand, or withholde any cloth or clothes, kersies, Frizes, Rugges, or any of them, from the said sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses, or places where their clothes, kersies, frizes, or rugges shall bee, the same to be searched and tried as is aforesaid: that then euerie such person or persons so denying or withstanding, for euery such withstanding, witholding, or denial, to forfeit and lose ten pounds. Be it likewise further enacted, that it shall not be lawfull for any the said searchers or sealers, or any other person, to search any manner of woollen cloth or kersey, whereunto the seale of a Citie, borough, or towne corporate, shall bee fired, within the common cloth Market of London, commonly called Blackewell Hall, or in any common cloth Faire, or cloth Market, of any other City, borough, or Towne corporate, in, and during the time of the faire or market: any Act or Statute to the contrarie notwithstanding. Be it further enacted, that al and euerie article, clause and sentence in the said former Statute, made in the fift and first yeare of the raigne of our said soueraigne Lord King Edward the first, not being repugnant or contrarie to any article, clause, or sentence conteined in this present Act, shall stand in full force and effect. Prouided alwaies, that no person or persons, shal incurre the danger, penaltie, or forfeiture, limited and appointed for any offence in the said former act, the which is already mittigated, or otherwise appointed by this present act. And be it further enacted by the authoritie aforesaid, that euery Clothier shall cause euerie cloth which he shall put to sale, from and after the feast of the Nativity of S. Jo. Baptist next comming, to be marked with the letter M. crowned, wrought in cloth, upon paine to forfeit xx. shillings for euerie cloth being sold, or put to sale by any such Clothier, after the said feast not marked with the said Letter M. as is aforesaid And moreouer be it enacted by the authority aforesaid, that no person or persons after the said feast of the Nativity of S. Joh. Baptist, shall set, or put to sale within the Realme of England, any coloured cloth, of any other colour or colours, then are hereafter in this act mentioned, that is to say, Scarlet, Red, Crimson, Murrey, Violet, Pinck, Brown blew, Black, Green, Yellow, Blew, Orenge tawney, Russet, Marble, Grey, Sad new colour, Azure, Watchet, Peps colour, Lion colour, Motley, Iron Gray, Friers Gray, Crane colour, Purple, and old Medley colour, most comonly vsed to bee made, aboue and before xx. yeres last past. And for the maintenance of diuers auncient cities, boroughes, and towns corporate, which begin to decay, by reason that Clothiers doe giue ouer dwelling there, Be it &c. that from and after the first day of May next comming, no person or persons what soeuer, shall vse or exercise the feat or mysterie of making, weauing, or rowing of woollen Clothes long or short, or kersies, pinned Whites, or plaine streites, to the intent to put the same to sale, but onely in a Market Towne, where Cloth hath commonly beene vsed to bee made by the

Counterfeit

Seale

Tries Searcher

Searcher Sealer

Maior Comminalty

Fork.

Search

Except

Whites.

Fol.

Blacke Hall

Faire Market

Penalty

Cloths

Marke M. crowned Fol.

Penalty

Colors

Clothe

Woollen Clothes making

Market Towne

space

ſpace of x. yeares laſt paſt, or in a citie, borough, or Towne corporate, vpon paine of forfeiture for euery ſuch woollen cloth or kerſey, made, wouen, or rowed, out of ſuch Citie, Borough, towne corporate, or market towne v.l. And it is further enacted, that from and after the firſt day of May, no perſon whatſoeuer ſhall weaue or make, or put to weauing or making, any woollen cloths or kerſies laſt rehearſed to be ſold, vnleſſe ſuch perſons ſhall haue beene Apprentice to the occupation of making, weauing, and rowing of cloth, & kerſies, or haue beene exerciſed therein by the ſpace of ſeauen yeares before, vpon pain of forfeiture of ſuch cloth or the value thereof. And be it further enacted by the authority aforeſaid, that all and euerie paines penalties and forfeitures to be due by force of this ſtatute, or of the ſaid former act, being not otherwiſe appointed, ſhall be diuided equally into two parts, whereof the one ſhall be to the Quenes highneſſe, her heires and ſucceſſors, and the other vnto him that will ſeiſe, (in caſes where ſeiſure is limited or appointed) or elſe to him or them that will ſue for the ſame paines, penalties, and forfeitures, or any of them by action, bill, plaint, information, or otherwiſe, in any Court of Record, wherein no eſſoine, protection, wager of lawe, or iniunction ſhall be admitted, or allowed, or obeyed. Prouided alwaies, that it ſhall be lawfull to any perſon now vſing or exerciſing the feat or miſterie of making, weauing, or rowing of cloth or kerſie, to inhabite and dwell where he now doth, and there to vſe the making, weauing, or rowing of cloth or kerſey, as he hath done heretofore: any thing in this act to the contrary notwithſtanding. Prouided allways, that it ſhal be lawful to all and euerie perſon or perſons, which now doe, or hereafter ſhall inhabite or dwell, in any of the ſhires of Northwales or Southwales, Cheſhire, or Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhopricke of Durham, Cornewall, Suffolke, Kent, the towne of Goddalmine in the county of Surrey, or Yorkſhire, being not within xj. miles of the citie of Yorke, or in any the townes or villages neere adioyning the water of Stroud in the Countie of Glouceſter, where clothes haue beene vſually made by the ſpace of twenty yeares laſt paſt, and hauing beene prentice to the occupation of Clothmaking, or exerciſed in the ſame by the ſpace of ſeuen yeres, to ſet vp, vſe, and exerciſe the feat or myſterie of making, weauing, or rowing of Cloth, out of a Citie, Borough, or Market Towne, as heretofore they might haue done: any thing in this act to the contrarie notwithſtanding. (This laſt branch touching the making and dreſſing of Cloth, but onely in Townes, Cities, & Boroughes, and the forfeitures by reaſon of the ſaide branch againſt ſuch perſons onely, as ſhall vſe the ſame within the Counties of Somerſet, Wiltſhire, and Glouceſter, is repealed by Anno 18. Eliz. ca. 16. hereafter 66.) Prouided alſo, that it ſhall bee lawfull to any perſon now vſing or exerciſing, or that hath vſed or exerciſed the feat or myſterie of Clothmaking, the ſame to continue, vſe, and exerciſe, although he hath not beene thereunto Apprentice or haue exerciſed the ſame by the ſpace of ſeuen yeres, any thing in this act to the cõtrary notwithſtanding. Prouided alwaies, and be it further enacted by thauthority aforeſaid, that it ſhalbe lawfull to any perſon or perſons, to ſell and put to ſale by retaile, or otherwiſe, all and euerie ſuch coloured cloth and clothes, as he or they now haue, as freely as he or they may lawfully ſell any clothes of the colours in this preſent Act allowed to be ſolde, vntill the feaſt of Saint Michaell the Archangell next inſuing: This Act, or the ſaid former ſtatute in any wiſe notwithſtanding. Anno 4. & 5. P. & M. cap. 5. See ſome alteration for ſome ſpeciall places heere next following 61. and likewiſe hereafter 70.

Retaile

61 Becauſe the Townes hereafter mentioned be well planted for Cloth making, and haue beene long inhabited with good clothmakers: Be it ordained and enacted, that it ſhall be lawfull to all and euerie ſuch perſon and perſons, which now do inhabite or dwell, or hereafter ſhall dwell in the ſaid townes or villages of Bocking, Weſtbarfold, Cockhall and Dedham, or in any of them, now vſing or exerciſing, or that hereafter ſhall vſe or exerciſe, the feat or myſterie of making, weauing or rowing of cloth or Kerſies, by the ſpace of ſeuen yeres at the leaſt, or haue beene Apprentice thereto by the ſaid ſpace of vy. yeres, to inhabit and dwell in the ſaid townes or villages of Bocking, Weſtbarfold, Cockhall, and Dedham, and in euerie, or any of them, and to vſe the making, weauing, or rowing of cloth or kerſies, as before this time they might haue done, if the ſaid act had neuer beene made: any thing in the ſaid act to the contrary thereof made, or any other act, ſtatute, or law heretofore made, or hereafter to be made to the contrary hereof in any wiſe notwithſtanding. An. 1. El. cap. 14.

Bocking Weſtbarfold Cockhall & Dedham

Apprentice

62 For the better reliefe of ſuch as vſe the art & labour of clothworking, Be it enacted by the authoritie of this preſent parliament, that from hence forth for euery ix. clothes vnwrought, hereafter to be ſhipped or carried into any parts beyond the Seas, contrarie to the forme of any ſtatute heretofore made, and now remaining in ſtrength, by force of any licence hereafter to be granted, the party that ſhall ſhip or carrie ouer the ſame, ſhall ſhip & carry ouer alſo one like woollen cloth, of like ſort, length, breadth, and goodnes, ready wrought & dreſſed: that is to ſay, rowed, barbed, firſt courſed and ſhorne, from the one end to the other, ſo that euery tenth cloth paſſing ouer the Seas in forme aforeſaid, may and ſhall be dreſſed within this realme, before the ſame ſhall be ſhipped, or tranſported ouer, vpon pain to forfeit for euerie ſuch ix. clothes ſo to be ſhipped or tranſported, contrarie to the meaning of this act x.li. Prouided alway, that euery ſuch x. cloth ſo to be tranſported ready wrought ſhall not be accounted any of the clothes permitted to be trãſported by force of ſuch licence, but that ſuch perſon as ſhal haue ſuch licẽce, may tranſport, according to ſuch licence, the ful number of clothes vnwrought, mentioned in the ſame licence, ouer & aboue the number of ſuch tenth clothes, which they ſhalbe compelled to ſhippe and carrie ouer by force

Tranſport

Licence

Ready wrought

Tentheloth

Forf.

Tranſport

Licence

Vnwrought

of this Statute. And be it further enacted by authoritie aforesaid, ẏ from the last day of February now next cõming, no person shal ship or carry into the parts beyond the seas, contrary to the forme of any statute heretofore made, now remaining in force, any cloth commonly called Kentish cloth, or Suffolk cloth made, or to be made in the coũties of Kent or Suffolk, vnwrought & vndressed, within this Realme, that is to say, not rowed, barbed, frist coursed and shorne, vpon paine to forfeit for euery such cloth commonly called Kentish or Suffolke cloth, made or to be made in either of the said counties, so to be shipped or transported contrarie to the forme of this statute forty shillings. And that no licence for transporting of any cloth or clothes shall be construed or expounded to extend to any such Kentish or Suffolke cloth, made or to bee made in either of the said coũties to be from hencefoorth transported. And that all the forfeitures appointed by this Statute, for transporting of clothes, shall be the one halfe to the Queenes Maiesties her heires and successors, the other moity to ẏ Maister & wardens of the said cõpany of Clothworkers, to the releife of the poore of the said company, to be recouered in any court of Record, by action of debt, bill, plaint, or information, wherein no essoine, protection, nor wager of law for the defendãt shal be admitted or allowed. Añ. 8. El. ca. 6.

Shipping
Fork.
Licence
Kentish cloth
Suffolke
Moitie
Wardens Poore

63 Be it enacted by authoritie of this present Parliament, that from and after the feast of Easter next insuing, no manner of person or persons whatsoeuer, inhabiting and dwelling within the said Towne of Shrewesbury, or the liberties, and franchises of the same Towne, other then such as haue, or shal haue serued as apprentices in the said occupation and seruice of Drapers, or be, or shall be free of the said science or mystery, shall occupie, vse, or exercise, or frequent the said trade, art, mysterie, or science of buying of the said Welsh cloth, or lining, cottons, frizes, and plaines, nor haue any factor, or doer for him in the same, nor by any colour, engine, or fraud, be any occupyer of the said Frizes, cottons, and plaines, vpon paine that euery person and persons, inhabiting as it is aforesaid, and occupying, vsing, or exercising the said trade, occupatiõ, or science of buying of Welsh cloth, & lining, and not authorized by this present act, shall lose and forfeit for euery peece of the same clothes so bought vi. s. viij. d. And ouer that bee it further enacted, that no person dwelling and inhabiting, as is aforesaid, and vsing or occupying the saide trade of buying of frizes, cottons, or plains, shall vse or exercise the facultie of frizing or cottoning, vpon paine to incurre such like forfeitures for euery offence, as is aboue mentioned: The moity of all which paines and forfeitures aboue mentioned, shall be to our Soueraigne Lady the Queene, her heires and successors, and the other moitie to such person & persons, as will sue for the same in any Court of record, by action, bil or plaint of debt, wherein no protection, essoine, or iniunction, or wager of law shall be allowed or admitted. Prouided alwaies, and be it further enacted by the authority aforesaid, that this present act, or any thing, sentence, or matter therein conteined, shall not extend, or be in any wise preiudiciall or hurtfull to any such person or persons, as haue heretofore vsed, occupyed, or frequented the said trade, art, mysterie, or science of buying and selling of Welsh clothes and linings aforesaid, but that euery such person and persons, which hath or haue vsed the said trade or science, as is aforesaid, shall & may haue and inioy the like benefit, commodity, and aduantage, aswell in buying and selling the said Welsh clothes and lining, as otherwise, in as large, free, and ample manner and form, as if this act had neuer bene made. And further, to the intent the said poore Shereemen, Frizers, and Cottoners may be the better relieued and maintained, Be it enacted by the authority aforesaid, that all & euery person and persons, occupying and vsing, or which hereafter at any time shall occupy or vse the said trade, science, or art of buying and selling of Welsh cloth and linings aforesaid, and shall from ẏ feast of Easter next insuing, deliuer any Welsh cloth or linings aforesaid, to be cottoned, frized, dressed, or wrought to any Shereman, cottoner, or frizer, shall deliuer, content and pay to the said Shereman, cottoner, or frizer, ready and present money for all his said worke, without any colour, fraud, or engine whatsoeuer, and shall not deliuer any ware, or other thing whatsoeuer, in contentation or satisfaction of his said worke or any part thereof, vpon paine that euerie person offending in this behalfe, shall forthwith lose all such liberties, freedomes, & priuiledges, which he hath, or shall haue, as one of the said Company, fraternity, or guild of the said art and mysterie of Drapers, and also shall for euer after be vtterly disabled and excluded, to vse, occupy, or inioy, by himselfe, or by any other for him, or to his vse, the said trade, art, mysterie, or science of buying or selling of Welsh clothes or linings: this act or any other matter or thing whatsoeuer, to the contrary in any wise notwithstanding. Anno 8. Elizabeth cap. 7.

Shrewesbury
Apprentices
Buying
Factor
Occupyer
Fork.
Buying
Fork.
Moitie
Poore Shereemen
Buying & selling
Ready money
Liberties
Drapers

64 Be it enacted by the authoritie of this present Parliament, that no person or persons, from and after the first day of April next comming, shal sell, or put to sale within the said County of Lancaster, or conuey or carrie, or cause to be conueied and carried out of the said Countie of Lancaster, any kinde of clothes, cottons, frizes, or rugs, hereafter to be made within the said County Palantine of Lancaster, to be sold, before such time that the owner or maker of euery such cloth, cotton, frize, or rugge, shall fire, and put to, or cause to be fired & put to euery such cloth, frize, cotton, or rug, one seale of leade, hauing the marke of euery such owner or clothier, ingraued on the one side therof, & the true length of euery such cloth, frize, cotton or rug, as it is found being wet, to be ingraued on the other side of the said seale. And also the M. highnes Aulnager or of the said Countie Palantine for the time being, vpon triall of the weight of euery such Cotton, Frize, and Rugge, shall fire and put, or cause to be fired and put to euery such cotton, frize, and rug, the Quenes highnesse seale of

Lancaster
Cotton Frize Rugge
Seale
Length
Aulnager
Seale

of leade hauing the Portculleis crowned, ingraued on the other side thereof, and the true weight of euery such cotton, Frise, or rugge, to be ingraued on the other side of the said seale, vpon paine of forfeiture of all and eueris such clothes, cottons, sciezes, and rugges, conueied, carried, sent, solde, and put to sale, or to the intent to be sold being vnsealed, contrarie to the meaning of this present act: The one moitie thereof to be to the vse of the Queenes highnelle, her heires and successors, and the other moitie thereof to such person or persons, that shall seise the same cloth, cotton, Frize or rugge, or will sue for the same, to be recouered in any of the Quenes Highnelle courts of Record, by bill, plaint, information, or otherwise wherein no essoin, protection or wager of law shal be allowed to the defendant. And be it further enacted by the authoritie of this present Parliament, that the said Aulnageor, after the said first day of Aprill, shall appoint and haue his lawfull deputie within euerie of the said seuerall townes of Manchester, Rochester, Rochdale, Bolton, Blackborn and Berry, in the said countie, where the said Aulnageor hath beene accustomed to haue his deputy heretofore, there to be ready vpon a lawful request vnto him made without delay, to weigh euerie of said Cottons, Frizes & rugges, as shall be brought vnto euerie such deputy, and sealed with the seale of the owner or maker of euery of the same clothes in forme aforesaid, and to fire and set to euerie of the said clothes, Cottons, frizes and rugges, the Quenes highnelle seale before said, to be ingrauen in maner and forme before mentioned, vpon pain of forfeiture of xx. s. for euerie packe of Cottons, frizes, or rugs, sealed by ỳ said Aulnageor, or any of his said deputies, before the same be weighed, in forme aforesaid. The one moity thereof to be to the vse of the Quenes Highnelle, her heires and successors, and the other moity thereof, to him or them that will sue for the same in any of the Quenes Maiesties Courts of Record, by bill, plaint, information, action of debt, or otherwise, wherein no wager of law, protection, or essoine shall be allowed. Prouided alwaies, and be it enacted by the authoritie aforesaid, that it shal bee lawfull to the said Aulnageor or his deputy, to haue and take of the owner or maker of euery of the said clothes, cottons, Frizes or Rugges, for the weighing & sealing of euerie packe of the said clothes, cottons, Frizes, and rugges iij. pence. And for euerie peece of such course clothes, cottons, frizes and rugges not amounting to a whole packe, one halfe penny, and the same to be paied by the owner or bringer of the said clothes at the weighing and sealing of the same: any custome, vse, or prescription, to the contrary in any wise notwithstanding. And forasmuch as such persons as comonly do vse to vtter & sell the said seuerall kindes of cottons, Frizes, and rugges, haue been, and are daily molested, vexed, and troubled, to their great losse and hinderance, by meanes of the cruelty of Informers and Searchers, seeking continually their owne priuate gaine, by finding of the said cottons, frizes & rugs, at no time made according to such form of weight, lengths & breadths, as by the former statutes of this realme lately made for the true making of woollen clothes is limited & appointed (before 50. & 60.) And for that the same persons do alleage ỳ the makers of the said cottons, frizes, and rugges, can by no meanes be reduced to obserue the said weights, lengthes, and breadths, in making of the said cottons, frizes, and rugges, according to the forme of the said former statutes, without the vtter vndoing of great numbers of poore people, that are comonly the makers of such kinde of clothes, & that by meanes hereof the said cottons, frizes, and rugges, sithence the making of the said statutes, haue beene, and are more scarse & dearer then they were before the making of the said statutes, and nothing at all mended in substance and forme of making. For reformation whereof, be it enacted that from and after the first day of April next comming, euery of the said Cottons, being sufficiently milled, or thicked, cleane scoured, well wrought, & fully dryed, shal weigh vi.li. at ỳ least, & shal cõtein in length one & twenty goads, or xx. goades at the least, and in breadth at the most three quarters of the yard, or within one naile of three quarters of a yard at the least. And that euerie of the said Frises or Rugges, being thicked, & fully dryed, shal weigh xliij.li. at the least, and shall conteine in length betwixt xxxv. yards & xxxvii. yards, & shall contein in breadth at the most three quarters of the yard, or within one naile of three quarters at the least, and not to be streined vpon the tentors aboue one naile in breadth. And also if any of the said cottõs, frizes, or rugs, shall be of any greater length, then is before seuerally expressed: that then euerie goad or yard so exceeding the said seuerall lengthes, shall weigh after such rate, as euery goad or yard of such cottons, frizes, or rugges, conteining the said seuerall lengthes, shal or ought to weigh, vpon pain of forfeiture for euery goad or yard not weighing after such rate, xij. d. And also if any of the said Cottons, Frizes, and rugs, shal be of any lesse weight then is before seuerally limited and appointed: that then al and euery such person or persons, that shall so sel, or offer to be sold any such cotton, frize, or rug, shal forfeit and lose for euery pound lacking vnder three pounds, xij. d. & for euery pound weight lacking aboue three pounds v. s. The one halfe of which forfeiture shall be to our Soueraigne Lady the Quenes highnelle, her heires and successors, and the other halfe thereof to such person or persons, that shall sue for the same, by action of debt, bill, plaint, or information, in any of the Quenes Maiesties Courts of Record, wherein no essoine, or protection, or wager of law shall be admitted or allowed for the defendant. And further be it enacted by the authority aforesaid, that all & euery branch, clause, sentence, and article specified and conteined in any other Acts of Parliament before this time made, concerning the sealing & making of the said Cottons, Frizes, & Rugs, shal be from henceforth vtterly repealed, void, & of none effect: any thing in the said acts conteined to the contrary in any wise notwithstanding. Prouided alwaies, that this Act shall not in any wise extend to be preiudiciall

Cottons Cleane scoured Weight Content

Frises Rugges Weight

Conteine

Greater length

Fort.

Pound

Repealed Void

Charter Libertie

or hurtfull vnto any Charter, or Libertie of any Borough, or Towne Corporate, within the said County Palantine of Lancaster, concerning the making and putting to sale of any woollen Cloth: any thing therein contained to the contrary notwithstanding. Anno 8. Eliz. cap. 12.

65 Anno 14. Eliz. cap. 10. A Law was made for the length of kerseys, but it is repealed Anno 3. Iac. cap. 16. heere following 77.

66 Whereas in the Parliament holden at Westminster, in the fourth and fift yeares of the raignes of our late Soueraigne Lord and Lady, King Philip and Quéene Mary, one Statute was made, intituled, An Act touching the making of Woollen clothes (before 60.) whereby (among other things) it was ordained and enacted, by the authoritie of the said Parliament, that from and after the first day of May then next comming, no person or persons whatsoeuer, should vse or exercise the feate or mysterie of making, weauing, or rowing of Woollen cloth, long or short, or kerseis, pinned Whites, or pleine streits, to the intent to put the same to sale, but onely in a Market towne, where cloth commonly hath been vsed to be made by the space of tenne yeares then last past, or in a City, Borough or Towne Corporate, vpon paine of forfeiture for euery such Woollen cloth or kersie made, wouen, or rowed, out of such Citie, Borough, towne corporate, or market Towns v. l. as by the said act amongst diuers clauses, articles & prouisoes conteined in ỹ same, more plainly is expressed. And for asmuch as diuers and sundrie persons, haue heretofore of long time vsed and exercised, and at this present doe vse and exercise the feat and mysterie of clothmaking in the Counties of Somerset, Wiltshire, and Glocester, and haue to their great costs and charges, planted, themselues and their dwelling houses dispersedly thoroughout the said Counties, and neither in cities, Boroughes, Townes corporate, or Market townes, as might and may serue most conueniently for the vse and exercise of the said feat and misterie, as namely about the Riuers of Fromewater, Kingswood water the Riuers of Auen, Willibourne, and Salisbury bournes, and Stroudwater, in the said Counties of Somerset, Wiltshire, and Glocester, and the branches of the same waters, and also for that the said places and waters are verie good and apt for clothing, together with ỹ great number of Fulling Milles, & other worke houses thereunto adioyning, mainteined onely by the Clothmaking in the Villages & parishes thereabout: And for as much also as a great multitude of poore people, as Weauers, Tuckers, Spinsters, and such like, haue of long time heretofore, & at this present doe inhabit and dwell neere vnto the said places and waters, by meanes of the great Clothmaking there, heretofore and now vsed, and haue beene onely relieued and sustained by the same, and also for that great inconuenience might insue, within the said Counties of Somerset, Wiltshire, and Glocester, in remouing and placing of such a multitude, in, or within any Citie, Borough, Towne corporate, or Market towne, according to the meaning of this said Act: Be it therefore enacted: that the saide Branch and clause of the said Statute, as touching onely the vse or exercise of the feate or mysterie of making, weauing, or rowing of any woollen clothes, to the intent to put the same to sale, but onely in a Market town, Citie, Borough, or Towne corporate, & all and euerie the penalties and forfeitures, by reason of the said branch onely, as against any such persons, as hath vsed, or hereafter shall vse and exercise the said feat and mystery of making, weauing, or rowing of any woollen cloth within the saide counties of Somerset, Wiltshire, and Glocester, or any of them, shall be from henceforth repealed & made voide: any thing contained in the said Act, or in any other Act heretofore made to the contrary thereof in any wise notwithstanding. And further be it enacted by the authority aforesaid, ỹ no person or persons now dwelling or abiding, or which hereafter shall dwell or abide within the said counties of Somerset, Wiltshire, & Glocester, or any of them, shall from henceforth vse or exercise the said feat or mysterie of making, weauing, or rowing of any woollen cloth or clothes, out of any City, Borough, towne corporate, or market Towne, except onely within such houses and places in the said Counties of Somerset, Wiltshire, and Glocester, or any of them, as such woollen clothes haue been most commonly vsed to be made, wouen, or rowed, by the space of ten yeares, next before the making of this act, vpon paine of forfeiture of euery such cloth made, wouen, or rowed, contrarie to this present Act, fiue pound. The one moity of which forfeiture shall be to our Soueraigne Lady the Quéenes Maiesty, her heires and successors, and the other moity to him or them that wil sue for the same. And be it further enacted by the authority aforesaid, that such person or persons, as after the feast of Saint Michael the Archangell next comming, shall vse or exercise the trade or mysterie of Clothmaking, in any of the said houses and places out of a Citie, Borough, Towne Corporate, or Market Towne within the said Counties or any of them, which now doth not vse and exercise the same trade or mysterie, shall not keepe in his or their occupation or manurance, aboue twenty acres of land, meadow, and pasture at the most. And that euerie person now vsing or exercising the said trade or mysterie, out of a City, Borough, Towne corporate, or market Towne, within the said Counties, or any of them, shall not haue nor take, in, or into his or their occupation or Manurance, any land, meadow, or Pasture, but that which he or they now haue, or as much onely in lieu thereof, vpon paine to forfeit for euery acre of land, Meadow, and pasture, by such person or persons, occupied or manured, contrarie to the tenour of this act, for euerie yeare that he shall so occupie the same and so vse the trade of clothmaking fiue shillings eight pence. And that all and euerie such forfeitures hereafter to be due by force of this Statute, shall be diuided equally into two parts, whereof the one shall be to the Quéenes highnesse, her heires and successors, and the other to him or them

Somerset Wiltshire Glocester

Riuers

Fullinge Milles

Repeale

Somerset Wiltshire Glocester

Fol.

Petit

Market Towne

Twenty acres of land Meeds Pasture

Land

Fol.

Petit

them that will sue for the same. Prouided alwaies and be it &c. that euerie person or persons, being by this Statute allowed to vse or exercise the feate or mysterie of making, weauing, or rowing of woollen cloth, long or short, or kersies, pinned whites, or plaine straits, not being by the former Statute allowed thereunto, shall be subiect to such search, forfeiture, and other orders, as other persons dwelling out of boroughs and townes corporate, allowed of by the said former Statute, or any other Statutes, were subiect or bound vnto before the making of this Act: Any thing in this Act contained to the contrary notwithstanding. Anno 18. Elizab. cap. 16.

67 Whereas of late yeares there hath beene brought into this realme, a certaine kinde of stuffe called Logwood, alias Blockswood, wherewith diuers do dye daily diuers things: Forasmuch as the colour made with the said stuffe is false and deceitfull: Be it &c. That all such Logwood, alias Blockwood, in whose hands soeuer the same shalbe found, after the feast of S. Michael the Archangel next insuing, shalbe forfeited and openly burned, by authority of the Maior, or other head officer of the City or Towne corporate, or of two Iustices of peace of the county where it shalbe found, and that from and after twenty dayes after the end of this Session of parliament, no person of what degree soeuer he be, shall dye, or cause to be dyed any cloth, woll, or any other of the premisses abous mentioned, or any other thing whatsoeuer, with anie of the saide ware or stuffe called Logwod, alias Blockewood, vpon pain that the dyer of euery such seuerall thing so dyed, shall forfeit the value of the same thing so died: The one moity to the vse of the Queens maiesty, her heires or successors: and the other moity to him that will sue for the same by Action of debt, bill, plaint, or information, in any court of Record, in which suite no essoine, protection, wager of law, nor writ of Priuiledge for the defendant shalbe admitted or allowed, and the partie offending, being thereof conuicted, to remaine in prison without baile or mainprise, till hee haue satisfied the same value. And where clothes, kersies, and hosen haue beene died with a colour which is commonly called a galled and mathered blacke, or with a colour commonly called a Shomacke and mathered Blacke, which colors although they carry a shew of a good, true, and perfect colour of woaded and mathered blacke, (and of such as do buy the said colours, either in cloth, kersies, or hose, taken so to be,) notwithstanding in proose and wearing proue contrary, to the great deceit of the Quenes subiects, and discrediting of the cloth, and other things so died: For the reformation wherof, be it enacted, that no kind of cloth or clothes, kersies, baies, frizadoes broad or narrow, hosen, or other things, being in the nature of cloth, shall from henceforth be mathered for a blacke, except the same be first grounded with Woad onely, or with Woad and Anele, alias Blew Inde, vnlesse the mather be put in with shomacke, or gallis. And that from and after twenty daies after the end of this Session of Parliament, no person of what degree soeuer hee be, shall die, or cause to be dyed any cloth or cloths, or other things aboue said, of what kinde or nature soeuer, mathered for a blacke, not hauing a ground of woad onely, or of woad and anele, alias blew Inde, vnlesse the mather be put in with shomacke or gallis, vpon paine that the Dyer of euery such seuerall thing so dyed, shall forfeit the value of the same thing so dyed: The one moity thereof to the vse of the Maiestie, her heirs or successors, and the other moitie to him that wil sue for the same by action of debt, bill, plaint, or information, in any court of Record, in which suite no essoine, protection, wager of law, nor writ of Priuiledge for the defendant shalbe admitted or allowed, and the party offending, being thereof conuicted, to remaine in prison, without baile or mainprise, till he haue satisfied the same value. Prouided alwais, that it shal and may be lawful to dye any maner of gall black, shomacke black, alias plaine blacke, wherein no mather shalbe vsed, as heretofore lawfully hath beene done: this Act, or any thing therein contained to the contrarie notwithstanding. Prouided also, That euery Dyer that shal after the feast of Pentecost next ensuing the end of this Session of Parliament, dye anie of the said blacke clothes, kersies, or frizadoes, mathered, and not woaded, shal before he deliuer anie of the same forth of his hands, fire a seale of lead to euery of them, in which the letter M. signifying (mathered) shalbe conteined, vpon paine that euery dyer offending to the contrary, shal forfeit for euery yard of the said cloth, kersies, baies, or frizadoes, the summe of iij. s. iij. d. And that if anie person shal sel any cloth, kersies, baies, or frizadoes mathered and not woaded, after the saide Feast of Pentecost, and shal not first giue notice to the buyer thereof, that the same is not woaded, shal forfeit also the double value of al such cloth, kersies, baies, and frizadoes, as he shall so sell, which forfeitures shal be to the party that shal sue for the same in any Court of Record, by Action of debt, bil, plaint, or information, wherein no essoine, protection, or wager of Law shal lie. Ann 23. El. ca. 9.

Shomacke. Forf. Moitie. Seale. Letter M. Forf.

68 Whereas in the parliament holden at Westminster, in the v. and vj. yeres of the raigne of our late soueraigne Lord King Ed. the firt, one statute was made, intituled, An Act for the true making of woollen cloth, whereby (amongst other things) it was enacted, That all Whites and Reds which after the feast of Saint Michaell the Archangell then next comming, should be made in the Shires or Counties of Wiltshire, Glocester and Somerset, or any of them, or elsewhere of like making, and all other Whites which should be made in anie other parts of this realme of England, and not before in the same Statute remembred, should containe in length, being thorow wet, betweene fire and eight and twenty yards, and should be seuen quarters of the yard in breadth within the lists at the least, and listed according to the ancient custome, and being well scoured, thicked, milled and fully dryed, should weigh euery peece lviij. pounds being white, and lx. l. being coloured at the least, as by the said Act among diuers clauses, articles, and prouisions contained in the same, more plainely is expressed. And

whereas

whereas also in the Parliament holden at Westminster in the fourth and fift yeares of the reignes of our late soueraigne Lord and Lady King Philip and Quæne Mary, one other Statute was made, intituled, An Act touching the making of woollen clothes, whereby also (among other things) it was ordained, established, enacted, and prouided, That euery white cloth which should be made in the cõties of Wiltshire, Glocester, and Somerset, or any of them, or elsewhere, of like making, appointed by the said Acte made in the said fift and sixt yeares of King Edward the sixt, to weigh three score and foure pounds, should weigh being well scoured, thicked, milled, and fully dried, three score and one pound at the least, with a prouision in the same last recited Act contained, That no person or persons should incurre the danger, penalty, or forfeiture limited and appointed for any offence in the said former recited Act, which was mitigated or otherwise appointed by the said Act made in the fourth and fift yeares of King Philip and Quæne Marie, as by the same Act amongst diuers clauses, articles, and prouisoes therein contained, more plainely is expressed: Sithence the making of which said seuerall Statutes, though the makers of the said cloths haue indeuoured themselues according to their best skill and industrie to performe and fulfil the said recited statutes in euery of their clothes, as much as in them did lie, as touching the breadth of clothes, and to that end and purpose haue allowed and doe allow so much yarne and stuffe to euerie such cloth as might sufficiently serue to make all the saide clothes full out in length and breadth, according to the said former Statute made in the fift and sixt yeares of King Edward the sixt, and in weight according to the said braunch of the said statute, made in the fourth and fift yeares of the reignes of the late King Philip and Quæn Mary: yet notwithstanding many times by reason of the diuerse natures in the woolles, and by great diuersities in the spinning, carding and milling, many of the said clothes made within the saide Counties of Wiltshire, and Glocester and Somerset and Dron. and elsewhere of like making, doe not conteine full vij. quarters in breadth, according to the said Statute made in the fift and sixt yeares of King Edward the sixt, and do not hold their full weight, or more, according to the former statute made in the time of the said King Philip and Quæne Mary, and no default touching the breadth can iustly be imputed to the maker thereof, for that the same Clothmakers (as experience daily sheweth) cannot obserue the said former Statutes in all the said Clothes as touching the breadth, although they indeuour themselues neuer so much thereunto: which Clothes not containing their full Assise in breadth, as is aforesaid, are many times taken and seised by the Searchers of London, when they come to their Market at Blackewelhall, to the great losse and damage of the said Clothmakers, and to the great hindrance of Cloth making within the said Counties: In consideration whereof, albeit it is not hereby intended to repeale or make voide the said former recited Estatutes, or either of them, otherwise then is hereafter expressed: Yet neuertheless be it enacted by the Quæenes most excellent Maiestie, with the assent of the Lords Spirituall and Temporall, and the Commons, &c. That no person or persons shall be hereafter charged for any such default which hereafter shall be in any of the saide Clothes mentioned in this Act for want of breadth of seuen quarters, so that the same Cloth doe containe in breadth, being thorowly wet, sixe quarters and a halfe at the least within the lists vnwrought and listed, according to the auncient custome: any thing in any of the said former statutes mentioned to the contrarie in anie wise notwithstanding: Prouided alwayes, and be it enacted by the authority aforesaid, That if any of the said Clothes shall not containe sixe quarters and a halfe at the least within the listes, as aforesaid, that then euery person offending in that behalfe, shall for euerie such Cloth be subiect to such paines, penalties and forfeitures, as were by force of the former recited statute of the fift and sixt yeares of King Edward the sixt, to haue been forfeited for want of breadth of vij. quarters within the lists. And be it neuertheless enacted by the authority aforesaid, That if any cloth to be made within the said Counties or elsewhere of like making, called Narrow listed Whites, being well scoured, thicked, milled, and fully dried, shall containe in weight any lesse then three score & one pounds at the least, or if any cloth to be made within any of the said counties or elsewhere of like making, called Broad listed Whites, being well scoured, thicked, milled, and fully dryed, shall containe in weight any lesse then three score and three pounds at the least, or if any of the said clothes called Narrow listed or Broad listed Whites, shall containe in length any more then eight and twenty yardes at the most: That then euerie of the said Clothiers therein offending, shall incurre double such penalties and forfeitures for euerie pound so wanting of the seuerall weights aboue limited, and for euery yard so exceeding in length, & not weighing after such rate, as is before expressed, as by the said Statute of the fourth and fift yeares of King Philip and Quæn Mary is prouided and appointed: This Act to endure and continue for the space of fiue yeares next after the end of the session of this present Parliament, and from the end of the saide fiue yeares, vntill the end of the next Session of Parliament then next ensuing. Anno 27. Elizab. ca. 17. And after An 35. El. c. 7. This Act is made perpetuall.

Breadths

7. quarters

Breadth 6 quarters & halfe

Weight

Pound

69 Whereas in the Parliament vpon Prorogation holden at Westminster the three and twentieth of January in the fift yeare of the reigne of the late King of famous memory Edward the sixt, one Act was made for true making of woollen Clothes: By which Act amongst other things it was enacted, That from, and after the Feast of Saint Michaell the Archangell next ensuing the making of the said Act, no person or persons should put any haire, flore or any yarne of Lambes woll into any cloth, kersey, frize, or cotton, made and sold, or offred to be sold, as in the said Act is expressed, vpon paine to forfeit euery such cloth, kersey,

frize

frize and cotton, wherein any such yarne, haire or flox should be put, as the value of such cloth, kersie, frize or cotton, as by the said Act it doth and may appeare. And whereas by another Act made in the parliament holden at Westminster in the seuenth yeare of the reigne of the said late King, intituled, An Act for the making of plaine white streits, and pinned white streits in Deuon and Cornewall, the said former Act was altered, and libertie giuen to the makers of the said clothes called Plaine White Streits and pinned White Streits, to vse, in making of the said clothes, flore, haire, or yarne made of Lambes woll, and by the said Statute diuerse rules and orders were appointed for making of the said Clothes called Plaine White Streits, and Pinned White Streits, as by the said Statute doth appeare: Now for that the orders and rules both by the said statute made in the said fift yeere, as also in the said seuenth yeare of the said late King Edward the first, tend to the vtter vndoing and decay of great numbers and multitudes of people, which liue by the trade of Clothing, and are not profitable any longer to be kept in these Countries and places, where the said Clothes called Plaine White Streits and Pinned White Streits are vsually made, the same Clothes being but a base and course kinde of Clothes, vsually made for the vse of poore people beyond the seas, and most commonly shipped into Britaine, & there vttered for a marchandize to serue the vse of the poore sort there: And especially for that sithence the making of the said statutes, the yarne wherewith the said cloths called Plaine White Streits and Pinned White streits are vsually made, to the great benefite of the poore people where the same are made, is growen smaller and finer, whereby many more poore people are set on worke with spinning of the same, then either at or before the making of any the said seuerall statutes they were, so that the weight, length, and breadth cannot agree, as before it did in making of the said Clothes. Be it therefore enacted &c. That the Branch made in the said fift yeere, which prohibiteth putting of haire, flore, or yarne made of Lambs woll into any cloth or frize, hauing regard vnto the said Clothes called Plaine White streits and Pinned white streits, be vtterly repealed and made voide. And that the said statute also made in the seuenth yeere of the reigne of the said late King, and euery Braunch, Article and clause therein, be from henceforth vtterly repealed and void for euer. And that it be further enacted, that frō henceforth it shall be lawfull to all and euery the M. Maiesties subiects inhabiting, or which hereafter shal inhabit within the said counties of Deuon and Cornwall, as well in Townes corporate, Market Townes or elsewhere, to weaue and make the said clothes called Plaine White streits and Pinned White streits, and to vse and occupy in the making of the said Clothes called Plaine White streits, and Pinned White streits, flore, haire and yarne made of Lambes woll, and to haue and keepe and vse in his or their houses three Looms, and not aboue for making of the Clothes aforesaid, and to make the same Clothes of such length, weight and breadth, as the Marchant shall like or accept, to buy the same for Marchandizes, or appoynt the same to be made for the vse and most acceptable allowance of the Countrey people where the same shalbe transported for Marchandizes, for that in truth none of the same are worn or occupied within this Realme: the said statute made in the fift yeare of the reigne of the saide late King Edward the first, or any other Laive or Statute heretofore made to the contrary notwithstanding. Prouided alwayes, that in defrauding, of her Maiesties custome, no peece of the said Clothes shal be made aboue twelue pounds in weight, or aboue fourteene yards in length, or one yard in breadth, vpon paine of forfeiture of al such cloths made ouer & aboue the said length, breadth, or weight, or the value thereof: the one moity to the M. maiesty her heires and successors: and the other moity thereof to him that wil sue for the same by writ, bil, plaint, or information in any court of record, wherein no essoin, protection or wager of law shal be allowed. An. 27. El. ca. 18. Customs

70 Be it enacted and ordained by the authority of this present Parliament, That it shalbe lawfull to and for all and euery such person or persons which now do inhabite or dwel, or that hereafter shal inhabite or dwell in the Townes or Villages of Worsted and Langham, now vsing or exercising, or that hereafter shal vse or exercise the feate or mystery of making, weauing, or rowing of cloth or kersey by the space of seuen yeares at the least, or haue beene or shal be hereafter prentice thereunto by the space of seuen yeares, to inhabite and dwell in the said Townes or Villages of Worsted and Langham, and there to vse the making, weauing, or rowing of cloth or kersey, as before the making of the Statute of the fourth and fift yeares of the reigne of King Philip & Queene Mary they might haue done, and as the said Act had neuer beene had nor made: Any thing in the said act to the contrary thereof made, or any other Act, statute or law heretofore made, to the contrary hereof in any wise notwithstanding. An. 27. El. ca. 23. Prentis

71 Whereas in the Parliament holden at Westminster in the fift and sixt years of the reigne of our late soueraigne Lord King Edward the first, one Statute was made, intituled, An Act for the true making of woollen cloth, (which see before 53.) whereby (among other things) it was enacted, That al broad plunkets, azures, blewes, and other coloured cloth, which after the Feast of saint Michael the Archangel then next comming, should be made within the shires of Wiltshire, Glocester, or Somerset, or elsewhere of like making, should containe in length, being thorow wette, betweene fiue and twenty and eight and twenty yards, yard and inch of the Rule, and should be seuen quarters within the lists at the least, and listed according to the ancient custome, and being wel scoured, thicked, milled, and fully dried, should weigh three score and eight pound the peece at the least, as by the said Act among diuers clauses, articles and prouisions conteined in the same, more plainly is expressed: sithence the making of which Statute, although the makers of the said coloured clothes, haue endeuored them-

themselues according to their best skil & industrie, to performe and fulfil the said recited Statute in euery of their clothes, as much as in them dooth lie, as touching the breadth of cloths, and to that end and purpose haue alowed and dos alow so much yarne and stuffe to euery such cloth as might sufficiently serue to make al the said coloured clothes ful out in length, breadth, and weight, according to the said statute made in the fift and sirt yeers of King Edward the sirt: Yet notwithstanding many times by reason of the diuerse natures in the wools, and by the great diuersities in the spinning, carding & milling, many of the said coloured Cloths made within the said countie of Somerset and elsewhere of like making, do not containe ful vij. quarters in breadth according to the Statute made in the fift and sirt yeares of king Edward the sirt, and yet no default touching the said breadth can iustly be imputed to the maker thereof, for that the said clothmakers (as experience daiely sheweth) can not obserue the said former statute in all the said cloths as touching the breadth, although they indeuour themselues neuer so much thereunto, which clothes not containing their full assize in breadth as is aforesaid, are many times taken & seised by the Searchers of London, when they come to their market at Blackwel hall, to the great losse & damage of the said clothmakers, and to the great hindrance of cloth making within the said county. In consideration whereof, albeit it is not hereby intended, to repeale or make void the said former recited statute, otherwise then is hereafter expressed: Yet neuertheles be it enacted by the Queens most excellent Maiestie, with the assent of the Lords spiritual and temporal, and the commons of this present Parliament assembled, and by the authoritie of the same, that no person or persons shalbe hereafter charged for any such default, which hereafter shal be in any of the said broad plunkets, azures, blewes, or other coloured clothes for want of breadth of seuen quarters, so that the same cloth dos containe in breadth being thorowly wette, sire quarters and an halfe at the least within the Lystes vnwrought, and lysted according to the auncient custome: any thing in the said former recited Statute mentioned to the contrarie in any wise notwithstanding. Prouided alwayes, and be it enacted by the authoritie aforesaid, That if any of the said clothes shal not containe sire quarters and an halfe at the least within the Lystes as is aforesaid, that then euery person offending in that behalf shal for euery such cloth be subiect to such paines, penalties and forfeitures, as were by force of the former recited statute of the fift and sirt years of King Edward the sirt, to haue beene forfeited for want of breadth of seuen quarters within the Lystes. And be it neuertheleste enacted by the authority aforesaid, That if anie of the said broade plunkets, azures, blewes, or other coloured clothes, being wel scoured, thicked, milled, and fully dried, shal containe in weight any lesse then three score and eight pound at the least, that then euery of the said clothiers therein offending, shall incurre double such penalties & forfeitures for euery pound so wanting of the said weight, and not weighing after such rate as is before expressed in and by the said Statute, made in the fift and sirt yeares of king Edward the sirt limited and appointed. And be it neuertheleste enacted by the authority aforesaid, that if any of the clothes to be made within the County of Somerset or elsewhere, of like making, called Plunkets, Azures, and Blewes, being wel scoured, thicked, milled, and fully dryed, shal containe in weight any lesse then three score and eight pound at the least: or if anie of the said Clothes shall containe in length anie more then seuen and twenty yards at the most, that then euery of the same Clothiers therein offending shal incurre double such penalties and forfeitures for euery pound so wanting, as by the said Statute of the said fift and sirt yeres of the reigne of K. Edw. the sirt, are to such defaults limited and appointed, and for euery yard that any such cloth shal containe aboue seuen and twenty yards in length, and not weighing after such a rate as before is expressed, the maker of euery such cloth shall incurre double the penalties by the statute of the iij. and v. yeares of the reignes of King Philip and Quéene Marie (which see before 60.) to such defaults limited and appointed. Anno 35. Eli. ca. 9.

72 It may be enacted, that from and after the first day of July now next comming, each kersey called Deuonshire Kersie or Dozen which shall be made & wouen within the said Countie of Deuon, or any other County next adioyning thereunto being raw, vnscoured, vntucked and vnwette, as it commeth from the weauers beame, & being made of cleane & perfect stuffe, that is to wit, of woll shorne, clensed, and thorowly washed or scoured after the shearing & before the weauing, without any fraud, deceit, policy, or deuice, or any stuffe thereunto deceitfully or vnlawfully added in the working, or after the working thereof, for increase of the weight, shal weigh in the Market xvj. l. or vpwards. And that from and after the said first day of July, euery raw Deuonshire kersey or dozen, from henceforth to be wouen & made in the said County of Deuon, or any of the other Counties adioyning, being a Rudgewash kersey, that is to say, being made of fleece woll washed onely on the sheepes backe, and the woll not being cleansed, washed, and scoured after it is shorne & before it is wouen, shal (without any fraud, deceit, policie, deuice or additiõ of stuffe whatsoeuer to increase the weight thereof) weigh in the market xvij. l. at the least, being raw as it commeth off the weauers beame, & euery and euery of the same Deuonshire kersies or dozens so being raw, & as it commeth forth of the weauers leme (without racking, stretching, streining, or other deuice to increase the length ther of) shal containe in length betwen xv. & xvj. yards by the measure of yard & inch by the Rule, without which obseruation of weight being raw, they cannot fall out (after they be wel scoured, thicked & fully dried) to contain the length and weight expressed and limited in the Statute of the 4. and 5. yeare of Ph. and Ma. viz. xij. yards in length, and xij. l. in weight, and hath beene sufficiently made knowne and testified to her Highnesse priuie Counsell. And if any weauer shall worke or make any of the said kinds of kersies of lesse weight

or

or measure then is before mentioned after their kinde, euery such offendor shall forfeit for euerie quarter of a pound in weight which any of the said raw kersies or dozens which shalbe brought to any market, or sold, or offered to be sold, shall want of their weight aforesaid xy. s. And for euery quarter of a yard which shal be wanting in length of either sort of the said kersies likewise being sold or offered to be sold, xy. s. And that each sort of the said kersies or dozens shal be sewantly wouen throwout of wel and like sorted yarne. And that no weauer shall vse any deceitfitie in the bignes and godnes of his yarne in any part of the said kersies, sauing only in the liste, nor vse any other practise in edging or weauing of anie the same kersies or dozens to make the same seeme finer nere the edge or liste, then in other part of the same cloth. And that it may be further enacted by the authority aforesaide, That each Weauer shal weaue his shop-marke of some coloured yarne in the end of euerie kersie, which he shal hereafter weaue or make, and shal also at each end of euery of the same kersies, weaue one purcel likewise of coloured yarne, of the breth of three quarters of an inch at the least, whereby the deceitfull cutting & diminishing of such clothes by Tuckers or Fullers heretofore vsed, may hence forth be preuented. And if any Weauer shal vse any deceit in mingling his yarne, or shal omit his shop-marke, or shal not weaue in euery kersie v. purcels, according to the tenor of this Act, he shall forfeit and lose for euery offence to the contrarie x. s. And to the end that the weight and gwodnes of al the said kersies called dozens being raw, may be the better and more certainely knowne, It may further be enacted, That no Weauer nor anie other person whatsoeuer, shall offer or put to sale anie of the same raw kersies called dozens, before the same have been viewed, weighed, and marked in some city, towne corporate, or market towne, and allowed by such officer, and marked with such markes as shalbe there in such citie or towne vsed and appointed for that purpose, vpon paine to forfeit and lose for euery cloth sold, or offered to be sold, or offered to be sold to the contrarie x. s: The one halfe of all which forfeitures shal be to the vse of her Maiestie, her heires and successors, and the other halfe to the principal officer or magistrate of the City, Towne corporate, or market towne next adioyning to the dwelling or working place of such weauers as shal offend in any of the premisses, if he the same officer or magistrate shal first make seisure thereof, or else to the principal officer of that city, towne corporate, or market towne where the same shal be sold, or offered to be sold, to be recouered by Action of debt, bil, plaint, or information, with costs in any Court of Record, wherein no protection, wager of law, or essoine shalbe allowed. And for the better discouery of the offences aforesaid, and the more perfect accomplishing of ỹ premisses. It may be also enacted, That the principall officer or magistrats for the time being, in euery city, towne corporats, or market towne of the said Countie, or of anie other of the Counties adioyning, where any such kersies called Deuonshire kersies or Dozens now are, or hereafter shalbe wouen, made, offred, or put to sale, shal euery yere from henceforth, appoint and haue in readines at all times needful, v. or more discreet persons which shalbe special and knowne Officers and Searchers, which shal attend and shalbe at his and their entry into his or their said Office sworne during his and their continuance in the said office, truely to view, weigh and marke each kersie called a Dozen, in such Citie or Towne, or any of them, made, sold, or offered to be sold or put to sale, and to present ech offence or defect which shal there fall out contrary to the true meaning of this Statute, euery which Searcher or Officer, so to be hereafter appoynted for this purpose in any such city, towne corporate, or market towne, shal by force of this Act, haue power and authority to enter in the day time, into all shops, ware houses, worke houses, and other places conuenient of the same Citie or Towne where he or they shalbe so appointed, there to view, search and se whether any kersie or dozen be made, sold, or offered to be sold contrary to the true meaning of this Act, & also to se what paines, penalties and forfeitures shalbe growne due to her Maiestie, by any Weauer, seller, or buyer, within the liberties and precincts of the same townes, taking onely of and for the weighing and marking of euery kersie, a farthing for his paines, and so according to the number, and no more, which farthing vpon euery kersie is to be payed by the seller of the same kersie. And if such Searchers and Officers shal not be yerely appoynted and attendant at al times reasonable and conuenient, or shal neglect his or their dueties in ỹ true search, weighing, and marking of the said kersies, or anie of them, or shal marke any one kersie which wants of his weight, as is aforesaid, that then and in euery such case the chiefe Magistrate of euery such Citie and Towne, shall forfeit and lose for euerie such offence of their Searcher or Searchers twenty shillings, & for euery market day they shal want v. or one at the least of such Searchers, the summe of forty shillings to be leuied as hereafter is expressed. And that it may further be enacted, that from and after the said first day of July, no manner of person or persons whatsoeuer, shal buy any such raw kersie called Deuonshire kersie or Dozen, in any Market or elsewhere, vnlesse the same shall be first tried, weighed, and marked by the Officers of some citie, towne corporate or market towne, as is aforesaid: And that no Weauer, Tucker, Fuller, or other whatsoeuer, shall dresse or cause to be dressed anie of the said raw Clothes called Deuonshire kersies or Dozens, vnlesse the same be first tried, weighed and marked in some one market towne by the Searcher or Searchers there in that behalfe appoynted, vpon paine of forfeiture of euerie such kersie so bought, dressed or put to dressing which shall not before be tried and marked as is aforemencioned. And for the auoyding of deceit of Tuckers or Fullers, that it may be enacted, that no Clothier, Tucker, Fuller, or other person whatsoeuer, shal at any time from henceforth cut or diminish the length of anie kersie called a Deuonshire kersie or Dozen, and after offer or put the

Searchers Sworne

Enter Shops

Searchers Officers

Forf.

Fuller

Dresse

Forf.

Tuckers Fullers Cut

the ſame to ſale as a whole Kerſſe or Dozen, vpon paine of forfeiture of xx. s. for euerie of the ſame kerſies or dozens ſo cut or diminiſhed: the one half of all and euery which forfeitures, not before limited and appointed, ſhal be to our ſouereigne Ladie the Quéene: and the other half to him or them that will ſue for the ſame by action of debt, bill, plaint, or information, in any Court of Record, wherein the Plaintife is to recouer his coſts, alſo wherein no protection, wager of Law, or eſſoine ſhalbe allowed: This Act to indure vntil the end of the next Parliament. An. 35. El. ca. 10. This Act in Ann 39. Eli. ca. 18. was continued vntill the end of the next parliament. And in An. 43. Eli. ca. 9. it was continued to endure vntill the end of the firſt Seſſion of the next Parliament. And Anno 1. Iac. ca. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

For it.

73 Whereas by the eſtatute, Anno 23. Eliza. (before 67.) it was among other things enacted, That no perſon ſhould dye or cauſe to be dyed, any cloth, wool, or other things there mentioned, with any ſtuffe called Logwood, alias Blockewood, vpon ſuch penalty, as in the ſaid Statute is mentioned, ſince the making of which Statute, ſundrie euill diſpoſed perſons haue ſought to deſtraude the true meaning of the ſaid Statute, and to auoyde the penalty therein contained, by cunning vſing or mixing the ſaid Logwood, alias Blockewood, together with Woad or other ſtuffe, which is not only contrary to the true meaning of the ſaid former Act, and to the great deceit of her Maieſties louing Subiects, but alſo to the diſcredite of the trade of Clothing, eſpecially in forraine Countries, where heretofore Engliſh Clothes haue béene had in good accompt and reckoning. For redreſſe of which fraude, and to the intent the ſaid practiſe may hereafter be the better diſcouered (which being cloſely and ſecretly done by the offenders, will otherwiſe hardly be found out) and that the ſaid practiſe, according to the true intent and meaning of the ſaide former ſtatute, be henceforth vtterly abolished: Be it therefore ordained and enacted by authoritie of this preſent parliament, That if any perſon ſhalbe ſo ſuſpected to offend, then any Juſtice or Juſtices of peace of the ſame County, where the ſaid ſuppoſed offender ſhal dwel, if he dwel out of a corporat towne or city, and if he dwel within any corporate towne or city, then the Maior, Bayliſe, or other head officer, being a Juſtice of peace of ſuch corporate towne or citie, where ſuch ſuppoſed offender ſhal dwell, vpon notice and information to him or them giuen in that behalfe, ſhal by authoritie of this Act, by his or their warrant, or other commandement, cauſe to come before him or them, the ſeruants and workemen of ſuch ſuppoſed offenders, and other perſons able to diſcloſe the ſame deceit, and them to examine by their oth or otherwiſe, and if vpon the ſame examination they ſhall finde any perſon or perſons, after the firſt day of Febr. next inſuing, to haue vſed or cauſed to be vſed in the dying or coloring of any cloth, woll, yarn, grogerain, buffins or ſilke, or any thing made of woollen yarn or ſilke, any Logwood, alias Blockewood, or now or heretofore reputed and taken for Logwood, alias Blockewood, that then the Juſtices or Juſtice, Maior, Bailife, or other head officer, being a Juſtice of peace ſhal not only bind with ſurety al ſuch perſon or perſons, whom they ſhal find ſo ſuſpected to haue offended, & ſuch others as may diſcouer the ſame offence, to the next quarter ſeſſions or gaole deliuery, which ſhall happen to be holden for that county, city or towne corporate, but alſo to certifie all ſuch examinations & depoſitions, as tend to the finding out or diſcouery of the ſaid offences, at the ſaid gaole deliuery or quarter ſeſſions: And alſo if any ſuch perſon ſo ſuſpected to haue offended vpon examination aforeſaid, ſhal refuſe to be bound as aforeſaid, then the ſaid perſon or perſons ſo refuſing to be committed to the next gaole, there to remaine, til he, ſhe, or they, ſhal ſo become bound with ſuerties. And that the ſaid Juſtices of aſſiſe, or Juſtices of peace, at ſuch gaole deliuery or quarter ſeſſions ſhal haue authority by this act, to indict & try the offendors, by the vſuall courſe of indictments & trials in like caſes. And after ſuch conuiction to adiudge the ſaid offenders to be ſet openly on the Pillory in the ſaid city, or market towne where the ſame offence ſhal be committed. And if it ſhal not be in any market towne, then in the next market towne adioyning in the ſame county, there to continue by al the time of the market, one or more daies by their diſcretion, for euery ſuch offence: and further that euery ſuch offender, beſide his ſaid corporal puniſhment, ſhal forfeit for euery ſuch offence, the ſumme of xx. l. The one moitie of which ſumme of money, ſhalbe to our ſouereigne Lady the Q. maieſty, her heires & ſucceſſors: and the other moity to him that will ſue for the ſame, by action of debt, bil, plaint, or information, in any court of Record. In which ſuit no eſſoine, protection, wager of law, nor writ of priuiledge for the Def. ſhalbe admitted or allowed, and the party offending, being thereof conuicted, to remaine in priſon without baile or mainpriſe, til he haue ſatisfied the ſame. Añ 39. El. ca. 11.

74 Be it enacted &c. That no perſon or perſons whatſoeuer, from, or after the feaſt day of the Purific. of the bleſſed virgin S. Mary, now next enſuing, ſhall bring, ſend, or conney, or cauſe to be brought, ſent, or conueyed into this realme of England or Wales, from the parts beyond the ſeas, any cards for woll to be ſold, bartered, or exchanged within the Realme of England or Wales, vpon paine to forfeit all ſuch Cardes for Woll, ſo to be brought, ſent or conueied, cõtrary to the true meaning of this act, in whoſe hands ſoeuer they or any of them ſhalbe found, or the very value thereof, the one halfe whereof to be to our ſaid Souereigne Lady the Q. maieſty, her heirs & ſucceſſors: & the other moity thereof to him or them that wil ſeiſe the ſame, or ſue therefore in any court of Record of the Q. maieſty, her heirs & ſucceſſors, by action of debt, bil, plaint, information, or otherwiſe, in which actions, ſuits, plaints & informatiõs, no wager of law, eſſoine or protection ſhal be allowed: this act for to indure vntil the end of the firſt ſeſſion of the next parliament. Añ 39. El. ca. 14. And this, Añ 43. Eliz. ca. 9. is continued vntil the end of the firſt Seſſion of

of the next Parliament. And Anno 1. Iac. cap. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

75 Be it enacted, any Statute or Law whatſoeuer to the contrarie notwithſtanding, That no perſon or perſons, within any the Counties of Yorke, Lancaſter, and other on the North ſide of the riuer of Trent, from and after the 29. day of September now next comming, ſhall ſtretch or ſtraine, or cauſe to bee ſtretched or ſtrained, any Clothes, Kerſeyes, Peniſtones, Rugges, Friſes, Righley Whites, plaine Grayes, or any other Clothes, by what name or names ſoeuer they be called, made, or hereafter to be made, within ỹ ſaid Countie of Yorke, Lancaſter, or any other the Counties on the North part of Trent, vpon paine to forfeit for euery default v.l. And further, that no perſon or perſons from & after the ſaid 29. day of September, within the Counties aforeſaid, or any of them, ſhall haue, vſe, or occupie any Tenter, of what ſort or kind ſoeuer, or any maner of Wrinch, Rope, or other engines, to ſtretch or ſtraine any Clothes, Kerſeyes, Dozens, Peniſtones, Rugges, Friſes, Cottons, Righley Whites, plain Grayes, or any other Cloth, of what kind or name ſoeuer it or they be called, made, wrought, or to be made or wrought within the ſaid Counties, vpon paine that euery offendor that ſhall haue or vſe, or erect or haue any ſuch Tenter, of what ſort or kind ſoeuer, or any manner of Rope, Wrinch, Ringhead, or Engine, ſhal forfeit for euery ſuch default xx.l. And further, that euery perſon or perſons within the Counties aforeſaid, or any of them, which ſhall make or cauſe to be made, any Clothes, Kerſeyes, Dozens, Cottons, Peniſtones, plain Grayes, Righley Whites, Friſes, or any other cloth, by what name or names ſoeuer it or they be called, ſhall make ỹ ſame of ſuch weights, lengths and breadths, as by the Statutes of this Realme, already in force, is prouided, vnder the paines in the ſame Statutes contained, and before the ſame be ſold or offered to be ſold, ſhall ſet his ſeale of Lead vnto euery of the ſame Clothes, Kerſeyes, Dozens, Cottons, plaine Grayes, Peniſtones, Righley Whites, Friſes, or by what name or names ſoeuer it or they be called: in which ſaid ſeale of Lead ſhalbe contained the true and iuſt length, and the true and iuſt weight at the leaſt of euery ſuch Cloth, Kerſey, Dozen, Cotton, Peniſtone, plaine Grayes, Righley Whites, Friſes, or by what name or names ſoeuer it or they ſhall bee called, as it ſhall be duly found by due proofe thereof to be tryed by water or weight, vpon paine to forfeit euery Cloth, Dozen, Cotton, Kerſey, Peniſtone, plaine Grayes, Righley Whites, Friſes, or other Cloth, by what name or names ſoeuer it or they be called, which ſhall be made within any the Counties aforeſaid, whereunto ſuch ſeale, as is aforeſaid, ſhall not be put & ſet: And in caſe vpō proofe to be made by water or weight of any ſuch Clothes, Kerſeyes, Dozens, Cottons, Peniſtones, plaine Grayes, Righley Whites, Friſes, or any other Cloth, as is aforeſaid, ſhall be found of leſſe weight or of ſmaller content in length, thē is contained or ſpecified in any of their ſaid ſeales, that the owner of euery ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plaine Grayes, Righley Whites, and Friſes, or any other cloth, by what name or names ſoeuer they be called, as aforeſaid, or any other perſon or perſons, in whoſe hands or poſſeſſions any ſuch Clothes, Kerſeyes, Dozens, Cottons, Peniſtones, plaine Grayes, Righley Whites, Friſes, or any other Cloth, by what name or names ſoeuer they be called, ſhall be found, ſhall forfeit for euerie yard wanting in length, iiij. s. and for euery pound wanting in weight, v. s. And that in euery parith, towne, village & hamlet within the ſaid Counties aforeſaid, where any Clothes, Kerſeyes, Dozens, Cottons, Peniſtones, plaine Grayes, Righley Whites, Friſes, or any other Cloth, by what name or names ſoeuer they be called, ſhalbe made or ſold, the Iuſt. of Peace of the ſame Shire or Riding, or ỹ. of them at the leaſt, & in euery Citie, borough, or towne corporat, the head officer or officers of euery of the ſame Cities, borough, or towne corporat, together with ſome one or two of the Iuſt. of the Peace of the Shire or Riding nert adioyning to ſuch Cities, borough, or town corporat, ſhall haue full power & authoritie, and ſhall by vertue of this Act once euery yeare at the leaſt, and as often as they ſhall thinke good, to conuent & call before them by their precept, or otherwiſe, v. iiij. vj. or viij. or more, as they ſhal thinke good by their diſcretion, of the moſt honeſt, diſcreet & able men of euery ſuch citie, town, village, hamlet, or parith, where any cloth ſhall be made or ſold, & thē ſhall cōſtitute, ordaine & appoint to be ouerſeers for one whole yeare, or vj. moneths, or ſhorter time, at their diſcretions, then next following, within the Citie, borough, towne, village, hamlet, or parith, where the ſame ouerſeers ſhall be dwelling, & ſhall & may take them ſworne & bound in recognizance of xl. l. apiece, to the vſe of your moſt excellent Maieſtie and your ſucceſſors, to doe their beſt endeuour by all lawfull wayes & meanes for their time, to ſee that this Statute in all points ſhalbe truly obſerued and kept within the limits of their charge in euery part thereof, & that the ſame ouerſeers, or two of them, ſhall once euery moneth at the leaſt, or ſo often as need ſhall require, or they ſhall thinke fit by their diſcretions by force hereof, viſit & goe into all, or any houſe or houſes, ſhops, or other roomes of any Clothiers, Drapers, Clothworkers, or of any other perſon or perſons whatſoeuer, where any of the ſaid Cloth ſhalbe, & there to make due ſearch, & view the ſame made, or remaining to be ſold, and to take, ſearch and try, as well by weight, water, or any other way whatſoeuer, the ſaid Clothes, Kerſeyes, Dozens, Cottons, Peniſtones, Righley Whites and Friſes, or any other Clothes, by what name or names they be called: And if any Clothes aforeſaid, vpon ſearch thereof, ſhall not be found to be ſealed with a ſeale, containing the length and weight as aforeſaid, then the Clothier, and euery owner of the ſaid Cloth, ſhall forfeit euery ſuch Cloth, Kerſeyes, Dozens, Cottons, Peniſtones, Righley Whites and Friſes, or any other Cloth, by what name or names ſoeuer they be called, made within the Counties aforeſaid, not ſo ſealed and ſold, or offered to be ſold, and the

said ouerſeers and euery of them, ſhall & may ſeiſe and carrie away the ſame ſo forfeited, as aforeſaid, and preſent the ſame to ỳ Iuſtices of Peace at the next Quarter Seſſions, to be by them diſpoſed of, as hereafter is in theſe preſents limitted & appointed. And if the ſaid ouerſeers ſhall find any falſe ſeale or marke to be ſet vpon any Cloth aforeſaid, or ſhall vpon ſearch, as aforeſaid, find the ſame clothes aforeſaid to be ſtretched or ſtrained, the the ſame ouerſeers ſhall preſent the ſame defaults vnto the Iuſtices at the next Quarter Seſſions, and the names of the owners or poſſeſſors of ſuch Cloths, Kerſeyes, Dozens, Cottons, Peniſtones, Righley Whites and Friſes, or any other Clothes, by what name or names they be called, ſo found defective: And if any manner of perſon or perſons at any time after the ſaid 11. day of September, ſhall denie, withſtand, or withhold any Clothes, Kerſies, Dozens, Cottons, Peniſtones, Righley Whites and Friſes, or any other Cloth, by what name or names ſoeuer they be called, from ỳ ſaid ouerſeers, or any of them, or will not ſuffer them to enter into any of the houſes, ſhops, roomes, or other places, where any ſuch Clothes ſhall be, that then euerie ſuch perſon or perſons ſo denying or withſtanding ſhall for the firſt offence forfeit & loſe x. l. and for the ſecond offence xx. l. and for the third offence, being thereof lawfully conuict by verdict of twelue men, and two ſufficient witneſſes, ſhal ſtand vpon the Pillorie in the nert market Towne: and if any of the ſaid perſons ſo commanded to appeare, to be made ouerſeers, as aforeſaid, and hauing no reaſonable excuſe, refuſe to come, and take vppon him or them to be ouerſeers as aforeſaid, that then euery ſuch perſon ſo refuſing, and hauing no reaſonable excuſe ſo to do, ſhall forfeit for euery ſuch refuſing v. l. the one halfe thereof to be to your moſt excellent Maieſtie, and your ſucceſſors, and the other halfe to the Iuſtices of the Peace, or other head officer or officers, by whoſe commandement he was appointed to appeare to be ouerſeer, and the ſame ouerſeers ſo offending, to remaine in the ward of the Shirife, Baylife, or other head Officer, vntill ſuch time as he hath made payment of the forfeiture, or otherwiſe put in ſufficient bond for the ſatisfaction of the ſame. And to the end that the ſayd Clothes, Kerſies, Dozens, Cottons, Peniſtones, Righley Whites & Friſes, or any other Clothes, by what name or names ſoeuer they be called, ſo to be viewed and ſearched, may be the better knowne: It is therefore enacted, That the ſaid ouerſeers ſhal fire vnto euerie kind of the Clothes aforeſaid, a ſeale of Lead, containing the length & the weight of euerie ſuch Clothes (together with this word, Searched) which Cloth ſo ſealed by the ſaid ouerſeers, ſhall not be ſearched, tryed or viewed by any other Searcher or Ouerſeer of any other Citie, Borough, Towne, Village, Parith, or Hamlet, by vertue of his or their ſaid Office or Offices: any thing in this Act, or in any other Statute to the contrarie notwithſtanding. And further, that if any perſon or perſons, but ſuch as are appointed, aſſigned & permitted by this Act, or by their ſeruants or deputies, do at any time after the ſaid twentieth day of September, counterfeit or ſet to, or willingly and wittingly take away from any the ſayd Clothes, Kerſies, Dozens, Cottons, Peniſtones, Righley Whites & Friſes, or any other Cloth, by what name or names ſoeuer they be called, made within the Counties aforeſaid, any of the ſeales ſo to be fired, as aboue is recited, that then euery perſon ſo offending, ſhal for the firſt offence forfeit and loſe tenne pounds, and for the ſecond offence, being thereof lawfully conuicted, by the verdict of twelue men, and two ſufficient witneſſes, ſtand vpon the Pillory, and loſe and forfeit to your moſt excellent Maieſtie, your heires and ſucceſſors, rr. l. And to the end that the ſaid Statutes and Lawes aforeſaid may be the more effectually executed, and all ſtretching and ſtraining and falſifying of any the Clothes aforeſaid, taken away, it may be alſo enacted, That euery Iuſtice of the Peace, head Conſtable, or other the Ouerſeers aforeſaid, ſhall haue full power and lawfull authorifie to enter in, or vpon any the meſſuages, tenements, houſes, buildings, lands, or grounds of any perſon or perſons whatſoeuer, to ſearch for any ſuch Tenters, of what ſort or kind ſoeuer, or any manner of Ropes, Rings, Heads, Wrinches, or other engins whatſoeuer, whereby any falſehood or deceit may be vſed in or about the ſtretching and ſtraining of any ỳ ſaid Clothes, Kerſies, Dozens, Friſes, Cottons, Peniſtones, Righleyes, and Whites, or any other Cloth, by what name or names ſoeuer they be called, or any of them: And if they ſhould find any ſuch Tenters, of what ſort or kind ſoeuer, or any manner of Ropes, Rings, Heads, Wrinches, or Engines, they ſhall and may vtterly deface the ſame, in ſuch ſort as they cannot be imployed againe to any ſuch vſe. And if any perſon or perſons with whom any ſuch ſhall once haue beene found, ſhall after that be knowne to haue or vſe any ſuch Tenter, of what ſort or kind ſoeuer, or any manner of Rope, Ring, Head, Wring, or Engine, that then the ſaid Iuſtices, head Conſtables, or Ouerſeers, or any of them within the ſeuerall precincts, ſhall take and ſell the ſame to the beſt value thereof, and by the conſent of two Iuſtices of Peace within the ſame Countie, diſpoſe the money thereof comming to the poore of that parith where the ſame ſhall be ſo taken: and that vpon complaint made or information giuen of any ſuch Tenter, of what ſort or kind ſoeuer, or any manner of Rope, Head, Ring, Wrench or Wring, or any other engine, to any Iuſtice of Peace, euery one of them to whom ſuch complaint ſhall be made, or information giuen, ſhall within ſeuen dayes next enſuing ſuch complaint or information giuen, repaire to the place where the ſame ſhall be ſo had and vſed, and then and there execute this Law, as aforeſaid, vpon the paine hereafter in this preſent Act expreſſed: And that if any perſon or perſons ſhall withſtand or reſiſt any ſuch Iuſtice of Peace or head Officers, in or about, touching or concerning the execution of the premiſſes, euerie ſuch perſon or perſons ſhall forfeit and ſuffer, as is before limited, for reſiſting the Ouerſeers in the ſearch. And if any the Iuſtices or Iuſtice of Peace

within

within the limits or bounds of his or their Commission shall be negligent, or make default in doing of any thing touching or concerning the due or true execution of this Statute, or any thing therein contained, euerie such Iustice of Peace for euerie such default shall forfeit and lose fiue pounds. And that all such forfeitures as shall happen or grow by reason of this Act, shall be one third part thereof to such person or persons as shall be then Ouerseers, one other third part to the vse of our soueraigne Ladie the Quenes Maiestie, and one other third part to the vse of the poore, to be imployed to the vse of the poore, in such sort as the Iustices of Peace in their Quarter Sessions to be holden next after iudgement had or giuen for the same, shal limit and appoint. And that the said Iustices of Peace in their Quarter Sessions shall and may enquire, heare & determine euery fault or offence, made or done contrarie to this present Act, or any thing therein contained, except the offences committed, and forfeitures made by the Iustices of Peace, by Presentment, Bill or Information, and vpon proofe thereof made by the testimonie of two sufficient witnesses openly giuen to the Iurie, and thereupon presentment made by the Iurie, to giue order for the execution of this Statute, and euerie clause therein contained, and for the recouerie of the penalties aforesaid, to the vses aforesaid. And that the Iustices of Assise shall and may enquire, heare and determine euery fault or offence, made or done by any Iustice of Peace, contrarie to this present Act, in neglect of their dutie, in or about, touching or concerning the execution of this present Act, and vpon proofe thereof made by two sufficient witnesses, and by the presentment of the Iurie, shall and may giue order for recouerie and imployment of the penalties and forfeitures by them committed and made to the vses aforesaid: and for default of iustice to be done, in manner and forme aforesaid, by the Iustices of Peace or Iustices of Assise, then the one moitie of all such forfeitures to be the one halfe thereof to her Maiestie, the other to him that will sue for the same by Action of Debt, Bill, Plaint, Information, &c. in any of her Maiesties Court or Courts of Record at Westminster, in which no Wager of Law, Protection, or Essoine shall bee admitted or allowed. Prouided neuertheless, and be it further enacted by the authoritie aforesaid, That all and euery kind of Clothes aforesaid, by what name soeuer they be called, which shall be made after the day aforesaid, within the Counties aforesaid, and brought vp to the Citie of London to be sold there, shalbe brought into the common Cloth-market place within the said Citie, commonly called Blackwell Hall, to be there searched drie, without wetting, and out of Market times, by the searchers of the said Citie, vpon paine that euerie owner of any such Cloth shall forfeit for euerie such Cloth not so brought into the Market, fortie shillings, and vpon paine that euerie searcher that shall search at any time in the Market times, to the disturbance of the sale of such Clothes in the Market there, shall forfeit for euerie such search so made, fiue pounds: all which said forfeitures shall be, the one moitie to the vse of our Soueraigne Ladie the Quenes Maiestie, her heires and successors, the other to such person or persons, as shall sue for the same by action of Debt, or Information, in which suit no Wager of Law, Protection or Essoine shal be admitted or allowed. Anñ 39. Eliz. cap. 20.

76 Forasmuch as diuers and sundry Statutes heretofore made and ordained for the true making and working of Woollen Cloth, were frustrated and deluded by straining, stretching, want of weight, stockes, sollace, chalke, flower, deceitfull things, subtill sleights and vntruths, so as the same clothes being put in water, are found to shrinke, rewey, pursey, squally, cockling, baudie, light, and notably faultie, to the great dislike of forrains Princes, and to the hinderance and losse of the buyer and wearer, Be it enacted &c. That from and after the Feast of the Purification of the blessed Virgine next ensuing, no person or persons shall put any haire, stockes, thrummes, or yarne made of Lambes woll, or other deceiueable thing or things, in or vpon any broad Woollen Cloth, halfe Cloth, Kersey, Frize, Dozen, Penistone, or Cotton, Taunton Cloth, Bridgewater, Dunster Cotton, which Dunster Cotton hereafter shall be by this present Act intended and taken to be of like weight, length and breadth as Taunton & Bridgewater Cloth, or other Cloth of what nature, kind, or name soeuer, made or to be made to be sold, or offered to be sold, vpon paine to forfeit euerie such Cloth, halfe Cloth, Kersey, Frize, Dozen, Penistone and Cotton, and other Woollen Cloth, of what nature, kind or name soeuer, whereinto or whereupon any such haire, stockes, thrummes, yarne or Lambes woll, or other deceiueable thing or things whatsoeuer shall be so put, Any Law, Statute, Dispensation, Allegation or Tolleration to the contrarie thereof in any wise notwithstanding. And vpon paine that euerie person and persons which shall buy, gather, or procure any haire, stockes, thrummes, yarne of Lambes woll, or other deceiueable thing or things whatsoeuer for that intent and purpose, to forfeit the same haire, stockes, thrummes, yarne of Lambes woll, and other deceiueable thing and things whatsoeuer. And that no person or persons, within her Maiesties Realme of England or the Dominions of the same, shall from and after the Feast of Easter now next ensuing, haue, vse, or occupie within any place of her Maiesties sayd Realme or Dominions, any Tentor, Instrument, Engine, or other deuice, of what sort or kind soeuer, with any lower Barre, Pinne, Ring, or other Engine or deuice, of what sort or kind soeuer, whereby or wherewith any rough and vnwrought woollen broad Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penistone, Frize, Rugge, or any other rough and vnwrought Woollen Cloth, of what nature, kind or name soeuer they be or shall be of, made or to be made to be so sold, shall or may be stretched or strained in breadth, or shall haue, keepe, or vse any manner of Wrinch, Riughead, Growme, Rope, or other

Engine to ſtretch or ſtraine any rough and vnwrought Woollen Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other rough and vnwrought Woollen Cloth, of what nature, kind or name ſoeuer they be, or ſhall be of, in length made or to be made to be ſo ſold, vpon paine that euery offendor that ſhall haue, keepe, vſe or exerciſe any ſuch Tentor, Inſtrument, Engine or Deuice, with a lower Barre, Pinne, Ring, Engine or Deuice, Wrinch, Ringhead, Growme, or Rope of what ſort or kind ſoeuer, ſhall forfeit for euerie ſuch offence twentie pounds, the one halfe thereof to our Soueraign Lady the Quenes Maieſtie, and the other halfe to him that will ſue for the ſame by Bill, Plaint or Information, in any of her Highneſſe Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed. And that no perſon or perſons within her Maieſties Realme of England, or the Dominions of the ſame, from and after the ſaid Feaſt of Eaſter now nert enſuing, ſhal ſet or cauſe to be ſet, directly or indirectly, any wrought Woollen Broad Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other wrought Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, made for ſale, or offered to be ſold, in or vpon any Tentor, Inſtrumēt, Engine or Deuice, with a lower Barre, Pinne, Ring, Engine or Deuice, Wrinch, Ringhead, Growme, or Rope, of what ſort or kind ſoeuer to ſtretch or ſtraine the ſame wrought Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other wrought Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, otherwiſe then the whole wrought Woollen Broad Cloth one yard in length, & one halfe quarter in breadth. And the Halfe Cloth one halfe yard in length, & one halfe quarter in breadth. And the Kerſey, Cotton, Dozen, Peniſtone, Frize, & Rugge one halfe yard in length, & one nayle in breadth, or ſhall vtter or ſell any wrought Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other wrought Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, tentred, ſtrained or ſtretched, otherwiſe then is aforeſaid, in or vpon any Tentor, Inſtrument, Engine or Deuice, with a lower Barre, Pinne, Ring, Engine or Deuice, Wrinch, Ringhead, Growme, or Rope, of what ſort or kind ſoeuer, vpon paine to forf. euerie ſuch wrought Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, & euerie other wrought Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of. And be it further enacted by the authoritie aforeſaid, That no woollen Broad Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, nor any other Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhalbe of, ſhall from & after the ſaid feaſt of Eaſter now nert enſuing (being well ſcoured, thicked, milled, & fully dryed, & made to be ſold, or which ſhall be offered to be ſold) exceed the ſeuerall length or lengths, which heretofore is limited & appointed, reſpectiuely for euery ſuch broad woollē Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, and other Woollen Cloth, of what nature, kind or name ſoeuer to be of, & ought at this time to be of, by the ſeuerall Statutes therefore limited & appointed, vpon paine of forfeiture of euery ſuch broad Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, and euery other woollen Cloth, of what nature, kind or name ſoeuer. And that euery woollen broad Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, and euerie other Woollen Cloth, of what nature, kind or name ſoeuer they be, or ſhall be of, ſhall from thenceforth (being well ſcoured, thicked, milled, and fully dryed) weigh reſpectiuely the true weight which is heretofore limited & appointed for euerie ſuch Broad Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, and euerie other Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, to weigh, and ought at this preſent time to weigh, by the ſeuerall Statutes therefore limited and appointed, ſauing that Taunton Clothes, Bridgewaters, and ſuch Clothes as ſhall be made in Taunton, Bridgewater, and other places of like ſorte and making, and limited to weigh foure and thirtie pounds at the leaſt, ſhal and may from henceforth (being wel ſcoured, thicked, milled, wrought and fully dryed) weigh onely thirtie pounds at the leaſt, Anie former Statute or Statutes to the contrarie thereof in anie wiſe notwithſtanding. And ſauing that Suffolke, Norffolke, Eſſex, and Northerne cloth, limited by the ſeueral Statutes of the firſt yeare of King Edward the firſt, and the fourth and fift yeares of King Philip and Quene Marie, or one of them, to weigh the ſeuerall weights therein mentioned, ſhall and may be abated for the workemanſhip of the whole cloth foure pounds, and for the half cloth 2. pounds in the weight thereof, as the ſame Norffolke, Suffolke, and Eſſex clothes are allowed by her Highneſſe toleration by Proclamation. And if it ſhal happen, that anie of the ſaid broad woollen Clothes, halfe Clothes, Kerſies, Cottons, Dozens, Penyſtones, Frizes, Rugges, or anie other woollen cloth, of what nature, kind, or name ſoeuer they be or ſhal be of, made or to be made to be ſold, or offered to be ſold, ſhal lacke (being wel ſcoured, thicked, milled, wrought, and fully dryed,) of the wiight therefore reſpectiuely limited, and which ought to be of that weight by this preſent Act, aboue three pound in any whole broad woollen Cloth, or aboue one pound and the halfe of one pound in one halfe Broad cloth, Taunton cloth, Bridgewater or other cloth of like ſort, or aboue 1. pound in one Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other Woollen Cloth reſpectiuely, of what nature, kind or name ſoeuer they be or ſhall be of, then the offendor ſhall forfeit for one pound wanting more then as aforeſaid, tenne ſhillings, and for two pounds twentie ſhillings, and for three pounds fortie ſhillings, and ſo double the forfeiture for euerie pound ſo wanting, vnleſſe the partie offending by ſuch wanting, will yeld the ſame Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize & Rugge ſo wanting, forfeited,

which

which if he will yéeld, then the ſame ſo wanting ſhall be forfeited: Any former Law, Statute, or other matter or thing whatſoeuer to the contrarie thereof in any wiſe notwithſtanding. And that one Statute made in the nine and thirtieth yeare of her Highneſſe raigne, intituled, an Act againſt the deceitfull ſtretching and tentering of Northerne cloth, as to, for, touching and concerning viewes, ſeales, ſearches, appointmẽt of Ouerſéers, Ouerſéers, penalties & authoritie giuen to Iuſtices of Aſſiſe, Iuſtices of Peace, head Officers of Cities, Boroughes, and Townes corporate, and other perſon and perſons of and for Northerne clothes, in the Countie of Yorke, Lancaſter, and other the Counties on the North of Trent, ſhall from the ſaid Feaſt of Eaſter next enſuing, reſpectiuely extend vnto all and ſingular Woollen Broad Clothes, Halfe Clothes, Kerſeyes, Cottons, Dozens, Peniſtones, Frizes, Rugges, and all other Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, made and to be made within her Highneſſe Realme of England, to be viewed, ſealed, ouerſéene, ſubiected to penalties, and authoritie giuen to Iuſtices of Aſſiſe, Iuſtices of Peace, and other perſon and perſons in ſuch and the like manner and forme, and to ſuch and the like purpoſes and intents reſpectiuely, as is limited and appointed for ſuch ſaid Northerne Clothes. And that euerie broad Woollen Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, and euerie other Woollen Cloth, of what nature, kind or name ſoeuer they be or ſhall be of, ſealed by the Ouerſéers authorized by this preſent Act, ſhall not bee brought to bee viewed, ſearched and ſéene, nor ſhall be ſearched, tried, or watered by any other Searcher & Ouerſéer of any other Citie, Borough, Towne, Village, Pariſh or Hamlet, by vertue of his or their Office or Offices: Any Statute, matter, or thing to the contrarie thereof in any wiſe notwithſtanding. And be it enacted, That the ſeuerall branches of the ſeuerall Acts of Parliament, the firſt intituled, an Act for the true making of Woollen Cloth, in the fifth yeare of the raigne of King Edward the firſt, and the Act intituled, an Act touching the making of Woollen Clothes in the fourth and fifth yeares of the raigne of King Philip and Quéene Marie, and in the Act made in the ſeuen and twentieth yeare of the raigne of our ſayd Soueraigne Ladie the Quéenes Maieſtie that now is, intituled, an Act touching the breadth of white Woollen Clothes made in the Counties of Somerſet, Wilts, Glocester and Oxon, and in the Act made in the fiue and thirtieth yeare of the raigne of our ſaid Soueraigne Ladie the Quéenes Maieſtie that now is, intituled, an Act touching the breadth of Plunkets, Azures and Blues, and other coloured Clothes made in the Countie of Somerſet, or elſewhere, of like making, for and concerning the exceeding of length of Clothes, mentioned in the ſaid Statutes of the fifth yeare of King Edward the firſt, ſhall from henceforth bee vtterly repealed, as concerning onely the ſayd ouerlengthes, and that one other Branch made in the ſayd fourth and fifth yeare of the raigne of King Philip and Quéene Marie, touching or concerning Certificates of faultie Clothes, ſhall from the ſayd Feaſt of Eaſter next enſuing, be likewiſe repealed, for Clothes to be ſold after the ſayd Feaſt of Eaſter next enſuing. And bée it further enacted, That no Marchant or Buyer which ſhall tranſport, or cauſe to bée tranſported beyond the Seas any Broad Woollen Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other Woollen Cloth, of what nature, kind or name ſoeuer they be, or ſhall be of, by reaſon of any Clothiers or Sellers of any Broad Woollen Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Penyſtone, Frize, Rugge, or any other Woollen Cloth, of what nature, kind or name ſoeuer they be, or ſhall be of, ſo tranſported, his hand to ſuch Marchant or Buyers Booke, Bill, or Ticket, for or touching any defects, ſhall take any benefite or aduantage. And be it further enacted, That all and euerie Article, Clauſe and Sentence in any Act of Parliament heretofore made, touching or concerning the ſayd abuſes in this Act mentioned, and being repugnant and contrariant to any Article or Sentence in this Act, ſhall from the ſayd Feaſt of Eaſter now next enſuing, bee vtterly void and of none effect. And be it further enacted, That all ſuch as ſhall offend after the ſaid Feaſt of Eaſter, againſt the ſaid Act in the nine and thirtieth yeare of her Highneſſe raigne, obſeruing and performing this preſent Act, ſhall not incurre any penaltie mentioned in the ſaid Act of the ſaid nine and thirtieth yeare: The moitie of all which forfeitures (not otherwiſe by this preſent Act appointed) ſhall be to the Searchers and Ouerſéers that ſhall and will find the ſame, and in his and their default, to him that ſhall find the ſame, and the other halfe to the poore of the Pariſh where the offence ſhall be committed. Prouided alwayes, That this Act, or any thing therein contained, ſhall not extend to take away or abridge from any lawfull Anſnager any power or right alreadie giuen vnto him by her Maieſties Letters Patents, for the viewing, ſearching or ſeizing of any Clothes put to ſale, contrarie to the Lawes heretofore made in that behalfe. This Act to continue till the end of the next Seſſion of the next Parliament, and no longer. Prouided alſo neuertheleſſe, That if any vnwrought Cloth, Halfe Cloth, Kerſey, Cotton, Dozen, Peniſtone, Frize, Rugge, or any other vnwrought Woollen Cloth, of what nature, kind or name ſoeuer they be, or ſhall be of, tranſported after the ſaid Feaſt of Eaſter next beyond the ſeas, ſhall be found to haue bin formerly tentered, ſtrained and ſtretched by the meanes or conſent of the maker or ſeller thereof, contrarie to the true intent of this preſent Act: That then ſuch Marchant or Buyer ſhall or may at his owne coſts and charges returne the ſame into this Realme, and after ſuch returne, deliuer, or cauſe the ſame to be deliuered vnto the maker

or seller thereof, with the seales thereunto limited by this present Act to bee fired, and thereupon shall or may recouer the value thereof so returned by Action of Debt, Bill, Plaint, or Information, in any of her Highnesse Courts of Record, against the maker or seller thereof, by whose meanes or consent the same was so tentered, strayned, and stretched. An. 43 El. cap. 10. And an. 1. Iac. cap. 25. it is continued vntill the end of the first Session of the next Parliament with this Prouiso, That no person or persons shall incurre any penaltie for

Welsh Cottons. want of length, breadth, or weight of Welsh Cottons, vnder the price of 15. d. the yard, or 2. s. the Coade, so as they be not mixt with haire or other deceitfull stuffe: Nor for any others aboue that price, except they be mixt, as aforesaid, or shall shrinke aboue the rate of halfe a yard in twelue yards of length, or weigh lesse then 14. ounces the yard, or hold not full three quarters of a yard broad. 1. Iac. cap. 25. And see hereafter 78. no penaltie shall be incurred for want of a content-seale to the same Cottons, &c.

77 Be it enacted &c. That the Act of 14. Eliz. intituled, An Act to reforme the excessiue lengths of Kerseies, be from henceforth clearely and absolutely repealed. Prouided alwaies, &c. That Kerseies, called

Ordinarie Kerseies ordinarie Kerseies, shall not exceed the length of 24. yards to be measured by the yard and inch, and that euerie ordinarie Kersie of the length of 24. yards aforesaid, being wel scoured, thicked, milled, dressed, and fully dryed, shal weigh 28. pounds and one halfe pound at the least: and that Kerseies called

Sorting Kerseies Sorting Kerseies, shall not exceed the length aforesaid, and that euery Sorting Kersie of the length of 24. such yards as aforesaid, being well scoured, thicked, milled, dressed, and fully dryed, shall weigh 32. pounds and one halfe pound at the least: & that euery Kersie of a shorter length then 24. such yards, as aforesaid, shall weigh proportionably to the foresaid weight: That is to say, Euery ordinarie Kersie after the rate of one pound and three ounces weight for euery yard, that the same shall containe in length: and euery sorting Kersie after the rate of one pound three ounces and one halfe ounce in weight for euery yard, that the same shall containe in length. And if it happen, that any Kersie

Exceed or Kerseies hereafter to bee made, shall either exceed the said length of 24. such yards as aforesaid, or shal

Lesse weight not weigh according to the respectiue rates & proportions aforesaid, then euery person or persons that shal make or cause the same to be made for sale,

Forf. shall forfeit and lose for euery yard of such Kersie, exceeding the length of 24. such said yards, the sum of 5. s. only, and no more: and for euery pound weight that shall be wanting, according to the proportions before respectiuely limited, shall forfeit 2. s. for euery pound, and no more: Any former Lawes or Statutes limitting or appointing any other or greater penalty or forfeiture to ỹ contrary thereof in any wise notwithstanding: The one moity of the said summes, penalties, & forfeitures to be to the Kings Maiesty, his Heires and Successors, & the other moitie to him or them that will sue for the same in any his Maiesties Courts of Record at Westminster, by Bill, Plaint or Information, wherein no Essoine, Protection, or Wager of Law shall bee allowed or admitted. Prouided further, &c. That euery person and persons selling or trading any such Kersie or Kerseies, shall pay vnto the Kings Maiesty for euery piece of Kersie containing 24. yards, as much in Custome and Subsidie rateably, as such person or persons should and ought to pay vnto his Maiesty for one piece and a third part of a piece containing eighténe yards. 3. Iac. cap. 16.

78 Be it enacted &c. That from henceforth no person or persons shall incurre any penalty for want of any content Seale to containe the breadth, length, or weight of any Welsh Cottons: and that no Welsh Cottons shall at any time or times hereafter be searched or tried in the water by any person or persons, other then by the buyer thereof, vpon paine to forfeit for euery such offence by the party who shall make any such Search or Triall, contrary to the intent of this Statute, 5. l. of lawfull money of England: The one moitie thereof to the Kings Maiesty, his Heires, and Successors, The other moity to the partie grieued, to be recouered by Action of Debt, Bill, Plaint, or Information, wherein no Essoine, Protection, or Wager of Law shalbe allowed. An. 3. Iac. cap. 17.

79 For the auoiding of many inconueniences happening to his Highnesse Subiects, exercising the Mysterie and Trade of making and working of Woollen Clothes of diuers names and natures, and that the buyers of such Clothes may haue true and iust commerce without fraud or deceit, It is enacted, That from and after fourescore daies next after the end of this Session of Parliament, euery long Broad Cloth & Clothes, which shall be made of dyed Wolls, and mingled Colours, within any of the Shires of Kent, Yorke, or at the Towne of Reading, or elsewhere of like making, shal containe in length at the water, euery piece being throughly wet, betweéne 30. and 34. yards, euery yard yard and inch of the Standard, and no more, and in breadth fiue quarters and a halfe of a yard at the least within the Liſts, by the whole length of the same Cloth: and that euerie piece of the same Cloth being well scoured, thicked, milled, and fully dryed, shall be in weight 86. pounds at the least. And that euery white Cloth, which shall be made within the Cities of Worcester, Couentrie, and Hereford, commonly called Long Worcesters, or elsewhere, of like making, shall containe in length, being wet, betweéne 30. and 33. such said yards and yuches, as aforesaid, and shall bee in breadth seuen quarters throughout all the whole Cloth, and béeing cleane scoured, thicked, milled, and fully dryed, shall weigh 78. pounds at the least. And, that all and euery long coloured Clothes, commonly called Plunkets, Azures, and Blues, and long White Clothes, which shall be made in any of the Shires of Suffolke, Norfolke, and Esser, or elsewhere of like making, shall containe in length being wetts, be-

betwæne 29. and thirtie two such yardes and yncheſ, as is afoꝛeſaid, and ſhall be in bꝛeadth ſiꝛe quaꝛteꝛs and one halfe quaꝛteꝛ within the Liſtes at the leaſt, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh 84. pounds at the leaſt. And that all and euery ſhoꝛt Clothes coloured, and ſhoꝛt white Clothes, commonly called Notts Clothes, which ſhall be made in any of the Shiꝛes Liſtes afoꝛe mentioned, oꝛ elſewhere of like ſoꝛt and making, ſhall containe being wette, in length betwæne 24. and 26. ſuch ſaid yardes and yncheſ as is afoꝛeſaid, & in bꝛeadth throughout the whole piece, ſiꝛe quaꝛteꝛs within the Liſtes at the leaſt, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh 64. pounds the Cloth at the leaſt. And that al and euery ſhoꝛt Clothes coloured and ſhoꝛt white Clothes, commonly called fine ſhoꝛt Notts Clothes, which ſhal be made in the Shiꝛes laſt before mentioned, oꝛ elſewhere of like making, ſhall containe, being wette, in length betwæne 24. and 26. ſuch ſaid yardes and yncheſ as is afoꝛeſaid, and in bꝛeadth throughout the whole Piece, ſiꝛe quaꝛteꝛs and a halfe within the Liſtes at the leaſt, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh 64. pounds the Cloth at the leaſt. And that euery ſuch Notting ſhoꝛt Cloth ſhall bee differenced from the ſaid fine Clothes laſt before mentioned, by a Bleiue Selueage oꝛ edging on both Liſtes. And that euery White Cloth, which ſhal be made within the ſame mentioned ſhiꝛes, oꝛ elſewhere of like making, commonly called, Handywarpes, ſhall containe in length betwæne 29. and 32. ſuch ſaid yards and yncheſ, as is afoꝛeſaid, and in bꝛeadth ſeuen quaꝛteꝛs, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhal weigh ſeuentie ſiꝛe pounds at the leaſt. And that all bꝛoad Plunkets, Azures, Blues, and other coloured Cloth, which ſhall be made within the Shiꝛes of Wiltſhiꝛe and Somerſetſhiꝛe, oꝛ elſewhere of like making, ſhall containe, being thꝛoughly wette, betwæne 26. and 28. ſuch yardes and yncheſ, as is afoꝛeſaid, and in bꝛeadth ſiꝛe quaꝛteꝛs and a halfe within the Liſts, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh 68. pounds the Cloth at the leaſt. And that euery Cloth, commonly called Short Clothes, which ſhall be made of dyed Wooles, and mingled Colours, within the Countie of Yoꝛke, oꝛ elſewhere of like making, ſhall contayne in length, being thꝛoughly wette, betwæne 23. and 25. ſuch yardes and yncheſ, as is afoꝛeſayd, and in bꝛeath ſiꝛe quaꝛteꝛs and an halfe betwæne the Liſtes, and being cleane ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh ſixtie ſiꝛe pounds the Cloth at the leaſt: and euerie halfe Piece thereof, commonly called Dozens, to bee made and wꝛought after the ſame rate in euery reſpect. And that all bꝛoade liſted Whites and Reddes, which ſhall be made in any of the Counties of Wiltſhiꝛe, Glouceſterſhiꝛe, Oxfoꝛdſhiꝛe, and the Eaſterne Limits of Somerſetſhiꝛe, oꝛ elſwhere of like making, commonly called Notting packe bꝛoad liſted Clothes, ſhal containe in length, being wette, betwæne 26. and 28. ſuch ſaid yardes and yncheſ, as is afoꝛeſaid, and ſhall be in bꝛeadth ſiꝛe quaꝛteꝛs and a halfe throughout the whole Cloth at the leaſt, and being cleane ſcowꝛed, thicked, milled, and fully dꝛyed, ſhal weigh euerie Piece of the ſame Cloth 64. pounds the cloth at the leaſt. And that all narrowe liſted Whites and Reddes, which ſhal be made in Wiltſhiꝛe, Glouceſterſhiꝛe, Oxfoꝛdſhiꝛe, and the Eaſterne limits of Somerſetſhiꝛe, oꝛ elſewhere, of like making, commonly called Notting packe Clothes, ſhall contayne in length, being wette, betwæne 26. and 28. ſuch ſaid yardes & ynches, as is afoꝛeſaid, & ſhalbe in bꝛeadth within the Liſtes, ſiꝛe quaꝛteꝛs, & a halfe throughout the whole Cloth at the leaſt, and liſted with narrow Liſtes, as hath bæne accuſtomed for Notting packe Clothes, and being cleane ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh euerie Piece, being White, 61. pounds at the leaſt, and being Redde, ſhall weigh ſixtie pounds the Piece at the leaſt. And that euery fine Cloth, with plaine Liſtes made in the Counties of Wiltſhiꝛe, Glouceſterſhiꝛe, Somerſetſhiꝛe, and Oxfoꝛd, oꝛ elſewhere of like making, ſhall containe in length betwæne 29. and 32. ſuch ſayd yards and yncheſ as is afoꝛeſaid, and in bꝛeadth, ſiꝛe quaꝛteꝛs and a halfe betwæne the Liſtes throughout the whole Cloth, and being cleane ſcowꝛed, thicked, milled, and fully dꝛyed, ſhal weigh 72. pounds at the leaſt. And that al and euery Clothes, having ſtop Liſts, & not plain liſts ſhal contain in length betweene 30. & 31. of ſuch ſaid yards & ynches, as is afoꝛeſaid, & in bꝛeadth 7. quaꝛteꝛs within the Liſtes thꝛoughout the whole Cloth, and in weight 78. pounds at the leaſt, as all Woꝛceſter Clothes are limited. And that euery Bꝛoade Cloth, commonly called Tauntons, Bꝛidge-waters, and Dunſters, made in the Weſterne Parts of Somerſetſhiꝛe, oꝛ elſewhere, of like making, ſhal contain, being thꝛoughly wette betwæne twelue and thirtæne ſuch ſayde yardes and yncheſ, as is afoꝛeſaide, and in bꝛeadth ſeauen quaꝛteꝛs of a yarde at the leaſt, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhal weigh thirtie pounds in Cloth at the leaſt. And euery narrow Cloth, of like ſoꝛt and making within the ſaid Countie of Somerſetſhiꝛe, oꝛ elſwhere, ſhall containe in length, being thꝛoughly wette, betwæne 24. and 25. ſuch yards and yncheſ, as is afoꝛeſaid, and in bꝛeadth one yarde within the Liſtes at the leaſt, and liſted with a narrow Liſt, & well ſcowꝛed thicked, milled, and fully dꝛyed, ſhal weigh 30. pounds a Piece at the leaſt, and the halfe Cloth thereof to be of a pꝛopoꝛtionable length and weight, and of like bꝛeadth as afoꝛeſaid. And that all ſuch like Bꝛoad Clothes, and Narrow Clothes, laſt beſoꝛe mentioned, made within the county of Yoꝛke, into Whites and Reddes, the bꝛoad Cloth to hold the ſame lengths, bꝛeadth, and weight: but the Narrow Cloth, to be alloweb by this Statute to containe betwæne ſeuentæne and eighteene yardes of like meaſure, bꝛeadth, and in weight pꝛopoꝛtionable, as afoꝛeſaid. And that all Deuonſhire Kerſeyes, called Dozens, ſhall containe in length at the water betwæne twelue and thirtæne ſuch ſaid yardes and yncheſ, as is afoꝛeſaid, and being well ſcowꝛed, thicked, milled, and fully dꝛyed, ſhall weigh

Notting packe Clothes

Cloth with plaine Liſts

Stop liſted Cloth

Tauntons, Bridge waters &c.

Narrow Clothes

The Coũty of Yoꝛke Whites & Reddes

Deuonſhire Kerſeys or Dozens

weigh thirteene pounds the Cloth at the leaſt. And

Checke-Kerſeyes, Straits, &c.

all Clothes, called Checke-Kerſeyes, Straites, and plaine Grayes, ſhall containe in length, at the water, betweene ſeuenteene and eighteene ſuch ſayd yards and inches, as is aforeſaid, and in breadth one yard at the leaſt by all the length, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh twentie foure pounds the peece at the leaſt.

Penſtones

And that all clothes, called Ordinary Penſtones, or Forrells Whites, ſhal containe in length in the water, betweene twelue & thirteene ſuch ſaid yards and inches, as is aforeſaid, & in breadth fiue quarters and a halfe, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh twentie eight pounds the piece at the leaſt. And that all Penſtones, called Sorting Penſtones, ſhal containe in length in the water, betweene thirteene and fourteene ſuch yards and inches, and ſhall be in breadth ſix quarters and a halfe, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh thirtie fiue pounds the piece at the leaſt. And be it likewiſe enacted by the authoritie aforeſaid, That all

Sorting Penſtones

Cogware Kendal. Carpt-meales

Cogware Kendall and Carptmeales ſhall from henceforth be made in ſuch ſort as ſhall beſt pleaſe the buyer, and ſhall not be ſearched, or ſealed, or be ſubiect to any other penaltie then ſuch as was impoſed thereon, before the nine and thirtieth yeare of our late Soueraigne Ladie, Queene Elizabeth, ſo as they ſhrinke not aboue one yard for euerie twentie yards. And be it enacted &c. That all Kerſeyes, called

Washers

Waſhers, or Wath-whites, made within the Counties of Yorke, Lancaſter, or elſewhere of like making, ſhall containe in length at the water, being halfe thicked, betweene ſeuenteen and eighteene yards of the meaſure aforeſaid, and being quarter thicked, ſhal containe betweene eighteene and nineteene ſuch yards and inches, as is aforeſaid, and being cleane ſcowred, and fully dried, ſhal weigh ſeuenteene pounds the piece at the leaſt.

Clothworker Sheereman Fuller

And that no Clothworker, Sheereman, or Fuller, ſhall raiſe or row, or cauſe to be raiſed or rowed any kind of Clothes, or Kerſeyes, in or with any Oyles, Goſe-greaſe, Swines-greaſe, or any ſuch like thing of any kind of Greaſes or Oyles, but ſhall ſheare the ſame Cloth, Kerſey plaine and ſtrait, without laying in or laying on any of the aforeſayd Oyles, Goſe-greaſe, Swines-greaſe, or any other liquid or moiſt thing, but onely vpon the edge of the ſheeres, with Semet or Oyles, vpon paine to forfeit for euerie time ſo doing, contrarie to the true meaning of this Statute, thirteene ſhillings foure pence.

Foyl.

Clothworker, &c.

And that no Clothworker, Sheereman, or Fuller, ſhall raiſe, full, or row, or ſheere the liſts and ſides of Clothes and Kerſies better then the middeſt, but ſhall worke all alike, vpon paine of forfeiting for euerie Cloth, Kerſey plaine and ſtrait, done contrarie to the true meaning of this Statute, thirteene ſhillings foure pence.

Foyl.

Clothworker.

And that no Clothworker, or any other perſon or perſons whatſoeuer, ſhall haue or vſe for the cutting or taking away of the woll from the backe-ſides of any Clothes and Kerſeyes, any Knife or Knives, Rubſter or Rubſters, Pumiſtone, or any other deuice whatſoeuer, but onely to

ſheere the ſame backe-ſide with a paire of ſheeres, vpon paine of forfeiting for euerie piece wherein or whereupon the ſame ſhalbe ſo done, the ſumme of thirteene ſhillings foure pence. And be it further enacted &c. That no Clothworker, Sheereman, or Fuller, or any other perſon or perſons whatſoeuer, ſhall from and after the Feaſt of S. John Baptiſt, next enſuing the end of this preſent Seſſion of Parliament, blow, ſpowt, or bedew any kind of Broad Cloth, or Kerſey, on the ſides and edges neere the liſts thereof, with any water, or other liquid or moiſt thing whatſoeuer, whereby the edges or ſides of any Cloth or Kerſey may make ſhew to be better then it is in the ridge, creſt, or middeſt thereof, vpon paine to forfeit for euerie ſuch offence the ſumme of thirtie ſhillings foure pence of lawfull money of England. And if any perſon or perſons ſhall blow, ſpowt, wet, or bedew, or cauſe to be blowed, ſpowted, wet, or bedewed with any liquid or moiſt thing, any kind of Cloth or Kerſey, of whatſoeuer countrey making, or name, for encreaſe of weight, thereby to deceiue the buyers, or Searchers, ſuch perſon or perſons ſhall forfeit and loſe for euerie ſuch offence the ſumme of fortie ſhillings of like lawfull money of England. And be it further enacted &c. That all the ſaid white Clothes, & coloured Clothes, which by this preſent Act are not limited, and appointed to be wrought, dreſſed, and ſhorne, ſhall haue allowance and abatement, for the Dying, Dreſſing, Rowing, and Sheering thereof, for euery ſuch ſayd ſhort Broad Woollen Clothes, foure pounds in weight, and no more, and the long Clothes fiue pounds, and no more, and ſo after that rate, in all and euerie the ſame halfe Woollen Cloth, Kerſey, and other the ſayd Woollen Cloth. And be it alſo enacted &c. That it ſhall and may be lawfull to and for any perſon or perſons, lawfully exerciſing the Trade or Art of a Clothier, or making of Clothes, to make Flore, Thrummes, and Lambes Woll into Cloth of one onely kind or making, which ſhall containe in length, being throughly wet, betweene twelue and thirteen ſuch yards and inches as is aforeſayd, and in breadth one yard at the leaſt within the liſts, and being cleane ſcowred, thicked, milled, and fully dried, ſhall weigh fifteene pounds the piece at the leaſt. And for the better and more eaſie diſtinction and knowledge of euerie ſuch Cloth, from Cloth made of perfect Woll, euerie Cloth made of Flore, Thrummes, and Lambes Woll, ſhal haue the oue liſt wholly of black yarne, and on the other ſide a ſeluedge onely. And that from henceforth no perſon or perſons ſhall put any Hayre, Flore, Thrummes, or any Yarne made of Lambes Woll, or other deceiuable thing or things, in, or vpon any other Broad Woollen Cloth, halfe Cloth, Kerſey, Frize, Dozen, Bayes, Penniſtone, Cotton, Taunton cloth, Bridgwater, Dunſter Cotton, or other Cloth, of what nature, kind, or name ſoeuer, made to be ſold, & ſold, not being made and liſted with ſuch blacke liſt and ſeluedge, as aforeſaid, vpon paine to forfeit euerie ſuch of the ſaid Woollen Cloth, halfe Cloth, Kerſey, Frize, Dozen, Penniſtone, Cotton, and other

Foyl.

Foyl.

Foyl.

Foyl.

Woollen

Woollen Cloth, of what nature, kind, and name soeuer, other then such as shall be listed and made as aforesaid, whereinto or vpon which any such Haire, Flore, Thrummes, Yarne of Lambes Woll, or other deceiuable thing shall be put or vsed, or the value thereof. Prouided alwayes, That in such Townes, places, & Counties where Flannell, Wadnals, and Couerlets, or Blankets are vsually made, the same may be made in such sort, as heretofore hath beene lawfully vsed and accustomed: This Statute or any thing therin contained to the cõtrary therof in any wise notwithstanding. And if any of the sayd broad woollen Clothes, or halfe Cloth, or any other kind of woollen Clothes, Dozens, Cottons, or other sorts of woollen Cloth before mentioned in this present Act, of what nature, kind, or name soeuer they be of, made to bee sold, and sold, shall be more in length then is therefore respectiuely limited and appointed in this present Act, then euerie person or persons selling the same, shall forfeit and pay for euerie yard and inch, exceeding the length so appointed, the summe of ten shillings and no more. And if any such cloth shall not weigh proportionably for euerie such yard and inch to the seuerall and respectiue weight to them so limited and appointed, then the said person or persons selling the same, shall forfeit and lose for euery pound weight that shalbe wanting aboue two pounds, the summe of ten shillings, and no more: Any former Law or Statute to the contrarie therof in any wise notwithstanding. And if any such Cloth before mentioned, not exceeding the seuerall lengthes to them by this Statute limited or appointed, and holding the seuerall and respectiue weight limited, and appointed, doe yet fortune to want of the iust breadth limited, or appointed, then the said person or persons, selling the same, shal forfeit & lose for euerie Cloth falling narrow through the whole Cloth, twentie shillings, and throughout halfe the Cloth, ten shillings, and vnder halfe the Cloth, fiue shillings onely, and no more: Any former Lawes or Statutes inflicting other or greater penaltie or penalties to the contrarie &c. notwithstanding. And if any Cloth or Clothes, of any the names, natures, or making aforesaid, which by this Statute, or any clause or article therein, or any other Statute now in force and not repealed, shall vpon due and conuenient triall, within conuenient time after sale thereof, in presence of the partie that sold the same, or other person or persons by him appointed, if hee or they will be present at the search and triall thereof, or if he or they will not be present, hauing reasonable notice, then in his or their absence, be found to be of lesse length, then the Seale or Seales thereon fixed at the time of the sale thereof doe purport, then the owner, or person or persons selling the same, shall forfeit and lose to the Marchant, Draper, or other person or persons that shall haue bought the same, for so much as shal be wanting of the length specified in the Seale or Seales of the said Cloth, after the rate of six shillings eight pence for euerie yard, ouer and besides the true value of so much of the said cloth or clothes as shalbe found wanting of the length certified by the said Seale or Seales, and no more: Any former Law or Statute inflicting other or greater penaltie to the contrarie &c. notwithstanding. And be it further enacted &c. That all and euerie branch, clause, and sentence, in any former Statute, whereby any other length, breadth, or weight of ỹ clothes before mentioned, or any of them, or any other penaltie or forfeiture concerning the length, breadth, or weight of the foresaid Clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in this Bill mentioned, or any of them, are giuen to any other person or persons, then in and by this Statute is limited and intended, shalbe from henceforth vtterly repealed and made void. And be it &c. That none of the Clothes aforesaid, which by the Lawes and Statutes of this Realme ought to bee Sealed, of what name, nature, or qualitie soeuer they be of, being sealed by the Ouerseers authorized as well by a Statute made in Anno 39. Eliz. intituled, An Act against the deceitful stretching and taintering of Northern cloth; as also by a Statute made Anno 43. Eliz. intituled, An Act for the true working and making of Woollen cloth, shall afterward be searched, tried, or watered by any other person or persons whatsoeuer, but onely by the Marchant or Draper, or other person to whom the same shalbe sold: And that if any Woollen cloth vpon the search by the Searchers or Ouerseers of the Cities, Counties, Townes, or places where such cloth is made, shalbe found either to exceed the length, or to want of the weight by this Statute limited, the said Searchers or Ouerseers finding and certifying the said ouerlength, and the weight that shall want or such of them wherin the offence shall happen to haue beene committed, by his or their Seale or Seales, shall haue the one moitie of all such penalties and forfeitures, as by this Statute are giuen, limited, and appointed for excesse of length, or want of weight, and no other person or persons; and shall or may sue for, and recouer the same by Action of debt, Bill, Plaint, or Information, in any of his Maiesties Courts of Record at Westminster, wherein no Essoine, Protection, or Wager of Law shalbe allowed. And our Soueraigne Lord the Kings Maiesties, his heires and successors, shall haue the other moitie. And also if any Woollē cloth or clothes of any the natures, names, or makings aforesaid, shall after such search in the countrey, or other place aforesaid, be found to be faultie in any thing not certified, and appearing by the seale or seales of the said Ouerseers and Searchers, by the Marchant, or Draper, or other person or persons buying the same, vpon due and conuenient triall within conuenient time, after the sale thereof, in presence of the partie that sold the same, or of other person or persons by him or them to bee appointed, if he or they will be present at the search and triall thereof, or if he or they will not bee present, hauing reasonable notice giuen, then in his or their absence, the said Marchant or Draper, or other person that bought the same, and no other, shal haue the one moitie of all the penalties and forfeitures

Former Statutes limiting otherwise then this, repealed

Sealed

Searchers

Moitie

Faultie

Marchant Draper

Moitie

tures by this Statute imposed, and incurred, and not become due to the Ouersèers and Searchers aforesaid, to his owne onely proper vse and behoofe: Any former Statute, matter, or thing whatsoeuer to the contrarie hereof in any wise notwithstanding. And also shall or may sue for, and recouer the same in any of his Maiesties Courts of Record at Westminster, by Action of debt, Bill, Plaint, or Information, wherein no Essoine, Protection, or Wager of Law shall be allowed: And his Maiestie, his heires and successors, shall haue the other moitie. And forasmuch as of late it hath béene reputed, That a Broad woollen cloth should & ought to consist of twentie foure such yards and inches as aforesaid, and not aboue, and payments and other dueties haue béene accordingly demaunded, and payed for the same: Be it therefore enacted &c.

Broad woollen cloth

That if any broad Woollen cloth be made longer or shorter then twentie foure such said yards and inches, all dueties and payments hereafter to bée payed for the same, shall bee demaunded and made proportionable, according to the rate and proportion of foure and twentie such yards and inches, for a whole cloth, and not otherwise. And whereas by this and diuers other Statutes concerning Draperie and Clothing, it is enacted, That all and euerie Broad cloth and clothes, which shal be made in Kent and Suller, or at the towne of Reading, or elsewhere of like making, shall bee of a certaine length, breadth, and weight, in this or other the said Statutes expressed and limited, And in like sort for Woolley cloths most vsually made in some other Counties or Townes, are first, specially and particularly named in this and other the said Statutes, And after follow these words (or elsewhere of like making) importing that it should be lawfull for any Clothier of whatsoeuer Towne or Countie within this Realme to make cloth of like making, and accordingly the same hath heretofore bin put in vre: Yet forasmuch as of late some doubt hath thereupon risen, Be it therefore explained and enacted, That it is and shall be lawfull for euerie Clothier of what Towne or Countie soeuer within this Realme, where Clothing hath heretofore béene vsed, to make, or cause to be made, any true Woollen cloth, of what name, nature, or maner of making soeuer the same be, Albeit the same kind of Woollen cloth doe beare specially the name of some other Countie, Citie, or Towne within this Realme. This Act to continue vntill the end of the first Session of the next Parliament. Prouided alwayes, and be it enacted by the authoritie aforesaid, That neither this Act, nor any thing therein contained, shall extend to abridge or diminish any Customes or dueties appertaining to our Soueraigne Lord the Kings Maiesties, his heires or successors, or to any his Officers, or Ministers, for the searching, measuring, or sealing any the clothes before mentioned, nor to hurt or preiudice the lawfull fées, due or belonging to his Maiesties Aulnageor, or to hurt, or preiudice the lawfull vse and exercise of the Office of Aulnageor, so as after any cloth once lawfully searched, and lawfully sealed, the same be not compelled to be further viewed, searched, measured, or sealed.

Or elsewhere &c.

Clothier

Customes

Aulnageor

An. 4. Iac. ca. 2.

80 Whereas by the Trade of Clothing, making of Bayes, Sayes, and other Clothes, and Stuffes made of Woll, or partly of Woll, many poore people are set on worke, & great profit hath growne to the poore and Commonwealth thereby, yet now by the abuse and deceit of the Sorters, Rembers, Carders, and Spinsters, of woll to them deliuered, by the persons vsing the Trades aforesaid, and Weauers of the Yarne made of such woll, who are set on worke by the Clothier, maker of Bayes, Sayes, and other Clothes and Stuffes aforesayd, by vniustly, deceitfully and falsely purloyning, imbesselling, selling and detaining of part thereof, to the great dammage of the Clothier, and others, vsing the Trades aforesaid, whereby true Clothmaking is much hindered, and idlenesse doth dayly encrease, so that many exercising the Trades before mentioned, are greatly impouerished, and the parties which commit the offences aforesaid, being poore, and altogether vnable to make recompence or satisfaction for the trespasses, deceits and abuses aforesayd, haue much discouraged the said Clothier, maker of Bayes, and others of the Trades aforesaid, to set poore people on worke, whereby much pouertie doth increase, and more is like daily to increase, to the great dammage and hinderance of the Commonwealth: For the preuenting and reformation whereof, Be it &c. That all and euerie such lewd person and persons, who shall at any time after twentie dayes next after the end of this Session of Parliament, vniustly, falsely, or deceitfully, conuey away, imbesell, purloine, sell, or detaine any part of the Woll or Yarne, deliuered by any Clothier, maker of Bayes, Sayes, or by any other person or persons, making any such Clothes or Stuffes, to any such Sorter, Carder, Rember, Spinster, or Weauer of Woll or Yarne; That in euerie such case and cases, as well the Sorter, Carder, Rember, Spinster and Weauer so offending, as the buyer and buyers, receiuer and receiuers of the same, knowing the same, being thereof lawfully conuicted (by confession of the partie or parties so offending, or by one sufficient witnesse, vpon oath before two or more of the Kings Maiesties Justices of the peace of the same Countie or Libertie where the same offence or offences shalbe committed, or if it be within a Towne corporate, before the Maior, Bailife, or chiefe Officer, and one more of the Aldermen or most substantial persons of the said Towne, who shall by force of this Act, haue full power and authoritie to minister the same oath, and finally to heare, end and determine all and euerie the offences aforesaid) shal giue and make to the party and parties grieued, such recompence and satisfaction for such their dammags and losse, as by the said Justices or chiefe Officers, shall be ordered and appointed. And if the partie or parties so offending, shall not bee thought in the discretion of the said Justices or chiefe Officers, able or sufficient, or doe not make recompence or satisfaction for the same offence or offences, in such manner and forme, as by the said Justices or chiefe Officers, shalbe ordered and appointed, as aforesaid,

ſaid, then the partie or parties offending, for the firſt offence to be apprehended and whipped, or ſet in Stockes in the place where the offence is committed, or in ſome Market town in the ſaid Countie next vnto the place where the offence or offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtices of the Peace, or cheefe Officers; And for the ſecond offence, to incurre the like or ſuch further puniſhment by whipping, or being put in the Stocks, as the ſaid Juſtices of the peace, or cheefe Officers ſhall in their diſcretion, thinke fit and conuenient. And be it likewiſe enacted by the authoritie aforeſaid, That all and euery receiuer and receiuers, buyer and buyers of any woll or yarne, imbeſelled or purloyned, contrary to the meaning of this Act, knowing the ſame to be imbeſelled or purloyned, ſhalbe ſubiect to like puniſhment, as by this Act is inflicted or prouided to be inflicted vpon any ſuch perſon, ſo imbeſelling or purloyning any ſuch woll or yarne as aforeſaid. And be it likewiſe enacted, That all euery Spinner and Spinners of woll within the Countie of Eſſex, ſhal receiue any wool to be ſpun into yarne for any Clothier, or maker of Bayes, Sayes, or other ſtuffes aforeſaid, dwelling in the town of Cogſhall, Bocking, Braintree, Halſted, Wittam, or Colcheſter within the ſaid Countie, and ſhall deliuer backe againe the yarne made of the ſaid woll, by any ſhorter Reele, then hath beene there vſuall of auncient time: that is to ſay, the ſaid Reele containing two yards about, ſhalbe ſubiect to like puniſhment, as by this Act is inflicted, or prouided to bee inflicted vpon any perſon or perſons, imbeſelling and purloyning yarne as aforeſaid. An. 7. Iac. ca. 7.

81 Whereas by a Statute made in the ninth yeare of the late King Henrie the fourth it was enacted, That no cloth called Kendals (whereof the Dozen paſſed not ſix ſhillings and eight pence) ſhould be ſealed with the Kings ſeale, nor Aulnage great nor little to be paied for the ſame: And that the owners might freely ſel the ſaid clothes not ſealed, without forfeiting any thing to the king for the ſame, notwithſtanding any Statute or Ordinance made to the contrarie: Sithence the making of which Statute, the ſaid Kendals and other courſe things of like nature, and made of the like courſe woll, and differing in name only, called Cogware, courſe Cottons, and Carptmeales, haue been made in ſuch ſort, as the parties which made the ſame were able, and as beſt might pleaſe the buyer, without being limited to any certaine weight, or to any aſſize of length or breadth, and were neuer ſearched nor ſealed with any ſeale, nor ſubiect to any penaltie for the not ſealing thereof with any ſeale, nor any Subſidie nor Aulnage paid for the ſame, vntill of late that certaine euill diſpoſed perſons contrary to the true meaning of the ſaid Law, haue by colour of a late Statute made in the nine & thirtieth yere of the raigne of the late Queene Elizabeth, intituled, An Act againſt the deceitfull ſtretching and taintering of Northerne cloth, endeuored to make the ſaid Cogware, Kendals, Carptmeales, and courſe Cottons ſubiect to ſearch, and haue demanded for the ſame diuers ſeuerall ſummes of money for the Seale of the Collector of the Subſidie and Aulnage, to the great veration and trouble of the ſaid poore people. Be it &c. That from henceforth all Cogware, Kendals, courſe Cottons, and Carptmeales, which are, or hereafter ſhall be made within the ſaid Counties of Cumberland and Weſtmerland, or within the ſaid Townes and Pariſhes of Carptmeale, Hawkeſhead, and Broughton, in the ſaid Countie of Lancaſter, whereof the Dozen ſhall not exceed the rate and price of thirteene ſhillings and foure pence, ſhall be made in ſuch ſort, as may beſt pleaſe the buyer: And ſhal not be ſearched nor ſealed with any of the Kings Seales, nor with any other Seale, nor any Subſidie or Aulnage great or little paied for the ſame: But that the owners of ſuch Cogwares, Kendals, courſe Cottons, and Carptmeales, may freely ſel the ſame not ſealed, as they haue beene accuſtomed, without forfeiting any thing to the King for the ſame: Any Law or Statute, or any Branch or Clauſe of any Law or Statute heretofore made to the contrarie notwithſtanding. An. 7. Iac. cap. 16.

Drunkenneſſe.

BE it enacted &c. That all and euerie perſon or perſons, which after fortie dayes next following the end of this preſent Seſſion of Parliament, ſhall be drunke, and of the ſame offence of Drunkenneſſe ſhall be lawfully conuicted, ſhall for euery ſuch offence forfeit and loſe fiue ſhillings of lawful money of England, to be paid within one weeke next after his, her, or their conuiction thereof, to the hands of the Churchwardens of that pariſh where the offence ſhall be committed, who ſhalbe accomptable therefore to the vſe of the poore of the ſame Pariſh. And if the ſayd perſon or perſons ſo conuicted, ſhall refuſe or neglect to pay the ſayd forfeiture as aforeſayd, then the ſame ſhall bee from time to time leuied of the goods of euerie ſuch perſon or perſons ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame Court, Judge, or Juſtices, before whom the ſame conuiction ſhall bee. And if the offendor or offendors bee not able to pay the ſayd ſumme of fiue ſhillings, then the offendor or offendors ſhall bee committed to the Stockes for euerie offence, there to remaine by the ſpace of ſix houres. And be it &c. That if any Conſtable, or any other inferiour Officer of that Pariſh or place, where the offence ſhall be committed, to whom that ſhall bee giuen in charge by the Precept of any Maior, Bailife, other head Officer, or Juſtices of the Peace within their ſeuerall limits, doe neglect the due correction of the ſayd offendor, or the due leuying of the ſayd penalties, where diſtreſſe may bee had, then euerie perſon ſo offending, ſhall forfeit the ſumme of tenne ſhillings of currant money of England, to the vſe of the poore of the ſame Pariſh, or place where the offence ſhall bee committed, to be leuied by way of diſtreſſe by any other perſon or perſons, hauing Warrant from any Maior, Bailife, or other head Officer, Juſtices of Peace, or Court, where any ſuch conuiction ſhall be, and to be paied

Drunk. Fort. Churchwardens Accomptable Poore Refuſe Stockes Conſtable Neglect Fort. Poore

to

Churchwardens Accompt

to the Churchwardens, as before limited, who are alſo to accompt for the ſame to the vſe aforeſaid. And be it &c. That if any perſon or perſons within this Realme of England, or the Dominions of Wales, ſhall remaine or continue drinking or tipling in any Inne, Victualing houſe, or Alehouſe, being in the ſame Citie, Towne, Village, or Hamlet, wherein the ſayd perſon or perſons (ſo remaining drinking or tipling) doth dwell and inhabit at the time of ſuch drinking and tipling, and the ſame being viewed and ſeene by any Maior, or other head Officer, Juſtice, or Juſtices of peace within their ſeverall limits, or duely proued in ſuch manner and forme as is limited, in and by one Act of Parliament, made in the firſt Seſſion of this preſent Parliament, intituled, An Act to reſtraine the inordinate haunting and tipling in Innes, Alehouſes, and other victualing houſes, (which ſee in Alehouſes, &c. 3.) vnleſſe it bee in ſuch caſe or caſes as be tollerated or excepted in the ſayd Act, That then euerie perſon or perſons ſo offending, ſhall forfeit and loſe for euerie ſuch offence the ſumme of three ſhillings foure pence of currant money of England, to the vſe of the poore of the Pariſh where the ſayd offence ſhall bee committed, to be leuied by way of diſtreſſe, in ſuch manner and forme as is before appointed by this Act, for the leuying of the penaltie of five ſhillings for being drunke. And if it happen that any offendor or offendors, againſt the true intent of this clauſe or braunch, being thereof lawfully convicted, bee not able to pay the ſayd forfeiture or forfeitures, Then it ſhall and may bee lawfull for any Maior, Bailife, or other head Officer, Juſtice, or Juſtices of Peace, or Court, where any ſuch conuiction ſhall bee, to puniſh the ſaid offendor or offendors, by ſetting him, her, or them in the Stocks for euerie ſuch offence by the ſpace of foure houres. Bee it further enacted &c. That all the offences in this Act, and in the ſaid former Act mentioned, ſhal bee from time to time diligently enquired of, and preſented before the Juſtices of Aſſiſes in their circuit, Juſtices of the Peace in their Quarter or ordinarie Seſſions, and before the Mayors, Bailifes, or other head Officers of euerie Citie or Towne Corporate, who haue power to enquire of Treſpaſſes, Riots, Routs, Forces, and ſuch like offences, and in euerie Court Leet, and thereupon ſuch due proceeding ſhall be againſt the offendors offendors, for their due conuiction in that behalfe, as in ſuch like caſes, vpon any Indictment or Preſentment is vſed by the Lawes of the realm, or cuſtomes of the Citie, Towne, or place where ſuch Preſentment or Indictment ſhall be enquired of and found. And it is further enacted &c. That if any perſon or perſons being once lawfully conuicted of the ſaid offence of Drunkenneſſe, ſhall after that be againe lawfully conuicted of the like offence of Drunkenneſſe, that then euerie perſon and perſons ſo ſecondly conuicted of the ſayd offence of Drunkenneſſe, ſhall be bounden with two ſureties to our Soueraigne Lord the Kings Maieſtie, his heires and ſucceſſors in one Recogniſſance or Obligation of ten pounds, with conditi-

Maior Juſt. of P.

Poore

Diſtreſſe

Not able

Stockes

Juſt. of Aſſ.

Juſt. of P.

Maior Bailife &c.

Leet

2. Offence

ons to be from thenceforth of good behauiour. Be it further enacted &c. That all Conſtables, Churchwardens, Headboroughes, Tithingmen, Aleconners, and Sidemen, ſhall in their ſeuerall Othes incident to their ſeuerall Offices, bee charged in like ſort to preſent the offences contrarie to this Statute. Prouided alwayes, That this Act, or any thing therein contained, doe not in any wiſe abridge or reſtraine the Eccleſiaſticall power or Iuriſdiction, but that all Ordinaries and other Eccleſiaſticall Iudges and Officers, ſhall and may proceed to inquire of, cenſure, and puniſh all ſuch offendors, according to the Eccleſiaſticall Lawes of this Realme, in ſuch manner and forme as before they lawfully might doe: Any thing in this Act to the contrarie notwithſtanding. Prouided alſo, That when any of the offendors againſt the true intent of this Act, or any braunch or article thereof, hath beene once puniſhed, or corrected for his or her offence, by any the wayes and meanes before limited, that then the ſayd offendor ſhall not be eftſoones puniſhed or corrected for the ſame offence by any other wayes or meanes. Prouided alwayes, That this Act, or any thing therein contained, ſhall not bee preiudiciall to either of the two Vniuerſities of this land, but that the Chancelor, Maſters, and Scholers, and the ſucceſſors of them, and either of them, may as fully vſe, and enioy all their Iuriſdictions, rights, priuiledges, and Charters, as heretofore they haue, or might haue done: Any thing in this Act &c. notwithſtanding. Prouided alwayes, That no perſon or perſons ſhall bee puniſhed, impeached, or moleſted for any offence mentioned in this Statute, vnleſſe he ſhalbe for the ſame offence preſented, indicted, or conuicted within ſix Monethes after ſuch offence committed. This Act to continue vntill the end of the firſt Seſſion of the next Parliament. An. 4. Iac. ca. 5.

Dures.

ANno 1. Ed. 3. cap. 4. It was enacted, That fines, gifts, grants, and Recogniſances made after the exile of the Spencers by Dures ſhould be auoided, &c.

2 Whereas many in this Realme in the time of the Kings father that now is, by meanes of his falſe and euill Counſellors, haue beene drawne by Dures, to bind themſelues by writing to come to the King with force and armes whenſoeuer they ſhould be ſent for, vpon paine of life and limme, and to forfeit all that euer they might forfeit: by vertue of which writings diuers of this Land haue often beene deſtroyed: The King conſidering that ſuch writings were made to the Kings diſhonour, ſithence that euerie man is bound to doe to the King as to his liege Lord, all that pertaineth to him without any manner of writing, willeth that from henceforth no ſuch writing be made, and that ſuch as be made, by the ſight of the Chancelor and Treaſorer ſhal be deliuered to the King, and the King ſhal cauſe all ſuch as be made againſt right and reaſon to be cancelled. An. 1. E. 3. Stat. 2. ca. 15.

3 The Prelates and Clergie of this Realme doe greatly complaine them of that, That people of holy Church, pursuing in the Spirituall Court of their tithes, and their other causes, which of right ought, and of old times were wont to pertaine to the same Spirituall Court, and that the Judges of holy Church hauing Cognisance in such causes, and other persons thereof medling according to the Law, bee maliciously and vnduely for this cause indicted, imprisoned, and by Secular power grieuously oppressed, and also inforced with violence by oathes and grieuous obligations, and by many other meanes vnduely compelled to leaue and cease vtterly from the things aforesaid, against the Liberties and Franchises of holy Church: Wherefore it is assented, That all such Obligations made or to be made by duresse or violence, shall be of no valour. And as to these that by malice doe procure such Indictments, and be also themselues Indictors, after that the same Indictées be so acquit, such procurers shall haue and incurre the same paine that is contained in the Statute of Westminst. 2. (which see in Appeales 3.) of those that procure false Appeales to bee made. And the Justices of Assise and other Justices before whom such Indictées shall be acquited, shall haue power to enquire of such Procurors and Indictors, and duely to punish them after their desert. An. 1. R. 2. cap. 13.

4 Anno 5. R. 2. cap. 6. It was enacted, That all writings and bonds made by Duresse in the time of the late insurrection, should be void, and should be restored, and all Entre and Feoffements then made by Duresse should be void.

Durham.

AN Act (not printed) was made in Anno 7. E. 6. whereby the Bishopricke of Durham was dissolued, and that the King should haue the lands and hereditaments thereof, and another Act was made in Anno 7. Ed. 6. cap. 10. whereby the towne of Garthide was vnited to Newcastle vpon Tine, But these two Acts be repealed by 1. M. Parl. 2. cap. 3. And by this Act the Bishopricke of Durham is reuiued and erected, and thereto annered all the Ecclesiasticall and Temporall Jurisdictions, and the towne of Garthide, and all lands and hereditaments before belonging to the Bishopricke, and diuers matters bee at large in this Act conterning these matters. Therefore see this Statute.

2 Where the Bishopricke of Durham is, and of long time hath beene an auncient Countie Palantine of it selfe: In which Bishopricke the Quenes Writ hath not, nor yet doth runne, so that the Writ of Proclamation awarded vpon an Exigent against any person or persons inhabiting within the same Countie in any Action wherein Procesle of Outlawrie doth lye, according to the Statute made in the first yeare of the raigne of the late King Henrie the eight (after in Exigent and Outlawrie 5.) cannot bee directed to any Sherife, or other Officer within the said Bishopricke, but vnto the Sherife of the Countie next adioyning vnto the sayd Bishopricke, so that the partie dwelling within the sayd Bishopricke, against whom any such Exigent and Proclamation hath beene or shall bee awarded, hath not had, nor hereafter can haue any knowledge of the same suit or Procesle: by reason whereof many persons inhabiting within the sayd Bishopricke without knowledge haue beene outlawed, and hereafter are like to bee outlawed, in like manner to their vtter vndoings, if some speedie remedie be not the sooner prouided: Be it therefore, and for diuers other good considerations, enacted, ordained, and established by the authority of this present Parliament, That whensoeuer any Writ of Exigent, at any time after the first day of Aprill next comming, shall bee awarded at the suit of our Soueraigne Ladie the Quenes Maiestie, her heires or successors, Kings or Quenes of this Realme, or at the suit or suites of any other person or persons, plaintise or plaintises, in any action or suit in any of the Courts of our said Soueraigne Ladie, her heires or successors, Kings and Quenes of this Realme, commonly called the Kings Bench, and the Common Place, against any person or persons dwelling within the sayd Bishopricke: That then immediately vpon the awarding of euerie such Exigent, the Justice or Justices before whom any such writ of Exigent vpon such suit or action shall bee sued, shall haue full power and authoritie by vertue of this Act, to award one Writ of Proclamation, according to the tenor and effect of Writs of Proclamation awarded vpon Exigents, and commonly directed out of any of the sayd Courts into London, or into any other Shires of this Realme, against any person or persons dwelling in other Shires of this Realme, where the Quenes writ doth runne according to the order and forme of the sayd Act, made in the first yeare of the raigne of the sayd late King, to bee directed to the Bishop of Durham for the time being, and during the vacation of the Bishopricke, then to the Chauncelor of the said Bishopricke or Countie Palantine for the time being, where it shal happen the said defendant against whom any such action shalbe sued, as is aforesaid, to be dwelling, and not to the Sherife of any other Shire next adioyning to the said Bishopricke or Countie Palantine (any law, custome, or vsage heretofore vsed to the contrary notwithstanding.) And that euerie such writ of Proclamation so to be hereafter awarded to such Bishop or Chancelor of the said Bishoprick or County Palantine, shall haue the same Teste and day of returne, as the Exigents whereupon euery such writ of Proclamation shall bee awarded shall haue: And that euerie such Bishop or Chauncelor, to whom any of the sayd writ or writs of Proclamation shall bee directed, shall by his or their Mandat, directed to the Sherife of the sayd Countie Palantine, cause Proclamation to bee made of the same writs of Proclamation, according to the tenor of the same, and shall make true returnes of the same, in such Court or Courts, and before such Justices as the tenor of the same writ and writs of Proclamation shal require and demaund. And that all outlawries hereaf-

R. Bench C. Place
Award
Bishop
Chancelor
Sherife
Teste
Proclamation
Returne
Outlawrie

hereafter to be promulged or pronounced againſt any perſon or perſons, vpon any ſuch Erigent or Erigents awarded againſt any perſon or perſons dwelling within the ſaid Biſhoprick or Countie Palantine, and no writs of Proclamation awarded in forme aforeſaid, to the Biſhop or Chancelor aforeſaid, where the partie defendant ſhall be, as is aforeſaid, dwelling, or not returned as aforeſaid, to be clérerly void and of none effect nor force in the Law. And be it further enacted by the authoritie aforeſaid, That euerie Biſhop of the ſaid Biſhoprick, for the time being, and during the vacation of the ſaid Biſhoprick, the Chauncelor of the ſaid Countie Palantine for the time being, ſhall haue in euerie of the ſaid Courts of the Kings Bench, and Common Pléas, one ſufficient Deputie at the leaſt, to receiue all ſuch writs of Proclamations which ſhall be hereafter directed to euerie ſuch Biſhop or Chauncelor of the ſaid Biſhoprick or Countie Palantine, for whom the ſame Deputie or Deputies ſhall be appointed, in like manner and forme, and vpon like paines, as by the former Statutes and Lawes of this Realme, the Sheriffs of other Shires or Counties within this Realme of England, be bound to haue in either of the ſame Courts, and that all ſuch Writs of Proclamation as aforeſaid, ſhall be deliuered vnto euerie ſuch Deputie or Deputies of Record in the ſame Courts, and either of them, and alſo like fées ſhall be paied for making euerie ſuch Writ of Proclamation, and for inrolling the ſame of Record, as is limited in the ſame Statute, made in the firſt yeare of the ſaid King Henrie the eight. And be it further &c. That if any ſuch Writ or Writs of Proclamation hereafter to be directed to any Biſhop or Chauncelor of the ſaid Biſhoprick or Countie Palantine, be deliuered vnto any of the ſaid Biſhops for the time being, or during the vacation of the ſaid Biſhoprick, to the Chauncelor of the ſaid Countie Palantine for the time being, or to his or their Deputie or Deputies, in manner and forme aforeſaid, and the ſame Biſhop for the time being, or during ỹ vacatiõ of the ſaid Biſhoprick, the ſaid Chancelor of ỹ ſaid Countie Palãtine for the time being do not make true returne of euerie ſuch writ and Writs of Proclamation to them directed into ſuch Court and Courts, out of which the ſayd Writ or Writs of Proclamation ſhall be awarded: That for euerie ſuch default of non returne, euerie ſuch Biſhop for the time being, and during the vacation of the ſaid Sea, the ſaid Chancelor for the time being, ſo failing to make due returne, ſhall loſe and forfeit fiue pounds, the one halfe whereof ſhall be to the Queene, her heires and ſucceſſors, and the other halfe thereof to any ſuch perſon or perſons, as will ſue for the ſame, in any Action of debt to be grounded vpon this Act in any of the Queenes Courts of Record, wherein no Eſſoine, Protection, or Wager of Law ſhall bée allowed or admitted. Prouided alwayes, that this Act, or any thing therein contained, ſhall not in any wiſe extend, or be preiudiciall to any Biſhop of the ſaid Biſhoprick of Durham, for or concerning ſuch Liberties, Franchiſes, or Priuiledges as belong to the ſame Biſhops Biſhoprick or Sea, or to any Miniſters or Officers of the ſame Biſhoprick or Countie Palantine, otherwiſe or in any other manner, then by the true meaning of this Act is before prouided or declared, any thing in this Act mentioned to the contrarie notwithſtanding. Prouided alſo, That if any perſon or perſons dwelling within the ſaid Biſhoprick or countie Palantine, after the foreſaid firſt day of Aprill, ſhall be outlawed in any ſuch ſuit or action as is aforeſayd: That then all Writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, Non moleſtandum, and all other Proces, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth be directed from time to time to the Biſhop of the ſaid Biſhoprick and Countie Palantine for the time being, and during the vacation of the ſayd Sea, to the Chauncelor there for the time being, who ſhall make like Writs and Proceſſes thereupon and of like effect ſealed with the Seale of their ſayd Offices, to bée directed to the Sherife of the ſayd Countie Palantine for the time being, as heretofore hath béene vſed and accuſtomed in ſuch caſes. Prouided alwayes, and be it further enacted by the authoritie aforeſayd, That vpon any Writ of Proclamation to bée awarded by vertue of this Act, and the Mandat thereupon to be made to the Sherife, and the Erecution thereof, there ſhall be but one onely fée taken, receiued or demaunded for the ſame, by the ſaid Biſhop, Chauncelor, and Sherife of the ſayd Countie Palantine for the time being.

Void

Vacation

One deputy

Fees

Inroll

True returne

Default

Forf.

Franchiſes

Eccleſiaſticall Iuriſdiction.

IT may be ordained and enacted by authoritie of this preſent Parliament, That all and ſingular perſons as well lay as thoſe that now be maried or hereafter ſhall be maried, being Doctors of the Ciuile Law, lawfully created and made in any Vniuerſitie, which ſhall be made, ordained, conſtituted and deputed to be any Chauncelor, Vicar generall, Commiſſarie, Officiall, Scribe or Regiſter, by your Maieſtie or any of your heires or ſucceſſors, or by any Archbiſhop, Biſhop, Archdeacon or other perſon whatſoeuer hauing authoritie vnder your Maieſtie, your heires or ſucceſſors, to make any Chauncelor, Vicar generall, Commiſſarie, Officiall or Regiſter: may lawfully execute and exerciſe all manner of Iuriſdiction commonly called Eccleſiaſticall Iuriſdiction, and all cenſures and cohercions appertaining, or in any wiſe belonging vnto the ſame, albeit ſuch perſon or perſons bée Lay, maried, or vnmaried, ſo that they bée Doctors of the Ciuile Law as is aforeſaid, any Law, Conſtitution, or Ordinance to the contrarie notwithſtanding. Anno 37. H. 8. cap. 17. This Act was repealed by Anno 1. & 2. P. & M. cap. 8. But it is reuiued by An. 1. Eliz. cap. 1. which ſee Crowne 6.

Ægyptians.

FOrasmuch as before this time diuers and many Outlandiſh people, calling themſelues Egypti-

Egyptians, vsing no craft nor feat of Marchandis, haue commen into this Realm, and gone from Shire to Shire, and place to place in great companies, and vsed great subtiltie and craftie meanes to deceiue the people, bearing them in hand that they by Palmestrie could tell mens and womens fortunes, and so many times by craft & subtiltie haue deceiued the people of their money: And also haue committed many and hainous felonies, and robberies, to the great hurt and deceit of the people that they haue commen among: Be it &c. That from henceforth no such persons bee suffered to come within this Realme, and if they doe, then they and euerie of them so doing shall forfeit to the King all their goods and cattels, & then to be cõmanded to auoid the Realme within xv. daies next after the cõmaundement, vpon paine of imprisonment. And it shall be lawfull to euerie Sheriffe, Justice of P. and Escheator, to seize to the vse of the King, &c. all such goods as they or any of them shall haue, and thereof to make account in his Exchequer. And if it shall happen any such stranger hereafter to commit within this Realme, any murther, robberie, or any other felonie, and therof be indicted and arraigned, and to plead not guiltie, or any other plea triable by the countrey, that then the Inquest that shall passe betweene the King and any such partie, shall be altogether English men, albeit that the partie so indicted pray Medietatem linguæ, according to the Statute of An. 8. H. 6. or of any other statute thereof made. Prouided alway, that euery such person or persons which can proue by two credible persons before the same partie that seiseth such mony, goods or cattels of the Egyptians, that any part of ỹ same goods, mony, or cattels were craftily or feloniously taken or stollen from him, shalbe incontinently restored vnto the same goods, mony, or cattels whereof he maketh such proofe before the same partie that so seiseth the same money, goods or cattels, vpon paine to forfeit to the same partie that maketh such proofe, the double value of the same, by action of debt, bill, or otherwise in any of the Kings Courts &c. wherein &c. Any thing in this Act to the contrarie notwithstanding. Prouided alwayes, and be it further enacted, That if any Justice of peace, Sheriffe, or Escheator, which by authoritie of this Act haue power to take or seise any goods or cattels of any Egyptians, at any time hereafter doe seise and take the goods or cattels of any such Egyptians, that then euerie such Justice, Sheriffe, or Escheator doing the same, shall haue, keepe, and retaine to his owne vse, the moitie of all such goods so by him seised, and of the other moitie so by him taken or seised, shall make account to the King in his Exchequer, according to the tenor of this present Act, any thing in the same to the contrarie hereof notwithstanding. And that vpõ any account hereafter to be made for the said other moitie of the same goods, the accomptant shall pay no manner of fee or other charge for his account or discharge to be had in the Kings Exchequer or elsewhere. Anno 22. H. 8. cap. 10. But see here 2. & 3. a greater penaltie appointed.

2 Forasmuch as diuers, calling themselues Egyptians, not fearing the penaltie of the Statute 22. H. 8. cap. 10. (before 1.) haue come ouer againe into this realm, vsing their old, accustomed, diuellish & naughty deuises, with such abominable liuing, as is not in any Christian Realm to be permitted, and be not duely punished for the same: For reformation whereof, be it &c. That if any person or persons after the last day of Januarie next comming, doe willingly transport, bring, or conuey into this Realme of England or Wales, any such persons, calling themselues, or commonly called Egyptians, that then he or they so transporting, bringing, or conueying in any such persons, contrarie to the true meaning of this Act, shall forfeit & lose for euerie time so offending, xl. ℔. of lawful money of England. And be it further enacted by the authoritie aforesaid, That if any of the said persons called Egyptians, which shall be transported and conueied into this Realme of England or Wales, as is aforesaid, doe continue and remaine within the same by the space of one moneth, that then he or they so offending, shal by vertue of this Act, be deemed and adiudged a felon & felons, and shall therefore suffer paines of death, losse of lands and goods, as in cases of felonie by the order of the Common Law of this Realme, and shall vpon the triall of them or any of them therein, be tried in the Countie, and by the inhabitants of the Countie or place, where they or he shall be apprehended or taken, and not per Medietatem linguæ, and shall lose the benefit and priuiledge of Sanctuarie & Clergie. And be it further enacted &c. That if the Egyptians, and other persons commonly calling themselues Egyptians, & euerie of them now being within this Realme of England or Wales, do not depart out of the same within twentie dayes next after Proclamation of this present Act shalbe made: that then he or they which shall not depart within the said time, according to the true meaning of this Act, shall forfeit and lose all his and their goods and cattels, and that then it shall be lawfull to all and euerie the King and the Quæenes subiects, to seise the same: The one moitie thereof to be to the vse of our Soueraigne Lord and Ladie the King and Quæne, and the other moitie thereof to bee to the vse of him or them that shall so seise the same. And be it also enacted &c. That if the Egyptians, and other persons commonly called Egyptians, and euerie of them, now being within this Realme of England or Wales, doe not depart out, and from the same within fortie dayes next after Proclamation shall bee made of this Act, that then hee or they which shall not depart, and auoyd within the sayd time of fortie dayes, according to the true meaning of this Act, shall bee adiudged and deemed according to the Lawes of this Realme of England, a felon and felons, and shall suffer therefore paine of death, losse of lands and goods, as in other cases of felonie: and shall be tried as is before sayd, and without hauing any benefit, or priuiledge of Sanctuarie or Clergie. And be it further enacted &c. That if any person after the first day of Januarie next comming, shall sue for the obtaining of any licence, letter, or passport, for any of the sayd persons

Transhort. Egyptians. Fort. Continue one moneth. Felonie. Triall. Countie. Medietas linguæ. Clergie. Depart xx. dayes Proclamation. xl. Dayes. Felonie. Clergie.

called Egyptians, to abide or continue within this Realme of England or Wales, contrarie to the tenor of this Act: That then euerie such person so doing, shall forfeit and lose for the same xl.l. of lawfull money of England, & that euerie such licence, letter, and passport, shall be by vertue of this Act, void to all intents and purposes: The one moitie of all which summes of money to be forfeited, as is before said, shall be to the King and Quéene, our Soueraigne Lord and Ladie, and the other moitie therof to be to him or them that wil sue for the same in any court of record, by action of debt, bill, plaint, or information, wherein no essoine, wager of law, nor protectiõ shalbe admitted or allowed. Prouided alwayes, and be it &c. That this present Act, nor any thing therein contained, shall not extend, nor be hurtfull to any of the sayd persons commonly called Egyptians, which within the said time of twentie dayes next after the said Proclamation to bée made, as is before said, shal leaue that naughty, idle, and vngodly life and company, and be placed in the seruice of some honest and able inhabitant, or inhabitants, within this Realme, or that shall honestly exercise himselfe in some lawfull worke or occupation, but that he or they so continuing in seruice, or other lawfull worke or occupation, shall during such time as he or they shall so continue, be discharged of all paines and forfeitures contained in this Act. Prouided also and be it &c. That this Act shal not in any wise extend to any child or children béeing not aboue the age of fouretéene yeares, nor to any of the said persons, being now in prison, so that he or they so being in prison, doe depart out of this Realme within fouretéene dayes next after his or their deliuerie out of prison, nor shall extend to charge any maner of person or persons, as accessarie to any offence or offences, contained or specified in this Statute. An. 1. & 2. P. & M. cap. 4. See here 3. an inlargement of this Statute.

Forf. Void Leaue idle life Children Prisoners Accessorie

☞ 3 Whereas since the Act of 1. & 2. P & M. cap. 4. (before 2.) there is doubt risen, whether persons borne within the Quéenes Dominions, and being of that fellowship by disguising their apparell, and counterfeiting their speech or behauiour, be punishable by the said Statute, as other of that sort are, being strangers borne, and transported into this Realme: for auoyding of all doubt, Be it enacted, That the sayd Statute made in the first and second yeares of the said late King & Quéene, concerning those vagabonds, calling themselues Egyptians, shall continue, remaine and be in ful force, strength and effect. And yet moreouer be it enacted by the authoritie aforesaid, That all and euery person and persons, which from and after the first day of May now next ensuing, shalbe séen or found within this Realme of England or Wales, in any companie or fellowship of vagabonds, commonly called, or calling themselues Egyptians, or counterfeiting, transporting, or disguising themselues by their apparell, speech, or other behauiour, like vnto such vagabonds, commonly called, or calling themselues Egyptians, and so shall, or doe continue & remaine in the same, either at one time or at seuerall times, by the space of one moneth: That then the same person or persons shall by vertue of this Act, be déemed and iudged a felon and felons, & shall therefore suffer paines of death, losse of lands and goods, as in cases of felonie, by the order of the common Lawes of this Realme: and shall vpon the triall of them, or any of them therein, be tried in the Countie, and by the inhabitants of the Countie or place, where they or he shal be apprehended or taken, and not by per Medietatem linguæ, & shall lose the priuiledge and benefit of Sanctuarie and Clergie. Prouided alwayes and be it &c. That this Act shall not in any wise extend to any child or children, being within the age of fouretéene yeares, nor to any of the sayd persons being in prison the last day of this present Parliament, so that he or they so being in prison, doe within fouretéene dayes next after his or their deliuerie out of prison, either depart out of this Realme of England and Wales, or put him or themselues to some honest seruice or exercise some lawfull worke, trade, or occupation, and vtterly forsake the said idle and false trade, conuersation, and behauiour of the said counterfeit or disguised vagabõds, commonly called, or calling themselues Egyptians. Prouided alwaies & be it &c. That this said Act made in the first & second yeres of the said late King & Quéene, shall not extend to compell any person or persons, borne within any of the Quenes Maiesties dominions, to depart out of this Realm of England and Wales, but onely to constraine and bind them, and euerie of them, to leaue their said naughtie, idle, and vngodly life and companie, and to place themselues in some honest seruice, or to exercise themselues at home with their parents, or elsewhere, honestly in some lawfull work, trade, or occupation: Any thing mentioned in the sayd former Act to the contrarie hereof in any wise notwithstanding. An. 5. Eliz. cap. 20.

Vagabonds Wales Apparell Speech 1. Moneth

Election.

BEcause elections ought to bee frée, the King commaundeth vpon great forfeiture, That no great man nor other, by force of Armes, nor by threats, shall disturbe any frée election to bée made. Dist. West. 1. cap. 5. An 3. E. 1.

2 If any dignitie be vacant where election is to be made, it is desired that the electors or chusors may freely make their election without feare of any tempozall power, & that all prayes and oppressions shall in this behalfe cease. The answer is, be they freely made according to the Statutes & ordinances. Articuli cleri cap. 13. An. 9. E. 2.

3 If any person or persons, bodies politicke or corporat, which haue election, presentation, or nomination, or voice or assent in the choice, election, presentation, or nominatiõ of any fellow, scholler, or any other person, to haue room or place in any the said churches, colledges, schools, hospitals, halls, or societies, shal at any time after xl. daies next after the end of this present sessiõ of parliamẽt, haue, receiue or take any money, fée, reward, or any other profit directly or indirectly, or shal take any promise, agreemẽt, couenãt, bond, or other assurance, to receiue or haue any mony, fée, reward, or any other profit, directly

rectly or indirectly, either to him or themselues, or to any other of their, or any of their friends, for his or their voyce or voyces, assent or assents, or consents, in electing, chusing, presenting, or nominating any Officer, Fellow, Scholler, or other person, to haue any rome or place in any the said Churches, Colledges, Halls, Schooles, Hospitals, or Societies: That then and from thencefoorth, the place, rome, or Office, which such person so offending, shal then haue in any the said Churches, Colledges, Schooles, Halls, Hospitals, or Societies, shall be void. And that then as well the Quéenes Maiestie, her heires and successors, and euery other person or persons, or their heires and successors, to whom the presentation, donation, gift, election, or disposition, shall of right belong or appertaine of any such of the said romes or places of the said person offending as aforesaid, shall or may at their pleasure, elect, present, nominate, place, or appoint any other person or persons, in the romes, office, or place of such person or persons so offending, as if the said person or persons so offending then were naturally dead. And be it further enacted by the authoritie aforesaid, That if any Fellow, Officer, or Scholler, of any the sayd Churches, Colledges, Schooles, Halls, Hospitals, or Societies, or other persons hauing rome or place in any of the same, shal at any time hereafter directly or indirectly take or receiue, or by any way, deuice, or meanes, contract or agrée to haue or receiue any money, reward, or profit whatsoeuer, for the leauing or religing vp of the same his rome or place, for any other to be placed in the same: That then euerie person so taking, or contracting, or agreeing to take or haue any thing for the same, shall forfeit and lose double the summe of money, or value of the thing so receiued and taken, or agréed to be receiued or taken. And euerie person by whom, or for whom any money, gift, or reward, as aforesaid, shall bée giuen or agréed to bée payed, shall bee vncapable of that place or rome for that time or turne, and shall not be, nor had, nor taken, to bee a lawfull Fellow, Scholler, or Officer of any the Churches, Colledges, Halls, Hospitalls, Schools, or Societies, or to haue such rome or place there: but that they to whom it shall appertaine at any time thereafter, shall and may elect, chuse, present, and nominate any other person fit to be elected, presented, or nominated into the said rome or fellowship, as if the said person, by, or for whom any such money, gift, or reward shalbe giuen or agréed to be paied were dead, or had resigned and left the same. And for more sincere election, choyce, presentation, and nomination of Fellowes, Schollers, Officers, and other persons, to haue rome or place hereafter in any of the said Churches, Colledges, Hals, Schools, Hospitals, and other Societies, Be it further enacted &c. That at the time of euerie such election, presentation, or nomination hereafter to be had, as wel this present Act, as the orders and Statutes of of the same places, concerning such election, presentation or nomination to be had, shall then and there be publikely read, vpon paine that euerie person, in whom default thereof shalbe, shall forfeit and lose the summe of xl.li. All which forfeitures shall and may be had and recouered, in any her Maiesties Courts of Record, by any person or persons, bodies politique and corporate, that will sue for the same, by bill, plaint, or action of debt, in which no essoine, protection, or wager of law shall be allowed. The one moitie whereof shal be to him or them that will sue for the same, & the other moitie to the vse of the said Church, Colledge, Hall, Hospitall, Schole, or Societie, where such offence shall bee committed. And for the auoiding of simonie and corruption in presentations, collations, and donations, of and to benefices, dignities, prebends, and other liuings and promotions Ecclesiasticall, and in admissions, institutions, and inductions to the same, Be it further enacted &c. That if any person or persons, bodies politique or corporate, shall, or doe at any time after the end of xl. dayes, next after the end of this Session of Parliament, for any summe of money, reward, gift, profit, or benefit, directly or indirectly, or for, or by reason of any promise, agrément, grant, bond, couenant, or other assurance, of, or for any summe of money, reward, gift, profit, or benefit whatsoeuer, directly or indirectly, present or collate any person to any benefice with cure of soules, dignitie, prebend, or liuing Ecclesiasticall, or giue, or bestow the same, for, or in respect of any such corrupt cause or consideration: That then euerie such presentation, collation, gift and bestowing, & euerie admission, institution, inuesture, & induction thereupon, shall be vtterly void, frustrate, and of none effect in Law. And that it shall and may be lawfull to, and for the Quéenes Maiestie, her heires and successors, to present, collate vnto, or giue, or bestow euerie such benefice, dignitie, prebend, and liuing Ecclesiasticall for that one time or turne only, and that all and euerie person or persons, bodies politicke and corporate, that from thencefoorth shall giue or take any such summe of money, reward, gift, or benefit, directly or indirectly, or that shall take or make any such promise, grant, bond, couenant, or other assurance, shall forfeit and lose the double value of one yeres profit, of euerie such benefice, dignitie, prebend, and liuing Ecclesiasticall, and the person so corruptly taking, procuring, séeking, or accepting any such benefice, dignitie, prebend, or liuing, shall thereupon, & from thencefoorth be adiudged a disabled person in law, to haue or enioy the same benefice, dignitie, prebend, or liuing Ecclesiastical. And be it further enacted, That if any person shall at any time after xl. daies next after the end of this Session of Parliamét, for any sum of money, reward, gift, profit or cõmoditie whatsoeuer, directly or indirectly (other then for vsuall and lawfull fées) or for, or by reason of any promise, agreement, grant, couenãt, bond, or other assurance, of, or for any summe of money, reward, gift, profit, or benefit whatsoeuer, directly or indirectly, admit, institute, install, induct, inuest, or place any person in, or to any benefice with cure of soules, dignitie, prebend, or other liuing Ecclesiastical: That thé euery such person so offending, shall forfeit & lose the double value of one yeres profit of euery such benefice, dignitie, prebend, and liuing Ecclesiasticall.

Mortis

Simonie

Reward

Assurance

Present

Liuing Ecclesiasticall

Void

Queene

Turne

Take or giue

Fork.

Disables

Reward

Admit Institute Induct

Fork.

And that thereupon immediately from and after the inueſting, inſtallation, or induction thereof had, the ſame benefice, dignitie, prebend and liuings Eccleſiaſticall, ſhall bee eſtſoones meerely
Void. voide. And that the Patron, or perſon to whom the Aduowſon, gift, preſentation, or collation ſhall by law appertaine, ſhall and may by vertue of this Act, preſent or collate vnto, giue and diſpoſe of the ſame benefice, dignitie, prebend, or liuing Eccleſiaſticall, in ſuch ſort, to all intents and purpoſes, as if the partie ſo admitted, inſtituted, inſtalled, inueſted, inducted or placed, had bene, or were naturally dead. Prouided alwayes, That no title to
Lapſe conferre, or preſent by Lapſe, ſhall accrue vpon any voydance mentioned in this Act, but after ſix
Notice Monethes next after notice giuen of ſuch voidance by the Ordinarie to the Patron. And be it further enacted by the authoritie aforeſaid, That if any Incumbent of any Benefice with cure of ſoules after the end of the ſaid fortie dayes, do, or ſhall corruptly reſigne or exchange the ſame, or corruptly
Reſigne Exchange take for, or in reſpect of the reſigning or exchanging of the ſame, directly or indirectly, any penſion, ſumme of money, or benefit whatſoeuer: That then as well the giuer, as the taker of any ſuch penſion, ſumme of money, or other benefit corruptly,
Forf. ſhall loſe double the value of the ſumme ſo giuen,
Moitie taken or had: The one moitie as well thereof, as of the forfeiture of double value of one yeares profit beforementioned, to be to the Queens Maieſtie her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame by Action of debt, bill, or information, in any of her Maieſties Courts of Record, in which no Eſſoine, Protection, or Wager of Law, or Priuiledge, ſhall bee admitted or allowed. Prouided allwayes, That this Act, or any thing herein contained, ſhall not in any
Penaltie wiſe extend to take away, or reſtraine any puniſhment, paine, or penaltie, limited, preſcribed, or in-
Eccleſiaſti. flicted by the Lawes Eccleſiaſticall, for any the of-
call Lawes fences before in this Act mentioned, but that the ſame ſhall remaine in force, and may be put in due execution, as it might be before the making of this Act: This Act, or any thing therin contained to the contrarie thereof, in any wiſe notwithſtanding. Prouided further, & be it enacted by the authoritie aforeſaid, That if any perſon or perſons whatſoeuer, ſhal or do at any time after the end of this Seſſion of Parliament, receiue or take any money, fee, or reward, or any other profit, directly or indirectly, or ſhall take any promiſe, agreement, couenant, bond, or other aſſurance, to receiue or haue any money, fee, reward, or any other profit, directly or indirectly, either to him or themſelues, or to any other of their, or any of their friends (all ordinarie & lawProcure full fees onely excepted) for, or to procure the ordaining or making of any Miniſter or Miniſters, or
Orders giuing of any Orders, or licence or licences to preach: That then euerie perſon or perſons ſo offending, ſhall for euerie ſuch offence forfeit & loſe
Forf. the ſumme of fortie pounds, of lawfull money of England. And the partie ſo corruptly ordained or made Miniſter, or taking Orders, ſhall forfeit and loſe the ſumme of ten pounds. And if at any time within ſeuen yeres next after ſuch corrupt entring into the Miniſtrie, or receiuing of Orders, he ſhall accept or take any benefice, liuing or promotion Eccleſiaſticall: That then immediately from and after the induction, inueſting, or inſtallation thereof, or thereinto had, the ſame benefice, liuing, and promotion Eccleſiaſticall, ſhalbe eſtſoones meerely void, and that the Patron or perſon, to whom the Aduowſon, gift, preſentation, or collation, ſhall by Law appertaine, ſhall and may by vertue of this Act, preſent or collate vnto, giue, and diſpoſe of the ſame benefice, liuing, or promotion Eccleſiaſticall, in ſuch ſort, to all intents and purpoſes, as if the partie ſo inducted, inueſted, or installed, had bene, or were naturally dead: Any law, ordinance, qualification, or diſpenſation, to the contrary notwithſtanding: The one moitie of all which forfeitures ſhalbe to our Soueraigne Ladie the Queene, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, by action of debt, bil, plaint, or information, in any of her Maieſties Courts of Record, in which no Eſſoine, protection, priuiledge, or wager of law ſhalbe admitted or allowed. An. 31. Eliz. cap. 6.

England and Engliſh men.

THat by the cauſe or colour of that, that we be King of France, and that the ſaid Realme to France
vs pertaineth, as afore is ſaid, or that we doe vs to be named King of France in our ſtile, for that we haue changed our Seale or our Armes, or for com- Seale Armes
maundements which we haue made, or from henceforth ſhall make as King of France: our ſaid Realme of England, nor the people of the ſame, of what eſtate or condition they be, ſhall not in any time to come, be put in ſubiection nor in obeiſance Subiect
of vs, nor of our heires, nor ſucceſſors, as Kings of France, as is afore ſaid, nor be ſubiect nor obedient; but ſhalbe free and quit of all maner ſubiection and Free
obeiſance afore ſaid, as they were wont to be in the time of our progenitors Kings of England for euer. An. 14. E. 3. Stat. 4.

2 All and euery ſubiects borne in England, and Borne England
ſworne to be ſubiects to forreine Princes & Lords Sworne forreine Princes
of outward parts (as long as they ſhall ſo abide, and be as ſubiects to forreine Princes and Lords) that from henceforth ſo long, they and euerie of Cuſtome Subſidie Tolles Impoſition
them ſhall pay ſuch Cuſtomes, Subſidies, Tolles, and other Impoſitions within this Realme of England, as other ſtrangers of thoſe parts where the ſaid Engliſhmen make their habitation, pay or vſe to pay within this ſaid Realme. And that the knowledge of all and euerie ſuch perſon or perſons inhabitants, and ſworne in manner and forme as is afore rehearſed, within the Archdukes countries, that is to ſay, Holland, Zeland, Brabant, and Holland Zealand Brabant Flanders Emden
Flaunders, onely ſhall be had by certificat thereof made by the Gouernors of the Marchant aduenturers, and the aſſiſtants there for the time being, and alſo for all other Realmes and Countries of forreine Princes, to bee certified by the Kings moſt noble Embaſſadors, being at ſuch time there, as Embaſſadors
they ſhall happen to be in the ſaid countries vpon the

the Kings affaires, shall likewise certifie, as is afore-said, vnder their seale, into the Chancerie of our Soueraigne Lord the King, & thereupon out of the said Chancerie Writs be made & directed vnto the Customers, Controllers, or other Officers of the Kings customes, in euerie Port, Hauen or Creeke within this said Realme, to perceiue, leuie, & take all manner of customes, subsidies, tolles, & other impositions, as is before specified, of all such goods and marchandizes, as shall belong vnto any such person or persons, inhabited & sworne in manner & forme aboue written, as well inward as outward. Prouided alwayes, That if hereafter it shall happen any such person or persons to returne into the Realme, and here to tarrie and inhabite, That then he or they shall be restored to all such liberties and freedomes, in paying of customes or subsidies, and other charges, as all other Englishmen doe vse to pay, & to haue a Writ out of the Chancerie for the same: This Act, or any thing made to the contrarie notwithstanding. Ann 14. H. 8. cap. 4.

England and Scotland.

Commissioners of England and Scotland

1 BE it enacted &c. That Thomas Lord Ellesmere, Lord Chauncellor of England, Thomas Earle of Dorset, Lord Treasurer of England, Charles Earle of Nottingham, Lord high Admirall of England, Henry Earle of Southhampton, William Earle of Pembrooke, Henry Earle of Northampton, Richard Bishop of London, Toby Bishop of Durelme, Anthonie Bishop of Saint Davids, Robert Lord Cecill, principall Secretarie to his Maiestie, Edward Lord Zouch, Lord President of Wales, William Lord Mounteagle, Raph Lord Eure, Edmund Lord Sheffield, Lord President of the Councell in the North, Lords of the higher House of this present Parliament, & Thomas Lord Clinton, Robert Lord Buckhurst, Sir Francis Hastings Knight, Sir Iohn Stanhope Knight, Vicechamberlaine to the Kings Maiestie, Sir Iohn Harbert Knight, second Secretarie to his Maiestie, Sir George Carew Knight, Vicechamberlaine to the Quenes Maiestie, Sir Thomas Strickland Knight, Sir Edward Stafford Knight, Sir Henry Neuil of Berkshire Knight, Sir Richard Bulkeley Knight, Sir Henry Billingsley Knight, Sir Daniel Dun Knight, Deane of the Arches, Sir Edward Hobby Knight, Sir Iohn Sauile Knight, Sir Robert Wroth Knight, Sir Thomas Chaloner Knight, Sir Robert Mansell Knight, Sir Thomas Ridgeway Knight, Sir Thomas Holcroft Knight, Sir Thomas Hesketh Knight, his Maiesties Attourney of the Court of Wards and Liueries, Sir Francis Bacon Knight, Sir Lawrence Tanfield Knight, Sergeant at Law, Sir Henry Hubberd Knight, Sergeant at Law, Sir Iohn Bennet Knight, Doctor of the Lawes, Sir Henry Withrington, Sir Raphe Gray, and Sir Thomas Lake Knights, Robert Askewith, Thomas Iames, and Henry Chapman, Merchants, Knights, Citizens, & Burgesses of the house of the Commons of this Parliament (Commissioners seleced and nominated by authoritie of this present Parliament) or any 8. or more of the said Lords of the said higher House, and any 20. or more of the said Knights, Citizens, and Burgesses of the said House of the Commons, shall by force of this Act, from and after the end of this present Session of Parliament, haue full power, libertie, commission, and authoritie at any time or times before the next Session of this Parliament, to assemble, and meet, & thereupon to treat and consult with certaine seleced Commissioners to be nominated and authorized by authoritie of Parliament of the Realme of Scotland, according to the tenor or purport of their Authoritie or Commission in that behalfe, of and concerning such an Union of the said Realmes of England and Scotland, and of and concerning such other matters, causes, and things whatsoeuer, as vpon mature deliberation and consideration the greatest part of the said Lords of the said higher House which so shall be assembled, as is aforesaid, and the greatest part of the said Knights, Citizens, and Burgesses of the said House of the Commons, which also shall be so assembled as is aforesaid, and the Commissioners to be nominated and authorized, as is aforesaid, by the Parliament of the Realme of Scotland, according to the tenor or purport of their Authoritie or Commission in that behalfe, shall in their wisdomes thinke and deeme conuenient and necessarie for the honour of his Maiestie, and the weale and common good of both the sayd Realmes during his Maiesties life (which Almightie God long preserue) and vnder all his royall Progenie and Posteritie for euer. Which Commissioners of both the said Realmes, shall according to the tenor or purport of their said authorities or Commissions in that behalfe, reduce their doings and proceedings therein into Writings or Instruments tripartite, euery part to be subscribed and sealed by them: To the end that one part thereof may in all humblenesse be presented to his most excellent Maiestie, the second part thereof to be offered to the consideration of the next Session of this Parliament for the Realme of England, and the third to be offered to the consideration of the next Parliament for the Realme of Scotland, That thereupon such further proceedings may be had, as by both the said Parliaments shall be thought fit and necessarie for the weale and common good of both the said Realmes. Ann 1. Iac. cap. 1.

8. or more Lords of the higher house

20. or more of the house of the Commons

Union

Reduce their proceedings into writings tripartite

2 BE it declared and enacted &c. That all and euery proceeding and proceedings, matter and matters, thing and things whatsoeuer, which are yet to be had, made, done, or performed, of, or concerning the Act, made Ann 1. Iac. intituled, An Act authorising certaine Commissioners of the Realme of England to treat with the Commissioners of Scotland, for the weale of both Kingdomes (here before 1.) or in, or about the full and finall execution of the same, shall and may in euerie respect be as effectually and fully had, made, performed, and done in any other Session of this Parliament, as if the same had beene had, made, done, and per-

perfo̱rmed in this p̱reſent Seſſion. Anñ 3. Iac. cap. 3.

Union

3 Fo̱r the honour, weale, and good of theſe two mightie, famous, & auncient Kingdomes of England and Scotland, and fo̱r the furtherance and aduancement of the happie Union alreadie begun in his Maieſties Royall perſon, Be it &c. That one Act made Anñ 4. H. 5. whereby it is enacted, That

Letters of Reprizall

Letters of Mart, o̱r Reprizall be graunted againſt the people of Scotland, in caſe where the ſubiects of England haue bẽne ſpoyled, and haue complained and not receiued redreſſe, ſhall fo̱r ſo much thereof, as ſo concerneth the people of Scotland, be vtterly repealed, and made void: And alſo that one Prouiſo contained in an Act made Anno 33. H. 8. by which Prouiſo the Kings Maieſties ſubiects inhabiting within twelue myles of the Bo̱rders of Scotland, are allowed and permitted to vſe

Borderers

Croſſe-bowes, Handgunnes, Hackbuts, o̱r Demyhakes, o̱r to vſe o̱r keepe in his o̱r their houſes, o̱r elſewhere, any ſuch Croſſe-bowes, Handgunnes, Hackbuts, and Demyhakes, fo̱r ſo much of the ſaid Prouiſo, as ſo concerneth ſuch as ſhall inhabite within twelue myles of the ſaid late bo̱rders, ſhall be vtterly repealed & made void. And be it &c. That theſe other Statutes hereafter following, That is to ſay, one Act made in Anñ 7. R. 2. That no Armo̱r, Victuall, o̱r other refreſhment be carried into Scotland, vpon paine of ſeiſure o̱r fo̱rfeiture: And one other Act made in Anno 31. H. 6. That

Croſſe-bowes &c.

Armo̱r Victuall &c.

March Law be not vſed out of the circuit of the Counties of No̱rthumberland, Cumberland, and Weſtmerland, o̱r the Towne of Newcaſtle: And one other Statute made in Anñ 7. H. 7. whereby it is enacted, That Scottiſhmen ſhould auoid out of the Realme of England within a time p̱reſixed: And one other Statute made in Anñ 23. H. 8. And a like Statute made in Anñ 1. Eliz. whereby the conueying of Ho̱rſes out of England into Scotland, is made Felonie: And one other Statute made in Anñ 2. & 3. Ph. & M. And the like Statute made in Anñ 23. Eliz. whereby it is enacted, That

March Law

Scottiſhmẽ

Ho̱rſes

Lands let

no lands o̱r tenements be let to Scottiſhmen vpon the Bo̱rders, ſhall be vtterly abro̱gated, repealed, & made void: And if there had appeared any other Statute of this Realme of England, wherein any thing is o̱rdained, enacted, o̱r eſtabliſhed, exp̱reſſely and by name againſt Scottiſhmen as enemies, o̱r Scotland as an enemie countrey to the Kings of this Realme, o̱r the State of the ſame, we ſhould fo̱r ſo much of them as had ſo concerned Scottiſhmen, o̱r Scotland, haue vtterly abro̱gated and annulled the ſame: ſeeing all enmitie and hoſtilitie of fo̱rmer times betweene the two Kingdomes and people, is now happily taken away, and vnder the gouernment of his Maieſtie, as vnder one parent and head, turned into fraternitie, o̱r brotherly friendſhip. Prouided neuertheleſſe, and be it &c. That none of the Articles, Branches, o̱r Clauſes aboueſaid, in this Act befo̱re contained and exp̱reſſed, ſhall take effect, o̱r be in fo̱rce, o̱r in any wiſe be deẽmed and expounded to take effect, o̱r be in fo̱rce, to any intent, conſtruction, o̱r purpoſe, vntill theſe Acts of Parliament of the Realme of Scotland hereafter following, that is to ſay, One Act made in the time of Iames the firſt, King of Scotland, by which it was enacted, That all perſons remaining in England without the Kings licence, did commit Treaſon: One other Act made in the time of the ſaid King Iames the firſt, whereby any aſſurance with Engliſhmen fo̱r taking p̱rotection from them fo̱r lands o̱r goods, is Treaſon: One other Act in the ſame Kings time, inhibiting all buying and ſelling of Engliſh goods fo̱rbidden, vnder paine of Eſcheat: One other Act made in the time of Iames the ſecond, King of Scotland, That none ſhould paſſe into England in time of warre without licence, vnder paine of Treaſon: One other Act made in the raigne of the ſaid King Iames the ſecond, That no Engliſhman come into Scotland without Conduct, and that no Scottiſhman lit vnder aſſurance with them: One other Act of the ſame Kings time, That no Scottiſhman ſupply Barwicke and Ro̱rburgh, vnder paine of Treaſon: One other Act made in the time of the ſayd King Iames the ſecond, That all men be readie fo̱r defence of the Realme againſt England: Two Acts made in the time of Iames the third, King of Scotland, fo̱r reſiſting King Edward the 4. One other Act made in the time of the ſaid King Iames the third, Concerning the vpholding of Barwick, and Garriſons vpon the Bo̱rders: One Act made in the raigne of Mary late Quẽne of Scotland, by which it was enacted, That Scottiſhmen are charged to leane aſſurance with Engliſhmen: One other Act made in the time of the ſaid Quẽne Mary, Concerning allured Scottiſhmen, aſſiſting the Engliſh Armie: One Act made in the Parliament of Scotland, in the time of the moſt happie raigne of our moſt gracious Soueraigne Lo̱rd the King that now is, concerning, That the Scottiſh Bo̱rderers are diſcharged to marrie Engliſh Bo̱rderers daughters: And laſtly, one other Act made in the time of our Soueraigne Lo̱rd the King, enioyning the Warden to put in a Bill the names of all Engliſhmen that occupie land in Scotland, and ſeeke redreſſe acco̱rding to the Treaties, ſhall by Act of Parliament of the ſaid Realme of Scotland, be vtterly repealed, fruſtrate, and made void: And vntill alſo the ſaid Parliament of the Realme of Scotland, ſhal by their ſaid Act make as full and ample declaration concerning their clẽre intention and deſire of a repeale of all other hoſtile Lawes of their part not beſo̱re mentioned, if they were knowen, as on the part of this Realme of England hath bẽne in this p̱reſent Act made and exp̱reſſed. And be it further enacted &c. That one Act made in the fifth yeare of King Richard the 2. Concerning the reſtraint of paſſage of his Maieſties ſubiects out of this Realme, and euery O̱rdinance, Prouiſion, Article, o̱r Clauſe therein contained, ſhall be from henceforth vtterly repealed. And be it further enacted &c. That no perſon o̱r perſons whatſoeuer, ſubiect of either Realme, ſhalbe punished, ſued, deliuered, o̱r remaunded, o̱r any way troubled o̱r called in queſtion fo̱r life, member, domage, recompence, reſtitutions, o̱r other ſatisfactions whatſoeuer, fo̱r o̱r by reaſon of any offences, ſpoyles, wro̱ngs, o̱r treſ-

Engliſh goods

Paſſage into England

Come into Scotland

Barwicke

Berwick

Allured

Engliſh aid

Borderers

Lands Scotland

Statute touching the Realme of England

treſpaſſes (before the deceaſe of the late Queene Elizabeth of famous memorie) which were determinable by the Lawes or Conſtitutions of the Borders within the Courts and iuriſdiction of the late Wardens, or otherwiſe, which purported actions of hoſtilitie by ſea or land, by him or them committed, or whereunto he or they were acceſſaries, before or after ſuch offence or fact committed, or priuie or ayding to the ſame, or for, or in reſpect whereof he or they were, or are pledges, or otherwiſe, by any way or meanes whatſoeuer, anſwerable or chargeable, or elſe ſtand charged, or chargeable with any Promiſe, Contract, Bill, Bond, Bils filed, Sentence, Decree, or other Aſſurances giuen or taken for the ſame onely, or for ſo much onely, of ſuch other aſſurances, as was giuen, or is in force for that cauſe, and for no other. Be it enacted &c. That all offences of Coniurations, Witchcraft, & dealing with euill and wicked Spirits, Murther, Manſlaughter, felonious burning of Houſes and Corne, Burglarie, robbing of houſes by day, Robberie, Theft, the deteſtable vice of Buggerie committed with mankind, or beaſt, and Rape heretofore done and committed ſince his Maieſties comming to the Crowne of England, or hereafter to be done or committed, by any his Maieſties naturall borne ſubiects of this Realme of England, or the Dominions of the ſame, within the Realme of Scotland, or the Dominions thereof, and the acceſſaries of and to the ſame, ſhall be from henceforth enquired of, heard and determined before his Maieſties Iuſtices of Aſſiſe, or his Commiſſioners of Oyer and Terminer, or Gaole deliuerie, being naturall borne ſubiects within this Realme of England, and none other, by good & lawfull men of the Counties of Cumberland, Northumberland, Weſtmerland, or any of the ſaid Counties, at the election of the ſayd Iuſtices of Aſſiſes or Commiſſioners, in like manner and forme, to all intents and purpoſes (the alterations hereafter in this Act expreſſed, onely excepted) as if ſuch offences had beene done and committed within the ſame Shire, where they ſhall be ſo inquired of, heard and determined, as is aforeſaid. At which tryals, for the better diſcoueric of the truth, and for the better information of the conſciences of the Iurie and Iuſtices, there ſhall be allowed vnto the partie ſo arraigned, the benefit of ſuch witneſſes onely to be examined vpon oath, that can be produced for his better clearing and iuſtification, as hereafter in this Act are permitted and allowed. And be it further enacted &c. That euery Iuſtice of Peace of the Counties aforeſaid, vpon whom complaint ſhal be made, ſhall haue full power and authoritie, by vertue of this Act, to bind ouer by Recogniſance in a conuenient ſumme taken to his Maieſties vſe, as well the partie proſecuting, as any witneſſes, which hee ſhall deſire to produce (ſo as the ſaid witneſſes may haue their reaſonable charges firſt tendred vnto them) to proſecute and giue in euidence before ſuch his Maieſties Iuſtices, as aforeſaid, as the caſe ſhall require. And be it &c. That euerie commander, procurer, counſellor, abettor, comforter, receiuer, or other acceſſarie of or to any the offendors or offences aforeſaid ſo committed in Scotland, as aforeſaid, offending within the Realmes of England or Scotland, ſhal be proceeded withall, indicted, tryed, iudged, and executed without delay, notwithſtanding the principals, or any of them, be not conuicted, or attainted: And that no ſuch offendor, either acceſſarie or principall, ſhall be allowed the benefit of his Clergie, nor admitted to his peremptorie challenge of aboue the number of fiue. And that euerie Indictment of any of the offences aforeſaid ſo committed as aforeſaid, ſhall be adiudged of as good force in Law, notwithſtanding the words (Contra pacem, Coronam, & dignitatem noſtras) be omitted, as if the ſaid words had beene therein contained. And be it further enacted, That no Shiriſe, Vnderſhiriſe, or other miniſter, to whom it appertaineth, ſhall returne any Iuror to enquire of, or trie any of the offences aforeſaid, ſo committed as aforeſaid, except euerie ſuch Iuror ſhall haue freehold in poſſeſſion, to the value of fiue pounds by the yeare in the Countie, where ſuch enquirie and tryall ſhall be, vpon paine to forfeit for euerie Iuror that ſhall be returned contrarie to this Act, the ſumme of fortie pounds: The one moitie to the Kings Maieſtie, his heires and ſucceſſors, the other to the partie that will ſue for the ſame by action of Debt, Bill, Plaint, or Information, in any of his Maieſties Courts at Weſtminſter, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed: And that the offendor ſhall and may challenge any Iuror that ſhall paſſe vpon his life, for want of ſuch freehold, as aforeſaid. Prouided alwayes, and be it &c. That no naturall ſubiect of his Maieſtie of the Realme of England, or of the Dominions of the ſame, ſhall for any the offences aforeſaid, committed within the Realme of Scotland, or for being acceſſarie to the ſame, forfeit any lands, tenements, or hereditaments, either free, copie, or cuſtomarie hold, neither ſhall the bloud of ſuch offendor be corrupted, nor the wife loſe her Dower: yet neuertheleſſe, the ſaid offendors ſhal forfeit to his Maieſtie, his heires and ſucceſſors, their goods, chattels, and credits whatſoeuer. And forasmuch as it is intended, That an Act like vnto this ſhall be ordained in the Realme of Scotland, for the tryall and puniſhment of offendors, being his Maieſties naturall borne ſubiects of the ſame Realme, which ſhall commit any of the offences aforeſaid within the Realme of England, or the Dominions thereof, and ſhall after eſcape, or returne backe into Scotland, Be it therefore enacted &c. That vpon complaint made by any his Maieſties Subiects of the Realme of England to any of the Iuſtices of Aſſiſe, Commiſſioners of Oyer and Terminer, or Gaole deliuerie, or Iuſtice of the Peace, within the precincts of their ſeuerall Commiſſions reſpectiuely, being naturall borne ſubiects within the Realme of England, concerning any ſuch offence committed by any his Subiects of the Realme of Scotland within the Realme of England, in caſe where the offendor is returned into the Realme of Scotland, as aforeſaid, the ſaid

Iuſtice

Offences by Engliſh in Scotland

Acceſſaries

Principall

Clergie denied

Sheriffe &c.

Iurors

5. l. freehold

Forf.

Challenge

Forf. of goods only

No corruption of bloud, nor loſſe of Dower

Iuſt. of Aſſ. Commiſſ. of Oyer & terminer, or Gaole deliuery, Iuſt. of P.

Iuſtice or Commiſſioner ſhall haue full power and authoritie, to bind ouer as well the ſaid partie complaining or proſecuting, as any witneſſes that he ſhall deſire to produce (ſo as their reaſonable charges be firſt tendred vnto them) by Recogniſance in a conuenient ſumme to his Maieſties vſe, to proſecute and giue in euidence within the Realme of Scotland, wherein if default ſhall be made, and the ſame proued by certificate or otherwiſe before the Lord Treaſurer, Chauncellor, and Barons of the Eſchequer, or any of them in the Eſchequer Chamber, and a Decree there made, that the ſame Recogniſance ſhall ſtand forfeited, Then the Court of Eſchequer ſhall thereupon proceede for the leuying of the debt of the ſaid Recogniſance, as if it were adiudged forfeited by the courſe of the common Law. And be it &c. That on the other part, euery of his Maieſties ſubiects of the Realme of Scotland, either partie grieued, or witneſſe, which ſhall proſecute in any the caſes aforeſaid, within the Realme of England, and thereby ſhall haue occaſion to make his repaire hither, either voluntarily, or by the like Bond, as is before expreſſed, on the part of the Realme of England, ſhall haue and enioy Priuiledge and immunitie from all manner of Arreſts, concerning all offences or other cauſes, as well capitall, as others, committed, done, or occaſioned, before he ſhall ſo come into England, as aforeſaid (except treaſon or wilfull murther) ſo long as he or they ſhalbe neceſſarily going, comming or abiding, within the ſaid Realme of England, for the proſecution of the ſaid Offenders. Prouided neuertheleſſe, That euery ſuch offence ſo committed as aforeſaid, ſhall be layed & alledged in the Indictment or other declaration, to be done and committed in the Realme of Scotland, according to the trueth of the fact, and not in the Counties, where the triall is limitted, to be had and made as aforeſaid, any thing in this Act formerly contained to the contrarie notwithſtanding. Prouided alſo, &c. That if any his Maieſties Subiects of the Realme of Scotland ſhall be proceéded with and tryed in the Realme of Scotland, vpon the proſecution of any partie grieued, and vpon euidence in open Court for any offence done or committed within the Realme of England, that no ſuch perſon ſhall be eſſoines called in queſtion, or proceéded with for the ſame fact within the Realme of England, but that it ſhall be lawfull for euerie ſuch perſon to plead and alleage for himſelfe vpon his arraignment, that he was formerly lawfully acquited, conuicted, or attainted of the ſame offence within the Realme of Scotland, And that thereupon all further proceéding ſhall ſtay vntill the Court haue ſufficiently informed themſelues by Certificate from the Realme of Scotland, or by any other good wayes and meanes of the truth of the ſaid allegations, which if they ſhall finde true, the ſaid perſon ſhall bee forthwith diſcharged of all further impeachment or proceéding. And be it &c. That no naturall borne Subiect of the Realme of England, or the Dominions of the ſame, ſhall for any high Treaſon, Miſpriſion, or concealement of high Treaſon, petie Treaſon, or any other whatſoeuer offence, or cauſe committed within Scotland, be ſent out of England, where he is apprehended, to receiue his tryall, vntill ſuch time as both Realmes ſhall be made one in Lawes and Gouernment; which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Union, alreadie begun in his Maieſties royall perſon, conſiſteth. And becauſe there is ſo great reaſon to feare, that the partialitie and corruptions of many that liue in thoſe parts, through their long and euill courſe of life, cannot but produce much and frequent periurie at ſuch tryals, as aforeſaid, if the Iurie in their proceéding doe not vſe great wiſedome and circumſpection, in which reſpect it is moſt iuſt and neceſſarie to prouide, as well that the guiltie ſhall not eſcape, as that the innocent ſhall not be condemned, Be it therefore prouided and enacted &c. That at all ſuch tryals, the Iurors then and there ſworne, or the greater part of them (who in reſpect of the great truſt and charge which muſt now be layed vpon them, are by vertue of this Act, as before appeareth, to be perſons of better condition and qualitie, then the Law required heretofore for Iurors in tryals of like offences) ſhall haue in their power and election, according to their conſcience and diſcretion, vpon their oathes, to receiue and admit onely ſuch ſufficient, good, and lawfull witneſſes vpon their oathes, either for or againſt the partie arraigned, as ſhall not appeare to them, or the greater part of them, to be vnfit and vnworthie to be witneſſes in that caſe, either in regard of their hatred and malice, or their fauour and affection, either to the partie proſecuting, or to the partie arraigned, or of their former euill life and conuerſation. Prouided alſo, and be it further enacted, That if the offendor in any the caſes aforeſaid ſhall bee a Peére of the Realme, then his tryall therein ſhall be by his Peéres, as is vſed in caſes of Felonie or Treaſon, and not otherwiſe. Anno 4. Iac. cap. 1.

Recogniſance

Eſchequer

Subiects of Scotland

Priuiledge fro arreſts

Treaſon Murther

Indictment

Formerly acquite, conuicted, or attainted

Certificat

Diſcharged

Treaſon Miſpriſion

Iuries

Iuries exempted from the Iurie of other parties

Peeres of the Realme

4 Be it &c. That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons ſhall commit any offence or offences within the Realme of Scotland, which by the Lawes of this Realme of England is, are, or ſhall be declared or adiudged to be petie Treaſon, Murther, Manſlaughter, felonious burning of Houſes and Corne, Burglarie, robbing of Houſes by day, Robberie, Theft, or Rape, and doe or ſhall flye or eſcape into the Realme of England, and be or ſhal be apprehended within any the Counties of Northumberland, Cumberland, Weſtmerland, or any parts or members of the ſame, or within the parts or places lying on the North ſide of the riuer of Tyne, commonly called or knowne by the names of Bedlintonſhire, Northamſhire, & Iland-ſhire, the Towne and Countie of Newcaſtle vpon Tyne, and the Towne of Barwick vpon Twede, with the bounds and liberties thereof, That then it ſhal and may be lawfull to and for the Iuſtices of Aſſiſe, or any one of them in the abſence of ỹ other,

the

the Iustices of Gaole deliuerie at their Gaole deliuerie, or any foure of them, or the Iustices of Peace in their generall or Quarter Sessions, or any foure of them, vpon due and mature examination of the said offence or offences in open Sessions, and pregnant proofes of the same, by warrant vnder their hands and seales, to remaund and send all and euery such offendor and offendors into the Realme of Scotland, there to receiue their tryall for any the offences aforesaid by them there committed: Any thing in the said Statute contained to the contrarie thereof notwithstanding. This Law to continue to the end of the first Session of the next Parliament. Prouided neuertheless, and be it enacted by the authoritie aforesaid, That this statute, nor any clause therein contained, shall take effect, or be in force, or in any wise be deemed or expounded to take effect, to any intent, construction, or purpose, vntill a Law by Act of Parliament be made and established within the Realme of Scotland, for the remaunding and sending out of the Realme of Scotland into the Realme of England all and euery person and persons borne within the Realme of Scotland, or the Dominions of the same, which shall at any time hereafter commit any the offences aforesaid within the Realme of England, to receiue his & their tryall in the Realme of England, for all and euery the said offences by them committed in the said Realme of England. Añ 7. Iac. cap. 1.

Englishrie.

NO Iustice errant shall put in any article or opposition the presentment of Englishrie, vnto the Commons of the Counties, nor vnto any of them, but that Englishrie and the presentment of the same be wholly taken away & void for euer: so that no person for this cause be from henceforth impeached. Añ 14. E. 3. cap. 4. Stat. 1.

Entrie, and Writs of Entrie.

IF those alienations (whereupon a Writ of Entrie was wont to be graunted) hap to be made in so many degrees, that by reason thereof ỳ same writ cannot be made in forme before times vsed, the plaintifes shall haue a writ to recouer their seisin, without any making mention of the degrees, into whose hands soeuer the same thing shall happen to come by such alienations, by an originall writ to be prouided therefore by the counsell of our soueraign Lord the King. Marl. cap. 29. Añ 52. H. 3.

2 If a woman sell or giue in fee, or for terme of life, the land that she holdeth in Dower, it is ordained, That the heire, or he to whom the land ought to reuert after the death of such woman, shall immediatly recouer the same by a Writ of Entrie made for the same in the Chauncerie. Gloc. cap. 7. Añ 6. Ed. 1.

3 See Cui in vita 1. That the heire, or he in the reuersion shall haue a Writ of Entrie against the particular tenant that letteth by default, or by reddition.

Entrie lawfull.

ANno 7. H. 7. cap. 2. It was enacted, That disents should be no greater hurt to them that should go with the King in his warres (in the voyage that then was toward) then if they were within age of xxj. yeares. — Disents; Warres; Within age

2 Where diuers persons of their insatiable minds haue heretofore by strength, and without title, entred into mannors, lands, tenements, and other hereditaments, and wrongfully disseised the rightfull owners and possessors thereof, and so being seised by disseisin, haue thereof died seised, by reason of which dying seised, the disseisee, or such other persons, as before such discent might haue lawfully entred into the said mannors, lands, and tenements, were and be thereby clearely excluded of their entrie into the said mannors, lands, and tenements, and put to their action for their remedie and recouerie therein, to their great costs and charges: For reformation whereof, be it &c. That the dying seised hereafter of any such disseisor, of, or in any mannors, lands, tenements, or other hereditaments, hauing no right or title therein, shall not be taken nor deemed from henceforth any such discent in the Law, for to sell or take away the entrie of any such person or persons, or their heires, which at the time of the same discent had good and lawfull title of entrie into the said mannors, lands, tenements, or hereditaments: except that such disseisor hath had the peaceable possession of such mannors, lands, tenements, or hereditaments, whereof he shall so die seised, by the space of v. yeares next after the disseisin therein by him committed, without entrie or continuall clayme, by or of such person or persons, as haue lawfull title thereto. Anno 32. H. 8. cap. 33. — Disseisin; Disseisee; Dying seised; Discent; Except; Possession; v. yeares

Error.

IN case where any will complaine of Error committed in the time of the King, before the Steward and Marshall, the plaintife shall haue a Writ to remoue the Record and the Proces before the King in his place, and there the Error shall be redressed. And likewise shall it be done in euery other case, where any man will complaine him of Error done before the same Steward and Marshall of the Kings house. Añ 5. E. 3. cap. 2. — Plaintife; Writ; Steward; Marshall

2 In all cases touching the King or other persons, where a man complaineth of Error committed in the Exchequer, the Chauncelor and Treasorer shall doe to come before them in any chamber of Counsell nigh the Exchequer, the Record & Proces out of the Exchequer, and take to them the Iustices, and other sage persons, such as to them shall seeme fit to be taken: And shall also doe to be called before them the Barons of the Exchequer, to heare their informations, and the causes of their iudgements, & thereupon they shall duely examine the businesse, and if any error be found, they shall correct it & amend the rols, and after send them into the Exchequer, for to make thereof execution as pertaineth. Añ 31. E. 3. cap. 12. Stat. 1. — King; Exchequer; Chancellor; Treasorer; Record; Iustices; Barons of the Exchq.; Examine; Amend rols

3 For

3 For the appeasing of suites, the auoiding of false practises, deceits, deuises, and misdemeanors, and for helping of negligences, and misprisions, of clerkes and officers, daungerous to assurances of men lands and hereditaments: Be it enacted by the Quenes most excellent Maiestie our soueraigne Ladie, the Lords spirituall and temporall, and the commons in this present parliament assembled, and by the authoritie of the same, that

Writ of couenant — euery writ of couenant, and other writs, whereupon any fine heretofore hath beene leuied, or hereafter shall be leuied, the returne thereof, the writ of

Dedimus potestatem — Dedimus potestatem, made for the knowledging of any of the same fines, the returne thereof, the

Concord — concord, note, and fot of euery such fine, the

Proclamation — proclamations made thereupon, and the Kings siluer, and also euery originall writ of Entre in the Post,

Writ of Entre — or other writ, whereupon any common recouerie hath beene suffered, or hereafter shall be suffered or

Sum. ad warrandizandum — passed, the writs of Sum. ad warrantizandum, the returnes of the said originals and writs of Sum. ad

Warrant of Atturney — warrantizand. & euery warrant of Atturny had, or to be had, aswell of euery demaundant & tenant, as vouchée, extant & remaining, or that shalbe extant & in being, may vpon the request or election of any

Inrolled — person, be inrolled in rolles of parchment, by such such persons, and for such considerations, as hereafter in this Act shall bée mentioned. And that the Inrollments of the same, or of any part thereof,

Force — shall be of as good force and validitie in law, to all intents, respects, and purposes, for so much of any of them so inrolled, as the same being extant & remaining, were or ought by law to be. And be it &c. That no fine, proclamations vpon fines, or common recoueries heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shall be reuersed or reuersable by any Writ of

Fine Recouery

Error — Error for false or incongrue Latine, rasure, interlining, miscentring of any warrant of Atturney, or of any Proclamation, misreturning or not returning of the Shirife, or other want of forme in words, and not in matter of substance. Prouided alwayes, That this Act, nor any thing therein contained, shall barre or exclude any person or persons from any Writ of Error, which shalbe had, taken,

v. yeares — or pursued within fiue yeares next after the end of the Session of this present Parliament, vpon any fine or recouerie heretofore had or suffered, nor from any Writ of Error, which shal be had, taken, or pursued, vpon any fine or recouerie heretofore leuied, knowledged, or had: which fine or fines, recouerie or recoueries, or any part or parcell of them, or any of them now is, or at any time before the first day of June, which shall be in the yeare of our Lord God 1582, shall be exemplified vnder the great Seale of England, at and by the suit of any person, that is, or may be intituled to haue or sue any Writ of Error vpon any the fines or recoueries heretofore passed: nor to barre any

Exemplified

Feme couert — Feme couert, or any person within the age of one and twentie yeares, or any person that is Non compos mentis, in prison, or beyond the seas, or from any Writ of Error to be had or prosecuted, for the reuersing of any fine or recouerie heretofore passed, leuied, or suffered, so that such feme couert, or her heires, within seuen yeares next after that she become sole, and such person within the age of one and twentie yeares, or his heires, within seuen yeares next after he shall come and be of full age of one and twentie yeares, and such person that is Non compos mentis within seuen yeares next after he shall become of Sanæ memoriæ, and in default thereof, the heires of such person that is Non compos mentis, within seuen yeares next after the death of such person being Non compos mentis, and such person in prison, or his heires, within seuen yeares next after the same person shall be at libertie, and such person beyond the seas, or his heires, within seuen yeares next after the returne of such person into this Realme of England, or the death of the said person: If he shall before his returne die in any forraine countrey, shall sue, take, and prosecute their Writs of Error, as their cases seuerally shall require, for reuersing of any the said fines or recoueries heretofore passed, leuied, or suffered. Prouided alwayes, and bee it further enacted by the authoritie aforesaid, That if any person or persons shall within the time and yeares afore mentioned, commence or sue his or their Writs of Error for the reuersing of any of the sayd fines or recoueries heretofore passed, which suit shall fortune to abate by the death of any of the parties to the same, that then it shall and may be lawfull for his and their heires, at any time within one yeare next after the sayd seuen yeares erpired, to haue, sue, and take their Writ of Error, for the reuersing of euery such fine and recouerie. And if such heire be an infant within the age of one and twentie yeares, then within one yeare next after the full age of such infant: Any thing in this present act contained to the contrary thereof, in any wise notwithstanding. And be it further enacted by the authoritie of this present parliament, that euery person, that shall at any time hereafter take the knowledge of any fine or warrant of Atturney of any tenant, or vouchée, for suffring any common recouery, or shall certifie them or any of them, shall with the certificate of the concord or warrant of Atturny, certify also the day and yeare wherein the same was knowledged. And that no person that taketh any such knowledge of any fine or warrant, for any recouery, shalbe bound, or by any meanes inforced to certifie any such knowledge or warrant, except it be within one yeare next after the said knowledge taken. And that no clerke or officer shall receiue any Writ of Couenant, or Writ of Entre, whereupon anie fine or common recouerie is hereafter to passe: vnlesse the day of the knowledge of the same fine and warrant shall appeare in, or by such certificate, vpon paine that euery Clerke that shall receiue anie such writ, shal forfeit for euery time that he shall so offend the summe of fiue l. And that no atturnement, in, or vpon any fine be entred vpon record, except the party mentioned to atturne therein, first haue appeared in the Court in person, or by Atturny, warranted by the hand of one of the Iustices of the one bench or ye other, or of one Iustice of Assise,

Non compos mentis

Imprisoned

Beyond sea

bill. fyne

Writ of Entre

Recouery of fine

Warrant Attorney

Certific. Day

Clerke Recou.

Paine

Attorn.

Attorn.

vpon

vpon a Writ of Quid iuris clamat, Quem redditum reddit, or per quę seruitia, as the case requireth. And that euery entry of Atturnement hereafter to be made, where there shalbe no apparance, as afore is said, shal be vtterly voyd and of none effect without any Writ of Error, or other meanes to be vsed for auoyding thereof. And be it further enacted by the authority aforesaid, That there shall be for euer one office of inrolment aforesaid, which shalbe and continue an office for euer, called the office of Inrolments of writs for Fines and Recoueries. And that the Iustices of the Common pleas for the time being (other then the chiefe Iustice) shall haue and take the care and charge, of, and for the Inrolments aforesaid, and shall haue and enioy the said office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their charges, paine and trauell therein, shall haue and take the summes of money hereafter following, and no more: That is to say, for the inrolment and examination of euery Fine, and the parts thereof before mentioned, the summe of six shillings eight pence, & for the inrolment of the said parts of euery recouery, and the examination thereof six shillings eight pence, and for euerie exemplification of the inrolment of any fine fiue shillings, and for the exemplification & returnes of euerie writ of Entry, Summons & Warrantizands, and Warrants, fiue shillings, and for the search of the rolles of one yeere iiij. d. and for the copy of one sheet of paper containing xiiij. lines iiij. d. And that the said Iustices or one of them, shall examine the inrolments of euery such fine and parts of recoueries, & forthwith after examination thereof, & immediatly after the inrolment of euery such fine and parts of recoueries, write his name that so examineth, with his owne hand in the roll thereof, vpon paine that the said Iustices shal forfeit to our soueraigne Lady the Quenes maiestie, the summe of v.l for euery time that they, or some one of them shal make default of such examination, or writing of his or their name, as afore is said. And that it shall & may be lawfull, to and for the Iustices of the said Court of common pleas, from time to time, to take order in all things that shall be conuenient and needfull for the inrolments aforesaid. And vpon examination in the said court to assesse such fine or amerciament vpon any clerke, sherife, deputie, atturny, and other person, for his & their misprision, contempt, and negligence for not doing or misdoing in anie thing, of, in, or concerning the said fines and recoueries, or any part of them, or either of them, as by the said Iustices of the said court of Common pleas for the time being, shalbe thought meete and conuenient. The said fine and amerciament to be estreted amongst other fines and amerciaments of the Court, where such offence or misprision shall be committed. And be it further enacted by the authority of this present Parliament, That the Chyrographer of Fines of the Common pleas for the time being, for euer shall write and make, or cause to be written and made for euerie Countie where her Maesties writ runneth, one Table, wherein shall be contained such Contents of euerie Fine that shall passe in anie one Terme, as hereafter is mentioned: that is to say, the name of the County wherein the tenements mentioned in any fine be, the name of euery plaintife and deforeant, and of euery manor named in the Fine, if any such be, and of the townes and places where the tenements in such Fine comprised doe lie. And the first day of the next Terme after the engrossing of euery such Fine, shall fixe euery of the said Tables vpon some open place of the Court of common pleas, and so euery day of the said Terme, during the time of sitting of the said Court. And that the said Chyrographer shall deliuer to euerie sherife of euerie county, his vndersherife or deputie, faire written in parchment, a perfect content of the Table, so to be made for that shire, in the Terme that shalbe next before the Assises be holden in the said county, or else meane betweene that terme and the said Assises. And that euery such Sherife to whom such parchment with the Contents aforesaid shall be deliuered, the first day of the next Assises, after the deliuerie thereof vnto him, and euery day during the said Assises, shall fixe and set vp the same writing vndefaced in some open place in the Court, where the Iustices of the Assises of that countie shall sit, and shall see the same to continue there, during such time as the said Iustices shal sit there in the court, vpon paine that euery Chyrographer and Sherife offending against any thing in this Act contained, shall forfeit to our Soueraigne Lady the Quenes Maiestie, the summe of fiue pounds: The one moity whereof shalbe to the Quenes Maiestie, her heires and successors: and the other moity to him or them that will sue for the same, in anie Court of Record, wherein no essoine, protection, or wager of Lawe shall be allowed: And that the Chyrographer for the time being, shall haue and take for euerie such content of euery Fine so set downe in the Table aforesaid, foure pence. And forasmuch as vpon great examination it appeareth, that diuerse Fines and Recoueries haue beene heretofore leuied and suffered of diuers manors, messuages, lands, tenements, and hereditaments, which sometime were the inheritance of George sometime earle of Kent, great Grandfather to Henrie now earle of Kent, in vse, possession, reuersion, or remainder, whereunto the said now earle of Kent pretendeth title in vse, possession, reuersion or remainder, which if they be erronious, as it is pretended, doe much varie from the generall cause and mischiefe, for which this Statute meaneth to prouide. Be it therefore &c. That neither this Statute nor anie thing therein contained, shall extend to take away any Writ of Error, whereunto anie person or persons, is now, or hereafter shall be lawfully intituled, for the reuersing of the said fines and recoueries, or any of them heretofore leuied or suffered of any of the said manors, messuages, lands, tenements, or hereditaments, which late were any part or parcell of the inheritaunce of the said George sometime Earle of Kent, in vse, possession, reuersion, or remainder: Anie thing in this Statute contained to the contrarie thereof in anie wise notwithstanding. Prouided allwayes, & be it enacted &c. that it shalbe

Name

Next terme Open place Fixe

Deliuer Sherife

Next assises

Fixe

Fork.

Writte

Fee

Earle of Kent

Iuſtices Clerkes

lawfull for the Iuſtices Clerkes, authorized by their warrant in the ſaid ſeuerall offices and places, where the ſame Records, or any of them doe or ſhall remaine to write out or inroll the ſame Records, and euery part thereof, without any thing to be paid therefore. And that the ſaid Records, nor any of them for the writing out, or making the rolles thereof by the Clerkes of the ſaid Iuſtices, otherwiſe then for the examination thereof by the Iuſtices, ſhalbe brought or carried forth of the ſaid offices or places. And be it further enacted &c. that none of the Fines or Recoueries heretofore leuied, paſſed or ſuffered, which ſhalbe exemplified vnder the great Seale, according to the forme of this Act, ſhall after ſuch exemplification had, be in any wiſe amended. An. 23. El. ca. 3.

Not amended

Iudgement

4 Be it &c. That where any Iudgement ſhall at any time hereafter be giuen in the Court of the Kings Bench in any ſuit or action of debt, detinue, couenant, account, action vpon the Caſe, Ejectione firmæ, or treſpaſſe, firſt commenced or to be firſt commenced there, other then ſuch onely where the Queens Maieſty ſhall be party: The partie plaintife or defendant againſt whom any ſuch Iudgement ſhall be giuen, may at his election ſue forth out of the Court of Chauncery, a ſpeciall Writ of Error, to be deuiſed in the ſaid Court of Chauncery, directed to the chiefe Iuſtice of the ſaid Court of the Kings Bench for the time being, commaunding him to cauſe the ſaid Record, and all things concerning the ſaid Iudgement, to be brought before the Iuſtices of the Common Bench and the Barons of the Exchequer, into the Exchequer Chamber there to be examined by the ſaid Iuſtices of the common bench, & Iuſtices aforeſaid, which ſaid Iuſtices of the cõmon bench, & ſuch Barons of the Exchequer as are of the degree of the Coiſe, or ſix of them at the leſt, by vertue of this preſent Act, ſhall thereupon haue full power and authoritie to examine al ſuch errors as ſhalbe aſſigned or found, in, or vpon any ſuch Iudgement, and thereupon to reuerſe or affirme the ſaide Iudgement, as the Lawe ſhall require, other then for Errors to be aſſigned or found, for or concerning the iuriſdiction of the ſaid Court of Kings Bench, or for want of forme in anie Writ, Returne, Plaint, Bill, Declaration, or other Pleading, Proceſſe, Verdict or Proceeding whatſoeuer: And that after that the ſaid Iudgement ſhall be affirmed or reuerſed, the ſaid Record and all things concerning the ſame, ſhall be remoued and brought backe into the ſaide Court of the Kings Bench, that ſuch further proceeding may be thereupon as well for execution as otherwiſe, as ſhall appertaine. And be it further enacted, That ſuch reuerſall or affirmation of any ſuch former Iudgement, ſhall not bee ſo finall, but that the partie who findeth him grieued therewith, ſhall and may ſue in the High court of Parliament, for the further and due examination of the ſaid Iudgement, in ſuch ſort as is now vſed vpon erronious iudgements in the ſaid Court of the Kings Bench. Anno 27. Eliza. capit. 8.

K. Bench

Error

Iuſt. common Bench Barons Exchequer chamber

Parliamẽt

5 Be it &c. That the not comming of the Lord Chauncellor and Lord Treaſorer, or of either of them at the day of Adiournement in any ſuch ſuite of Error depending by vertue of the ſaid former eſtatute (viz. 31. Ed. 3. cap. 12. ſupra 2.) ſhall not be any diſcontinuaunce of any ſuch Writ of Error. But if both the chiefe Iuſtices of either Bench, or any one of the ſaid great Officers, the Lord Chauncellor or Lord Treaſorer, ſhall not come to the Exchequer chamber, and there be preſent at the day of Adiournement in ſuch ſuite of Error, it ſhalbe no diſcontinuance, but the ſuite ſhall proceede in law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſorer had commen and beene preſent at the day and place of adiornement. Prouided alwayes, That no Iudgement ſhall be giuen in any ſuch ſuit or writ of Error, vnleſſe both the Lord Chancellor and Lord Treaſorer ſhall bee preſent thereat. And whereas in the Parliament holden in the ſeuen and twentieth yere of the reigne of our moſt gratious ſoueraigne Lady the Queens Maieſtie, one act or ſtatute was made, intituled, An Act for Redreſſe of erronious Iudgements in the Court commonly called the Kings Bench: By which it is amongſt other things enacted, That where any Iudgement ſhall at any time then after be giuen in the ſaid Court of Kings Bench in any ſuite or action of debt, detinue, couenant, account, action vpon the Caſe, Ejectione firmæ, or treſpaſſe, firſt commenced or to be firſt commenced there, other then ſuch onely where the Quenes Maieſtie ſhall be partie: The partie Plaintife or Defendant againſt whom anie ſuch Iudgement ſhalbe giuen, may at his election ſue forth out of the Court of Chauncerie, a ſpeciall Writ of Error, to be deuiſed in the ſaid Court of Chauncerie, directed to the chiefe Iuſtice of the ſaid Court of the kings Bench for the time being, commaunding him to cauſe the ſaid Record and things concerning the ſaid iudgement, to be brought before the Iuſtices of the common Bench, and the Barons of the Exchequer, into the Exchequer Chamber, there to be examined by the ſaide Iuſtices of the Common Bench and Barons aforeſaid, which ſaid Iuſtices of the common Bench, and ſuch Barons of the Exchequer as are of the degree of the Coiſe, or ſixe of them at the leaſt, by vertue of the ſame Act, ſhall thereupon haue full power and authority to examine all ſuch Errors as ſhalbe aſſigned or found, in, or vpon any ſuch iudgement, and thereupon to reuerſe or affirme the ſaid iudgement, as the Law ſhall require, other then for errors to be aſſigned or found, for or concerning the iuriſdiction of the ſaid Court of K. Bench, or for any want of forme in any writ, returne, plaint, bill, declaration or other pleading, proceſſe, verdict or proceeding whatſoeuer. Foraſmuch as it doth many times fall out, that the full number of the ſaid Iuſtices of the common bench, and Barons of the Exchequer ſo authorized by the ſaid ſtatute, ſometimes for want of health, ſometimes through other weighty ſeruices, and earneſt occaſions cannot be preſent at the dayes and times of the Returnes and Continuaunces of the ſame Writs of Errour: And by reaſon of their abſence and not comming, the ſaid Writs of Error are diſcontinued, Iuſtice delayed, and the parties put

Chiefe Iuſtices Chauncellor Treaſ.

Iuſtices

K. Bench

Abſence

Diſcontinued

to

to begin new ſuit, to their great charges and preiudice: For remedy thereof be it alſo enacted by the authority aforeſaid, That from henceforth, if the full number of the Iuſtices & Barons, authorized by the ſaid Act, come not at the day or time of Returne, or continuance of any ſuch Writ of Error, That it ſhall be lawfull for any three of the ſaid Iuſtices and Barons, at euery of the ſaid dayes and times, to receiue Writs of Error, to award proceſſe thereupon, to make and prefire dayes from time to time, of and for the continuance of all ſuch Writs of Error as ſhall be there returned, certified or depending. And that the ſame ſhall be to thoſe reſpects as good and auaileable, as if all the Iuſtices and Barons, authorized by the ſame Act, were preſent. And that the Iuſtices and Barons authorized by the ſaid ſtatute, may after that lawfully proceede in all thoſe caſes in ſuch ſort to all intents, as they may doe in other caſes mentioned in the ſaid ſtatute, any not comming of any of the ſaid Iuſtices or Barons notwithſtanding. Prouided neuertheleſſe, That no iudgement ſhal be giuen in any ſuch ſuite or error, vnleſſe it be by ſuch full number of the ſaid Iuſtices and Barons as are in that behalfe authorized and appoynted by the ſaide Act. Prouided alſo, and be it neuertheleſſe enacted by the authority aforeſaid, That the party Plaintife or Defendant, againſt whom any ſuch iudgement hath beene heretofore, or hereafter ſhalbe giuen in the ſaid Court of Kings Bench, may at his election ſue in the High Court of Parliament, for the reuerſall of any ſuch Iudgement, as heretofore hath beene vſually or accuſtomed: Any thing in in this ſtatute, or in the ſaid former Act, to the contrarie thereof notwithſtanding. Anno 31. Elizab. cap. 1.

See Execution 13.

Eſcape.

IT is prouided alſo, That nothing be demanded, nor taken from henceforth, nor leuied by the Sherife, nor by any other, for the eſcape of a thiefe, or a felon, vntil it be iudged for an eſcape by the Iuſtices in Eire. And he that otherwiſe doth, ſhall reſtore to him or them that haue paied it, aſmuch as he or they haue taken or receiued, and aſmuch alſo vnto the King. Weſt. 1. cap. 3. An. 3. Ed. 1.

2 The eſcape of theeues and felons, and the cattells of felons, and of fugitiues, and alſo eſcapes of Clerks conuict out of the Ordinaries priſon, from henceforth to be iudged before any of the kings Iuſtices, ſhalbe leuied from time to time, as they ſhall fall, aſwell of the time paſt, as of the time to come. Anno 31. Ed. 3. cap. 14. Stat. 1.

3 Iuſtices of Peace ſhall haue authority to inquire in their ſeſſions, of all maner of eſcapes of euery perſon arreſted and impriſoned for felonie. Anno 1. R. 3. ca. 3.

Eſchange.

THe Tables of Eſchange ſhalbe at Douer, and in other places, where and when it ſhall pleaſe vs and our Councell to make exchanges. And that the Wardens of ſuch Tables, ſhall make ſuch Eſchanges by the teſtimonie of the Comptrollers, which we ſhal appoint there. Añ 9. Ed. 3. ca. 7. Teſtimonie Comptrollers

2 Eſchanges ſhal be ordained in good Townes, according as beſt ſhall ſeeme to our ſoueraigne lord the King, for the profit of him and his people. And that it be ordained in a certaintie, what thing ſhall be giuen in eſchange for euery peece of gold. Anno 18. Ed. 3. cap. 6. Stat. 2. Certaintie

3 It ſhalbe lawfull for euerie man to eſchange gold for ſiluer, or ſiluer for gold, or for gold and ſiluer gold, ſo that no man hold an Exchange, nor take no profite for making ſuch eſchange, vpon paine of forfeiture of the mony ſo eſchanged, except the Kings eſchangeors which take profite of ſuch eſchange, according to the ordinance before made. An. 25. Ed. 3. ca. 12. Stat. 3. Gold Siluer. No profite Forf.

4 For euery eſchange that ſhalbe made by Marchants to the Court of Rome, or elſewhere, that the ſaid Marchants be firmely and ſurely bounden in the Chauncery, to buy within three Months after the ſaid eſchange made, marchandize of the ſtaple, as wolls, leather, woll-fels, lead, or tinne, butter, or cheeſe, clothes, or other commodities of the land, to the value of the ſumme ſo eſchanged, vpon paine of forfeiture of the ſame. Anno 14. R. 2. cap. 2. Stat. 1. Marchants Rome. Chancerie. Woolls Leather Tinne Butter Cheeſe Clothes Forf.

5 The ſaid ſtatute (s. An. 14. R. 2. cap. 2. before 4.) ſhalbe firmely holden and kept, and put in due execution: added thereto, That the Chauncellor of England for the time being, ſhall from xv. daies to xv. daies, ſend the eſtreats of the writs of Eſchanges into the Eſchequer of our ſaid ſoueraigne Lord the King. And that the Treaſorer and Barons of the ſaid Eſchequer, haue power by authority of parliament, to examine the Cuſtomers in this caſe, & to punish them that ſhall be found guiltie againſt the forme of the ſaid Statute, according to the Contents of the ſame. Anno 11. Henr. 4. capit. 1. Chancellor. Eſtreates. Eſchequer. Treaſorer Barons. Examine Cuſtomer Punish.

6 Anno 9. H. 5. Stat. 3. ca. 8. An Act was made to indure to the nert Parliament, that Marchants that made eſchange ſhould be bound to buy Marchandizes of the Staple, to the value, within nine moneths. Marchandizes of the Staple.

7 Anno 1. H. 6. ca. 4. An Act was made, That till the nert parliament, the maiſter of the Mint of London might hold Eſchanges. Maiſter of the Mint

8 All ſuch ſtatutes be put in due execution from henceforth. And that no man make any eſchange, without the Kings licence, ne make any eſchange, or rechange of money to be paied within this land, but onely ſuch as the King ſhall depute thereunto, to keepe and make anſwere for ſuch eſchanges and rechanges, vpon the paines in the ſame ſtatute of King Richard (before 4.) contained, Anno 3. H. 7. ca. 6. Licence. Rechange.

9 If any perſon or perſons after the firſt day of Aprill nert comming, exchange anie coined gold, coined ſiluer, or money, giuing, receiuing, or paying any more in value, benefit, profit, or aduantage for it, then the ſame is, or ſhalbe declared by the Kings Maieſties Proclamation to be current for, within this his Highnes realme, & other his domi-

nions: that then al the ſaid coyned gold and ſiluer, and money ſo exchanged, and euery part and parcel thereof ſhalbe forfeit, and the party ſo offending ſhal ſuffer impriſonment by the ſpace of one whole yeare, and make fine at the kings pleaſure: the one moitie &c. to the King &c. and the other moitie to be to the party that ſeiſeth the ſame, or will ſue for it &c. in which ſuite no eſſoine, &c. Anno 5. Edw. 6. cap. 19.

Forf. Impriſon Fine Moitie

Eſchequer.

The King commaundeth that all maner of bailifes, Shiriſes, and other miniſters, as wel the Juſtices of Cheſter, and other Bailifes there, as other, ſhall of their receits of iſſues, of wardes, of eſcheats, and of their Bailywikes, be anſwerable in the Eſchequer, and there ſhal make accompt to the Treaſorer and Barons of the ſame place. And that all Sherifes, Farmors, Baylifes of Franchiſes, and other which ought to come at the proffer of the Eſchequer, the next day after the feaſt of Saint Michael, and the next day after the clauſe of Eaſter, for to pay their farms, rents, and iſſues belonging to the King, ſhal come at the foreſaid termes, and bring the foreſaid farms, rents, and iſſues due, wholy into the Eſchequer, as before is mentioned. And if any make default, their bodies ſhall remaine without departing from thence, vntil they haue paied or made agreement. And he that will not come at the termes aforeſaid, ſhall be amerced after the cuſtome of the Eſchequer. And the Sherifes and Baylifes at the ſame termes, ſhall bring and pay ſuch money as they haue receiued of the ſummons of the Eſchequer, and other the Kings debts. And ſhall be prepared and ready to make ſhew of their accompt of the things aforeſaid. And that all Bailifes of Franchiſes which ought to leuy the K. debts, & to anſwer to the Sherifes at their commandement, according to the extreats of the ſummons of the Eſchequer, ſhall come and anſwer ſufficiently, And ſuch as doe not, their bodies ſhall remaine in the ward of the Sherifes, and for their default, the ſherifes ſhal cauſe the debts to be leuied by their owne Baylifes, as they may, as they haue vſed to do in time paſt. And if the Baylifes do not come at the day that the Sherifes ſhal giue them knowledge of, the Sherifes ſhal enter into the ſame franchiſes, and leuy the debts in the ſame maner. Concerning the Juſtices of Cheſter and the Bailifes thereof, the King willeth that they, or one of them ſhall come at the proffer of Saint Michaell euerie yeare, and bring aſmuch as they owe vnto the king at that terme, & at the proffer of the Vtas of Eaſter they ſhal come likewiſe and bring in that that they owe to the king for that terme. And the Juſtices of Cheſter ſhal haue day to accompt from yeare to yeare in quindena Paſchæ, and the Bailifes thereof the next day after the clauſe of Eaſter. And that all Sherifes of England, except the Sherifes of Weſtmerland, Lancaſter, Worceſter, Rutland, and Cornewall, ſhall from henceforth keepe al ſuch Wardes and Eſcheats which be not in the fees belonging to the King, which be within their ſhires, and of the iſſues thereof they ſhal anſwere truely in the Eſchequer at the termes aforeſaid. And at their Turnes that they ſhall make in their ſhires, they ſhal do the offices of ſuch other things as the kings Eſcheators haue vſed to doe, for that that belongeth vnto the King, once or twice in the yeere, to as little grieuance of the people as they can, And the ſherifes ſhal ſeiſe the Eſcheats that fall, to remaine vnto the King in fee, and ſhall certifie the King of them without delay. And the King ſhall aſſigne three able perſons, that ſhall goe throughout the Realme to ſuruey and extend the Wardes and Eſcheats aforeſaid from yeere to yeere, when they ſhal thinke requiſite. And the ſherifes by their Councell ſhall improue and let to farme, or otherwiſe, ſuch wardes and eſcheats, as they ſhal thinke moſt for the Kings aduantage. And touching the fiue ſhires before named, the King will, that the Sherife of Cumberland ſhall execute the office of the Eſcheator in the ſhires of Weſtmerland and Lancaſter. And the Sherife of Nottingham in Rutland, and the ſherife of Gloceſter in Worceſter, and the ſherife of Deuonſhire in Cornewall, and ſhal ſafely keepe his wardes and eſcheats in the ſame ſhires, and ſhal anſwere in the Eſchequer for the iſſues of them, as for their owne ſhires. And the three perſons aforeſaid, ſhall ſuruey and extend ſuch wardes and eſcheats, as well there as in other places, and they ſhalbe improued by their councell. And when the ſherifes do accompt for their ſhires, they ſhal alſo accompt for ſuch wards and eſcheats. And in like maner ſhal the Juſtices of Cheſter doe, and their Bailifes alſo, euery one for his bailiwike. And the ſaid three perſons ſhall keep the Kings demeanes, and ſhall approue them as they ſhal think beſt for the Kings aduantage, and ſhalbe anſwerable for the iſſues, and they ſhall haue power to let forth ſmall manors or demeans, to the folke of the ſame places, or to other, according to their diſcretion, for a certaine farme from yeere to yeere, as they ſhall thinke moſt to the K. profit. And the farmors ſhall anſwere their farmes vnto thoſe principall approuers, and they at the Eſchequer, the next day after the Aſcenſion, from yeare to yeare. And the principall Collectors of the cuſtome of wolls, at the two termes before mentioned, ſhall pay all ſuch mony as they haue receiued of the ſaid cuſtome, and ſhall make accompt from yeare to yeare plainely of all parcells receiued in any of the Portes or other places of the Realme, ſo that they ſhall anſwer of euery ſhip where it was charged, and how much it carried, and whoſe the wolls were, and of euerie other loading in the ſhip, whereof Cuſtome is due, and of the whole receipt. And the Warden of the Kings Wardrobe, ſhall make accompt yearely in the Eſchequer, in the Feaſt of Saint Margaret. And the Treaſorer and Barons ſhall be charged by their oath, that they ſhall not attend to heare the pleas or matters of other men, whiles they haue to doe with the Kings buſineſſe, if it be not matter that concerneth the Kings owne debt. And when a Sherife or Baylife hath begunne his accompt, none other ſhalbe receiued to accompt, vntill he that was firſt appointed hath clearely accomp-

Bailifes Sherifes Juſt. of Cheſter Receiuors
Accompt
Treaſorer Barons Sherifes
Default
Amerce
Summons
Accompt
Extreats
Leuy debts
Proffer
Wardes Eſcheats
Turnes Office
Eſch. cap.
Terrie
Suruey Wardes
Sherifes aſſigned de Eſcheators
Iſſues
Iuſtice of Cheſter
Approu
Lemaine
Farmes
Cuſtome Wolls
Cuſtome
Warden the Wardrobe
Oath

accompted, and his mony to be receiued. And that the Conſtable, Marſhal, Chamberlaine, and other that are of ſée in the Eſchequer, from henceforth ſhal preſent vnto the King ſuch as they ſhal put in their places to doe their Offices, which muſt be of good fame and ſufficient, for whoſe acts themſelues will anſwere. And the King commandeth the treaſorer and barons of the Eſchequer vpon their allegeance, and by the oath that they haue made to him, that they ſhall not admit others for them, that be not ſuch. And that the Eſchequer be not charged with moe perſons then is neceſſary. And that none of them that be there ſworne to the king, ſhall put in his rome any other Clerke or lay perſon except he be ſworne, nor that without the ſpeciall licence of the Treaſorer, and if anie doe ſo, hée ſhall be forthwith remoued from his office, and that none other be receiued in his ſtead without the Kings licence. And if any that ſhall be put in without the Treaſorers licence, doe treſpaſſe, hée ſhalbe neuertheleſſe puniſhed, and hée alſo that put him in, according to the treſpaſſe. And if both be inſufficient, their ſuperiour ſhall be puniſhed, whether hée be officer of ſée or other. And the Treaſorer ſhall put no other in his rome, vntill hée hath licence from the King. And if he that kéepeth the rome of another by licence of the Treaſorer, doth any thing that he ought not to doe, he ſhal be puniſhed according to the treſpaſſe, if hée haue whereof, and if hée haue not, hée that put him in, ſhal be charged for his treſpaſſe, and if hée be not ſufficient, hée that put him in office ſhalbe charged, whether hée be of ſée or otherwiſe. And all they of this Court ſhall make oath, that if any of them may perceiue, that an other doth commit any offence, or other thing diſhoneſt in any office in this Court, or that he hath done before, that they ſhall certifie to the Treaſorer or Barons, or to ſome of them, and they ſhall returne it, And if néede require, they ſhall certifie it to the King. And that about the feaſt of Saint Margaret, before that the Eſchequer be cloſed, they ſhall cauſe a ſearch to bée made, whether any Sherife or Bailife, that ought to haue accompted the ſame yeare, haue not done ſo, and thereof a remembraunce ſhal be made in a Roll by it ſelfe. And if it be a Sherife, his accompt ſhall be firſt heard after Michaelmaſſe, before that any other be receiued to accompt. And if hée be a Baylife, hée ſhall be ſummoned or diſtrained to come at a certaine day for to accompt, ſo that no accompt ſhalbe ſuffered to ſlepe. And foraſmuch as Sherifes, Conſtables, and other, obtaine many times outragious allowances, by falſe teſtimony for the Kings worées, and other things done and prouided by their commaundement: It is prouided, That al Surueyors of the Kings works, ſhall be choſen by the oath of wiſe men, and ſhall be of ſuch as will and may attend beſt to the office. And that they be ſufficient to anſwere the King if néede be, and ſhall ſweare that they ſhall beare true and lawful witneſſe. And if the Treaſorer or Barons of the Eſchequer, haue any in ſuſpection of falſe allowances for works, or other things, that the truth be inquired, and he that is attainted, ſhal anſwer to the King as much as the allowance amounteth vnto, and ſhalbe impriſoned one yere and forty daies, and ſhalbe puniſhed at the kings pleaſure. And the Surueiors ſhalbe puniſhed for their conſent. And likewiſe hée that vpon his accompt, ſhall conceale and kéepe ſecret ſuch things, whereof hée ought to haue charged himſelfe, ſhalbe puniſhed in like maner as hée that ſhall make any ſuch falſe allowances. And that the Juſticers, Commiſſioners, and other, ſhal from henceforth deliuer into the Eſchequer, at the Feaſt of Saint Michael, from yeare to yeare, the Extreats of fines and amerciaments, made & tared before them, and of all things wherefore the Extreats are wont to be deliuered there. And they of the Eſchequer ſhal make the Extreats of the ſummons through al ſhires: Sauing that the Extreats in Eire of al pléas ſhalbe deliuered immediatly after the Eire made. Statute of the Eſcheq. Añ 51. H. 3. See Eſtreats 2. whereby it ſeemeth this ſtatute to haue been made in the time of Ed. 1.

Impriſ. & vnpuniſh

Conceale

Extreats

*

2 Edward by the grace of God, &c. to our Treaſorer and Barons of the Eſchequer, gréeting. To the intent that prouiſiõ may be had for the indempnitie of vs and our people, in certaine caſes touching vs and our people aforeſaid, in our ſaid Court of Eſchequer: Wée will and prouide, That from henceforth the bodies of the ſhires ſhal not be written in euery roll, but they ſhall be written in a certaine yearely roll by themſelues, and euerie thing ſhalbe yearely read vpon the Sherifes accompt in euery County, that it may be knowne if aught may eſcheat vnto vs by any maner meane. The remanents of the ſame Shires ſhall be written by later dates in the annuall rolles, and the Sherifes ſhalbe charged therewith: In which remanents the liueries and almes ordinary are allowed, and other allowances (if Sherifes haue had any) of the iſſues of their Bayliwikes by our writs of diuers allowances, to our grieuous damage: For which wée will and prouide, That of ſuch manner of allowances ſo to be made from henceforth, view ſhall be made in our Eſchequer, and the ſame view being faithfully made, the ſame Treaſorer and Barons ſhall certifie the Chancellor of the ſaid allowances ſo to be made, and that the writs of allowances ſhall be made, according to the ſame certificate: Moreouer, there ſhalbe written in the ſame annuall rolles, the farmes of the Sherifes, the profits of Counties, the farmes of Serieants, and aſſerts, the farmes of cities, boroughs, and townes, and other farmes, whereof there is anſwere made yearely in the Eſchequer. And in them alſo ſhalbe written all ſtalled, and all groſſe debts, whereof is hope that ſomewhat ſhalbe paid againe. Item all debts that ſéeme to be cléere, when it is comen vnto accompt, or to the title of new obligations. Nothing ſhalbe written in the annual roll, but thoſe debts whereof there is hope of paiment, & whereof the Sherife is anſwerable, & debts that ſéeme cléere in the Originals. Of dead farmes, and debts deſperate, one roll ſhal be made, and ſhal be inrolled & read euerie yére vpon the accompts of Sherifes, and the debts whereof the Sherife is anſwerable, ſhalbe written in the annual Roll, and there ſhalbe acquited. Moreouer, hée will

Shire rolls

Sherifes Accompt

Liueries Almes

View

Certifie Chancellor

Annuall rolles Farmes

Debts determined

Good debts

Deſperate debts

Tailes

will and prouide, that it ſhalbe proclaimed in euery county, that all they that haue Tailes of the Eſchequer for the debts of themſelues, or their anceſtors, hitherto paied vſually there, and not yet allowed, which ſhal come out ſtill in the ſummons of the Eſchequer, that ſuch Tailes ſhall be deliuered to the Sherifes, to be alowed at the Eſchequer at their accompts. And the Sherifes ſhall make to them, of whom they ſhall ſo receiue tailes, their writings, witneſſing the receit of thoſe tailes, deputing two

Knights Indentures

faithfull Knights thereunto, betweene whom and the ſaid Sherifes, Indentures ſhalbe made of ſuch receits, with the Seales of them both interchangeably: And the foreſaid knights deputed thereunto, ſhal ſend the parts of their Indentures, at the term appointed vnto the Eſchequer in forme aforeſaid, to the end that by the view and witneſſes of them, the ſaid tailes ſo receiued by the ſherifes may be ſhewed, and be allowed vpon their accompts. Moreouer it ſhall be proclaimed, That except thoſe that haue ſuch Tailes do offer them to the ſherifes & knights to be executed, as afore is ſaid, that they ſhall be di-

Diſtraine

ſtrained for the whole debt, and the tailes to be reputed for vnpaied. Moreouer that the debts which yet come into the ſummõs of the Eſchequer, wherof the debtors doe proffer Tailes againſt diuers

Debts acquited Commiſſioners

Shirifes, ſhall be defaulked and acquited. Wee prouide, that certaine perſons aſſigned thereunto on our behalfe, ſhall be ſent into euerie Shire, which ſhal haue full power to inquire of ſuch manner debts, and alſo to call afore them ſolemnely, as well the Shirifes, as their heires and aſſignes, and the tenants of their lands, in caſe they be dead that haue receiued the debts, and alſo if need be to proceed to the taking of Enqueſts, whether the parties (againſt whom the foreſaid Tailes were ſhewed) do come or not, ſo that the Shirife do firſt returne that he hath reaſonably ſummoned them thereof, and the troth being inquired and diſcuſſed in preſence of the parties (if they will be there) the

Inquiſitors Debts confeſſed

Inquiſitors ſhall make rolls of that that ſhall be conuict and confeſſed afore them, & the inrolment being made, the Tailes of the ſame ſhall be forthwith broken. And the Shirifes ſhall haue in their

Tranſkript

cuſtodie the tranſcripts of the ſame rolles, vnder the ſeales of the Inquiſitors, & ſhall ſurceaſe in making diſtreſſes for the debts contained in the ſame, vntill they ſhal haue otherwiſe in commandement from vs therefore. And the foreſaid Inquiſitors ſhall ſend vnto the Eſchequer the foreſaid rolls vnder their ſeales, that it may be examined there by ſearch to be made therefore, what debts be payed in the whole, & what are payed in part, & what debts there be, whereof the debtors be not acquited, according as ſhall be conuenient to be done. Moreouer,

Chamberlaines

we will and prouide that the Chamberlaines from henceforth ſhal not make to the Sherifes, or any of their Bailifes Tailes diuidendi, vnleſſe they firſt receiue of them particulers, containing the ſums of the debts, and the names of them that payed them,

Diuidends

into the which particulers he would haue ſuch Diuidends parted, which being ſo receiued vnder their Seales, it ſhall not be lawful to number them into other particulers. Moreouer, we prouide that all debts whereunto the Sherifes make returne, that the debtors haue nothing in their bayliwikes, Debts Sheriffs

ne had not at ſuch time as they were charged with the ſame debts, or that the debtors be not found: that the ſame debts ſhal be extreated in Rolles, and the ſame Rolles to be deliuered vnto faithfull and circumſpect men, which ſhall make inquiry thereof, after ſuch forme as ſhalbe prouided by the treaſorer and barons. But foraſmuch as certaine plées Plees

heretofore haue been held in the Eſchequer, which did not concern vs nor our miniſters of the Eſche- Officers

quer, whereby as well our plées, as the cauſes of our people are vnduely prorogued and letted: Wee will and ordaine, that no plé ſhalbe holden or pleaded in Eſchequer aforeſaid, vnleſſe it doe ſpecially concerne vs and our miniſters aforeſaide. And therefore we commaund, that yée cauſe the premiſſes to be diſtinctly and openly read afore you, and to inroll it, cauſing the ſame to be ſtraitly obſerued in our Court of Eſchequer aforeſaid. In witneſſe of which &c. Giuen at Rutland the xiij. day of the month of Maie, in the tenth yéere of our reigne. Statute of Rutland, Anno 10. Ed. 1.

3 Becauſe that many people acquited by iudgemẽt in the Eſchequer in one place, be greatly grieued and indamaged in other offices and places of the ſaid Eſchequer, for the ſame things whereof they be ſo acquited, to the great miſchiefe of the people: It is ordained, that the Clerke of the Remembrance be titled to ſit aboue the Clerke of the Pipe, to ſée the diſcharges made in the Pipe, and to abreuiate the ſame in the remembrance, and to cauſe all maner of proces thereupon made to ceaſe: And alſo that the ſumuons of the Pipe be withdrawne, according as the parties by proces be diſcharged. And in whomſoeuer any default be willingly found, the Treaſorer by the kings commandement ſhal duely puniſh the ſame. Anñ 37. Ed. 3. ca. 4. Remembrancer Clerke of the Pipe

4 All ſtatutes and ordinances made before this time of Officers of the Eſchequer, be holden and Officers

firmely kept in all points. And moreouer it is ordained & eſtabliſhed, That at what time any debts Debts Tailes

be paid, and the Tailes thereof made, reioyned and allowed in the ſaid Eſchequer, that that debt ſhall neuer runne more in demaund. And if it ſo happen that after the alowance made there, any clerk of the Eſchequer make any writ or proces for to leuy the ſame debt of new, & that be duely proued, the ſame Leſe office

Clerke ſhall loſe his office, and to haue impriſonment til he hath made grée to the party, for ſomuch as he is indamaged, if any wil ſue, by the diſcretion of the Treaſorer and the Barons of the Eſchequer. Penal

Anño 1. R. 2. ca. 5.

5 The Barons of the ſaid Eſchequer ſhal from henceforth haue full power to heare euery anſwere of euery demand made in the ſame Eſchequer, ſo that euery perſon that is there impeached or impeachable, of any cauſe, ſhal by himſelfe, or by any other perſon, be from henceforth receiued in the ſame Eſchequer to pleade, ſue, and haue his reaſonable diſcharge in this behalfe, without carrying, or ſuing any writ, letter, or other commandement. Anno 5. R. 2. ca. 9. Stat. 1.

6 The

Accompt

6 The accompts in the Eſchequer ſhall bée moꝛe ſhoꝛtly heard, made, and ingroſſed, then they were wont heretofoꝛe: Sauing alwaies that the parcels of the ſame accompts bee made as plainely as they were wont in times paſt, and that by oꝛdinance to be made by the Barons of the ſaid Eſchequer, there to remaine of Recoꝛd foꝛ euer. Anno 5. R.2. cap.11. Stat.1.

Clerke

Oath

7 That two Clerkes be aſſigned to make parcels of the accompts in the ſame Eſchequer to them that will that demaund, and they ſhall be ſwoꝛne that they ſhall doe no falſitie in their office, and ſhal take foꝛ their labour of them to whome they ſerue, reaſonably, accoꝛding to the oꝛdinance of the Barons of the ſaid Eſchequer. An. 5. R. 2. cap. 12. Stat 1.

Nihil

8 The accompts of Nihil in the Eſchequer ſhal be altogether put away, oꝛ if any ſuch accompts ought there to abide, the accomptants immediatedialy after their oath made in the ſaid Eſchequer, ſhal be examined by the Barons there, if they could oꝛ ought to anſwere the king of any thing in that behalfe. And if it be foũd by their ſaid oath that they ought not, then by the ſame their oath they ſhall bée diſcharged to yéld other accompt befoꝛe any Auditoꝛ: The kings right alwaies ſaued. Anno 5. R.2. cap.13. Stat.1.

Oath

Diſcharge Auditoꝛ

Clerke of the pipe Remembꝛancers Oath Writs

9 The Clerke of the Pipe, and the Remembꝛancers of the Eſchequer ſhall be ſwoꝛn, that from terme to terme they ſhall ſee (whiles the ſaid Eſchequer ſhal be open) all the wꝛits of great ſeale, oꝛ priuie Seale, which ſhal be ſent to the ſaid Eſchequer the ſame terme, foꝛ the finall diſcharge of any perſon of the Realme, of any demaund due in the ſaid Eſchequer, and that euerie of them to whome it pertaineth, ſhall doe execution of the ſaid commandement. And alſo it is oꝛdeined and aſſented, that the ſaid twa Remembꝛancers ſhal be ſwoꝛn of their part, that euerie terme from henceforth they ſhall make a ſcedule of all the perſons that ſhall bée diſcharged in their offices by iudgements, oꝛ in other manner in the ſame terme, of any demands in the ſame Eſchequer, conteining the manner of the ſame diſcharges, and to deliuer the ſame ſcedule to the ſaid Clerke of the Pipe the ſame terme, to the intent that the ſame Clerke of the Pipe, do thereof diſcharge the ſaid parties in the great roll. Alſo the ſaid Clerke of the Pipe ſhal be ſwoꝛne, that hée from terme to terme ſhall require the ſame ſcedules and the ſame ſcedules by him ſo receiued, he ſhall diſcharge the ſaid parties in the manner afoꝛeſaide. And in the ſame manner the ſaid Clerke of the Pipe, foꝛ his part, ſhall do to be certified in wꝛiting to the ſaid Remembꝛancers, of all ſuch diſcharges which ſhall be made in his Office, to the intent that a man diſcharged in one place, be diſcharged in al other places of the ſaid Eſchequer. Anno. 5. R.2. ca. 14. Stat. 1.

Execution

Scedule

Diſcharge

Diſchage

Roll

Certifie

Liuerie

10 Though that many times heretofoꝛe diuers perſons haue had liuerie of their landes and tenements out of the kings hands by iudgement giuen foꝛ them in the kings Bench, oꝛ elſewhere, and of the ſame iudgements haue after pꝛocured the tenour of the Recoꝛds and pꝛoces thereof made to be ſent by wꝛit of Mittimus into the ſaid Eſchequer, to the intent to diſcharge them of the accompts demanded of them foꝛ the ſame tenements: Neuertheleſſe, the Officers of the ſame Eſchequer would not in times paſt diſcharge the ſaid perſons thereof, beſoꝛe that the ſame recoꝛds and pꝛoceſſes were woꝛd by woꝛd newly entered in the Eſchequer, and thereupon new pꝛoceſſe made, and new iudgement there againe giuen, to the great damage and delay of the partie, without pꝛofit to the king: It is therefoꝛe oꝛdeined and aſſented, that from henceforth after that ſuch Recoꝛd oꝛ the tenour of the ſame ſhall come into the ſaid Eſchequer, by the K. commandement as is ſaid, that the ſaid Remembꝛancer, in whoſe office ſuch accounts ſhall be demanded, ſhall foꝛthwith cauſe the ſute to ceaſe in this behalfe, by woꝛds to be entred vpõ the indoꝛſement of the wꝛit, touching the tenour of the recoꝛd of the ſaid iudgement, without making new iudgement oꝛ pꝛoceſſe further in this party. Anno 5. R. 2. cap. 15. Stat. 1.

Recoꝛd

Remembꝛancer Accompt

Commiſſiõ

Fees

Niſi prius

11 From henceforth, nothing ſhall be giuen foꝛ making of a Commiſſion in the ſaid Eſchequer foꝛ the fée of the Clerke which ſhall make the ſame aboue two ſhillings onely, not foꝛ the Recoꝛd of a Niſi prius with the Wꝛit, but two ſhillings onely, as beſoꝛe this time was wont to be done and vſed. Anno 5. R.2. cap. 16. Stat. 1.

Recognizances Bonds

Surtis

12 No ſuch recogniſance noꝛ other bond of the double (s. the kings debts and farmes) be made noꝛ taken in the Eſchequer from this time foꝛth. And ẏ all ſuch Recogniſances & other bonds which be made at this pꝛeſent time, be vtterly cancelled and annulled. Pꝛouided alwaies, that the king haue ſufficient ſurety foꝛ his duty in the manner accuſtomed. Anno 13. R.2. cap. 14. Stat. 1.

Fees

Cõmiſſion

13 Anno 33. H.6. cap. 4. an Act was made to induce, as it ſéemeth foꝛ fiue yeares, concerning fées to be taken in the Eſchequer, & that pꝛoces ſhal not be made againſt Cõmiſſioners, to certifie their commiſſions, after they haue ſufficiently excuſed themſelues. See the Statute it ſelfe.

Iſſues foꝛfeited

14 Be it enacted &c. That all manner of Iſſues loſt and foꝛfeited, oꝛ hereafter to be loſt and foꝛfeited, which by the true intent of the late Quéene Elizabeths moſt gracious Pꝛiuy Seale, and the Oꝛders hereunto annexed, ought to be remitted and diſcharged, againſt her ſaid Maieſtie, be, and at all times foꝛ euer hereafter ſhal be accoꝛdingly by vertue of this pꝛeſent Act, clearely diſcharged and acquited againſt the Kings Maieſtie, his Heires and Succeſſoꝛs. And be it further enacted &c. That if the Lord Treaſurers Remembꝛancer foꝛ the time being, oꝛ any of his Clerkes, ſhall from and after the firſt day of this pꝛeſent Seſſion of Parliament award any pꝛoceſſe, exact any Pleading, oꝛ take any fées, oꝛ otherwiſe in any point demeane him, oꝛ themſelues, contrarie to the true meaning of any the ſaid Oꝛders, That then foꝛ euery ſuch offence which the ſaid Lord Treaſurers Remembꝛancer oꝛ his Depnty, oꝛ any of his oꝛ their Clerkes ſhal commit, the perſon ſo offending, oꝛ in caſe any ſuch Perſon ſo offending, be vnable to ſatiſfie, the ſaid Lord Treaſurers Remembꝛancer himſelfe ſhall foꝛfeit

Remembꝛancer Clerks

Foyl. forfeit and loſe the ſumme of twenty pound, whereof the one moity to be to his Maieſtie, his heires & ſucceſſors, and the other moity to the party grieued to be ſued for within two yeres of the offence committed, by Action of debt, bill, plaint, or information, in any of his Maieſties Courts of Record at Weſtminſter wherein no eſſoine, protection, or wager of law or Priuiledge ſhall be allowed. The Orders ſet downe for reſpect of Homage, by the right Honorable Sir William Cicill, of the Honorable order of the Garter, Knight, Baron of Burleigh, Lord Treaſurer of England, and Maſter of the Court of Wards and Liueries, Sir Walter Mildmay Knight, Chancellor and Vicetreaſurer of her Highneſſe Court of Exchequer, Sir Edw. Saunders Knight, Lord chiefe Baron of the ſaid Court, and the other Barons of the ſame; Calling vnto them Gilbert Gerrard Eſquire, her Majeſties Attorney generall, and Thomas Bromley Eſquire, her Highnes Sollicitor generall, & made 15. Iunij Anno Domini 1573. and in the 15. yeare of the raigne of Queene Eliza. According to her Maieſties Priuy Seale to the ſaid Treaſorer and Barons in that behalfe directed, and witneſsed vnder their hands as followeth. 1. Firſt, that no proceſſe, Ad faciend homagium & fidelitatem, or Ad faciend fidelitatem, nor any writ of Scire facias, Capias, or Diſtres from the Fines ſtreated out of the Court of Common Pleas, ſhall goe out of the Treaſurers Remembrancers Office, vpon any ſuppoſall, vpon paine by former Lawes and Statutes limitted, and by the orders of the ſaid Court in that caſe prouided, but vpon a good and iuſt ground, and the ſame ſhal be vouched in euery of the ſaid Proceſſes, according to the Booke, Terme, Peare, Roll, and Record thereof, that it may be certainly found. And yet if by any knowne Record remaining in that office, it may appeare the ſame Tenure haue béene Trauerſed, then the ſaid Proceſſes to be diſcharged by the ſaid Trauers without pleading. 2 Vpon the Streate of the originall of the Chancery, of the firſt grants of any lands or tenements, holden in chiefe, or by Knights ſeruice, or Socage in chiefe, or of any Licence of alienation, pardon of alienation, Ouſter le maine, generall or ſpeciall Liuery or Inrolement of any of them, Proceſſe ſhall be made onely for the ſeruice due thereupon, and the parties vpon the ſame ſhall be admitted without pleading, as it hath béene accuſtomed, to make their Fins for reſpect of homage, or to doe their Fealty, forthwith whenſoeuer they will appeare, and pray to be receiued for the ſame, paying the charges of their ſaid Fine, as hereafter is appointed. 3. Where the firſt Tenant in any ſuch writ from the ſaid originall, or ſuch inrolement is returned by the Sheriſe Mort, or Nihil habet, then ſhall goe out according to the ancient courſe of the ſaid Court a Diſtring. tenent againſt the tenants of the ſame lands to the Shiriſe to do their ſeruice due to the king, and to ſhew their entry into the ſame, who returning the name of the tenant of the lands in the writ, There ſhall go proces then euery Terme againſt the ſaid new tenants to doe their ſaid ſeruice, and alſo to ſhew their entry, and they to loſe Iſſues thereupon, vntill they come in, and make their fine for reſpect of homage, or fealty, or do their fealty vpon the ſame according to the ancient courſe of the Eſchequer. 4 To auoid the charges of Pleading, vpon ſhewing of any mans entry, It ſhal be lawful for euery perſon that by force of any Licence of Alienation, doth come to any lands or tenements holden in chiefe, aſſured to him in fée ſimple, fée taile generall or ſpeciall, or for terme of life, by any manner of conueyance in Law, from the party in the firſt originall or Inrolement of the ſame, to bring the ſame Licence & conueyance to the ſaid Treaſurers Remembrancer, & thereupon the ſaid Barons of the Eſchequer, or the ſaid Treaſurers Remembrancer, finding the Licence of alienation to be good, and agréeable to the aſſurance thereupon made, and likewiſe agréeable to and from the ſaid originall, and from and with al the Vouchers of the ſaue, the party to whome ſuch Licence of alienation is made, ſhall be receiued to Inroll the ſaid Licence onely, and to make his fine thereupon for reſpect of Homage, without any further pleading, or other ſhewing of his title for the ſame. And likewiſe whoſoeuer ſhal enter into any by liuery generall, ſpecial, or Ouſter le maine lãds, bringing the ſame and the Schedule of his Liuery with him, he ſhall be receiued to like Inrolment, & making of his fine without any pleading. 5 Likewiſe, who ſo that hath a Licence of alienation of lands and tenements holden in Chiefe, which thereby are aſſured vnto him by Fine, the ſame perſon may alſo bring in his ſaid Licence and aſſurance thereupon, to be examined, as before in the 4. Article is mentioned, And the ſame agréeing together, and alſo agreeing from and with the Originall, and from and with the Vouchers of the ſame, then the party to be diſcharged without pleading.

6 Where any writ of Reuerſion ſhall be made, vpon any Record, for lands or tenements, wherein the Prince is in Reuerſion, if it do appeare by any ſufficient matter of Record within the Court, that the Graunt or Record whereupon the ſaid Writ of Reuerſion is made, is clérely auoided or determined, In ſuch caſe the party vpon ſhewing forth of ſuch Record, ſhall be diſcharged without pleading. 7 Where there be two Mannors, or moe, or other lands and tenements of one name in one Countie, and the one holden of the Prince in chiefe, or by Knights ſeruice, and the other not: In ſuch caſes where the matter ſhall ſo appeare of Record, the party that hath the Mannors or Lands ſo not holden, ſhall be diſcharged of the proceſſe without pleading, and the Iſſues thereupon loſt to bée ſaued. 8 The Iſſues loſt by her Maieſties Subiects, which her Highneſſe of her gracious fauour & goodneſſe hath appointed by her Maieſties Priuy Seale to bée diſcharged, be as followeth, viz. All Iſſues loſt, and to be loſt, vpon any that are or ſhal be returned Tenants of Lands, which they haue not, ſhal be now diſcharged, though they haue other lands within the Shire, that could not ſo haue bene before the ſaid Priuy Seale was granted. All Iſſues loſt or to be loſt vpon any Heire or Ward, being within age, or in cuſtody, or committed to any, ſhall be now as before diſcharged, that were

4 To auoyd the charges of pleading

Licence of alienation

Inroll

Reſpect of Homage

Liuerie Ouſter le maine

5 Licence of alienation

Fine

6 Writs of reuerſion

7 Two Mannors of one name in one County

8 Iſſues loſt Diſcharged

wont

wont to remaine, while the heire come to full age. 3 All Iſſues loſt, or to be loſt, vpon the Committees of any Wards lands by Leaſe, as returned Tenãt thereof, ſhall be now diſcharged, that otherwiſe ſhould haue bene paid by the ſaid Committees, if they had any lands or tenements, goods or chattels within the ſaid County. All Iſſues loſt or to be loſt vpon any Lands in the Queenes Maieſties hands by Extent, or otherwiſe, ſhall be now diſcharged, that otherwiſe could not haue bene by courſe of the Court. 4 All Iſſues loſt or to be loſt vpon the Farmours and Tenants of any lands for life, yeares, or at will, ſhall be now diſcharged, that were wont to pay them, being returned Tenants thereof by the Sheriffes, if they had any lands or goods within the ſhire. 5 All Iſſues loſt or to be loſt vpon Tenants of lands in Chiefe by extent, ſhall now be as afore diſcharged, and could not ſo haue bene before, but were alwaies leuiable vpon the lands. 6 All Iſſues loſt or to be loſt by ſundry other vexations, as well by vntrue Returnes, and Miſreturnes of Sheriffes and Vnderſhiriffes, ſhal or may be diſcharged, moderated, or otherwiſe ordered, as the Court ſhall thinke meete, that were infinite before, and could not be diſcharged, but the partie was driuen to take his remedie againſt the Sheriffe. 7 All Iſſues loſt or to be loſt vpon any former Graunt of lands and tenements in Chiefe, that are afterward giuen not to be holden in Chiefe, ſhall be now diſcharged by this preſent Seale, and could no way haue bene remitted vntill the ſecond grant had bene layed and pleaded. 8 All Iſſues loſt or to be loſt by any perſon returned in any Iurie in the Eſchequer, or in any Attaint or Iury in the Kings Bench, or Common-place at Weſtminſter, or in any Iurie before the Iuſtices of Aſſiſe in any Court within the Realme, which at the time of their appearance appointed, were beyond Sea in her Maieſties Seruice, or by ſpeciall Licence in writing, or were or ſhall be in Priſon, or in ordinary of her Maieſties Chamber or Houſhold, and bound to their perſonal attendance there, ſhall be now diſcharged cleare, that before could by no meanes be holpen. 9

Rata finium pro homag. tenent. Dominæ Reginæ per vnum annum integrum reſpectuandum cum feod. Rememorat. Theſaur. & & pro intrac. finium, cum Record. inde fact', ac pro feod' Attorn' pro eodem anno integro exhibit. Parl.

Valor terra-rum.	*Fines Regine.*	*Feod. Rem. Theſ.*	*Pro intrac.*	*Pro feod. attorn.*
Li. Li. A C. ad lx.	x.	d. xx.	d. iiij.	By ſome d. xl.
Li. Li. A lx. ad xxx.	marc. dim.	d. xx.	d. iiij.	By ſome d. xx.
Li. Li. A xxx. ad xx.	s. v.	d. xx.	d. iiij.	
Li Li. A xx. ad xv.	d. xl.	d. xx.	d. iiij.	By ſome nil.
Li. Li. A xv. ad x.	s. ij.	d. xx.	d. iiij.	By ſome voluntarie Annuities for all matters: s. xl. / s. xx. / s. d. xiij. iiij. / s. x. / s. d. vj. viij. / s. v.
Li. marc. A x. ad x.	d. xx.	d. xx.	d. iiij.	
marc. s. A x. ad C.	d. xij.	d. xij.	d. iiij.	
s. s. A C. ad lx.	d. viij.	d. viij.	d. iiij.	
s. A lx. & infra.	d. iiij.	d. iiij.	d. iiij.	Theſe neuer looſe iſſues, but haue their fines paied, whether they come, or come not.

Item, that the ſaid Fines ſhall be paied after the ſaid Rate exhibited to the Parliament houſe, and not otherwiſe. According to the ſaid Treaſurers Remembrancers owne offer for himſelfe, and the Clerkes of his Office, It is ordered, that he himſelfe ſhall pay euery Subiects charges, as by the Court of Eſchequer ſhall be ſet and ordered, that ſhall be vered by any writ vpon a ſuppoſall, and not vpon a good and iuſt ground vouched and ſet downe in euery writ, as before is declared. The

Clerkes

Clerkes of the Remembrancer.

Clerkes of the ſaid Treaſurers Remembrancers office, ſhall pay all Iſſues, that any of her Maieſties Subiects ſhall loſe, after he hath paied his ordinary fine for reſpect of Homage to any of them for any lands or tenements, and ſo may be proued by any of their Acquittances. W. Burleigh, Wa. Myldemay, Edward Saunders, George Freuile, Iohn Birche. Ex. per G. Gerrard, Thomas Bromley. Ex. per Iohn Osburne, xvij. Nouemb. 1601.

Tenures appertaining to the Crowne

Prouided alwaies neuertheleſſe, and be it enacted &c. if in caſe it ſhal be thought fit, for the true knowledge and preſeruation of the Tenures appertaining to the Crowne, and ſo ordered in the open Court of Eſchequer, that Proces ſhould iſſue out of the ſaid Court againſt any, That in euerie ſuch caſe, the ſaid Treaſurers Remembrancer, or any his Clerks may ſend out the ſaid Proceſſe, without incurring any the Penalties of this Act: in which caſe, no ſuch Tenure appearing to the court, the party ſhall be clearely diſmiſſed, without any manner of pleading, or paying any fées at all. Anno 1. Iac. cap. 26.

Eſchete.

Normans Service

Inheritãce

Auncestors

Aliens

Monmouth

Alſo the King ſhal haue Eſcheates of the lands of the Normans, of whoſe fée ſoeuer they bée: ſauing the ſeruice appertaining to the chiefe Lords of the ſame fée. And this alſo is to be vnderſtood where any inheritance diſcendeth to any that is borne in the partes beyond the Sea, whoſe anceſters were from the time of King Iohn, vnder the allegeance of the kings of France, and not of the kings of England, as late it happened of the Barony of Monmouth, after the death of Iohn of Monmouth, whoſe heires were of Britaine, & of other places. King Henrie by the foreſaid occaſion recouered many Eſcheates of Normans lands of the fées, of the other men, and gaue them to be holden of the chiefe Lords of the fée, by the ſeruices and cuſtomes due and accuſtomed thereunto. Statute of the kings Prerogatiue. Anno 17. Ed. 2. cap. 12.

Eſchetors.

Chancellor Treaſorer Lord chiefe Baron Iuſt. of B.

There ſhal be as many Eſcheators aſſigned, as were in the time when the king that now is, did take the gouernance of this Realme vpon him. And that the ſame Eſcheators be choſen by the Chancellor, Treaſorer, and chiefe Baron of the Eſchequer, taking to them the chiefe Iuſtices of the one Bench and the other, if they be preſent in maner as is aforeſaid of the Sheriffes. And that no Eſchetor tarry in his Office aboue a yere. Anno 14. Ed. 3. cap. 8.

Inquelts

Indentures

Iurors

Void

Pre places.

2 Euerie Eſchetor ſhall take his Inquelts of his Office of good people and lawfull, which bée ſufficiently inherited, and of good fame, and of the ſame County where the inquirie ſhall be, and that the Inquelts ſo taken be indented betwixt the Eſchetors and Iurors. And if it be otherwiſe done that ſuch Inquelts be holden for void. And the King will, that ſuch Inquelts bee taken in good townes, openly and not priuily. Anno 34. Ed. 3. cap. 13. Stat. 1. See heere following.

Lds ſeiz.

Alienation

Knights ſeruice

Heire in age.

Trauerſe

Proces K. Bench Triall

3 Where lands or tenements be ſeiſed into the kings hand by the Office of the Eſchetor, for that that the kings tenant hath made alienation without the kings licence, or that the kings tenant by knights ſeruice dyed ſeiſed of the lands & tenements aforeſaid, in his demeſne as of fée, & his heire within age, and after the cauſe certified into the Chancery, and he whoſe lands be ſeiſed come into the Chancerie, and will trauerſe the Office, which was firſt taken by the kings commandement, and that the ſaid lands be not ſeiſable, he ſhal be thereto receiued. And the Proces ſhal be ſent into the kings Bench, there to be tried, and further to doe right, Anno 34 Ed. 3. cap. 14. Stat. 1.

Ward

Wast Fee

Pleas

Attaint 3. Damag.

Petition

Office

Claim

Expelt

Certis

Chancy

Trauerſ

Chancel

Leaſe

Graue Cuſt

Enquelt

Indent

Impriſ. Fine

4 For the grieuous complaint that the king hath now heard of his people againſt his Eſchetors and of their euill behauiour, He willeth, and hath ordeined of the aſſent aforeſaid, that lands ſeiſed into his hãds, becauſe of wardſhip, ſhal be ſafely kept, without waſt or deſtruction. And that the Eſchetor haue no fée of Wood, Fiſh, nor of Venilon, nor other thing, but ſhall anſwere to the king of the Iſſues and profits yearely comming of the ſaid lands, without doing waſt or deſtruction, and if he doe otherwiſe, and thereof be attainted, he ſhall be raunſomed at the kings will, and yéeld to the heire treble damages at his owne ſute, aſwell within age, as of full age, and his friends alſo as long as he is within age, ſhal haue the ſute for him, anſwering to the ſaid heire all that that ſhall be ſo recouered. Of other lands alſo ſeiſed into the kings hands by Inquelt of Office taken before the Eſchetors, this ordinance and peraunce ſhall hold place againſt the Eſchetors. And if there be any man that will put challenge or claime to the lands ſo ſeiſed, the Eſchetor ſhal ſend the Inquelt into the Chancerie, within one Month after the lands ſo ſeiſed. And that a writ be deliuered to him, to certifie the cauſe of his ſeiſure into the Chancerie, & there ỳ partie ſhall bée heard without delay to trauerſe the office, or otherwiſe ſhew his right, and from thence ſent before the king to make a finall diſcuſſion, without attending any other cõmandemẽt. And in caſe that any come before the Chancellor & ſhew his right, vpon which ſhewing, by good euidences of his ancient right and good title, the Chancellor by his good diſcretion and aduiſe of Counſell (if it ſéeme expedient to him to haue Councell) ſhall let and deliuer the lands ſo in debate to the tenant, yéelding thereof to the king the value, if it pertaine to the king, in manner as he and other Chancellors before him haue done in times paſt of their good diſcretion, ſo that he finde ſurety that he ſhall doe no waſt nor deſtruction till it be iudged. And that the ſaid Eſchetors take ſuch Inquelts in the good townes, and of good people, and that openly and by Indentures to be made betwirt the ſaid Eſchetors and them of the Inquelt, as before time was ordeined by ſtatut (s. Anno 34. Ed. 3. cap. 13. before 2.) And if any Eſchetor do the contrarie of this ſaid ordinance, he ſhall haue two yeares impriſonment, and moreouer to be raunſomed at the kings will. Anno 36. Ed. 3. cap. 13. Stat. 1. See heere 6. 8.

5 No Eſchetor ſhall be made, vnleſſe he haue twenty

twenty pound of Land at the leaſt, or more in fee. And that they doe their offices in proper perſon. And if any other be choſen, he ſhall be put out. Anno 42. Ed. 3. cap. 5. See here following 10. 11.

6 That no Eſcheto^r nor cõmiſſioner, take in any wiſe any Enqueſts to inquire, but of people returned, and impanelled by the Sheriffes in the County within which he is Eſcheato^r or Commiſſioner. And if any eſcheto^r or Commiſſioner take inqueſts of men, which be not impannelled nor returned by the Sheriffe, as is aforeſaid, and thereof by examination, or otherwiſe, (at the ſute of the partie, which for himſelfe, or for the King, or any other perſon which will ſue) be duely conuict, for euery enqueſt ſo taken, he ſhal incurre the paine and forfeiture of xx. pound, to be paied, that is to ſay, the one halfe to the King, and the other halfe to the party grieued, at whoſe ſute he ſhall be conuict. And that no lands nor tenements ſeiſed into the kings hands vpon ſuch enqueſts taken before eſchetors or Commiſſioners, be not in any wiſe let nor granted to farme by the Chancellor or Treaſurer of England, or any other the kings Officers, till the ſame enqueſtes and verdicts be fully returned in the Chancerie, or in the Eſchequer, but al ſuch Lands & tenements ſhall intirely and continually remain in the hands of our Soueraigne Lord the king, vntill the ſaid enqueſts and verdicts be returned, And by a month after the ſame returne, if it be ſo, that he or they which ſeele them greeued by the ſame enqueſts, or be put out of their lands and tenements, come into the Chanceris and proffer to trauers their ſaid enqueſts, and offer to take the ſame lands or tenements to farme: and if they ſo do, that then the ſaid lands or tenements be committed to them, if they ſhew good euidence, prouing their trauers to be true, after the forme of the ſtatute made the 36. yeare of king Edward the third, after the conqueſt (5. cap. 13. before 4.) to hold vntill the Iſſue taken vpon the ſame trauers be found and diſcuſſed for the king, or for the party finding ſufficient ſurety to ſue the ſaid trauers with effect, and to render and pay to our Soueraigne Lord the king the yearely value of the lands, whereof the trauers ſhall be ſo taken if it be diſcuſſed for the king. And if any Letters Patents of any of the lands or tenements bee made to the contrary to any other perſon, or let to farme within the ſaid month, after the ſaid month of the returne they ſhall be void and holden for none. And that the eſchetors and Commiſſioners, vpon paine of the forfeiture of twenty pound to be paied, that is to ſay, the one halfe to the king, and the other halfe to the party, at whoſe ſute he ſhall be conuict, return the enqueſts before them taken into the chãcery of our Soueraigne Lord the King, or into the Eſchequer within a month, next after the taking of the ſame, and euerie man which will ſue for the K. ſhall haue the ſute in this behalfe. Anno 8. Henr. 6. cap. 16.

7 The which good Statute and ordinance (s Anno 8. H. 6. cap. 16. before 6.) diuers perſons imagining to ſubuert, and by their ſubtility to make it ſeeme as nothing, haue ſued to haue ſuch gifts, & graunts, and farmes by the kings letters Patents before any inquiſition or title found for the king of the ſame, pretending ſuch gifts and graunts not to be compriſed nor remedied by the ſame Statute, notwithſtanding that they be in like miſchiefe of the ſaid ſtatute: Our ſaid Soueraign Lord the King, conſidering the premiſſes and willing to prouide a remedy in this behalfe, hath ordeined by the authoritie aforeſaid, that no Letters Patents ſhall bee made to any perſon or perſons, of any lands or tenements, before that an Inquiſition of the kings title in the ſame be found returned in the Chancerie, or in his Eſchequer, if the kings title in the ſame be not found of Record, nor within the month after the ſame returne, if it be not to him or them which proſer their trauerſes as is aforeſaid. And if any Letters Patents be made to the contrary they ſhal be void and holden for none. Anno 18. Henr. 6. cap. 6.

Inquiſition
Chancery
Eſchequer
Void

8 In caſe that any Eſcheato^r take any Office before him, and returne not the ſame Office in the Chancerie, or in the kings Eſchequer, in the month after the taking of the ſame, he ſhal incurre the pain of xl. pound, which he hath forfeit by the Statute made the eight yeare of our ſaid Soueraigne Lord the King, (that is to ſay, Anno 8. H. 6. cap. 16. before 6.) And alſo he ſhal be bound to pay to the ſame our Soueraigne Lord the King, as much as hee is indamaged becauſe of not returning of ſuch office. And that the Chancellor of England ſhall call to him the Treaſurer of Engl. in letting ſuch farmes, to make due execution of the ſaid ſtatute made the ſaid viij. yeare. Anno 18. H. 6. cap. 7.

Office Returne Chancery Eſchequer
Forf.
Chancellor Leals

9 Euerie eſcheto^r ſhall take his enqueſts of office, by vertue of the Writs of Diem clauſit extremũ, & all other writs within the month after the deliuerance of ſuch writs. And alſo ỹ all ſuch inquiſitions ſhall be taken in good townes and open places. And that none of them ſhall take priuily nor openly, by himſelfe nor by other by any meanes of any perſon, for the execution of any ſuch writs in one coũty, aboue the ſum of vj. s. viij. d. or xiij. s. iiij. d or aboue, where his labour & his coſts ſhall require the ſame borne, ſo that the ſumme which he ſo ſhall take, doe not excéede in all the ſumme of forty ſhillings, for the execution of any ſuch writ in one countie. And if any eſcheto^r doe contrarie to any of the premiſſes: that then he ſhall forfeit the ſumme of fortie pound. And if a man trauerſe any Office taken before any eſcheto^r or Commiſſioner, and thereof hath any Scire facias againſt any patentee, that in that caſe no protection ſhall be allowed nor allowable. And as to any graunt or leaſe to be made to any perſon, which ſhal trauerſe any ſuch Office, that the Statuts in this caſe before this time made ſhal be duely obſerued. And ỹ the king haue ỹ halfe of the ſaid forfeiture of forty pound, and the party which in this behalfe will ſue for the king and himſelfe, ſhall haue the other halfe of the ſame. An. 23. H. 6. cap. 17.

Inquiſition
Townes
Fees
Forf.
Scire facias
No protection
Moitie

10 Whereas many inſufficient and of light cõſcience be made eſchetors, and do ſet their Offices to farme vnto oppreſſors of the people, taking money and ſurety to be ſaued harmeleſſe, ſo that the farmors doe thereby binde themſelues to be extortioners,

tioners, where of old time the eſchetors and their Deputies ought to be ſufficient and well diſpoſed perſons: Be it &c. that no man to be made eſchetor after the feaſt of the Natiuity of our Lord 1473. ſhal take vpō him thoffice of eſchetor, nor occupy ẏ ſame office by himſelfe, nor by none other perſon, vnleſſe the ſaid eſchetor, or other perſon or perſons to his vſe, haue at the time that he ſhall be choſen eſchetor, lands, tenements, or rents in fee ſimple, fee taile, or for terme of life, of the yerely value of xx.li. lying and being within the ſame countie or counties, whereof hee ſhall be made eſchetor. Nor that any ſuch eſchetor to be choſen after the ſaid feaſt ſhall in any wiſe ſell or ſet to farme the ſaid office of eſchetorſhip, nor make any Deputy or Deputies, but ſuch for whome he will anſwere at his peril, the name or names of the ſaid deputy or deputies, to be certified by the ſame eſchetor by his letters patents to the Treaſorer and Barons of the kings Eſchequer for the time being within twenty daies after ſuch deputation made. And that no ſuch deputy or deputies take vpon him or them to occupie in the office of eſchetorſhip, except ſuch eſchetor haue lāds tenements or rents, to the aforeſaid yearely value, in manner and forme as is aforeſaid. And if any perſon or perſons after the ſaid feaſt doe contrarie to the premiſſes, or any of them, he ſhall forfeit for euerie default forty pound. The one halfe thereof to our Soueraigne Lord the King, to be imployed to the vſe of his honorable houſe, the other halfe to euerie of the kings liege people, which will therefore ſue, by action of debt, wherein like proces, rule, iudgement, coſts and damages ſhal be had and awarded, as is vſed in other actions of debt vſually purſued by writ at the common law. And that no waging of law, protection, nor eſſoin be in any wiſe allowed in the ſame. And that the Juſtices of peace in euery place, ſhall haue power to enquire, heare & determine euerie ſuch forfeiture vpon preſentment thereof had before them in their ſeſſions: in which preſentment like proces ſhall be had, as is vſed vpō indictments of treſpaſſe done with force and armes againſt the kings peace. Prouided alwaies, that this Act doe not extend to any perſon or perſons, made or to be made eſchetor of any city, borough, or towne of this realme of England, hauing authority to make or to be eſchetors within themſelues, by the Letters Patents of our Soueraign Lord the K. or of any of his noble progenitors or predeceſſors. Anno 12. Ed 4. cap. 6. See here following 11. that Eſchetors muſt haue forty markes land.

20.l. lands

Set to farme

Deputie

Certifie

Lands

Forf. Moitie

Juſt. of P. Inquire Hier & ter.

Citie Borough

11 If any eſchetor or Commiſſioner hereafter returne or put into any of the Kings Courts, any Inquiſitions or Offices, concerning lands, tenements, or other hereditaments, not found nor preſented by the othes of twelue men, and indented, & by them ſealed: that then the ſame eſchetor or commiſſioner to forfeit for euery ſuch office or Inquiſition ſo returned and put into any of the ſaid courts an hundred pounds, to the party or parties grieued by any ſuch inquiſition or office. And that from henceforth no eſchetor, ne no man ſit by vertue of any commiſſion to enquire of lands, tenements, or other hereditaments, except he or other to his vſe, haue lands, tenements, or hereditaments of the yearely value of forty Markes, aboue all charges and repriſes, vpon pain of twenty pound. (See before 5. and 10.) And that it ſhall be lawfull for all perſons that be not ſufficient of freehold in poſſeſſion or vſe, at the time of any ſuch Commiſſion to them deliuered, to refuſe to ſit and enquire by vertue of the ſame Commiſſion. And that they vpon proceſſe made againſt them out of the kings Eſchequer, by vertue of the ſame cōmiſſion to be diſcharged vpon their othes, for their ſaid inſufficiency, without fine or fee. And that euery eſchetor & commiſſioners, ſhall ſit in conuenient and open places, according to the Statutes heretofore made. And that the ſaid eſchetor and commiſſioners, ſhall ſuffer euerie perſon to giue euidence openly in their preſence, to ſuch Inqueſts as ſhall be taken before any of them, vpon paine of forty pound. And that no Sherife, nor other perſon, which ſhall or ought to returne Writs or precepts, return before eſchetors or ſuch Commiſſioner, any perſon or perſons to enquire of any lands or tenements, except euery of the ſame Jurie ſo returned, or other to their vſe, haue lands or tenements of the yerely value of forty ſhillings within the ſame ſhire, where the ſame inquiry ſhall be made without fraude or colluſion, aboue all charges and repriſes, vpon paine of forfeiture for euerie perſon ſo returned one hundred ſhillings. And that the Jurie that ſhall be ſworne before any eſchetor, or ſuch Commiſſioner, to enquire of lands, tenements, or other hereditaments ſhall receiue the counterpaine of the office or inquiſition, that by them ſhal be preſented, indented and ſealed by the eſchetor, or by ſuch ſuch Commiſſioner, and the ſame deliuer and ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhall be ſworne in the ſaid Jurie, with him to remaine, to the intent that the ſaid Commiſſioner or eſchetor may not change or embeſill the ſaid Offices or Inquiſitiōs. And this to be done vpon paine of euerie of the ſaid perſons that ſhall be ſworne twenty ſhillings. And that euerie eſchetor and Commiſſioner, after a Jurie or Inqueſt before any of them ſworne be ready to giue their verdict or preſentment, and offer to preſent the ſame, that the ſame eſchetors or Commiſſioners, or part of them ſhall receiue the ſame verdict, without farther delay, vpon paine of an hundred pound: And deliuer the counterpaine of the Indenture to the Jurie, in forme aboue rehearſed, vpon like paine. And that if the Clerk of the pety bagge of the kings Chancerie, for the time being or his deputy or his deputies, or any other officer there, hauing authority to receiue any ſuch office or inquiſition, to whoſe hands any ſuch office or inquiſition ſhall come, which ought to be returned into the ſaid Chancerie, will not receiue the ſame Office or Inquiſition, and put it on the files to remaine of Record, within three daies after it be returned, or offered to him to be receiued, he to forfeit for euery ſuch default 40. pound. And the commiſſioners or eſchetors, afore whome the ſame Office or Inquiſition is founden, and as is before ſaid offered to be deliuered into the Chancerie to be diſcharged of the penalty of forty pound limitted by the

Returne Inquiſition

Commiſſioners ſit

40. Pro Land Forf.

Not ſufficient

Refuſe

Proces Eſcheator Diſcharge

Open place

Open audience

Forf. Sheriff Returne Writs

Juris Landes

Forf.

Indent

Embeſill Offices

Clerk

Offices

Refuſe to receiue

Forf. Commiſſioners

Diſcharge

the ſtatute, for none returning the ſame office or inquiſition within the month (S. An. 18. H. 6. cap. 7. before 8.) And the like law & penalty be to charge the officer or officers of K. Eſcheq. for the time being, which ought to receiue inquiſitions or offices returnable into the ſame Eſcheq. for refuſing ſo to receiue the. And that the commiſſioners or eſchetors, before whome the ſaid inquiſition or offices be found, be diſcharged of the penalty of the ſtatute for non returning of the ſame inquiſitions or offices, ſo that then the ſaid eſchetors or commiſſioners at any time after the moth of any ſuch offices, before them, or any of them taken, within another month next enſuing, return the ſaid office into the Chancery or Eſcheq. as the caſe ſhal require. And that the ſaid Clerk of the petty bag (for the time being) certifie or cauſe to be certified, the trãſcript of euery ſuch office or inquiſition (taken before any Commiſſioners or eſchetors) to the K. Eſchequer the nert terme following the receit thereof, vpon paine of forfeiture of euery ſuch default C. s. And ỹ no man be compelled after the feaſt of All Saints next cõming, to occupy nor exerciſe the office of an eſchetor, by any ons patent ouer one whole yere. And ỹ he that is once eſchetor, ſhal not be made eſchetor again within iy. yeres after the aforeſaid whole yers ended. And if any eſchetor after the feaſt of All Saints, be made eſchetor to exerciſe his office, by reaſon of one patent ouer ỹ time of one whole yere ended, or be made eſchetor within 3. yeres after (as is aforeſaid:) that then after the ſaid whole yere (in forme aforeſaid) ended, his patent ſo made, to be void & of none effect. And that the party or parties ſo grieued, ſhal haue his or their recouerie of euery of the ſaid forfeitures of 100. l. by action of debt, in which action the defendant ſhal not wage his law, nor be by protection nor eſſoin &c. And the reſidue of the other forfeitures expreſſed in this preſent act the K. ſhal haue the one moity therof, & the partie ỹ wil ſue therefore by action of debt the other moity. And the defendant ſhal haue no other delay, but as is aforeſaid. Prouided alway, ỹ this act concerning eſchetors, for exerciſing of their offices ouer an whole yere together, & letters Pat. or grants, made or to be made to any eſchetor for term of life, or for yeares, or otherwiſe, extend not, ne be preiudicial to any eſchetor that now is, or that hereafter ſhal be made & ordeined in any city or town corporate, or in the duchies of Lancaſter, Cornewal, and the counties Palantines, of Lancaſter, Cheſter, Durham, or Ely, or to any other county Palantine within the realme of Engl. Wales, or Marches of the ſame. Or to any eſchetor made, or hereafter to be made by any perſon or perſons ſpiritual or temporall, hauing authority by reaſon of any franchiſes, liberties, priuiledges, preſcriptions, or grant to depute or make any ſuch eſchetor in the ſame. Prouided alſo ỹ this act, as to any penalty in the ſame, concerning the ſufficiency of the eſchetor & Iurors aforeſaid, extend not, nor be preiudicial to any eſchetor in city or towns corporate ne to any other eſchetor made, or hereafter to be made by any perſon or perſons, hauing priuiledge to make eſchetors for inquiſition of lands, tenements, or hereditaments: Ne to any ſherife or bailife for returning in any pannell, any perſon or perſons before any of the ſaid eſchetors, of leſſe value then is conteined in the ſaid act. The eſchetors of the counties Palantine of Lancaſter & Cheſter, in this prouiſo onely forepriſed and excepted. Prouided alſo that this act extend, nor be preiudiciall to any Iuſtices of the Peace, for any thing doing, concerning cõmiſſion of the Peace &c. This act to indure to the nert Parliament. Ann. 1. H. 8. cap. 8. This Act is made perpetuall Anno 3. H. 8. cap. 2.

Sherife Bailiffe

Iuſt. of P.

12 After ſuch Office found afore any eſchetor or Cõmiſſioner, put into the Chancery or ỹ Eſchequer, if any perſon or perſons which will tender a trauerſe to the ſaid Office, and deſireth to haue the lands conteined in the ſame Office to farme, and finde the ſurety, and ſheweth euidence to the Chancellour of England for the time being, according to the Statute afore rehearſed (S. Anno 8. H. 6. cap. 16. before 6.) come into the Chancerie within three monthes nert after the ſame office ſo put into the Chancery or Eſchequer, that he be then by the ſaid Chancellor thereto admitted, & ỹ then all other patents & grants hereafter to be made thereof, within the ſaid three monthes ended, be void and of none effect: The ſaid Statute made the eight yeare of the raigne of King Henry the firt or any other Statute made to the contrary notwithſtanding. Anno 1. H. 8. cap. 10.

Chancery Eſchequer Trauers Office

Farme Surety

3. Monthes

Chancellor

Patents

Void

13 Anno 1. H. 8. cap. 12. It is enacted, that trauerſes may be taken to offices procured by Empſon and Dudley, notwithſtanding liuery ſued of thoſe lands.

Trauers Empſon Dudley

14 All and euerie ſuch perſon and perſons, which ſhall be named and certified into the kings Chancery by the L. Treaſorer of England to be eſchetor, ſhall within one month next after his letters P. ſhall be offered vnto him, take vpon him the execution of the ſame office, or elſe appeare in the ſaid eſchequer, & ſhew a reaſonable cauſe, why he ought not ſo to do. And if any ſuch perſon ſo named and certified to be eſchetor, do not appeare as is aforeſaid, within one month next after notice to him giuen as is aforeſaid, nor ſhew any reaſonable cauſe why he ought not to doe the ſame: that then he ſhall loſe and forfeit for euery ſuch default twenty pound to the king our Soueraigne Lord, to bee leuied to his Maieſties vſe, in any his highneſſe courts of Record. And be it &c. that no eſchetor after &c. ſhall ſit onely by vertue of his office for enquirie of the tenure, title, or value of any lãds, tenements, or hereditaments where the ſame lands, tenements or hereditaments bene of the value of v. pound by the yeare or aboue, & holden of the king, without the kings writte to be directed to him for the ſame, vpon pain to loſe & forfeit for euery time that he ſhal ſit & make inquiry contrary to ỹ forme of this eſtatute fiue l. Nor that any eſchetor ſhall take for the finding of any office, of any manors, lands, tenements, or hereditaments, that ſhall not exceed the cleare yerely value of 5. l. aboue the ſum of xv. s. that is to ſay: for the eſchetors fee vi. ſhillings viij. d. and for the writing of the Office iy. s. foure pence, and for the charges of the Iurie three

Treaſurer

Letters P.

Appeare in the Eſchequer.

Appeare within one Month Forf.

Title of lãd

Fiue pound by the yeare

Kings writ. Forf.

Finding of office.

Fee

ſhillings, and for the officers and miniſters that ſhall receiue the ſaid office in any court of Record two ſhillings, vpon paine that euerie Eſchetor offending this act, ſhall loſe and forfeit for euerie time ſo offending fiue pound. And that the officers and Miniſters of euerie court of record, where ſuch inquiſitions ſhal be returned being offered vnto the, within one moneth next after the finding thereof, ſhall receiue and take the ſame, vpon pain to loſe & forfeit euery time offending this act v.li. The one moitie of all which forfeitures aforeſaid, ſhall be to the K. our ſouereigne Lord, & the other moity therof to the party that will ſue for the ſame in any of the kings Courts of Record: in whith &c. An. 33. H.8. cap. 22.

Forf. ✻

Offer within one moth

Forf. Moitie

15 Where many & diuers perſons be holding, or that haue holden lands, tenements, or hereditaments, ſome for terme of yeares, and ſome by copy of court Roll, haue bene expulſed, and put out of their termes & holdes, by reaſon of inquiſitions, or offices founden before Eſchetors, commiſſioners, and other, conteining tenures of the K. in Capite, entituling the K. to the wardſhip & cuſtodie of ſuch lands or tenements, & ſometime entituling the K. to the ſame vpon attainders of treaſon, felony or otherwiſe, by reaſon that ſuch leaſes for terme of yeres, or intereſt by copy of Court rol, of ſuch perſons, haue not bene found in ſuch inquiſitions or offices, after which expulſion or putting out, the ſaid perſons haue bene without remedy, for the obteining of the ſaid termes & holds, during the K. poſſeſſion therein, and can haue no trauers, Monſtrance de droit, ne other remedy for the ſame, becauſe their ſaid intereſt is but a chattell in the law, or cuſtomary hold, & no eſtate of frée hold. And alſo where any perſon or perſons, hath any rent, common, office, fée, or other profit apprender, of any eſtate of frée hold, or for yeares, or otherwiſe out of ſuch lãds or tenements, ſpecified in ſuch offices or inquiſitions, the ſaid rent, common, office, fée, or profit apprender not founden in the ſame office or offices, ſuch perſons are in like maner without remedy to obtaine or haue the ſaide rent, common, office, fée, or profit apprender, by any trauers or other ſpeedy mean, without great & exceſſe charges, during the K. intereſt therein, by force of ſuch inquiſition or office: For remedy whereof, be it &c. ỹ where any ſuch office or inquiſition is or ſhall bee found, omitting ſuch title, intereſts, or matters, as is aforeſaid, ỹ in all ſuch caſes, euery leſſee, tenant for terme of yeres, or copy holder, & euery ſuch perſon or perſons, that haue or ſhall haue any intereſt to any rent, common, or profit apprender, for term of yeres, life or otherwiſe, out of any of ỹ lands, tenemẽts, or hereditaments, conteined in ſuch office or inquiſitiõ, where the K. his heires or ſucceſſors is or ſhall be entituled, as is aforeſaid, to any ſuch lands, tenemẽts, or hereditaments, ſhal haue, hold, enioy, & perceiue, all & euery their leaſes & intereſts for terme of yeres, or by copy of court roll, rẽts, cõmõs, offices, fées, & profit apprender, in ſuch maner form, ſtate & cõdition, as they & euery of thẽ ſhould or might haue done, in caſe there had bin none ſuch office or inquiſitiõ foũd, & as they ſhould, or lawfully might or ought to haue done, in caſe ſuch leaſe, intereſt by copy of court rol, rẽt, cõmon, office, fée, or profit apprender, had bẽn foũden in ſuch office or inquiſition: any law, cuſtom or vſage to the contrary hertofore vſed in ſuch caſes in any wiſe notwithſtanding. And alſo where it is, or ſhal be founden for the K. his heires or ſucceſſors, that the heire or heirs of his tenãt or tenants, is or ſhalbe within age, where indeed ſuch heire or heirs is or ſhal be at the ſame time of ful age, or of a more or greater age, then is or ſhal be conteined within ſuch office: Be it &c. ỹ in euery ſuch caſe, ſuch heire & heires ſhall & may at his or their very ful age or after, proſecute a writ of Ætate prõbãda, & ſue his or their liuery or Ouſter le main, as his or their caſes ſhal lie, & haue the profits of his or their lands, tenements, or hereditaments, from the time of his or their very full age: any ſuch verdict, office or inquiſition, or any law or cuſtõ, to the contrary in any wiſe notwithſtanding. Alſo where one perſon or more, is or ſhal be found heire to the K. tenant by office or inquiſition, where any other perſon is or ſhall be heire, or if one perſon or mo, be or ſhal be found heire, by office or inquiſition in one countie, & another perſon or perſons is, or ſhall be founden heire to the ſame perſon in another county, or if any perſon be, or ſhal be vntruely founden lunatik, idiot, or dead: be it enacted by the authority aforeſaid, ỹ euery perſon or perſõs grieued, or to be grieued by any ſuch office or inquiſition, ſhal and may haue his or their traũers to the ſame immediately, or after, at his or their pleaſure, & proceed to tryal therein, & haue like remedie & aduantages, as in other caſes of trauerſe vpon vntrue inquiſition or offices founden: any law, vſage, or cuſtome to the contrary in any wiſe notwithſtãding. Alſo, where it is, or ſhal be hereafter vntruely founden by office or inquiſition, ỹ any perſon or perſons attainted, or ỹ ſhal be attainted of treaſõ, felony, or Prẽmunire, is or ſhal be ſeiſed of any lands, tenements or hereditaments, at any time of ſuch treaſon, felony, or offẽce committed or done, or any time after, whereunto any other perſon or perſons hath, or ſhall haue any iuſt title or intereſt, of any eſtate of frée hold: ỹ then in euery ſuch caſe euery perſon or perſons grieued thereby, ſhal haue his or their trauerſe or Mõſtrance de droit to the ſame, without being driuen to any petition of right, & like remedy & reſtitution vpon his or their title found or iudged for him or them therein, as hath bẽn accuſtomed & vſed in other caſes of trauerſe, although the K. maieſty, his heires or ſucceſſors be or ſhall be in ſuch cauſe entituled to any ſuch lands, tenemẽts, or hereditaments, by double matter of record, any law, cuſtome, or vſage, to the contrary in any wiſe notwithſtãding. And further be it enacted, &c. ỹ where any inquiſition or office is or ſhalbe found by theſe words or like, Quod de quo vel quib⁹ tenemta p̃d tenentur iuratores p̃d ignorant, or elſe founden holden of the K. p que ſeruitia ignorãt, or ſuch like, that in ſuch caſes ſuch tenure ſo vncertainly founden, de quo vel de quibus tenementa prædicta tenentur ignorant, ſhall not be taken for any immediat tenure of the king, nor ſuch tenure ſo founden of the king, per quæ ſeruitia

Chattell

Office Fee

Office Inquiſition Title

Leaſes Copyhold

Common Lands

Leaſes

Offices Fees

Rent

Heires

Writ Liuery Ouſter le

Office Inquiſition Tenure

Heire

Lunatik Idiot

Trauers Triall

Attaint Treaſon Felonie Forfeit Premunire

Freehold

Trauers Monſtrance de droit

Inquiſition Office

ſeruitia ignorant, ſhall not be taken any tenure in Capite, but in ſuch caſes a Melius inquirendum to be awarded as hath been accuſtomed in old time: any vſe of later time to the contrarie notwithſtanding. And be it further enacted &c. that where it is or ſhall be founden by any office or inquiſition, that any lands, tenements or hereditaments ſ are or ſhal be deſcended, remained or come to any heire within age, and in the kings ward, or that ought to be in the kings ward, & that ſuch lands, tenemẽts, or hereditaments are holden of the king immediately, where in deed the ſame are, or ſhal be holden of ſome other common perſon, and not of the king immediately: that in ſuch caſe, ſuch heire or heirs, ſhall & may haue their Trauers to the ſame within age, and like remedy and reſtitution vpon his or their title founden, or iudged for him or them therin, as hath beene accuſtomed and vſed in other caſes of Trauerſes: any law, vſage, or cuſtome, to the contrary in any wiſe notwithſtanding. Alſo where the K. Maieſtie by his prerogatiue ought to haue aſwel ſuch lands and tenements as be holden of other perſons, as holden of himſelfe immediately, whereof his tenant holding of him in chiefe died ſeiſed, his heire being within age, vnto ſuch time as liuerie be ſued by ſuch heire, and that the meſne Lords of whome the ſaid other lands & tenements of ſuch heire be holden, vſe to ſpare the rents due to them for the ſame lands or tenements holden of them, during the kings poſſeſſion: And when ſuch heire hath ſued his or their liuerie, they vſe by diſtres, or otherwiſe to cõpell the ſaid heire to pay to them the arrerages of ſuch rents, for ſuch time as the ſaid lands or tenements were in the kings poſſeſſion, by ſuch minority, where they ſhould haue ſued by petition to the kings Maieſtie, to haue obteined the ſame out of the kings hands if they wold haue the ſame: which is to the great detriment, loſſe & hinderance of ſuch heire and heires: For redreſſe whereof be it &c. ſ frõ henceforth ſuch meſne lords during ſuch minority ſhal haue, receiue, and take the ſaid rents by the hands of ſuch the K. Officers as ſhall be appointed to haue, receiue, & take the iſſues, reuenues and profits of the ſame lands and tenements ſo holden of ſuch meſne lords, during the minoritie & nonage of ſuch heire & heires, & vntil ſuch heire and heires ſue his or their liuery: & that ſuch heire and heires, vntill ſuch time as hee or they ſhall haue ſued their liuerie, or might conueniently haue ſued their liuerie, ſhall be thereof clearely diſcharged. And that ſuch Officer and officers ſhal vpon requeſt made, pay the ſame to ſuch meſne lords (they giuing to ſuch officer & officers, a ſufficient acquitãce or acquitances for the receit of the ſame) & that ſuch paiment therof made, with acquitance or acquitances thereof ſhewed, ſhall be to ſuch officers a ſufficient diſcharge againſt the K. Maeſtie & his heires, vpon his or their accompt in that behalfe: any law, vſage, or cuſtome heretofore had or vſed to the contrarie hereof in any wiſe notwithſtanding. Prouided alwaies, and it is &c. that this act &c. ſhall not in any wiſe extend to any inquiſition or office taken or founden at any time before the xx. day of March next cõming. Prouided alſo, & it is &c. ſ in al ſuch caſes as any perſon or perſons ſhall be enabled by this act to haue any trauers, and ſhall purſue his or their Trauers: that then he or they that ſhall purſue ſuch trauers, ſhall ſue one writ, or ſeuerall writs of Scire facias, (as the caſe ſhal require) againſt all & ſinguler ſuch perſon or perſons, as ſhal haue intereſt by the K. or by his patentee or patentees, in like maner & form, as is requiſite vpon trauerſes or petitions heretofore purſued. And that in euerie ſuch Scire facias the patentees or defendants ſhall haue like plees & aduantage, as they had in any Scire facias, before this time awarded againſt any Patentee in any caſe of Petition. And alſo that vpon euerie Trauers that ſhall be purſued by vertue or meane of this act, in ſuch caſe as the partie or parties that ſhall purſue any ſuch trauers ſhould by the orders of the common Lawes of this Realme, haue beene put to ſue by petition to the king, there ſhal be two writs of ſearch granted in manner and forme, as like writs haue been granted vpon petitions made to the king. Prouided alſo and be it &c. that if after any iudgement ſhall be giuen vpon any Trauers that ſhall be tendered or ſued, by vertue or mean of this Act, it ſhall appeare by any matter of Record, that the king hath any other former title, right or intereſt, to the manors, lands, tenements or other hereditaments, mentioned in the ſame trauers, that then the ſame title, right, and intereſt ſhall bee ſaued to the king: the ſaid trauers and iudgement thereupon giuen, in any wiſe notwithſtanding. Anno 2. Ed. 6. cap. 8.

Melius inquirendum.

Lands Tenements

Trauers

Prerogatiue

Veſted Liuerie

Arrerages

Minority

Officers

Inabled

Trauers

Writs Scire facias

Patentees

Trauers Petitions Scire facias.

Writs

Iudgements

Title

Manors

16 Sée in a printed booke commonly called Mag. Char. bearing date 1556. fol. 160. in a chapter entituled Capitul. Eſchaetriæ, what things be inquirable by the Eſchetor, and diuers matters concerning Eſchetors.

Eſcuage.

EScuage ſhall be taken from henceforth like as it was wont to be in the time of Henry our Grandfather. Magna Charta ca. 37.

Eſſoine.

AND it is to be known, ſ after that a man hath put himſelfe vpon an inqueſt, the which hath or muſt paſſe in ſuch maner of writs, he ſhal haue but one eſſoin or one default, ſo that if he come not at the day giuen to him by the eſſoine, or make default the 1. day, then the inqueſt ſhall be taken by his default, and according to the ſame inqueſt, they ſhall proceed to iudgement. And if ſuch inqueſt be taken in the countie before the Sheriffe or Coroners, it ſhall be returned vnto the K. Iuſticers at certaine day, & if the party defendant come not at that day, then vpon his default another day ſhall be aſſigned to him after the diſcretion of the Iuſticers. And it ſhall be commanded to the Sherife, that hee cauſe him to come to heare the iudgement if he will, according to the inqueſt, at which day if hee come not, vpon his default they ſhal proceed to iudgemẽt. In like maner it ſhal be done, if he come not at the day giuen vnto him by his eſſoine. Marl. cap. 13. Anno 52. H. 3.

Tnqueſt

Default

Iudgement Sheriffe Coroner Returne

Sheriffe

2 It is prouided, that in Counties, hundreds, Court Barons, or in other courts, none ſhall need to

Counties Hundreds Court Barons

Sweare to sweare to warrant his essoine. Marl.cap.19. Anno 52.H.3.

Writ of Aſſ. Iuris vtrum Iurors 3 For asmuch as in writs of Assise, Attaints, & Iuris vtrum, the Iurors bene often troubled, by reason of the essoine of the tenants: it is prouided, that after that the tenant hath once appeared in the court, he shall be no more essoined, but shall make his atturney to sue for him if he will, and if not, the assise or Iurie shall bee taken through his default. West 1.cap.41.An.3.Ed.1.

Attorney

Default

Demandãts Parceners 4 Forasmuch as demandants be often times delaied in their right, by reason ỹ many parceners be the tenants, of which none may be compelled to answere without the other, or that there be many iointly infeoffed (which none knoweth his seueral) & such tenants oftentimes fourch by essoine, so that euerie of them haue a seueral essoin: It is prouided, that from henceforth such tenants shal not haue an essoine, but at one day, no more then one sole tenãt should haue, so that from henceforth, they shal no more fourch, but only shal haue one essoin. West.1. cap.42.An.3.Ed.1.

One essoine

Faile essoine 5 For asmuch as diuers persons cause themselues falsely to be essoined of being ouer the sea where in deed they were within ỹ realm the day of the sommons: It is prouided from henceforth, that this essoin be not wholly allowed, if the demãdant will challenge it, & wil be ready to auer, that he was in England the day of the sommons, & 3. weeks after, but it shall be adiourned in this fourme, that if the demandant be ready at a certaine day by auerment of the countrey, or otherwise as the court shal award, to proue ỹ the tenant was within ỹ 4. seas the day ỹ he was summoned, and 3. weeks after, so that hee might be reasonably warned by the summons, the essoine shalbe turned into a default. And that is to be vnderstanden onely before Iusticers. West.1.cap.43.Anno 3.Ed.1.

Auerre

Adiourne

Default

K. seruice 6 See Trespasse 1. of essoin for the plaintife, and of essoin for the kings seruice for the demandant.

Parceners 7 Whereas it is contained in the statut of the K. ỹ now is (before 4.) that 2. parceners or two that hold in common may not fourch by essoine, after that they haue once appeared in the court: It is prouided, that the same be obserued and kept, in case where a man and his wife be impleaded in the K. court. Glouc.cap.10.Anno 6.Ed.1.

Appeale 8 In appeale of the death of man, there shall no essoine lie for the appellor in whatsoeuer court the appeale shall happen to be determined. West.2.ca. 12.An.13.Ed.1.

Circuite Malo lecti 9 In the circuit of the Iusticers, an essoine De malo lecti shall not be from henceforth allowed for lands in the same shire, vnlesse hee that caused himself to be essoined be sick in deed, for if the demandãt alleage that the tenãt is not sick, nor in such plight, but that he may come before the Iusticers, the exception shal be admitted. And if he can be so proued by inquest, the essoine shall be turned to a default. And from henceforth such essoine shall not lie in a writ of right betweene two claiming by one discent. West.2.cap.17.Anno 13.Ed.1.

Default Writ of right

10 After such time as any hath put himself vpon inquest one essoine shall be allowed at the next day, but at the other daies following the taking of the inquest, shall not be delaied by essoines whether he were essoined before or no. Neither shall any essoine be allowed after day giuen by Prece Partium, nor in case where the parties consent to come without essoine. West.2. cap.27. Anno 13.Ed.1.

Inquest

Prece partiũ

11 Whereas by the statute of W.1. (before 3.) It was prouided that after the tenants haue once appeared in the court, no essoin should be allowed them in writs of Assises. In like manner it shall be from henceforth obserued against the demãdants. West.2.cap.28.Anno 13.Ed.1.

Writ of Aſſ.

12 Here is declared how many waies essoines may be challenged, and in what cases essoines do not lie. The essoine lieth not because the land is taken into the kings hands. Essoine lieth not because the party is distreined by his lands. Essoine lieth not because any iudgement is giuen thereupon, if the Iurors do come. Essoin lieth not because the party was seene in the court. Essoine of Vltra mare lieth not because before time the party hath bin essoined of Malo veniendi. It lieth not because the party hath essoined himselfe to another day. It lieth not because the sherife was commanded to make the party to come. Essoine of Seruitio Regis lieth not because the party is a woman. It lieth not in a writ of dower, because it seemeth to be but a deceit & a delay of right. It lieth not for that the plaintife hath not found pledges of suit. It lieth not because the Atturney was essoined. It lieth not because the party hath an Atturney in the matter. It lieth not because the essoiner cõfesseth that he is not in the kings seruice. It lieth not because the summons is not returned, or the party not attached, for that the shirife hath returned, Non est inuentus. It lieth not because the party another time was essoined de seruitio Regis, ỹ is to wit, such a day, & now he hath not sent his warrant. It lieth not because he was resummoned in Assise of Mortdancester, or Darrein presentm. It lieth not because such one is not named in the writ. It lieth not because the shirif hath a precept to distreine the party for to come by his lands & goods. It lieth not because the bishop was commanded to cause the party to come. It lieth not for that the terme is passed. And it is to be noted, that essoines de seruitio Domini Regis, are allowed after the grand cape, petit cape, & after distreines taken vpon the lands and goods. Statute of essoines, Anno 12.Ed.2.

Challenge wherein essoines do not lie.

Spirit

Glanu

Attorn

13 Essoin of the seruice of the K. doth not lie in a writ of Nocdiss. In a writ of Dower vnde nihil habet, In a writ of Dar. presentm. nor in appeale for the death of a man. Stat. de visu terræ, essoin. de seruitio domini Regis.

K. seruice Dower Darrein presentm Appeale

Estrepement.

IT is prouided also, that after such time as a plee is mooued in the city of London by writ, the tenãt shal haue no power to make any waste or estrepement of the tenement in demãd hanging ỹ plee, if he do, the Maior and Bailifes shall cause it to bee kept safe at the suit of the demandãt. And the same ordinance and statute shall be obserued in other cities & boroughs, and euerywhere throughout the realme. Glouc.cap.13.Anno 6.Ed.1.

Lands

Spoile

Estreates

Eſtreates.

Delayes

Attachmẽt

Default

Sheriffe Returne

Iſſues

Marſhalle

Exchequer Juſt. of Eire

Accompts ſheriffes

Exchequer

Fines

Rolles

Writs

Charters Letters P. Commiſſ.

Liuings

Charters

Eſtreats

Eſtreates.

COncerning delaies in all manner of Writs & attachments, it is thus prouided, that if the tenant or defendant after the firſt attachment returned make default, that incontinently the great diſtreſſe ſhall be awarded, & if the Sheriſe doe not make ſufficient returne by a certaine day, he ſhal be grieuouſly amerced, and if he returne that he hath done execution in due manner, and that the Iſſues be deliuered to ſureties, then the Sheriſe ſhall bee commanded, that he at any other day returne the Iſſues before the Iuſtices. And if the party attached come in at that day to ſaue his default, he ſhall haue the Iſſues, and if he come not, the king ſhall haue them. And the kings Iuſtices ſhall cauſe them to be deliuered in the wardrobe. And the Iuſticers of the Bench at Weſtminſter ſhall deliuer them in the Eſchequer, and the Iuſticers in Eire, vnto the Shirife of the Shire (where they plead) as wel of that ſhire as of forreine ſhires, and he ſhal be charged therewith in the ſummons, by the rolles of the Iuſticers. Weſt. 1. cap. 44. Anno 3. Edw. 1.

2 Becauſe of the trouble which hath been heertofore vpon the accompts of Sherifes in the Eſchequer, becauſe that in the Eſtreats of the rols of the Chancerie, which haue bẽne yearely deliuered into the Eſchequer, the accompts there of haue bẽne mingled: the king will therefore that from henceforth ẏ eſtreats be made in maner following. Firſt ſhal be entred the fines which moſt commonly happen, as to haue writs and all other fines wherin the ſumme of money is expreſſed. And all theſe maner of fines of one county for the whole yeare ſhall bee written by themſelues in one place, and by order of priority, according as the fines ſhal be entred in the rolles. And alſo of all other Counties generally whatſoeuer ſhall happen to follow in any one cõtie. And for ẏ more redy recourſe to the rols, if that any thing in time to come ſhall be doubted of, either of the number or other letter in the eſtreat: the date of the day when the fine was made, ſhall be entred into the Eſtreat, which is deliuered into the Eſchequer. And after thoſe fines, then ſhal be entred charters, letters Patents and commiſſions, in which any farme or yearely rent is due to the king, or wherein any accompts are to be made, & theſe ſhall be written by compties ſeuerally after the readieſt manner. After theſe ſhall be written homages and fealties, whereof the relieſes are to be demaunded, and writs of Diem clauſit extremum & other things whereof the ſumme is not expreſſed, nor any yerely demaund to be made. Alſo the ſame Eſtreat, ſhall be entred the other charters of gift, by which ẏ king ought to haue ſeruice, ſo that the court may haue knowledge of the times, when the reliefs and ſeruices are to be demanded. And there ſhal be entred in the ſame eſtreat, the names of al thoſe which that yeare ſhall be aſſigned to heare & inquire of, or to do any thing, where by fine or amerciament, or other profit appertaining to the king, might percaſe or ought to ariſe, ſo that thereby commandement may be ſent to ſend vp the eſtreats of the ſame. And in the end of the eſtreat the reuiſeiſins and ſurcharging of paſtures as before hath bẽne: becauſe that Iuſtices, Inquirors and others which are aſſigned to diuers buſines to heare and determine, ought yearely to deliuer into the Eſchequer their eſtreats of fines and amerciaments made and tared before them, and of all other things happening by means of thoſe buſineſſes, which to the king doth appertain, ſo that he may of the ſame be duely anſwered. And oftentimes it happeneth that diuers of thoſe eſtreates be kept back ſo long before they be deliuered into the eſchequer, that the king hath by means thereof great loſſe & damage. And in time of his father (See Eſchequer 1.) it was ordeined amongſt other that Iuſtices & Inquirors, whatſoeuer they were, and all others which ought to deliuer eſtreats into the Eſchequer, ſhould cauſe them to be deliuered frõ yere to yere at the feaſt of S. Michael. And Iuſtices of Eire ſhold deliuer their eſtreats of their Eire, ſo ſone as they were finiſhed. This ordinance ſhal from henceforth be kept, and by writ expreſſly commanded to the Iuſtices of both Benches, and the Warden of the Foreſt on this ſide of Trent & beyond, that euery of them ſhal frõ henceforth do of thoſe things as ſhall appertaine to their office. And the Steward of the kings houſe for the time being be commanded and charged by the king to deliuer yearely to the Treaſorer of the Eſchequer, which is or ſhall be for the time being, his eſtreates perfectly made of the fines, amerciaments, iſſues, forfeiturs, and all maner of other profits ariſing to the vſe of the king, by reaſon of the pleas or quarels holden & had before the ſaid Steward & Marſhall of the ſaide houſhold, & this ſhall be done twice in the yere, that that is ſay, at Eaſter & Michaelmas. Item charge & commandement begiuen to the clerk of the market and of meaſures, that he deliuer his eſtreats for ſo much as appertaineth to his office in the forme aboueſaid. And the Warden of the Anlnage ſhal deliuer yerely to the Treaſorer of the Eſchequer, the eſtreates of his office, wherein ſhall be contained al the defaults which he hath found of cloths throughout the Realme, and alſo where & when, & to whom the clothes did appertain, which he found contrary to the aſſiſe, and the price, and to whome he hath deliuered them, where and when, & by what warrant. Alſo the butler for the K. for the time being be charged, that al the wines which hee ſhal prouide for the kings vſe, either by himſelfe or by his Atturneys, in what place ſoeuer it ſhal happen to be, that he ſhall make the ſame prouiſion by the view of the honeſteſt men in the towne where the ſame purueyance ſhal happen to be, ſo that alwaies the ſame purueyance may be witneſſed by the voice of two of the beſt of the ſame place. And if it happen ẏ the ſame be in a port where are gatherers of the K. cuſtom, then the ſame ſhal be teſtified by them. And no cuſtomer frõ henceforth ſhal be deputed to the butler, ſo long as he ſhal be attendant vpon the Cuſtom. And the butler which for the time ſhal be, either by himſelfe, or by his deputy, ſhall put into a rol al his buyings in this maner (ẏ is to ſay) how many tuns, of whõ he bought thẽ, at what time, & by whoſe view, & he ſhall inroll the wines of priſage, in like maner how many Tunnes, the Teſtimony of the perſons

Iuſtices

Eſchequer

Iuſtices

Ju. of Eire

Juſt. of B. Foreſt.

Steward

Treaſorer

Marſhall

Clerke of the market.

Anlnage

Butler Wines

of whom the priſage was taken, where and when. And all the Cuſtomers of England ſhall be charged according as they are aſſigned for the gathering of cuſtome, within certaine bounds, that they twice yearely ſhall certifie the Treaſorer and Barons, (that is to ſay) at the fifteenth of Eaſter, and at S. Michael, how many ſhips haue arriued within their bounds within that time loden with wines, and of whence they were, and who ought them, and when they arriued and diſcharged, and how much wine euerie ſhip did bring &c. how many ſhips arriued, of which the king did take priſe of Wine, and how many tunnes, and in what ſhips the king did take two ſhillings for the Tunne, and none other price, and of how many Tunnes he did take two ſhillings for the Tunne, and alſo other price. Stat de forma mittendi extreat ad Scaccarium 15. Edwardi 2.

Cuſtomer

Wines

☞ Greene Ware Shirifes

3 Whereas the Green ware is ſent to the Sherifes to leuie the kings debts, the Sherifes Miniſters doe leuy the ſame by Rols and other remembrances, and doe not ſhew the eſtreates vnder the ſeale of the Eſchequer, ſo that which is once leuied, commeth another time in demaund, becauſe that they doe not charge themſelues fully of that that is leuied, in deceit of the king, and impouerifhing of his people: It is ordeined and aſſented, that men ſhall ſee the eſtreats ſealed, and that the ſame which is paied be totted, in the ſame eſtreates ſent to the Shirifes vpon the receipt. And if any ſhirifes or Miniſters doe to the contrary, he ſhall be holden to anſwere to the party which thereof will him complaine, and yeeld him treble damages, and make fine to the king. And that he haue his ſute aſwell before Juſtices of the Peace, as before other Juſtices. And that the Shirifes be holden to accompt by the ſame eſtreates ſo totted and by none other, & the ſame eſtreates ſhal not be copied out by the Shirifes, but the copie of the eſtreates in how much they touch the franchiſes of Lords, ſhal be deliuered to the Bailifes of the franchiſes vnder the ſeale of the ſhirife. And that the ſame Bailifes yéld their accompt to the Eſchequer by the ſame copies ſo deliuered. Anno 42 Ed. 3. cap. 9. See this confirmed here 4.

Totted

3. Damages Fine Inſt. of P. Accompt

Bailifes Shirifes Seale

☞ Juſtices

4 The Juſtices and Judges before whome iſſues or amerciaments bee or ſhall be forfeit in time to come, ſhall charge the Clerkes of the eſtreates in ſuch places where ſuch iſſues and amerciaments be or ſhall be forfeit, by their oath to be made that they make the rols of the eſtreats of ſuch iſſues & amerciamẽts diſtinctly by expreſſe word of the cauſe of the loſſe, of the terme of the yeare, and the nature of the Writ, and betwixt what parties ſuch iſſues and amerciaments be or ſhall be loſt, as well in the Kings ſuite, as in the ſuit of the party. And that the ſtatute made in the time of king Edward the third, the forty two yeare of his raigne (that is to ſay cap. 9. before 3.) for gathering of gréene ware be holden and kept in all points. Anno 7. H. 4. cap. 3.

Iſſues

Rolles

Greenewax

Euidence.

☞ FOr eaſe in pleading againſt many cauſeles and contentious ſuits, which haue béene, and dayly are commenced, and proſecuted againſt Juſtices of Peace, Maiors, or Bailifes of Cities and Townes corporate, Headboroughes, Portréues, Conſtables, Tythingmen, Collectors of Subſidies & Fiftéenes, who for due execution of their Office, haue béene troubled and moleſted, and ſtill are like to bée troubled and moleſted by euil diſpoſed contentious perſons, to their great charge, and diſcouragement in doing of their offices: Be it &c. that if any action: bill, plaint, or ſute vpon the caſe, treſpaſſe, battery, or falſe impriſonment ſhall be brought, after forty daies next after the end of this Seſſion of Parliament, in any of his maieſties Courts at Weſtminſter, or elſe where againſt any Juſtice of the peace, Maior or Bailife of Citie, or Towne corporate, Headborough, Portréue, Conſtable, Tythingmã, Collector of Subſidie or fiftéenes, for or concerning any matter cauſe or thing, by them or any of them done, by vertue or reaſon of their or any of their office or Offices, That it ſhall be lawfull to and for euerie ſuch Juſtice of peace, Maior, Bailif, Conſtable, or other Officer or Officers before named, and all others which in their aide or aſſiſtance, or by their commandement ſhall doe any thing touching or concerning his or their Office or offices, to plead ẏ generall Iſſue, that he or they are not guilty, & to giue ſuch ſpeciall matter in Euidence to the Iurie which ſhall trie the ſame, which ſpeciall matter being pleaded, had been a good and ſufficient matter in law, to haue diſcharged the ſaid Defendant or Defendants of the Treſpaſſe or other matter laid to his or their charge; And that if the verdict ſhall paſſe with the ſaid defendant or defendants in any ſuch Action, or the plaintife or plaintifes therein becom Monſuite, or ſuffer any diſcontinuance therof, that in euerie ſuch caſe the Juſtices or Juſtice, or ſuch other Judge before whome the ſaid matter ſhall bée tryed, ſhall by force and vertue of this act allow vnto the defendant or defendants his or their double coſts, which hee or they ſhall haue ſuſteined by reaſon of their wrongfull veration in defence of the ſaid action or ſuite: for which the ſaid defendant or defendants ſhall haue like remedy, as in other caſes where coſts by the lawes of this realme are giuen to the defendants. And this Act to continue for ſeuen yeares, and from thence to the end of the next parliament after the ſaid ſeuen yeres. Anno 7. Iac. cap. 5.

Exception.

WHen any that is impleaded before any iuſtices, doth propound an exception, praying that the Juſticers will allow of it, which if they wil not allow, if he that alleadged the exception doe write the ſame exception, and require that the Juſtices wil put to their ſeales for a witnes, they ſhall ſo doe, and if one wil not, another of the company ſhall do it. And if the K. vpon complaint of the fact of the Juſticers, cauſe the record to come before him and the ſame exception be not found in the roll, and the plaintife ſhew the exception written vnder the ſeale of a Juſticer, the Juſticer ſhall be commanded

to

to be ready at a certaine day, either to confeſſe or deny his ſeale. And if the Iuſticer cannot deny his ſeale, they ſhall proceed to iudgement, according to the ſame exception, and after as it ought to be allowed or diſallowed. Weſt.2. cap. 30. Anno 13. Ed.1.

Proceed Iudgement

Excommengement.

THe yeare of our Lord 1254. the third of the Ides of Maie, in the great Hall of the King at Weſtminſter, in the preſence, and by the aſſent of the Lord Henry by the grace of God King of England, and the Lord Richard earle of Cornewall his brother, Roger Bygot earle of Norfolke and Sutfolke, Marſhall of England, Humfrey earle of Hereford, Henry earle of Orford, Iohn earle Warren, and other eſtates of the Realme of England, Wee Boniface by the mercie of God, Archbiſhop of Canterbury, Primate of all England, F. of London, H. of Elie, S. of Worceſter, E. of Lincolne, W. of Norwich, P. of Hereford, W. of Saliſburie, W. of Durham, R. of Exceſter, P. of Carlile, W. of Bathe, E. of Rochester, T. of Saint Dauids, Biſhops, apparelled in pontificalls, with Tapers burning, againſt the breakers of the Churches liberties, or of the free of the Realme of England, and namely of thoſe which are contained in the common Charter of the Liberties of England, and the Charter of the Foreſt, haue denounced the ſentence of Excommunication in this forme. By the authoritie of Almightie God, the Father, the Sonne, & the holy Ghoſt, and of the glorious mother of God the virgin Mary, and of the bleſſed Apoſtles Peter and Paul, and of all Apoſtles, and of all Martyrs, and of the bleſſed Edward King of England, and of all the Saints of Heauen, wee excommunicate, accurſe, and from the beneſites of our holie Mother the Church, wee ſequeſter all thoſe that hereafter willingly and maliciouſly depriue or ſpoile the Church of her right. And all thoſe that by anie craft or wilineſſe doe in any article violate, breake, diminiſh or change the Church Liberties, or the old approued cuſtomes of the Realme, and chiefly the Liberties and free Cuſtomes contained in the Charters of the Liberties of the Realme, and of the Foreſt, graunted by our Lord the King, to Archbiſhops, Biſhops, and other Prelates of England, and to the Earles, Barons, Knights, and other free holders of the Realme, ſecretly or openly, by deed, word, or counſell: And all thoſe that ſhal make ſtatuts againſt the ſame, or obſerue them being made, & that ſhall bring in cuſtomes, or keep them when they be brought in, againſt the ſaid liberties or any of them, and the writers of ſuch ſtatutes, the counſellers, and the executors of them, & of all thoſe that ſhall preſume to iudge according to them. All and euery which perſons before mentioned, that wittingly ſhall commit any of the premiſſes, let them well know, that they ſhall incurre the foreſaid ſentence ipſo facto, vpon the deed done. And thoſe that ſhall commit aught ignorantly, and be thereof admoniſhed, except they reforme themſelues within fiftene dayes after the time of the admonition, and make full ſatisfaction for that they haue done, at the will of the Ordinarie, ſhal be from that time forth wrapped in the ſame ſentence. And with the ſame ſentence wee burden all thoſe that preſume to perturbe the peace of our ſoueraigne lord the King and of the realme: To the perpetuall memory of which thing, we the aforeſaid prelates haue put our ſeales to theſe preſents. Anno 38.H.3.

Liberties

Curſe

Church ſpoilers

15. Dayes Satisfa. ction

2 The Kings Letter is vſed to be directed vnto Ordinaries that haue wrapped their ſubiects in the ſentence of Excommunication, that they ſhall aſſoile them by a certaine day, or elſe that they do appeare and to anſwer wherefore they haue excommunicated them. The anſwer is. The King decreeth, That hereafter no ſuch Letter ſhall be ſuffered to goe forth, but in caſe where it is found, that the Kings libertie is preiudiced by the excommunication. Articuli Cleri cap. 7. Anno 9. Edw. 2.

Kings Letters Ordinaries

3 If any of the Kings tenure be called before their ordinaries out of the pariſh where they dwell: if they be excommunicate for their manifeſt contumacie, and after forty daies the Ordinarie writeth that they may be taken, and they pretend their priuiledge, that they ought not to be cited out of the Towne and Parish where their dwelling is. And ſo the Kings writ for the taking of them is denied. The anſwer. It was neuer yet denied nor ſhall be hereafter. Articuli Cleri, cap. 12. Anno 9. Edwar. 2.

40 Dayes Priuiledge

4 In ſtatuto de Tallagio non concedendo, It is enacted, That the Biſhops ſhould excommunicate thoſe that did againſt the Church.

5 In the olde Abridgement of the Statutes it is recited, That Anno 9. Ed. 2. in Ordinatione per ſe, it was enacted, That Writs ſhould be directed to the Biſhops, to accurſe all and euery of the perturbers of the peace of holy Church, & of the King, felons, mainteiners of felons, and conſpirators of felonie, falſe iurors, takers and maintainers of falſe quarrells, euery Sunday and double feaſts &c. in the Cathedrall Church, and in euery Colledge and pariſh Church, and to proceede againſt them according to the Canon lawes.

Writes Accurſe Peace breakers Felons

Excommunicato capiendo.

BE it enacted, that from and after the firſt day of Maie next comming, euery writ of Excommunicato capiendo, that ſhall be graunted and awarded out of the high Court of Chancerie, againſt any perſon or perſons within the Realme of England, ſhall be made in the time of the Terme, returnable before the Quæenes Highneſſe, her heires and ſucceſſors, in the Court commonly called the Kings Bench, in the Terme next after the Teſte of the ſame, and that the ſame Writ ſhall be made to containe at the leaſt twentie dayes betweene the Teſte and the returne thereof. And after the ſame Writ ſhall be ſo made and ſealed, that then the ſaid Writ ſhalbe forthwith brought into the ſaid court of the Kings Bench, and there in the preſence of the Iuſtices ſhal be opened and deliuered of record to

Writ

Chancerie

Returns

K. Bench

21. Dayes Teſte

Iuſtices

Sherife to the sherife or other officer, to whom the seruing and execution thereof shall appertaine, or to his or their deputy or deputies. And if afterwards it shall or may appeare to the Justices of the same Court for the time being, that the same Writ so deliuered of Record be not duely returned before them at the day of the Returne thereof, or that anie other de-
Negligence fault or negligence hath beene vsed or had in the not seruing and executing of the said Writs, that then
Justices Amerce Sherife the Justices of the said Court, shall and may by authority of this Act, assesse such amerciament vpon the said sherife or other officer (in whom such default shall appeare) as to the discretion of the saide Justices shall be thought méete and conuenient: which amerciament so assessed, shalbe extreated in-
Exchequer to the Court of Exchequer, as other amerciaments haue been vsed. And be it further enacted by the au-
Sherife thority aforesaid, that the sherife or other officer to whom such Writ of Excommunicato capiendo, or other processe by vertue of this Act shall be directed, shall not in any wise be compelled to bring the body of such person or persons, as shalbe named in the said Writ or Processe, into the said court of the Kings Bench, at the day of the returne thereof, but
Returne shall onely returne the same Writ and Processe thither, with declaration briefly, how and in what maner he hath serued and executed the same, to the
Justices intent that thereupon the said Justices may then further therein procéed, according to the tenor and effect of this present Act. And if the said Sherife or other officer to whom the execution of the said writ shall so appertaine, doe or shall returne, that the
Non est inuentus. party or parties named in the said Writ cannot bee found within his Bailiwike, then the said Justices of the Kings Bench for the time being, vpon euery
Capias such returne shall award one Writ of Capias against the said person or persons named in the said writ of Excommunicato capiendo, returnable in the same Court in the Terme time two monthes at
Teste. Proclamation the least next after the Teste thereof, with a proclamation to be contained within the said writ of Capias, that the sherife or other Officer to whome
County court Generall assises Quarter Sessions the said Writ shall be directed in the full County Court, or else at the generall Assise and Gaole deliuery, to be holden within the same County, or at a Quarter Sessions to be holden before the Justices of the Peace within the same County, shall make open proclamation ten dayes at the least before the returne, that the partie or parties named in the said writ, shall within fiue
Proclamation Yield his body to Prison dayes next after such Proclamation, yéelde his or their bodie or bodies to the gaole and prison of the said Sherife or other such officer, there to remaine as a prisoner, according to the tenor and effect of the first writ of Excommunicato capiendo, vpon
Foyl. paine of forfeiture of tenne pounds. And thereupon after such Proclamation had, and the said fiue dayes past and expired, then the said Sherife or other officer to whom such Writ of Capias shall be
Returne directed, shall make returne of the same Writ of
K. Bench Capias into the said Court of the Kings Bench, of all that he hath done in the execution thereof, and whether the partie named in the saide Writ haue yelded his body to prison, or not. And if vpon the returne of the said sherife, it shall appeare that the party or parties named in the said Writ of Capias, or any of them, haue not yéelded their bodies to the gaole and prison of the said sherife or other officer, according to the effect of the same Proclamation: that then euery such person that shall so make default, shall for euery such default forfeit to the Mu. Foyl.
highnes, her heires and successors, x.l. which shall likewise be extreated by the said Justices into the said court of Exchequer, in such maner and forme, Exchequr as fines and amerciaments there taxed and assessed are vsed to be. And thereupon the said Justices of Iust. of the K. Bench the K. Bench, shall also award forth one other writ of Capias against the person or persons that so shal be returned, to haue made default with such like Proclamation as was contained in the first Capi- Capias Paine of xx. pound as, and a paine of xx.l to be mentioned in the said second writ and proclamation. And the sherife or other officer to whom the said second writ of Capias shalbe so directed, shall serue and execute the same second Writ, in such like maner and forme, as before is expressed for the seruing and executing of the said first writ of Capias. And if the sherife or other Sherife Returne officer, shall returne vpon the said second Capias, that he hath made the proclamation, according to the tenor and effect of the same Writ, and that the party hath not yéelded his body to prison, according to the tenor of the said proclamation, that then the said partie that so shall make default, shall for such his contempt and default, forfeit to the Mu. Foyl.
highnes, her heires & successors, the summe of xx.l, which said summe of xx.l. the said Justices of the Iustices Extent K. Bench for the time being, shall likewise cause to be extreated into the said Court of Exchequer, in maner and forme aforesaid. And then the said Justices shall likewise award forth one other writ of Capias against the said party, with such like Proclamation and pain of forfeiture as was contained in the said second writ of Capias. And the sherife or Sherife other officer to whom the said third writ of Capias shall be so directed, shall serue and execute the said Extent third writ of Capias, in such like maner and forme, as before in this Act is expressed and declared for the seruing and executing of the said first and second writs of Capias. And if the sherife or other officer to whom the execution of the said third writ shall appertaine, do make returne of the said third Return writ of Capias, that the party vpon such proclamation hath not yéelded his body to prison, according to the tenor thereof, that then euery such party for euery such contempt and default shall likewise for- Foyl. feit to the M. maiesty, her heires & successors, other xx.l, which summe of xx.l. shall likewise be extrea- Extent ted into the said Court of Exchequer, in maner and forme aforesaid, and thereupon the said Justices the K. Bench shal likewise award forth one writ of Capias against the said party, with like proclama- Capias tion and like paine of forfeiture of xx.l. And that also the said Justices shal haue authority by this Act, infinitly to award such proces of Capias with such like proclamation & pain of forfeiture of xx.l, as is before limited against the said party ỳ so shal make default, in yéelding of his body to the prison of the sherife, vntill such time as by returne of some of the

said

said writs before the said Justices, it shal and may appeare that the said party hath yelded himselfe to the custody of the said sherife or other officer, according to the tenor of the said proclamation, and that the party vpon euery default and contempt by him made, against the Proclamation of any of the said writs so infinitely to be awarded against him, shall incurre like paine and forfeiture of xx. pounds, which shal likewise be extreated in maner and forme aforesaid. And be it further enacted by the authoritie aforesaid, that when any person or persons shall yeld his or their body or bodies to the hands of the sherife or other officer, vpon any of the said writs of Capias: that then the same party or parties that shall so yelde them, shall remaine in prison and custody of the said sherife or other officer, without baile, baston, or mainprise, in such like maner and forme to all intents and purposes, as hee or they should or ought to haue done, if he or they had beene apprehended and taken vpon the said writ of Excommunicato capiendo. And be it further enacted by the authority aforesaid, That if any sherife or other officer, by whom the said writ of Capias or any of them shalbe returned as is aforesaid, doe make an vntrue returne vpō any of the said writs, that the party named in the said Writ hath not yelded his body vpon the said Proclamations, or any of them, where indeede the party did yelde himselfe according to the effect of the same: That then euery such sherife, or other officer, for euery such false and vntrue returne, shall forfeit to the party greeued and damnified by the said returne, the summe of forty pounds. For the which summe of forty pounds the party greeued shall haue his recouery & due remedy by Action of debt, bill, plaint, or information in any of the Queenes Courts of Record: In which action, bill, plaint or information, noe essoine, protection or wager of Lawe shall be admitted or allowed for the party defendant: Saving and reseruing to all Archbishoppes and Bishoppes, and all other hauing authority to certifie any person excommunicated, like authority to accept and receiue the submission and satisfaction of the said person so excommunicated, in manner and forme heretofore vsed, and him to absolue and release, and the same to signifie as heretofore it hath beene accustomed to the Queenes Maiestie, her heires and successors into the high Court of Chancery, and thereupon to haue such writs for the deliuerance of the said person so absolued and released from the sherifes custody or prison, as heretofore they or any of them had, or of right, ought or might haue had: Any thing in this present Statute specified or contained to the contrary hereof in any wise notwithstanding. Prouided alwayes, That in Wales, the Counties Palantine of Lancaster, Chester, Durham and Ely, and in the Cinque Portes, being iurisdictions and places exempt where the Queens maiesties writ doth not runne, and processe of Capias from thence not returnable into the said Court of the Kings Bench, after any Significauit being of Record in the said Court of Chancery, the tenor of such Significauit by Mittimus shall be sent to such of the head officers of the said County of Wales, Counties Palantine and places exempt, within whose offices, charge or iurisdiction the offender shalbe resiant, that is to say, to the Chauncellor or Chamberlaine for the said County Palantine of Lancaster and Chester, and for the Cinque Ports, to the Lord Warden of the same, & for Wales and Ely, and the county palantine of Durham, to the chiefe Justice or Justices there. And thereupon euery of the said Justices and Officers to whom such tenor of Significauit with Mittimus shal be directed and deliuered, shall by vertue of this statute haue power and authority to make like processe to the inferior officer and officers, to whom the execution of Processe there doth appertaine, returnable before the Justices there at their next Sessions or Courts, two moneths at the least after the Teste of euery such processe. So alwayes, as in euery degree they shall proceed in their Session and Courts against the offenders, as the Justices of the said Court of the K. Bench are limited by the tenor of this Act, in terme times to doe and execute. Prouided also, and be it enacted, That any person at the time of any processe of Capias afore mentioned awarded, being in prison or out of this realme in parts beyond the Seas, or within age, or of non sanæ memoriæ, or women couert, shall not incurre any of the paines or forfeitures afore mentioned, which shall growe by any returne or default happening during such time of nonage, imprisonment, being beyond the Sea, or non sanæ memoriæ. And that by vertue of this Statute the party greeued may pleade euery such cause or matter in barre, of, and vpon the distresse or other Processe that shall be made for leuying any of the said paines or forfeitures. And then if the offender against whom any such writ of Excommunicato capiendo shal be awarded, shall not in the same writ of Excommunicato capiendo, haue a sufficient and lawfull addition, according to the forme of the estatute of 1. H. 5. in cases of certaine suites, whereupon processe of Exigent are to be awarded: Or if in the Significauit it be not contained, that the Excommunication doth proceede vpon some cause or contempt of some originall matter of heresie, or refusing to haue his or their child baptized, or to receiue the holy Communion as it is now commonly vsed to be receiued in the Church of England, or to come to diuine seruice now commonly vsed in the said Church of England, or error in matters of Religion or Doctrine now receiued and allowed in the said church of England, incontinencie, vsurie, symonie, periurie in the Ecclesiasticall court, or idolatrie: that then all and euery paines and forfeitures limited against such persons excommunicate by this Statute, by reason of such writ of Excommunicato capiendo wanting sufficient addition, or of such Sigiilificauit wanting all the causes afore mentioned, shalbe vtterly voyd in Lawe, and by way of plea to be allowed to the party greeued. And if the addition shall be with a Nuper of the place, then in euery such case at the awarding of the first Capias with Proclamation according to the forme afore mentioned, one writ of proclamation (without any paine expressed) shalbe awarded

Contempt — Yeeld — Imprison without baile, — Sheriffe — Sheriffe first, — Archbi. Bps Bishops — Submission — Absolue — Chancerie Writs — Fees — Capias

Chancellor Chamberlains — Warden of the v. Ports — Chiefe Justice — Officers — Returne — ii. Moneths — In prison beyond sea — Within age — Women Wadmen — Addition — Heresie — Communion — Notcomming to church — Errour in religion — Incontinency — Usury — Symonie — Periurie — Idolatry — Void

warded into the County where the offender shalbe most commonly resiant at the time of the awarding of the first Capias, with paine in the same writ of Proclamation to be returnable the day of the returne of the said first Capias, with paine and Proclamation thereupon at some one such time and court, as is prescribed for the Proclamation vpon the said first Capias with paine. And if such Proclamation be not made in the county where the offender shall be most commonly resiant, in such cases of additions of Nuper, that then such offender shall sustaine no paine or forfeiture by vertue of this estatute, for not yeelding his or their bodie according to the tenor afore mentioned: any thing before specified to the contrary hereof in any wise notwithstanding. Anno 5. El. cap. 23.

Proclamation.

Execution.

See Voucher 3. of Execution vpon Recouerie in value against the Vouchée.

2 Where debt is recouered or knowledged in the Kings Court, or damages awarded, it shall be from henceforth in the election of him that sueth for such debt or damages, to haue a writ of Fieri facias vnto the sherife, for to leuy the debt vpon the lands and chattels of the debtor, or that the sherife shal deliuer to him al the chattels of the debtor (sauing only his oxen and beasts of his plough) and the one halfe of his land vntill the debt be leuied vpon a reasonable price and extent. And if he be put out of the land, he shall recouer it againe by a Writ of nouel disseisin, and after that by a Writ of redisseisin if néede be. W. 2. cap. 18. Anno 13. Ed. 1.

Debt

Fieri facias

Nouel disseisin

Disseisin

3 Because that of such things as be recorded before the Chancellor and Iusticers of the King, that haue record, and be inrolled in their rolls, the processe of plea ought not to be made by summons, attachments, essoine, view of land, and other solemnities of the Court, as hath béene vsed to be done of contracts and couenants made out of the Court: frō henceforth it is to be obserued that those things, which are found inrolled before them that haue record, or contained in fines, whether they be contracts, couenants, obligations, seruices or customes, knowledged or whatsoeuer thing inrolled, whereunto the Kings Court (without offence of the lawe and custome) may giue authority, from henceforth they shall haue such force, that hereafter after it shall not be needfull to pleade for them. But when the plaintife commeth to the Kings Court, if the recognisance or fine leuied be lately done, that is to say, within the yéere, he shall forthwith haue a writ of Execution of the same recognisance made. And if the Recognisance were made, or the fine leuied of a further time passed, the sherife shalbe commanded, that hée giue knowledge to the party, of whom it is complained, that hée be afore the Iustices at a certaine day, to shew if he haue any thing to say, why such matters inrolled or contained in the fine, ought not to haue Execution: And if he do not come at the day, or peraduenture do come, and can nothing say, why Execution ought not to be done, the sherife shall be commaunded to cause the thing inrolled or contained in the fine to be executed: In like maner the Ordinary shall be sent vnto, in his case, obseruing nevertheles that which is before said (which see in Mesne 1.) of a mesne, which by recognition or iudgement is bound to acquite. West. 2. cap. 44. Anno 13. Ed. 1.

Sherife

4 See Recognisance 1. 2. 5. of Execution vpon Statute marchant.

5 Item, because that diuers people seised of diuers tenements, borrowing diuers goods in mony or in marchandizes of diuers people of the Realme, do giue their tenements and cattels to their friends by collusion, therof to haue the profits at their wil, and afterward to flie to the franchise of Westminster, of S. Martins le graund of London, or other such priuiledge places, & there doe liue a great time in hie countenance, of other mens goods, and of the profit of the said tenements and cattels, till the said creditors be inforced to take a small parcell of their debt, and release the remnant: It is ordained and assented, That if it may be found, that such gifts be so made by collusion, that the said creditors shall haue Execution of the said tenements and cattells, as if no such gift had béene made. Añ 50. E. 3. ca. 6. See the like Statute, Debt 5.

Collusion

Bankrupts Sanctuaries

6 See Staple 8. 32. of Execution vpon a Statute Staple.

7 See Pallages 4. of Execution against any of the Communalty, vpon a iudgement giuen against the Communalty.

8 See Vses, of Execution of debts vpon lands in vse.

9 See Recoueries 2. How they that haue lands in Execution may falsifie Recoueries.

10 Whereas before this time, diuers and sundry persons haue sued Executions, as well vpon iudgements for them giuen, of their debts or damages, as vpon such statute Marchant, statute of the Staple, or Recognisances, as haue bin to them before made, recognised, and acknowledged, and thereupon such lands, tenements, and other hereditaments, as were liable to the same Execution, haue been by reasonable extent to them deliuered in execution for the satisfaction of their said debts and damages according to the Lawes of this Realme: Neuertheless it hath béene oftentimes séene, that such lands, tenements, and hereditaments, so deliuered & had in execution, haue béene recouered or lawfully deuested, taken away, or euicted from the possession of the said Recouerers, Obligées, or Recognizées, their executors or assignes, before such time as they haue béene fully satisfied and payed of their said debts and damages, without any maner fraude, deceit, collusion, or other default in the said Recouerers, Obligées, or Recognisées, their executors or assignes, by reason whereof the said Recouerers, Obligées, and Recognisées, haue béene thereby left vtterly without remedy by any mixed Writ of the Kings, to recouer or come by any part or parcell of their said debts and damages, as fully behinde, and not by them leuied or receiued before such time as the said lands, tenements, and other hereditaments so by them had in execution, were recouered, lawfully deuested, taken or euicted, out of, and from their possessions, as is afore said, to

Land

Euicted

Writ of Entry sur disseisin

their

their great hurt and losse, and much seeming to be against equall iustice and good conscience: For reformation whereof, be it enacted by the authoritie of this present Parliament, that if hereafter any such lands, tenements, or hereditaments, as be or shall be had and deliuered to any person or persons in execution as is aforesaid, vpon any iust & lawfull title, matter, condition, or cause, wherewith all the said lands, tenements, or hereditaments, were liable, tied and bound, at such time as they were deliuered and taken into execution, shall happen to be recouered, lawfully deuested, taken, or reuiced, out of, and from the possession of any such person and persons as now haue and hold, or hereafter shall haue and hold the same in execution as is aforesaid, without any fraud, deceit, couin, collusion, or other default of the said tenant or tenants by execution, before such time as the said tenants by execution, their executors or assignes shall haue fully and wholy leuied or receiued the said whole debt and damages for the which the said lands, tenements, and other hereditaments were deliuered and taken in execution as is aforesaid: then euerie such recouerer, obligee, & recognisee, shall and may haue and pursue a Writ of Scire facias, out of the same court from whence the said former writ of execution did proceed against such person or persons, as the said writ of execution was first pursued, their heires, executors or assignes, of such lands, tenements, or hereditaments, as were or beene then liable or charged with the said execution returnable into the same Court at a certaine day being full forty dayes after the date of the same writ, at which day if the defendant, being lawfully warned, make default, or appeare and doe not shew and pleade a sufficient matter or cause, other then the acceptance of the said lands, tenements, and hereditaments by the said former writ of execution, to barre, auoide or discharge the said suite for the residue of the said debt and damages, remaining vnleuied or vnreceiued by the said former execution: then the Lord Chancellor, or other such Iustice or Iustices, before whom such writ of Scire facias shall be returnable, shall make effsones a new writ or writs out of the said former Record of Iudgement, Statute marchant, Statute Staple, or Recognisaunce, of like nature and effect, as the said former Writ of Execution was, for the leuying of the residue of all such debt and damage, as then shall appeare to be vnleuied, vnsatisfied, or vnpaied of the whole summe or summes in the said former Writ of Execution contained: any law, custome, or other thing to the contrary hereof, heretofore vsed, in any wise notwithstanding. Anno 32. H. 8. cap. 5.

11 See Courts Anno 33. H. 8. cap. 39. of Execution for the Kings debts, and that the King shall haue execution before other, and what lands be liable to that execution.

12 Forasmuch as heretofore doubt hath beene made, if any person being arrested in Execution, and by Priuiledge of either of the houses of Parliment set at libertie, whether the partie at whose suite such Execution was pursued, bee for euer after barred and disabled to sue forth a new Writ of Execution in that case: For the auoyding of all further doubt and trouble, which in like cases may hereafter ensue, Be it enacted &c. That from henceforth the party, at, or by whose suits such Writ of Execution was pursued, his executours or administratours, after such time as the Priuiledge of that Session of Parliament, in which such Priuiledge shall be so graunted shall cease, may sue forth and execute a new Writ or Writs of execution, in such manner and forme, as by the law of this Realme hee or they might haue done, if no such former execution had beene taken forth or serued. And that from henceforth no Sherife, Baylife, or Officer, from whose Arrest or Custodie, any such person so arrested in execution, shall be deliuered by any such Priuiledge, shall be charged or chargeable, with, or by any Action whatsoeuer, for deliuering out of Execution any such priuiledged person, so, as is aforesaid, by such Priuiledge of Parliament set at libertie: Any lawe, custome, or priuiledge heretofore to the contrary notwithstanding. Prouided allwayes, That this Act, or anie thing therein contained, shall not extend to the diminishing of any punishment, to be hereafter by Censure in Parliament inflicted vpon any person, which hereafter shall make, or procure to be made any such arrest, as is aforesaid. Anno 1. Iacobi cap. 13.

New execution

Sherife Baylife &c.

Discharged

13 Be it enacted &c. That from or after the end of this present Session of Parliament, no Execution shalbe staied, or delayed, vpon, or by any writ of Erro, or Supersedeas thereupon to be sued, for the reuersing of any Iudgement giuen, or to be giuen in any Action, or Bill of debt, vpon anie single Bond for debt, or vpon anie Obligation, with condition for the payment of money onely, or vpon any Action or Bill of debt for Rent, or vpon anie Contract sued in anie of his Highnesse Courts of Record at Westminster, or in the counties Palantine of Chester, Lancaster, or Durham, or in his Highnesse Courts of great Sessions in any the twelue Shires of Wales: vnlesse such person or persons in whose name, or names, such writ of Erro shall be brought, with two sufficient sureties, such as the Court wherein such Iudgement is or shall be giuen, shall allow of, shall first before such stay made, or Supersedeas to bee awarded, bee bound vnto the partie for whom any such Iudgement is or shall be giuen, by Recognizance to be acknowledged in the same Court, in double the summe adiudged to be recouered by the sayd former Iudgement, to prosecute the sayd Writ of Erro with effect; And also to satisfie and pay (if the sayd Iudgement be affirmed) all and singular the debts, damages, and costes, adiudged, or to be adiudged, vpon the former Iudgement; And all costes and damages to be also awarded for the same delaying of execution. This Act to haue continuance to the end of the first Session of the next Parliament. Ann 3. Iac. cap. 8.

Erro Supersedeas

Bound

Prosecute with effect

Debt Damages Costs

Execution of Statutes.

Maintenance Liueries

Embraceries Shiriffes Panels Riots

Murders Robberies Periuries

Chancellor Treasorer L Keeper Bishop Priuie seale

Chiefe Iustice

Writ

Chancellor Treasorer

Keeper of the priuy Seale Bishop Chiefe Iustice

Information

Misbehauior

Writ of priuy seale

Examine Punish

THe King our Soueraigne Lord remembreth, how by vnlawfull maintenances, giuing of liueries, signes and tokens, and retainders by Indentures, promises, oathes, writings, or otherwise, imbraceries of his subiects, vntrue demeaning of Shiriffes in making panels, & other vntrue returnes, by taking of money by Iuries, by great riots, and vnlawfull assemblies, the policie and good rule of this Realme is almost subdued, and for the non punishing of these inconueniences, and by occasion of the premisses, nothing or little may be found by inquirie, whereby the Lawes of the Land in execution may take little effect, to the increase of Murders, Robberies, Periuries, and Unsureties of all men liuing, and losses of their lands and goodes, to the great displeasure of Almightie God. Therefore it is ordained for the reformation of the premisses, by authority of the said Parliament, that the Chauncellor and Treasorer of England, for the time being, and Keeper of the Kings priuie Seale, or two of them, calling to them a Bishoppe and a temporall Lord of the Kings most honourable Councell, and the two chiefe Iustices of the K. Bench and common Place, for the time being, or other two Iustices in their absence, vpon bil or information put to the said Chancellor for the King, or any other, against any person for any misbehauing afore rehearsed, haue authoritie to call before them by Writ, or by priuie Seale, the said misdoers, and them and others by their discretions, by whom the trueth may be knowne to examine, and such as they finde therein defectiue, to punish them after their demerites, after the forme and effect of Statutes thereof made, in like manner and forme as they should and ought to be punished if they were thereof conuict, after the due order of the Lawe. Anno 3. H. 7. capit. 1. See this next Act.

2 The Chauncellor, Treasorer of England, and the President of the Kings most honourable Councell, attending vpon his most honourable person, for the time being, and Keeper of the kings Priuie Seale, or two of them, calling vnto them one Bishop and one temporall Lord of the Kings most honourable Councell, and the two chiefe Iustices of the Kings Bench and the common Place, for the time being, or other two of the Kings Iustices in their absence, vpon any bill or information hereafter to be put in, the Chancellor of England, Treasorer, President of the Kings said most honourable Councell, or Keeper of the Kings priuie Seale, for the time being, for anie misbehauing before rehearsed, (S. in Anno 3. H. 7. cap. 1. before 1.) from henceforth shall haue full power and authoritie to call before them by Writ of Priuie Seals, such misdoers, and them and other by their discretion, by whom the trueth may bee knowne to examine. And such as they shall finde defectiue, to punish them after their demerites, after the forme and effect of the said former statute, and of all other Statutes hereof tofore made, and not repealed and expired, in like maner and forme, as they should and ought to be punished, if they were thereof conuicted after the due order of the L. Lawes. Anno 21. H. 8. cap. 20.

3 All and singuler the Iustices of Peace within any Shire, City, Borough, or place within this realme of England, Wales, or any other the kings Dominions, shall yearely at the generall Sessions of the Peace to be holden next after the Feast of Easter, assemble themselues together: that is to say, euerie number of them within the limits of their Commissions, wherein they be named Iustices of peace, and at and vpon such their assembly, shall diligently together and amongst themselues, peruse, examine, study, and know the effects and true intents of the lawes, statutes, ordinances and prouisions hereafter specified: that is to say, the Lawes and Statutes heretofore made and prouided, concerning, or in any wise touching vagabonds, reteinors, giuing liueries, signes, tokens, or badges, maintenance, imbraceries, bowstaues and archerie, vnlawfull games, forestallers and regrators, vitaile, vitailers and Inholders, and euery of them, and all Statutes and Lawes made in this present parliament, touching the same, or any of them, and after the perusing and deliberate vnderstanding of the said Lawes, Statutes and Ordinances, they shall deuise among themselues, how the same may be best put in due and iust execution. And for the better proceeding therein, they shall diuide and seuer themselues limiting and assigning alwayes the number of two of them at the least, or more, into the Hundreds, Wapentakes, Rapes, Commotes, or number of Townes and Villages by their discretions. And that the said Iustices so diuided, or two of them at the least, shall in euerie quarter of the yeare, from and after the said feast of Easter next comming, hold and keepe within the limits of their diuision, one Sessions besides the generall quarter Sessions for the Peace, the said one Sessions to be kept and holden alwayes within the limits of their diuision, at, and in one such day, as by them shall be appointed, so that it be alwayes sixe weekes at the least before the Quarter Sessions. And that all processe and proceedings in euery of the said Sessions so to be holden, shall be continued from Sessions to Sessions. And that the said Iustices, or two of them at the least, at, and in euery such Sessions, shall haue power and authority to inquire, aswell by the oaths of twelue men, inhabitants within the limits of their diuision, as by any information giuen to them by anie person or persons, of all defaults, offences or contempts, done or committed, or hereafter to be done or committed against the forme of any of the Statutes aforesaid, and to heare and determine the same, and shall also haue power and authority vpon any presentment or information, touching the premisses, or any of them, to make processe by Venire facias, one Capias, and an Exigent, vnder the Seale of the same Iustices or two of them, against euery such person or persons, against whom anie such information or presentment shall be had, for their apparance afore them in their Sessions to be holden

holden, as is aforesaid, to answere to such information or presentment, as shall be there had or made. And if the person or persons accused by information or presentment, shalbe conuicted vpon any such information or presentment, by confession or verdict of twelue men: that then the said Justices of Peace, or two of them, afore whom such conuiction shall be had, shall haue full power and authoritie to giue iudgement against euery such offendor or offendors so conuict, of such paines by imprisonmẽt, or such paines, losses, and forfeitures of money, or both, or any of them, as are limited in the said seuerall Statutes for such offences, whereof they shall be so conuict, & cause execution thereof to be made and had accordingly. And also the said Justices of Peace, or two of them, at and in their said Sessions so to be holden, as is aforesaid, shall haue power & authoritie to correct and reforme the panels of Juries for any inquiries to be made afore them, touching the said Statutes, or any of them, in like maner & forme, as Justices of Gaole deliuerie and of Peace may do in their Sessions, by vertue of a Statute thereof made in the third yeere of King Henry the eight (s. cap. 12. which is in Panel 4.) And that the Shirife & other ministers hauing power to returne panels, shall make his & their returnes according to such reformation and correction of the Justices aforesaid, vpon the paine limited by the same Statute. And it is &c. That if any person or persons be conuicted, as is aforesaid, by any information afore the said Justices, or two of them, within ỹ limits of their diuision: that then the moitie of the paines, losses, & forfeitures of money of the offendors so conuict, shal be to the Kings Maiesties vse, and the other moitie thereof to the partie that purseueth such information, according to the tenor and effect of the said seuerall Statutes. And if any conuiction be had by reason, or vpon any presentment: that then the Kings Maiestie shall haue the whole paines, fines, & forfeitures of the offendors: all which paines, fines, losses, & forfeitures of mony to be due to the King by reason of any conuiction, as is aforesaid, together with all issues, fines, & amerciaments afore the said Justices, within the limits of their diuision, shal be leuied by the shirife or his ministers, by a scedule indented, to be made between such Justices, or two of them (afore whom such paines, losses, & forfeitures, fines, issues or amerciaments shal be lost & forfeit) and the said Shirife: The one part of the which scedule shalbe certified by the said Justices, or two of them, yearely in the Terme of S. Michael into the Exchequer, to the intent that the Shirife shall there answere the same to the Kings vse. Prouided alwaies, and be it &c. That euery of the said Justices of Peace shall haue for holding of euery of the said Sessions, as is aforesaid, iiij. s. for their costs, and the Clerke of the Sessions by them to be appointed for the making and writing of the Proces & Extracts of the Sessions, for euery Sessions ij. s. to be payed by the hands of the Shirife of the Kings part and portion of the paines, losses, and forfeitures, and of the issues, fines, & amerciaments aforesaid. Prouided alwayes, that Iust. of Peace in Cities, Boroughes, and Townes corporate, not being Shires or Counties of themselues, shall assemble once in the yere with the Justices of Peace of the Shire where such Cities, Boroughes, or Townes corporate be, and shall be limited to execute this Act within the Citie, Borough, or Towne corporate, where they shall be Justices of Peace, and not elsewhere. Prouided also, that no information or presentment shall be had or taken by the said Justices of Peace so diuided by authoritie of this Act, but for such offẽces, defaults or contempts as bẽne or shall be done, within the limits of their diuision. And be it &c. That the sayd Justices of Peace thus diuided, or two of them within the limits of their diuision, shal haue full power and authoritie to examine, inquire, heare and determine, by information and tryall, as aforesaid, all defaults and contempts, which after the Feast of the Natiuitie of our Lord next comming, shall bee done or committed by any seruants, commonly called Yeomen or Grownes, Husbandmen, Labourers, & Artificers, or any of them, against the tenour, forme and effect of the Statutes and Lawes made for excessiue apparrell, and to correct and punish the offendors therein, being thereof conuict afore them, as is aforesaid, according to such paines, forfeitures and punishments, as are limited by the said Lawes and Statutes of apparrell to be leuied, payed and certified, as is aforesaid. And it is &c. That as well the Justices of Assises, as the Justices of Chester, and the Kings Justices of North Wales & South Wales, in all and singular their circuits, shal haue full authoritie and power, by the force of this present Act, to inquire as well by information, as by presentment before thẽ, of the defaults, contempts, omission, negligences, fauours, affections, corruptions, and other things whatsoeuer they shall be, of all and singular the sayd Justices of Peace, which shall not diligently, truly and duly see, put, and cause the sayd good Lawes and Statutes, Ordinances and Prouisions to be put in vre, exercise, and perfect execution, according to the effects, as well of the sayd Statutes heretofore made, as of this present Act, and to heare, examine, and determine the same, as is aforesaid, and to assesse such fines vpon the sayd Justices of Peace, and vpon euery of them, being conuict of any defaults, negligences and offences, as is aforesaid, as to their discretion shall be thought expedient for the qualitie and quantitie of their offences. And be it &c. That all Shirifes, Bailifes, Constables, Headboroughs, and all and singular other officers and ministers whatsoeuer, as well within liberties as without, shall be attendant, ayding, and assisting, to all & singular the sayd Justices of Peace, in and for the due execution of this Act, vpon paine to make all such fines, as by the sayd Justices of Peace, or two of them shall be assessed to the Kings vse by their discretions. Prouided alway, that this Statute shall not bind any Justices of Peace, or Quorum, to assemble or execute any thing in this Act, in any other Shire, Citie, Borough, or Place, then in such Shire, Citie, Borough, or place where he shalbe resident & dwelling, at the time when such assembly shall be made by vertue of this Act. Prouided also,

Information

Offences

Iust. of P.

Oier & ter.

Husbandmẽ Labourers Artificers

Apparrell

Iust. of Ass.

Enquire

The faults of Iust. of P. to be inquired of

Oyer & ter.

Fines Iust. of P.

Sheriffes Bailifes Constables

Iust. of P. Iust of Q. Assemble

Lords

Priuie Councell Officer of the Kings house

that such Lords and other, which being Justices of Peace or Quorum, be or shall be of the Kings Priuie Counsell, attendant vpon his royall person, or any principall officer of his Highnesse house, attendant vpon his office, and other which shall happen to be occupied in his Highnesse seruice by his Maiesties commaundement, shall not be compelled to

Just. of P. not bound to assemble with the rest of the Just.

assemble with the Justices of Peace, or Quorum, in any Shire, City, or Borough, or otherwise bounden to doe or exercise by authoritie of this Act, then they be bounden to do after the making of this Act, any thing or things contained in this Act to the contrarie notwithstanding. Prouided also, that the

Just. of both Benches Barons of the Exchequ. K. Attorny Solicitor

Justices of either Bench, Barons of the Kings Exchequer, the Kings Attorney and Solicitor, and all other Justices, Officers and Ministers, being bounden to attend at the Termes, shall not during their attendance be compelled to hold or keepe any Sessions in the limits diuided to them vpon the assemblies of the Justices of Peace, as is aforesaid. And to the intent that the said Justices, Barons, and all other officers & ministers aforesaid, may the better be once in the yeare at euery assembly aforesaid, it is &c. That the

Quarter Sessions

Quarter Sessions holden after Easter, shalbe yerely kept vpon the Tuesday next after Low Sunday, in euery Shire of this Realme, Wales, and other the Kings dominions. Prouided alwayes, That this Act, or any thing therein contained, shall not in any wise extend to

Countie Palantine

the countie Palantine of Yerham within ỹ countie of Northumberland, ne to ỹ countie Palantine of Ely within the county of Cambridge, nor to any towne corporate or libertie within either of the said counties Palantines, hauing Justices of Peace,

Retturne of Writs

for or concerning the extracting, returning, certifying, or leuying of any issues, fines, forfeitures, amerciaments, or penalties to be assessed or tared vpõ any person or persons in any Sessions to be holden within the said counties Palantines, or either of them. or within any towne corporate, situate & being within either of the said counties Palantines, but that the same issues, fines, forfeitures, amerciaments, & penalties, & euery of them may be assessed,

Amerciaments

tared, extracted, returned, certified, and leuied from time to time hereafter, in such manner & forme, to all intents & purposes, as they & euery of them haue bene vsed to be assessed, tared, extracted, returned, certified, & leuied. at any time before the making of this Act, or should be assessed, tared, extracted, returned, certified, & leuied, if the said Act had neuer been had or made: this Act or any thing therein contained to the contrarie notwithstanding. Prouided

Just. of P.

alway, and be it &c. That Justices of the Peace within any Shire of this Realme of England and Wales shall not be compelled by vertue of this Act to assemble themselues for the execution of this Act for this present yeare, before the next generall Assises to be holden within euery such Countie, before the feast of S. Michael the Archangell next comming: but that they & euery of them shall be compelled, vpon like paine mentioned in this Act, to assemble themselues at the said generall Assises for the execution of the same for this present yeare onely, according to the purport, tenor, and true meaning of this Act: any thing in this Act to the contrarie notwithstanding. Prouided alway, that this Act, or any thing therein cõtained, shall not in any wise extend or be preiudiciall or hurtfull to the Countie Palantine and Duchie of Lancaster, or any towne corporate within the same Countie Palantine and Duchie, hauing Justices of Peace, for or concerning ỹ extracting, returning, certifying, or leuying of any issues, fines, forfeitures, amerciaments, or penalties, to be tared or assessed vpon any person or persons, in any Sessions to be holden within the said Countie Palantine & Duchie of Lancaster, or townes corporate, parcell of the same Duchie, by vertue of this Act: but that ỹ same issues, fines, forfeitures, amerciaments, & penalties, shall and may be extracted, returned, certified, or leuied from time to time, in such manner & forme, to all intents and purposes, as they haue vsed to be extracted, returned, certified, & leuied, at any time before ỹ making of this Act: this Act or any thing therein contained to the contrarie notwithstanding. Prouided alway, and be it &c. That the Justices of Peace in euery of the Shires in South Wales and North Wales, and Countie Palantine of Chester, according to their limitation, shall & may certifie all the Estreats by them to be made in manner & forme, as is aforesaid, to & afore such Chamberlein or Chamberleines, Chauncelor or Chauncelors, Auditor or Auditors, in such place or places, as by the K. Maiestie is or hereafter shall be appointed or assigned, for hearing & determining of the Shiriffes accounts in euery of the said Shires of Wales, or Countie Palantine aforesaid: any thing in this Act mentioned to the contrarie notwithstanding. Prouided alway, that this Act, or any thing therein contained, shall not in any wise extend to the Countie Palantine & Countie of Durham, or to any towne corporat within the same Countie Palantine or Countie, hauing Justices of Peace for & concerning the extracting, returning, certifying, or leuying of any issues, fines, forfeitures, amerciaments, or penalties to be assessed or tared vpon any person or persons, in any Sessions to be holdē within the said Countie Palantine or Countie of Durham, or within any towne corporat, situate and being within either of the said Countie Palantine or Countie, but that the same issues, fines, forfeitures amerciaments, or penalties, and euery of them may be assessed, tared, extracted, returned, certified, and leuied from time to time hereafter, in such manner and forme, to all intents and purposes, as they and euery of them haue bene vsed to be assessed, tared, extracted, returned, certified, and leuied at any time before the making of this Act, or should be assessed, tared, extracted, returned, certified, and leuied, if this said Act had neuer bene had ne made: this Act, or any thing therein contained to the contrarie notwithstanding. Prouided alwaies, & be it enacted, That this Act, or any thing therein contained, shall not extend to the Barons, or inhabitants, of, or within the Cinque Ports, or their members, or to any of them, to compell or constraine them or any of them to assemble themselues with any the Justices of the Peace, out of their said ports or members,

and

and the liberties of the same, or for or concerning the executing of iuries, issues, forfeitures, and amerciaments, to be set, lost, or assessed by vertue of this Act, within the liberties aforesaid, but that they and euery of them shal & may assemble themselues together at such place and places within their liberties for the executing of this Act, as to them shall be thought most conuenient, and to diuide themselues after such fashion as they shall thinke best and most requisite for the executing of this Statute in this Act mentioned, and may and shall take such fines, issues, forfeitures, and amerciaments, and euery of them, as shall be set, lost, and assessed by vertue of this Act, in such manner and forme, and to such vses, purposes, and intents, as they or any of them lawfully should, might or ought to haue had, before the making of this Act this Act or any thing therein contained to the contrarie notwithstanding. Prouided alway, that this Act, or any thing therein contained, be not at any time hereafter in any wise preiudiciall or hurtfull to any person or persons, bodies politicke or corporate, to their heires or successors, or to the heires or successors of any of them, for or concerning any their lawfull rights, titles, interests or clayme of, in, or to any manner of issues, fines, amerciaments, penalties, or other forfeitures in any wise to be assessed, lost, or forfeited before any Iustices of Peace at their Sessions hereafter to be holden or kept in any Shire, Cities, Borough, or Towne corporat within this Realme of England, by vertue or authoritie of this Act, but that euery such person or persons, bodies politicke and corporate, their heires and successors, and the heires and successors of euery of them, & their lawfull deputies in such behalfe, shall and may at all times hereafter assesse, tare, extract, returne, leuie, clayme, haue & enioy all manner such issues, fines, amerciaments, forfeitures, and other penalties, and euery of them, to all such vses & purposes, and in like manner and forme in euery behalfe, as they or any of them haue lawfully vsed to doe, and haue or might haue done and had, at any time before the making of this present Act, by vertue of any Grant to them or any of them heretofore made or graunted, or otherwise by vertue of any custome or lawfull vsage thereof heretofore vsed, in euery behalfe: this Act, or any thing therein contained to the contrarie notwithstanding. This Act to continue to the later end of the next Parliament. Ann 33. H.8. cap.10. But see (here following 4.) how this Statute is repealed.

☞ 4 Forasmuch as the Kings subiects be much incumbred & charged by comming to the six weekes Sessions, appointed by the Statute 33. H.8. ca.10 (before 4.) Be it &c. That the said former Act made in the said 33. yere of the Kings Maiesties raigne, and all Ordinances, Articles, Prouisions, and things therein contained, shall be from henceforth repealed, annulled, and vtterly void, and of none effect, to all intents, constructions and purposes. And that all and euery article therein contained, shall be by vertue hereof inquired of before all Iustices of Peace, at their auncient Quarter Sessions. And that the same Iustices of Peace at their said Quarter Sessions, shall haue like power and authoritie, by vertue hereof, to punish and reforme all and euery such offence and offences, in like manner and forme, as they might haue done by vertue of the said former Act made in the said xxxiij. yeare of the Kings raigne. Anno 37. H.8. cap.7.

Quarter Sessions

Executors.

EXecutors from henceforth shall haue a Writ of Account, and like Action & Proces in the same Writ, as their testator had and should haue, if he had liued. West.2. cap.23. Ann 13. Ed.1.

Writ of Account

2 Ann 1. Ed.3. cap.1. Actions were giuen to the executors of them that were in the Kings quarrell, in the pursuit against his father.

3 Whereas in times past executors haue not had Actions for a Trespas done to their testators, as of the goods and cattels of the same testators carried away in their life, and so such trespasses haue hitherto remained vnpunished, it is enacted, That executors in such cases shall haue action against the trespassers, and recouer their damages, in like maner as they whose executors they be, should haue had, if they were in life. Ann 4. Ed.3. cap.7.

Action of Trespas

4 In a Writ of Debt brought against diuers executors, the same executors, nor any of them, shall haue but one Essoine before apparance: that is to say, at the Summons or Attachment, nor after apparance they shall haue but one Essoine, as the testator should haue had, so that executors shall not essoyn by Essoine, neither before apparance nor after. And because that all the executors doe represent the person of their testator as one person, it is also enacted, That though the Shirife doe answer at the Summons, that any of the haue nought wherewith he may be summoned, yet there shall be an Attachment awarded vpō him. And if the Shirife answere, that he hath nought whereby he may be attached, the great Distresse shall be awarded, so that at the great Distresse returned vpon them, he or they that doe first appeare in the Court, shall answere to the plaintife. And though some of them haue appeared in the Court, & make default at the day that the great Distresse is returned vpon the other: yet neuertheless, he or they shall be put to answere, that first appeared at the great Distresse returned. And in case the iudgemēt passe for ỹ plaintife, he shall haue his iudgement & execution against them that haue pleaded according to the Law heretofore vsed, & against all the other named in ỹ writ of the goods of the testator, as well as if they had all pleaded. And it is to be vnderstood, that if any in such case will sue after the Law, that hath bin vsed heretofore, he may freely doe it, notwithstanding this Statute. Ann 9. E.3. cap.3. Stat.1.

Essoine

Sheriff

Attachment

Distresse

Goods

5 Executors of Executors shall haue actions of the debts, accounts, and goods of the first testators carried away, & executions of Statutes marchants and Recognisances made in Court of Record to the first testator, in the same manner as the first testator should haue, if he were in life, as well of actions of the time past, as of the time to come,

Action of debt Accoune

Iudgement in all cases where iudgement is not yet giuen before such executors of executors: But the iudgements giuen to the contrarie in times past shall stand in their force. And that the same executors of executors shall answere to other of as much as they haue recouered of the goods of the first testator, as the first executors should do, if they were in full life. Anñ 25. Ed. 3. cap. 5. Stat. 5.

6 Because that the seruants of Lords and other persons of good degree, do straight after their deaths riotously & violently spoyle and part their Masters goods, Be it &c. That after information made to the Chancelor of England for the time being, by the executors of any such Lords or person, or two of them, of such riot, taking, and spoyling, made, or hereafter to be made, by the household seruants of their or his said testator after his death, the same Chancelor, by the aduice of the chiefe Iustices of the Kings Bench, and of the common Bench, and chiefe Baron of the Exchequer for the time being, or two of them, shall haue power to make so many and such Writs to be directed to such Shirifes by their discretion, as to the in this behalfe shall seeme necessarie, to make open proclamation two market dayes within eleuen dayes next after the deliuerie of the same Writs, in such Cities, Boroughes, Townes, or places, as to the same Chancelor, by the aduice aforesaid shall seeme reasonable: that the said offendors shall appeare before the same our soueraigne Lord the King & his heires, in his Bench, at such a day, as by the said Writ to him shall be limitted: So that the said last proclamation be made by fiftiene dayes before the same day of apparance. And if any such Writ be returned at the day contained in the said Writ, and the Writ be executed, that Proclamation is thereupon made, according to the same Ordinance. And then if the said person or persons, which should appeare by the reason of the said Proclamation, make default at the day specified in the said Writ, and doe not appeare, then he or they so making default, shall be attainted of felonie. And if any such person or persons do appeare at the said day, then the Iustices of the said Kings Bench shall haue power and authoritie by the said Ordinance to commit such person or persons so appearing to prison, there to abide, after their discretion, till the sayd offendors doe answere to the sayd executors in such actions, which the sayd executors will declare against them, or any of them, by Bill or by Writ, for the riot, taking and spoyling aforesaid, and that the same actions be determined: So that the same action be pursued with effect, and not slackly, to the intent to keepe ỹ same person or persons in prison. And if such person or persons be inlarged out of prison by the said Iustices, that then the same person or persons shall find sufficient persons to be bounden with them to ỹ said executors, by way of Recognisance in the said Bench, by discretion of the Iustices, to keepe such dayes as he or they shall haue by the same Court. And if the keepers of the prison whereto ỹ said person or persons be committed, doe let them goe at large out of the prison, of his owne authoritie, without the consideration and order of the said Iustices, then the said keeper shall forfeit and lose xl. l. to the said executors: And that no Protection be allowed in any action to be taken vpon the said Ordinance. Anno 33. H. 6. cap. 1.

Chancelor
Spoyle
Seruants
Chief Iust.
Writs
Shirife
Proclamation
Return
Default
Felony
Appeare
Imprison
Riot
Sureties
Recognisance
Gaoler
Go at large

7 Where diuers hauing others seised to their vses, haue willed their lands to be sold by their executors for diuers good purposes, And after some of the executors haue refused to meddle, whereby the sale by the rest hath beene doubtfull in Law: Be it &c. That where part of the executors named in any such Testament of any such person so making or declaring any such Will, of any lands, tenements, or other hereditaments, to be sold by his executors, after the death of any such testator, do refuse to take vpon him or them the administration and charge of the same Testament & last Will, wherein they be so named to be executors, and the residue of the same executors doe accept and take vpon the the cure and charge of the same Testament and last Will, that then all bargaines and sales of such lands, tenements, and other hereditaments, so willed to be sold by the executors of any such testator, as well heretofore made, as hereafter to be made by him or them, onely of the said executors that so doth accept, or that heretofore hath accepted & taken vpon him or them any such cure or administration of any such Will and Testament, shall be as good and as effectuall in the Law, as if all the residue of the same executors named in the said Testament, so refusing the administration of the same Testament, had ioyned with him or them in the making of the bargaine and sale of such lands, tenements, or other hereditaments, so willed to be sold by the executors of any such testator, which heretofore hath made or declared, or that hereafter shall make or declare any such Will, of any such lands, tenements, or other hereditaments, after his decease to be sold by his executors. Prouided alwayes, That this Act shall not extend to giue power or authoritie to any executor or executors at any time hereafter to bargain or put to sale any lands, tenements, or hereditaments, by vertue & authoritie of any Will or Testament heretofore made, otherwise then they might doe by the course of the common Law, afore the making of this Act. Anñ 21. H. 8. cap. 4.

Lands
Refuse
Bargaines Sales

8 See Rents 2. how executors or administrators shall recouer rent seruices, due in time of their testators.

9 Forasmuch as it is often put in vre, to the defrauding of creditors, that such persons as are to haue the administration of the goods of others dying intestate, committed vnto them, if they require it, will not accept the same, but suffer or procure the administration to be granted to some stranger of meane estate, and not of kinne to the intestate, from whom themselues, or others by their means, do take Deeds of Gifts, and authorities by Letter of Atturney, whereby they obtaine the state of the intestate into their hands, and yet stand not subiect to pay any debts owing by the same intestate, and so to the creditors for lacke of knowledge of the place of habitation of the administrator cannot arrest him, nor sue him, and if they fortune to finde him out, yet for lacke of abilitie in him to satisfie of his owne

Administrator
Fraud

owne goods, the value of that he hath conueyed away of the Intestates goods, or released of his debts, by way of waiting, the creditors cannot haue or recouer their iust and due debts: Be it enacted by authoritie of this present Parliament, That euerie person and persons, that hereafter shall obtaine, receiue, or haue any goods or debts of any person dying intestate, or a release, or other discharge of any debt or dutie that belonged to the intestate vpon any fraud, as is aforesaid, or without such valuable consideration, as shall amount to the value of the same goods and debts, or nere thereabouts, except it be in or towards satisfaction of some iust and principall debt, of the value of the same goods & debts to him owing by the intestate at the time of his decease, shalbe charged & chargeable, as executor of his owne wrong, and so farre onely as all such goods & debts comming to his hands, or whereof he is released or discharged by such administrator, will satisfie, deducting neuertheless to & for himselfe allowance of all iust, due, & principall debt vpō good consideration without fraud, owing to him by the intestate at ỳ time of his decease, and of all other payments made by him, which lawfull executors or administrators may & ought to haue & pay by the lawes & statutes of this Realm. Añ 43. Eliz. cap. 8.

Exemption.

SEe Yorke 1. Of Letters Patents to citizens of Yorke, to be exempt from Offices there, to be void.

2 Añ 4. H. 7. cap. 5. it was enacted, That all Letters Patents made to Abbots and Rulers of spirituall places, to be quit of, and discharged of payment of Disines, and of the gathering of them, be void.

3 The King remembreth how as well his Highnesse, as diuers his progenitors and predecessors, Kings of England, haue made & graunted, as well vpon fained suggestions, as otherwise, to diuers Abbots, Priors, Gardians, Kepers, Masters, and Rulers, or Soueraignes of spirituall places, and to their successors, diuers & many Graunts, & Letters Patēts, that they & their successors, & their tenants & seruants, reliants vpon their lands & tenements: And also all lands & tenements, goods & cattels of them & their said tenants & seruants whatsoeuer, reliant vpon their said lands & tenements, shall be quit & discharged of all quinzisines, disines, & other quotis, tares & tallage, by the Communaltie of this his Realme, in any wise granted or to be granted: by colour of which Grants & Letters Patents the grauntées aforesaid now in late dayes haue asked & yet aske deductions and allowances at euery quinzisme and disme graunted vnto the King, of much greater & more excessiue summes of mony thē hath bene allowed or deducted vnto them, by reason of their said Grants times passed: where through euery quinzisme & disme to the King before this time granted, & hereafter to be granted, is, & of likelyhood shalbe greatly minished & lessed, and the poore common people of this Realme so much the more grieuously assessed and charged to the same quinzismes and dismes: Remembreth, that the bearing & imploying thereof must as well be to the releise of thē and their said tenants, farmers & seruants that haue such Grants & Letters Patents, as to other of his subiects: Hath therefore by the assent and aduice of the Lords spirituall &c. That the said Abbots, Priors, Gardians, Kepers, Masters, Rulers, or Soueraignes of spirituall places, nor none of them, nor none other whatsoeuer, hauing such Letters or Grants, haue from henceforth, by reason of the said Letters Patents & Grants, any allowance, deduction or acquitals of any more or greater summes of money, at any such quinzisme & disme graunted, or hereafter to be granted, except onely of such and as much summes of mony as hath bēn deducted and allowed to and for them, or any of them, by reason or force of the said Graunts and Letters Patents, in time of King Edward the 4. at such quinzisme & disme to him graunted & payed: the said Graunts and Letters Patents, or any Act, Statute, or Ordinance before this time in any wise made or ordained notwithstanding. Prouided alway, that this Act or Ordinance extend not, nor in any wise be preiudicial or hurtful to any our Grant or Grants, or Letters Patents, bearing date ỳ xij. day of December, in the first yeare of our raigne, made vnto the Baylifes, Burgesses, men, Communaltie, & inhabitants of the Towne of Salop, called otherwise the Towne of Shrewsburie, but ỳ our said Grant and Grants and Letters Patents, and euery thing therein contained, be & stand good & effectuall, after the tenor & purport of the same: The said Act and Ordinance, or any thing therein contained notwithstanding. Añ 7. H. 7. cap. 5.

Religious

Allowance

Salop Shrewsburie

4 See Monasteries 11. and Rome 5. how Abbey lands, parish Churches, and Chappels before exempt out of the iurisdiction of the Ordinarie of the Dioces, be by those acts put within the iurisdiction of the Ordinaries, and within their Visitation.

Abbey land

Exigent and Vtlarie.

IN case where the plaintife shall recouer damages, & he against whom the damages be recouered be outlawed at ỳ Kings suit, that no charter of pardon shalbe granted of this outlarie, except ỳ Chancelor be certified, that the plaintife is satisfied of his damages. And in case that a man be outlawed by proces before his apparance, no such charter shalbe granted, except the Chancelor be certified, that such person outlawed hath yelded himselfe to the prison before the Justices of the place, out of which the writ of Exigent issued: that is to say, if out of the K. Bench then that he hath yelded himselfe in ỳ same place: And if from the common Bench, then that he hath yelded himselfe there: And if from the Justices of Oyer & Terminer, whiles the same Justices do sit, he shall yeld him before them. And if they be risen, thē he shall yeld him in the K. Bench before ỳ Justices: And the record with ỳ proces to be remoued before thē by writ. And the said Justices before whom they shall so yeld them, shall cause the partie plain-

Recouer Damages Pardon Chancellor Satisfied

K. Bench

Common place

Record remoued

plaintife to be warned to appeare before them at a certaine day, at which day if the warning be duely witnessed, and the plaintife appeare vpon his warning, then they shall plead vpon the first originall Writ, as though no Outlagarie had bin pronounced. And if the plaintife come not, he that is outlawed shall be deliuered by vertue of his charter. And it is to be vnderstood, that all such charters shall be of the grace of the King, as before they haue bin. Ann 5. Ed. 3. cap. 12.

Plaintife
Originall

Pardon

2 Whereas diuers being duely outlawed, haue auoided the Outlagaries pronoũced against them, by reason of imprisonments, vntruly witnessed by Shirifes and other, which haue no record, it is enacted, That if any from henceforth will defeat any Outlagarie pronounced vpon him by such witnessing, that he shall yeld himselfe to prison, and then the Iustices of the Kings Bench shall cause the partie, at whose suit the Outlagarie was pronounced, to be warned to be before them at a certain day, at which day if the partie will verifie that the witnessing is vntrue, his auerment shall be receiued. And in like manner the Kings Serieant or his Atturney, or other that will sue for the King, shalbe receiued to haue the same auerment against such witnessing, in case where such Outlagarie is pronounced at the Kings suit. Ann 5. Ed. 3. cap. 13.

Imprison
Sherifes
Defeat
Plaintife
Auerre
K Serieant
K. Atturney
K. suit

3 It is accorded & established from henceforth of them which be, or haue bin receiuers of ỳ Kings money, or of his wools which they take of the people, & the same carry away or detaine, so that our soueraigne Lord the King cannot be thereof serued: & of them that carrie wolls to the parts beyond the sea without being cocketted, or paying the custome or subsidie whereto they be assessed: And of Customers & searchers which suffer the same to the kings damage: Of lay ministers, which receiue the kings money, and the same retaine: Also of conspirators, confederators & maintainers of false quarels: Also of them that bring routs into the presence of Iustices, or other the Kings ministers, or elsewhere in Counties, in affray of the people, so that the Law may not be done, as well of them which bring the same, as of them which come in their companie: And of them which bring in false money in deceit of ỳ people: Against all these, in case they may not be found, nor brought in to answere by attachment or distresse, for the profit of our Soueraigne Lord the King, the Exigent shall be giuen and sued, and not against other. Ann 18. E. 3. Stat. 1.

Receiuers
Money
Woolls
Deteine
Cocket
Custome
Customers
Conspirators
Quarrelers
False mony

4 No Exigent shall from henceforth goe out in case where a man is indicted of Trespas, if it be not against the Peace, or of things which be contained in ỳ declaration made, in that case, in the last Parliament holden at Westminster (before 3.) Anno 18. Ed. 3. cap. 5. Stat. 2.

Indict
Trespas

5 If and where any Writ of Exigent at any time from the fifteenth day of Easter next comming, or after, shall be awarded at the suit of the King, or any other person or persons, plaintife or plaintifes, in any action personall against any person or persons, called of any Shire or Citie, being a Shire corporate of it selfe, or else late of any such Shire or Citie, other then into such Shire or Citie whereunto such Exigent shall be awarded, to be called according to the Law. And also in euerie Writ of Exigent in any action personall, whereof the Proces or Exigent at the said fifteenth day of Easter, or after, shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, and at the time of the Exigent awarded not dwelling in London nor in Middlesex, or else that the said defendant or defendants in the same Exigent, dwelling in any other Shire or place then where the Kings Writ runneth: then the Iustices before whom any such Exigent is to be awarded, in all actions where the Exigent shall not bee directed into London nor Middlesex, to award a Writ of Proclamation to be directed to ỳ Shirife of the same Countie, where it doth appeare by the ving of such action, that the partie defendant is, or lately was dwelling, if the Kings Writ there be currant: and else to the next Shire adioyning to the Countie or Counties, or other places whereof the partie is called, or lately supposed by the said Exigent to haue his being of, where the Kings Writ so runneth not, & in euerie action, as is before said, whereof the Exigent shalbe directed into London or Middlesex, and the defendant or defendants in the same, called late of London or Middlesex, and at the time of the Exigent awarded, not hauing his or their dwelling in London or Middlesex, then the Writ of Proclamation to be awarded, made and directed vnto the Shirife of the Shire, where the defendant at the time of the Exigent so against him or them awarded, shal haue his dwelling, or in case where the Kings writ runneth not, vnto the next Shire thereunto adioining: the which said writ of Proclamation shall containe the effect of the same action, and that the Shirife of the Countie, to whom any such writ of Proclamation shall be directed, to make three Proclamations within his Countie at three seuerall dayes, that is to say, two of the same Proclamations in the full and plaine Shire Court of the same Countie, and the third of the said Proclamations to be made at the generall Sessions, in those parts where the defendant is supposed to be dwelling, or in ỳ parts of the countrey next adioyning to the Countie or Counties, where the Kings Writ runneth not, that the partie defendant yeld himselfe to the Shirife of the forraine Countie, to whom any such Exigent in any action personall is awarded, so that the Shirife of such forraine Countie may vpon his yelding haue the bodie of the said defendant before the Iustices, before whom any such Exigent is awarded, at the day in the same Exigent comprised, there to answere to the plaintife in the same, according to the Law. And that euery such writ of Proclamation shall haue the same day of returne, as the Writ of Exigent vpon such forraine actions so awarded shall haue: & that euery such Writ of Proclamation be deliuered of record to the Shirife or Deputie of the Countie, into the which any such Writ of Proclamation is to be awarded: and that the Shirife of the same Countie duely doe execute the same, and thereof make due returne at the day of the same Writ appointed, vpon paine to forfeit such

London
Nota
Shire
Proclamation
Sheriff
Proclamation
Sheriff
3. Proclamations
Shire
Generall Sessions
Return
Forfeit

such amerciament vnto the King and his heirs, by the discretiō of the Iustices before whom such Exigent shall be returnable, to be set: And that the Officer, in whose Office the sayd Exigent is taken, make out the said writ and writs of Proclamation, as hereafter shall be awarded in any the said Courts. And that the same Officer shall take no more for the making of any such writ of Proclamation and the entring of the same of record, but onely six pence. And if any Outlarie hereafter be had or promulged against any person or persons in any action personall in any forreine Countie, and no writ of Proclamation, as is aforesaid, awarded and returned: That then euery such Outlarie to be vtterly void and of none effect ne force in the Law. And that all Outlaries had contrarie to this Act be auoided by auerrement, without suing of any writ of Error. An. 6. H. 8. cap. 4. Note a like Statute to this was made Anno 4. H. 8 cap. 4. to endure to the next Parliament. See here following 7. this altered for the Countie Palantine of Lancaster.

6 Where in the High Court of Parliament holden at Westminster the twentie seuenth yeare of King Henrie the eight (s. cap. 26. which is in Wales 28.) by the assent of the Lords Spirituall and Temporall &c. That his Highnesse Dominion and Principalitie of Wales, and all Pannors, lands, tenements, and other dominions within the said Dominion & Principalitie of Wales, should be diuided into twelue Shires or Counties; that is to say, The Shires or Counties of Glamorgan, Radnor, Brecknocke, Karmerthen, Pembroke, Cardigan, Mercioneth, Pongomerie, Flint, Carnaruan, Anglesey, and Denbigh, in euerie of which said Counties and Shires amongst the Officers yearely appointed, it was then ordained, That there should be distinct and seuerall Sherifes yerely: And also, where the Counties Palantine of Chester, and of the Citie of Chester, be auncient and seuerall Counties Palantine of themselues, in all which said Counties ỳ Kings writ hath not, nor yet doth not run, so ỳ the Proclamation awarded vpō any Exigent against any person or persons in any action wherein Proces of Outlarie doth lye, according to the statute made in the first yere of the raigne of ỳ said late King ca. 4. (before 5.) cannot be directed vnto the Sherife or Sherifes of any of ỳ said Shires or Counties, but vnto ỳ Shirife of the Countie next adioyning: so ỳ the party dwelling in any of the said Shires or Counties against whom any such Exigent & Proclamation shalbe so awarded, shall not, nor can haue any knowledge of the same suit or Proces, by reason whereof many of the persons inhabiting in the said Shires & Counties, without knowledge or cause of suit, haue bin wrongfully and vniustly outlawed, to their vtter vndoing: Be it therefore, and for diuers other good considerations &c. That if and whensoeuer any Writ of Exigent at any time after the first day of Aprill next comming, shall be awarded at the suit of the King, or of any other person or persons, plaintife or plaintifes, in any action or suit, in any of the Courts of the King his heires or successors, commonly called the Kings Bench, and the Common place, against any person or persons dwelling in any of the aforesaid Counties in Wales, or in the said Counties Palantine of Chester, or the Citie of Chester, or in any of them: That then immediately vpon the awarding of euerie such Exigent, the Iustice or Iustices before whom any such Writ of Exigent vpon such suit or action shal be sued, shall haue full power and authoritie to award one Writ of Proclamation, according to the tenor and effect of Proclamations awarded vpon Exigents directed out of any of the sayd Courts in London, against any person dwelling in any other Shire where the Kings writ is currant, according to the order and forme of the sayd Statute, made in the first yeare of the said late King, to be directed to such of the foresaid Sherifes, of any of the foresaid Counties in Wales, and of the Counties Palantine of Chester, and of the Citie of Chester, for the time being, where it shall happen the sayd defendant against whom any such action shall be sued, as is aforesayd, to be dwelling. And that euerie such writ of Proclamation shall haue the same Teste and day of returne, as the Exigents whereupon euerie such writ of Proclamation shall be awarded shall haue. And that euerie such Sherife to whom any such writ of Proclamation shall bee directed, shall make Proclamation of the said writ of Proclamation, according to ỳ tenor of the same, & shall make true returne of ỳ same in such Court, & before such Iustices, as the tenor of the same writ shall require & demaund. And that all Outlaries hereafter to be promulged or pronounced against any person or persons, vpon any such Exigent or Exigents awarded against any person or persons, dwelling in any of the said Counties of Wales, & the Counties Palantine of Chester, and of the Citie of Chester, and no writ of Proclamation awarded in forme aboue said, to the Sherife or Sherifes of the County where the partie defendant shall be, as is aboue said, dwelling, or not returned, to be clerely void and of none effect nor force in the Law. And be it &c. That all & euery Sherife and Sherifes of euery of the sayd Counties of Wales, and of the Counties Palantine of Chester, and of the Citie of Chester aforesaid, shall haue in euerie of the said Courts of the Kings Bench, and of the Common Plees, one sufficient Deputie at the least, to receiue all writs directed to such Sherife or Sherifes for whom the same Deputie or Deputies shall bee appointed, in like manner and forme, and vpon like paines, as by the former Statutes and Lawes of this Realme, other Sherifes of other Shires or Counties within this Realme of England, bee bound to haue in either of the same Courts. And that all writs of Proclamation aforesaid, shall be deliuered vnto euerie such Deputie of Record in the same Courts, and also like fee shall be paied for making euerie such Writ of Proclamation, and for inrolling the same Record, as is limited in the said Statute made in the said first yeare of King Henrie the eight. And be it &c. That if any person dwelling in any the said Counties of Wales, after the foresaid first day of Aprill, shall be outlawed in any

R. Bench Common place

Iustices

Proclamation

London

Shirifes

Teste

Day of returne

Outlawis

Chester

Void

Deputie

Fee

Inrolling

any ſuit or action aforeſayd, that then Writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, Non moleſtand', and all other Proces, for or againſt any perſons outlawed, ſhall and may from henceforth be directed to the Sherife of any of the ſaid Counties in Wales, as immediate Officers to the ſayd Courts of the Kings Bench, or Common place, in that behalfe, and that euerie ſuch writs may be deliuered of record to the Deputie of ſuch of the ſaid Sherifes, to whom any ſuch writ of Proces ſhall be directed. And that euerie ſuch Sherife ſhall make execution and returne of euerie ſuch writ of Proces to him directed, vpon like paine and penaltie, as is aboue limited. And be it &c. That if any ſuch writ or writs of Proclamation hereafter directed to any of the Sherifes of any of the ſaid Shires in Wales, or Counties Palantine of Cheſter, or of the Citie of Cheſter, bee deliuered vnto any of the ſaid Sherifes for the time being, or to his or their Deputie, in manner and forme aforeſaid, and the ſame Sherife or Sherifes doe not make true returne of euerie ſuch Writ or Writtes of Proclamation into ſuch Court and Courts, out of which the ſayd Writ or Writtes of Proclamation ſhall bee awarded, that for euerie ſuch default of non returne, euerie ſuch Sherife for the time being, ſhall loſe and forfeit fiue pounds. The one halfe whereof ſhall be to our Soueraigne Lord the King, his heires and Succeſſours, the other halfe to any ſuch perſon or perſons as will ſue for the ſame, in any Action of debt &c. Prouided &c. That this Act, or any thing therein contained, ſhall not in any wiſe extend to bee preiudiciall to the ſame Counties of Wales, or to the ſaid Counties Palantine of Cheſter, or to the Citie of Cheſter, for or concerning ſuch Liberties, Franchiſes, or Priuiledges, as belong to them, or any of them, or any Miniſters or Officers of them, or any of them, otherwiſe, or in any other manner, then by the true meaning of this Act is before prouided and declared: Any thing in this Act mentioned to the contrarie notwithſtanding. Prouided alwayes, and be it &c. That this Act, ne any thing therein contained, ſhall not in any wiſe be preiudiciall or hurtfull to any Lord Parcher in Wales, but that they and euerie of them, and their heires, and the heires of euerie of them, ſhall and may haue like libertie, intereſt, and preheminence, as they and euerie of them had, might, or ought to haue had, before the making of this Act, and as though this Act had neuer beene had ne made: Any thing in this Act mentioned to the contrarie notwithſtanding. Anno 1. Ed. 6. cap. 10.

7 If and whenſoeuer a Writ of Exigent, at any time after the firſt day of Aprill next comming, ſhall be awarded at the ſuit of the King, his heires or ſucceſſors Kings of this Realme, or at the ſuit or ſuites of any other perſon or perſons, plaintife or plaintifes in any action or ſuit, in any of the Courts of the King, his heires or ſucceſſors Kings of this Realme, commonly called the Kings Bench, and the Common place, againſt any perſon or perſons, dwelling within the Countie Palantine (s. of Lancaſter) that then immediately vpon the awarding of euery ſuch Exigent, the Juſtice or Juſtices before whom any ſuch writ of Exigent vpon ſuch ſuit or action ſhall be ſued, ſhall haue full power and authoritie by vertue of this Act, to award one writ of Proclamation, according to the tenor and effect of writs of Proclamation awarded vpon Exigents, and commonly directed out of the ſayd Courts into London, or in any other Shires of this Realme, againſt any perſon or perſons, dwelling in other Shire or Shires of this Realme, where the Kings writ doth runne, according to the order and forme of the ſaid ſtatute, made in the firſt yeare of King Henrie the eight, cap. 4. to be directed to the Sherife of the ſaid Countie Palantine of Lancaſter, where it ſhal happen the ſaid defendant againſt whom any ſuch action ſhall be ſued, as is aforeſaid, to be dwelling, and not to the Sherife of any other Shire next adioyning to the ſaid Countie Palantine: Any law, cuſtome, or vſage heretofore vſed to the contrarie notwithſtanding. And that euerie ſuch writ of Proclamation ſo to be hereafter awarded to the Sherife of the ſaid Countie Palantine ſhall haue the ſame Teſte and day of returne, as the Exigents whereupon euerie ſuch writ of Proclamation ſhall be awarded ſhall haue. And that euerie ſuch Sherife of the ſaid Countie Palantine of Lancaſter, to whom any ſuch writ and writs of Proclamation ſhall be directed, ſhal make Proclamations of the ſaid writ and writs of Proclamation, according to the tenor of the ſame, and ſhall make true returnes of the ſame, in ſuch Court and Courts, and before ſuch Juſtices, as the tenor of the ſame writ and writs of Proclamations ſhall require and demaund. And that all Outlawries hereafter to be promulged or pronounced againſt any perſon or perſons, vpon any ſuch Exigent or Exigents awarded againſt any perſon or perſons, dwelling in the ſaid Countie Palantine of Lancaſter, and no writ of Proclamation awarded in forme aforeſaid, to the Sherife of the ſaid Countie Palantine of Lancaſter, where the partie defendant ſhall be, or is aforeſaid dwelling, or not returned, to be clerely void and of none effect nor force in the law. And be it &c. That euerie Sherife of the ſaid Coũty Palantine for the time being, ſhal haue in euerie of the ſayd Courts of the Kings Bench, and of the Common place, one ſufficient Deputie at the leaſt, to receiue all ſuch writs of Proclamation, which ſhall be hereafter directed to euerie ſuch Sherife of the ſaid Countie Palantine, for whom the ſame Deputie or Deputies ſhall be appointed in like manner and forme, and vpon like paine, as by the former Statutes and Lawes of this Realm other Sheriſes of other Shires or Counties within the Realme of England, be bound to haue, in either of the ſayd Courts. And that all ſuch writs of Proclamation aforeſaid, ſhall be deliuered vnto euerie ſuch deputie or deputies of record in the ſame Courts, and either of them, and alſo like fees ſhall be paied for making euerie ſuch writs of Proclamations, and for inrolling the ſame of record, as is limited in the ſame Statute, made in the ſaid firſt yeare of King Henrie the eight. Be it &c. That if any

Capias vtlag' Non Moleſt. — Officers — Writs of record — Execution Returne — Non return — Fork. Wottle — Countie Palantine — L. Parcher — Kings ſuit — K. Bench C. Place Countie Palantine — Iuſtices — Proclamation — London — Sheriff — Title — Sheriff — Tenor — Deliuer — Deputie — Fees — Inroll

any such writ or writs of Proclamation, hereafter to be directed to any Sherife of the sayd Countie Palantine of Lancaster, be deliuered vnto any of the said Sherifes of the said Countie Palantine for the time being, or to his or their Deputie or Deputies, in maner and forme aforesaid, & if same Sherife or Sherifes doe not make true returne of euerie such writ and writs of Proclamation into such Court and Courts, out of the which the said writ or writs of Proclamation shall be awarded, that for euerie such default of non returne euerie such Sherife for the time being, shall lose and forfeit v. pounds: The one halfe whereof shall be to the king his heires and successors, and the other halfe thereof to any such person or persons as will sue for the same in any action of debt &c. Prouided alwayes, That this Act, nor any thing therein contained, shall not in any wise extend or be preiuditiall to the same Countie Palantine of Lancaster, for or concerning such Liberties, Frauchises, or Priuiledges, as belong to the same, or to any Ministers or Officers of the same Countie Palantine, otherwise, or in any other manner, then by the true meaning of this Act is before prouided and declared: Any thing in this Act mentioned to the contrarie notwithstanding. Prouided also and be it &c. That if any person or persons dwelling within the sayd Countie Palantine, after the foresayd first day of Aprill, shall be outlawed in any such suit or Action as is aforesaid, that then all writs of speciall Capias vtlagarum, single Capias vtlagarum, Non molestand', and all other Processe, for, or against any person or persons so outlawed, shall and may from henceforth bee directed from time to time to the Chauncelor of the Duchie of Lancaster, who shall make like writs and proces thereupon, and of like effect, sealed with the Seale of the said Countie Palantine of Lancaster, to be directed to the Sherife of the said Countie Palantine for the time being as heretofore hath beene vsed and accustomed in such cases. An. 5. E. 6. cap. 26.

& For the auoyding of secret Vtlaries &c. Be it &c. That in euerie Action personall wherein any writ of Exigent shall be awarded out of any Court in or after the terme of Easter next comming, one writ of Proclamation shall be awarded and made out of the same Court, hauing day of Teste and returne, as the said writ of Exigent shall haue direction and deliuered of record to the Sherife of the County where the defendant at the time of the Exigent so awarded shall be dwelling, which writ of Proclamation shall containe the effect of the same action, and that the Sherife of the Countie vnto whom any such writ of Proclamation shall be directed, shall make three Proclamations in this forme following and not otherwise: that is to say, one of the same Proclamations in the open Countie Court, and one other of the same Proclamations to be made at the generall Quarter Sessions of the peace in those parts where the partie defendant at the time of the Exigent awarded shall bee dwelling, and one other of the same Proclamations to be made one moneth at the least before the quin. exact, by vertue of the said writ of Exigent, at or neere to the most vsuall doore of the Church or Chappell of that Towne or Parish where the defendant shall be dwelling at the time of the sayd Exigent so awarded, and if the defendant shall be dwelling out of any Parish, then in such place as aforesaid, of the Parish in the same Countie, and next adioining to the place of the defendants dwelling, and vpon a Sunday immediatly after diuine Seruice & Sermon, if any Sermon there be, and if no Sermon there be, then forthwith after diuine Seruice. And that all Outlawries had and pronounced after the end of the next Easter terme, and no writ of Proclamations awarded and returned according to the forme of this statute, shalbe vtterly void and of none effect: And that the Officer in whose Office such writs of Exigent and Proclamation shalbe made, shall and may take such fees, as by the Statute made in the 6. yere of the raigne of the late King of famous memorie, King H. 8. (before 5.) is limited & appointed in that behalfe, and no greater fees in any wise, & that the Sherife for making of the Proclamation, at or neere to the Church or Chappell doore as is aforesaid, shall haue iij. d. And for the auoiding of secret summons in reall actions without conuenient notice of the tenants of the freehold, Be it &c. That after euerie summons vpon the land in any reall Action, fiue dayes at the least before the day of the returne thereof, Proclamations of the summons shall be made on a Sunday in forme aforesaid, at or neere to the most vsuall doore of the Church or Chappell of that towne or parish where the land whereupon the summons was made doth lie, and that Proclamation so made as aforesaid, shalbe returned together with the names of the summoners: And if such summons shall not be proclaimed and returned, according to the tenor and meaning of this Act, then no Graund cape to be awarded, but an Alias & Pluries summons as the cause shal require, vntill a summons & Proclamation shalbe duely made and returned, according to the tenor & meaning of this Act. And be it &c. That before any allowance of any writ of Error, or reuersing of any Outlawry be had by plee, or otherwise, through, or by want of any Proclamation to be had or made, according to the forme of this Statute, after the end of Easter Terme next, the defendant and defendants in the originall action shall put in baile, not onely to appeare and answer to the plaintife in the former suit in a new action to be commenced by the said plaintife, for the cause mentioned in the first action, but also to satisfie the condemnatio, if the plaintife shal begin his suit before the end of two Termes next after the allowing the writ of Error, or otherwise auoiding of the said Outlawrie. An. 31. Eliz ca. 3.

Church doore

Sunday

Fees

Action reall

Proclamation

Church doore

Returne

Writt of Error

Baile

See Proces 10. of Outlawrie giuen in certaine actions.

Exposition of words.

Sok is, the suit of men in your court, according to the custome of the Realme. Sak is, the plee and correction of trespasses of men in your Court, because Sak in English, is enchelon in French, as to

to ſay, for ſick ſack, pur quel encheſon, for what hurt: and Sak is put for forfeit. Toll is, that you and all your men of all your homage be diſcharged or quit in all Markets of toll of things bought and ſold. Them is, that you haue all the generation of your villaines with their ſuites and cattell whereſoeuer they ſhall be found in England, except that if any bondman ſhall remaine quit one yeare and a day in any priuiledged towne, ſo that he ſhal be receiued into their Communaltie or Guild, as one of them, by that meanes he is free and deliuered from villenage. Infangthef, that is, that theeues taken within your demeſne or ſeruice conuicted of thefts, ſhal be iudged in your Court. Hankewite, is to be quit of a felon or theefe hanged without iudgement, or eſcaped out of your cuſtodie. Outfangthefe is, that theeues or felons of your land or fee, out of your lands or fee taken with felonie, or a ſtealing, ſhall be brought backe to your Court and there iudged. Homeſoken is, to be quit of amerciaments for entring into houſes violently, and without licence, and contrarie to the peace of our Soueraigne Lord the King, and that you hold plee of ſuch treſpaſſes done in your Court, and in your land. Grithbrech, is the peace of our Soueraigne Lord the King broken, becauſe Grith in Engliſh, is Pax in Latine. Blodewit, is to be quit of amerciaments for bloudſhedding, & what plees are holden in your Court, you ſhould haue the amerciaments thereof comming, becauſe Wit in Engliſh, is Miſericordia in Latine. Fletwit, is to be quit from contention and conuicts, and that you may haue plee thereof in your Court, and the amerciaments, for Flit in Engliſh is Tenſon in French. Fledwit, is to be quit from amerciaments, when an outlawed fugitiue commeth to the peace of our Lord the King, of his own will, or being licenced. Flemeſwit is, that you may haue the cattell or amerciaments of your man a fugitiue. Lotherwit is, that you may take amends of him which doth defile your bondwoman without licence. Childwit is, that you may take a fine of your bondwoman defiled and begotten with child without your licence. Forſtall is, to be quit of amerciaments and cattels arreſted within your land, & the amerciaments thereof comming. Score, is to be quit of a certaine cuſtome, as of common tallage made to the vſe of the Sheriſe or his Bayliffes. Gelde is, to be quit of ſeruile cuſtomes, which were wont to be giuen, and as yet are giuen, as Yornegeld and ſuch like. Hydage is, to be quit, if our Lord the King ſhall tare all the land by hides. Caruage is, to be quit, if our Lord the King ſhall tare all the land by carues. Danegeld is, to be quit of a certaine cuſtome which hath runne ſometimes, which the Danes did leuie in England. Hornegeld is, to be quit of a certaine cuſtome, erected by tillage through all the land, as of whatſoeuer horne beaſt. Laſtage is, to be quit of a certaine cuſtome erected in Faires and Markets, for carrying of things where a man will. Stallage is, to bee quit of a certaine cuſtome erected for the ſtreat taken or aſſigned in Faires and Markets. Shewing is, to be acquit with attachment in any Court, and before whomſoeuer in plaints ſhewed and not auowed. Abſitherſing is, to bee quit of amerciaments before whomſoeuer of tranſumption praied. Burghbrech is, to be quit of treſpaſſe done in Citie or Borough againſt the peace. Warwite is, to be quit in giuing of money for keeping of watches. Hundredum is, to bee quit of money or cuſtomes to bee done to the Gouernors and Hundredors. Brodehalpenie is, to be quit of a certaine cuſtome erected for letting vp of tables. Brougbote is, to be quit of giuing aid to the repairing of bridges. Burbote is, to be quit of giuing of aid to make a Borough, Caſtle, Citie, or walls thorowe downe. Auerpeny is, to be quit of diuers ſummes of money for the Kings auerages. The Treacle of the Expoſition of words. It is no Statute.

Extorcion.

NO Sheriffe, or other the Kings Miniſters take any reward to doe his Office, but ſhall be payed of that which they take of the King, and he that ſo doth, ſhall yeld twice ſo much, and ſhall be puniſhed at the Kings pleaſure. Weſt. 1. ca. 26. An. 3. E. 1. But ſince this time diuers Statutes haue appointed ſundrie fees to diuers Officers, which they may lawfully take.

2 No Clerke of Juſticer, of Eſtreator, or of Inquiror, ſhall take any thing for deliuering Chapiters, but onely Clerkes of Juſticers Errants in their eires, which ſhall take two ſhillings and no more of euerie Wapentake, Hundred, or Towne, that allbereth by twelue or ſix, according as it hath beene vſed of old time, And he that doth contrarie ſhal pay thrice ſo much as he hath taken, and ſhall loſe the ſeruice of his Maſter for one yeare. W. 1. ca. 27. An. 3. E. 1.

3 Foraſmuch as many complaine themſelues of Officers, Criers of fee, and the Marſhals of Juſtices in eire, taking money wrongfully of ſuch as recouer ſeiſin of land, or of them that obtaine their ſuites, and of fines leuied, and of Iurors, tolnes, priſoners, and of other attached vpon plees of the Crowne, otherwiſe then they ought to doe in diuers maners. And for as much as there is a greater number of them then there ought to be, wherby the people are more grieued: The King commaundeth, That ſuch things be no more done from henceforth, and if any Officer of fee doe it, his Office ſhall be taken into the Kings hands, and if any of the Juſticers Marſhals doe it, they ſhall be grieuouſly puniſhed at the Kings pleaſure, and as well the one as the other ſhall pay to all complainants the treble value of that they haue receiued in ſuch manner. W. 1. ca. 29. An. 3. E. 1.

4 Item whereas diuers Woll Bailifes, Searchers, Comptrollers of Search, and other their Deputies and ſeruants, within the Ports of this Realm, and ſpecially within the Ports of Fowey, Plimmouth, Dertmouth, and Poole, by colour of their Offices daily doe wrongfully take by conſtraint of diſtreſſes and arreſts vpon the Ships, Barges, Balengers, and other veſſels, goods and marchandizes of the Kings liege Marchants of this ſaid Realme, and amongſt all other vpon the Kings

kings liege Marchants of Gascoigne, Guien, Ireland, Gerneley, and Garneley, in their comming and going into the said ports, great charges and impositions: that is to say, for euery piece of Crasecloth iiij. li. for euery hundred of Canuas vj. li. for the weight of euery tunne of Iron vij. li. and sometime more, and likewise of all other goods and marchandizes of the said liege people, and other Marchants of the kings amitie, & by such wrongfull distresses, arrests, charges and impositions, they do disturbe the said Marchãts freely to come into this said Realme, and to passe, against al Law and conscience, before all customes and subsidies due to our said Soueraign L. the king, to the great preiudice of our said Soueraigne Lord the king, in losse of his customs and subsidies, and to the great damage of the said Marchãts and their successors, vnlesse due remedie thereof be had in the same: By assent, assent, and authoritie aforesaid, it is ordained and established, that the said Marchants, their successors, & euery of thẽ, of al such iniuries, distresses, arrests, charges and impositions afore recited to be made to them, or any of them, aswell by such vnderbailifes, searchers, comptrollers of the search, as by collectors of the said customes and subsidies, comptrollers of the same, surueyors of the customs and subsidies, and of search packers, or any other officers, or their deputies or seruants by their cõmandement, or any of them, hereafter may haue therupon a generall writ of trespasse against such offendors, and euery of them, after the forme of the law, and to recouer against them and euery of them thereof so conuicted rl. li. And that the said Marchants, their successors and euery of them so grieued (as before is saide) may pursue the said writ of trespasse against the saide offendors and euery of them for such iniuries, distresses, arrests, charges and impositiõs so to be made, as afore is said, within iij. moneths next after such iniuries, distresses, arrests, charges & impositions to be made by them, or any of them, as afore is said. And in case that the said Marchants, their successors or any of them do not pursue the saide writ of trespasse of such iniuries, distresses, arrests, charges and impositions aforesaid, against the said offendors, nor none of thẽ within the said two moneths: that then it shall bee lawfull to euery other person of the kings liege people, to pursue the said writ of trespasse of such iniuries, distresses, arrests, charges and impositiõs to be made, as is aforesaide, against all such offendors and euery of them, after the forme of the law, and to recouer against them and euery of thẽ thereof conuict rl. E. the king to haue the one halfe, and he or they which wil pursue, the other half. An. 28. H. 6. cap. 5.

False iudgement.

NOne from henceforth (except our Soueraign Lord the king) shal hold in his court any plea of false iudgement giuen in the court of his tenãts. For such plea specially belongeth to the Crowne and dignity of our soueraign Lord the king. Marl. cap. 20. An. 52. H. 3.

2 When any Record commeth into the kings court by writ of false iudgement, in case where the party alledged that the record is otherwise then the Court doth record the same: the auerrement shalbe receiued of the good Countrey, and of them which were present in the Court, when the Record was made, if they do come, and by other of the country by the Shirifes returne. And if they come not, the inquest shall be taken by the good countrey. An. 1. E. 3. cap. 4. Record. Auerrement. Sheriffe Returne Inquest

Fee Farme.

ANno 2. E. 6. cap. 5. An act was made for the remitting for three yere of fee farmes made by any corporate towne or corporation, with diuers clauses concerning that matter. And after in Ann. 3. E. 6. cap. 18. the said remission of fee farmes was restrained to one yeare. Corporate towne. Corporatiõ

Fees.

COncerning the kings Marshals of fee, Chamberlaines, Porters, in the circuit of the Iustices and Sergeants, bearing birge before Iustices at Westminster, which haue the same office in fee, and that aske more by reason of their fee, then they haue vsed to aske, whereupon many do complaine on them, that haue knowne and seene the order of the Court of long time: Our Soueraigne Lord the King hath caused to be inquired by an inquest, what the saide officers of fee haue vsed to haue in times past, and hath ordeined and commaunded, that a Marshall of fee, which of new asketh a palfray of Earles, Barons, & other holding by a part of a Barony, when they haue done homage, & neuertheless, an other palfray when they are made knights, and of some that ought not to giue any, aske a palfray, It is in like manner ordeined, that the said Marshall, of euery Earle and Baron holding by an entire Barony, shall be contented with one palfray, or with the price of it, such as he hath vsed to haue of old: so that if he toke a palfray, or the price of one at the doing of his homage in forme aforesaid, he shall take nothing when he is made Knight, as if he toke nothing at the doing of his homage, when he is made Knight he shall take. Of Abbots and Priors holding an whole Baronie, whẽ they do homage or fealty for their Baronies, he shal take one palfray or ỹ price, as aforesaid, & this shall also be obserued amongst Archbishoppes, and Bishops: of such as hold but a part of a Barony, whether they be religious or seculer, he shall take according to the portion of the part of the Baronie that they hold. Of religious men that hold in free almes, and not by a Barony, nor part of a Barony, the Marshall from henceforth shall demaund nothing. And our Soueraign Lord the king hath granted, that by this statute, a Marshall of fee shall not be bared hereafter to demand more, if he can shew, that he hath right vnto more. The kings Chamberlaines from henceforth shall haue of Archbishops, Bishops, Abbots, Priors, and other persons spirituall, of Earles and Ba- Marshals fee. Earle Baron Abbots Priors Archbishops Bishops Religious Chamberlaines.

Barons holding an entier Baronie, a reasonable fine; when they doe homage or fealtie. And if they hold by a part of a Baronie, they shall take a reasonable fine, according to the portion to them belonging. Other Abbots, Priors, persons Spirituall and Temporall, that hold no entier Baronie, nor part of a Baronie, shall not be distrained to make fine, as it is said by them that hold by a Baronie, or part of a Baronie. But the Chamberlaine shall bee contented with his upper garment, or with the price thereof, which is done in favour of persons Religious, more then of Lay persons: for it is more convenient, that Religious men should fine for their upper garment, then to bee stripped. West. 2. cap. 47. Anno 13. Edw. 1.

Upper garment

Porters

2 Concerning Porters bearing birge before Justicers of the Bench in the circuit: It is provided, That of every Assise and Jurie that they keep, they shall take ten pence onely, and for the bils, nothing. Of such as recouer their demaunds against many by default, confession, or otherwise by iudgement without Assise or Jurie, they shall take nothing. Of such as goe without day by default of the demaundant or plaintife, nothing. And if any recouer his demaund against many by one writ, and by recognisance of Assise or Jurie, they shall be content with foure pence. And likewise if many named in one writ doe recouer their demaund by recognisance of Assise or Jurie, they shall take foure pence. Of such as doe homage in the Bench, they shall bee content with their upper garment. Of great Assises, Attaints, Juries, and battell waged, they shall take twelue pence onely. Of such as be called before Justices to sue or to defend their plea, at their comming in or forth, nothing. At the pleas of the Crowne, for euerie dozen twelue pence shal be taken. Of euerie gaole deliuerie foure pence shall be taken. Of euerie one whose peace is proclaimed twelue pence onely shall be taken. Of the finders of men slaine and other, of a towne attached foure pence. Of Tithingmen nothing shall be taken. Of Cirographers for making of a Cirograph, it is ordained, that they shall be contented with foure shillings. Of Clerkes writing writs Original and Judiciall, it is ordained, that for one writ they shall take but one penie. And the King chargeth all his Justicers, vpon their faith & oath that they owe him, that if such manner of Officers offend in any Article against this Statute, and complaint come to them thereof, they shall execute on them reasonable punishment. And if they offend the second time, they shall award greater punishment, that they may be duely corrected. And if they offend the third time, and be therupon conuicted (if they be Officers of fee) they shall lose their fee, and if they be other, they shall auoid the Kings Court, and shal not be receiued againe, without the speciall grace and licence of the King himselfe. W. 2. cap. 44. An. 13. E. 1.

Iurie

i. penee

iij. s.

Homage

Upper garment

Gaole deliuerie

Cirographers

Clerkes

Justicers

Punish

ij. Fault

iij. Fault

3 See Courts Anno 33. H. 8. capit. 29. what fees the Kings Auditors, and Receiuors shall take for payment, and for Acquitances and Inrolments.

Auditors Receiuors Acquitãces

Feoffements.

ITem because it is complained to the King, that many people of his said Realme, as well great as small, hauing right and true title, as well to lands, tenements, and rents, as in personall actions, be wrongfully delayed of their right, because that the occupiers and defendants being maintained and sustained in their wrong, doe commonly make gifts and feoffements of their lands and tenements which be in debate, and of their other goods and cattels, to Lords and other great men of the Realme, against whom the said pursuants for great menace that is made to them, may not, nor dare not make their pursuites: And also on the other part, complaint is made to the King, That oftentimes many people doe disseise other of their tenements, and anone after the disseisin done, they make diuers alienations and feoffements, some time to Lords and great men of the Realme, to haue maintenance, & sometime to many persons of whose names the disseisées can haue no knowledge, to the intent to deferre and delay by such fraude the said disseisées, and the other demaundants and their heires of their recouerie, to the great annoyance and oppression of the people: It is ordained and established, That from henceforth no gift of feoffement of lands, tenements, or goods, be made by such fraud and maintenance, and if any be in such wise made, they shall be holden for none, and of no value. And the said disseisées shall from henceforth haue their recouerie against the first disseisors, as well of the lands and tenements, as of their double damages, without hauing regard of such alienations, so that the disseisées commence their suits within the yere next after the disseisin done. And it is ordained and established, That the same Statute shall hold place in euerie other action in plea of land, where such feoffements be made by fraud or collusion, to haue their recouerie against the first such feoffor. And it is to wit, That this Statute ought to be vnderstand, where such feoffors thereof take the profits. Anno 1. Rich. 2. cap. 9.

Delay

Gift

Disseisin

Disseisors

Double damages

Faires and Markets.

IT shal be commanded to all the Sherifs of England, and elsewhere, where need shall require, to crie and publish within liberties and without, that all the Lords which haue Faires, be it for yeelding certaine farme for the same to the King, or otherwise, shal hold the same for the time that they ought to hold it, and no longer: that is to say, such as haue them by the Kings Charters granted them, for the time limited by the said Charters: And also they that haue them without Charter, for the time that they ought to hold them of right. And that euerie Lord at the beginning of his Faire, shall there doe crie, and publish how long the Faire shall indure, to the intent that Marchãts shal not be at the same Faires ouer the time so published, vpon paine to be grieuously punished towards the King. For the said

Crie

Faires

said Lords shall not hold them ouer the due time, vpō paine to seise the Fairs into the Kings hands, there to remaine til they haue made fine to the king for the offence, after it be duly found that the Lords held the same Fairs longer then they ought, or that the Marchants haue sitten aboue the time so cried and published. An. 2. E. 2. cap. 15. apud North.

2 It is contained in the Statute made at Northampton, in the second yeare of the raigne of the king that now is, That the Lords which haue Faires by Charters, or otherwise, shall hold them during the time that they ought to doe, and no longer, vpon paine to seise such Fairs into the Kings hands. And that euerie Lord at the beginning of his Faire, doe crie and proclaime therein how long the Faire shall endure. And in the same Statute is no certaine punishment ordained against the Marchants, if they sell after the time: It is accorded, that the said Marchants after the said time, shall close their bothes and stalles, without putting any maner of ware or marchandize to sell there. And if it be found, that any Marchant from henceforth sell any ware or marchandize at the said Faires, after the said time, such Marchant shall forfeit to our Soueraigne Lord the King, the double value of that that is sold. And euerie man that will sue for our Soueraign Lord the King shalbe receiued, and also haue the fourth part of that that is lost at his suit. An. 5. E. 3. cap. 5.

3 That all manner of Faires and Markets in the said principall Feasts and Sundayes, and good Friday, shall cleerely cease from all shewing of any goods or marchandizes (necessarie victuall onely except) vpon paine of forfeiture of all the goods aforesaid so shewed to the Lords of the Franchise or Liberties, where such goods, cōtrary to this ordinance, be or shall be shewed, the foure Sundayes in Harnest only except. Neuertheless of his speciall grace by authoritie aforesaid, graunteth to them power which of old time had no day to hold their Faire and Market, but all only vpon the Festiuall daies aforesaid, to hold by the same authorities strength of his old grant, within three dayes next before the said Feasts, or next after, Proclamation first being made to the simple common people, vpon which day the aforesaid Faires shall be holden, alwayes to be certified without any fine or fee to be taken to the kings vse. And they which of old time haue by speciall grant sufficient dayes before the Feasts aforesaid, or after, shall in like maner, as is aforesaid, hold his Faires and Markets the full number of his dayes (the said festiuall dayes and Sundaies and good Friday except.) Prouided alwayes, that this present ordinance shall beginne to take effect at the feast of Saint Michael next comming, and not before, and shall endure till the next Parliament, and so forth, except in the said Parliament a reasonable cause be alledged, shewed, and proued, for the which it shall seeme not expedient that the foresaid ordinance so shall endure. Anno 26. H. 6. cap. 5.

4 No Steward, Vndersteward, Bailife, nor Commissarie, nor other Minister of any such Courts of Pypowders, shall hold plea vpon any action at the suit of any person or persons, vnlesse the plaintife or plaintifes, or his or their Attorney, in the presence of the defendant or defendants, doe sweare vpon the holy Euangelist, vpon the declaration, that the contract or other feat contained in the sayd declaration, was made or committed within the Faire, and within the time of the same Faire, where he taketh his action, and within the Iurisdiction and bounds of the same Faire. And notwithstanding that the plaintife or plaintifes do affirme the same, yet neuertheless, the sayd defendant or defendants shall not be concluded by the same, but shall answer and plead to the action, or in abatement of the plaints, and to proffer an issue that the same contract, trespasse, or other feat contained in such declaration, whereupon the plaintife or plaintifes doe declare, was not committed nor done within the time of the Faire and Iurisdiction of the same, but out of the time of the Faire, or at other places out of the Iurisdictiō of the same Faire, according to the truth in this behalfe. And if it be so tried, that the plaintife or plaintifes, or their Atturneyes, doe refuse to make the oathes in forme aforesaid: That then the defendant or defendants, shall bee quite dismissed and discharged in this partie out of the same Court, the partie plaintife to take his aduantage at the Common Law, or other place conuenient, as shall to him seeme good, notwithstanding this ordinance. And that euerie Steward, Vndersteward, Bailife, and Commissarie, or other Minister, holding, ruling, or gouerning any of the said Courts, that doth the contrarie of this ordinance, shall forfeit for euerie default in this behalfe C. s. The one halfe thereof to our Soueraigne Lord the King, and the other to him that wil in this behalfe pursue his action vpon this Statute, by action of debt in his owne name. And that writs of Proclamation bee in all good hast directed to euery Sherife of euerie Countie of England, to make this ordinance to be proclaimed in euerie Faire within his Countie, as well within Franchise as without. This Act to endure from the said first day of May, till the first day of the next Parliament. Prouided alwayes, that this Act, nor nothing comprised in the same Act, be hurtfull or preiudiciall to William now Bishop of Durham, nor to his successors, within the Libertie and Franchise of the Bishopricke of Durham. An. 17. E. 4. ca. 2. This Act is made perpetuall An. 1. R. 3. cap. 6.

Swearе

Answer

Refuse

Discharge

Common Law

Fork.

Bottle

5 Euerie Freeman and Citizen of the Citie of London, that now is, or hereafter shall be, may lead, carrie, or goe with his or their victuall, ware, or marchandise, whatsoeuer it be, at his or their libertie, to any Faire or Market, that shall please him or them within this Realme of England: Any Statute, Act, or Ordinance, made, or to bee made within the Citie of London, to the contrarie of the premisses notwithstanding. And the sayd ordinance and Act made in the said Citie, bee void and of none effect. And that no person of the sayd Citie be hurt or preiudiced in losing of his Libertie and Franchise, without the Citie or otherwise, by reason or occasion of annulling of the said or-

Freemen of London

Void

dinance & Act, or for nonobeying to the effect of the same. And if any person be preiudiced in any wise by occasion of the same, that he that putteth, or causeth any person to such preiudice, lose and forfeit to the King ten pounds, as often as he so doth: And he that will sue for such forfeiture haue therefore an action of debt against such offendor, the King to haue execution of the one halfe, and he that sueth the other halfe. And in such action the defendant be not admitted to wage his Law. Anno 3. H.7. cap. 9.

Forf.

Whitle

6 Forasmuch as stollen Horses be many times put away, and sold in priuie places of Faires and Markets, & toll priuily payed for them, so that the true owners be without remedie: Be it &c. That the owner, Gouernor, Ruler, Farmor, Steward, Bailife, or chiefe Keeper of euerie Faire and Market ouert within this Realme, & other the Queens Dominions, shall before the Feast of Easter next, and so yearely appoint and limit out one certaine and speciall open place within the towne, place, field, circuit, where Horses, Mares, Geldings, and Colts, haue beene, and shalbe vsed to be sold in any Faire or Market ouert, in which said certaine and open place as is aforesaid, there shall be by the said Ruler or Keeper of the said Faire or Market, put in and appointed one sufficient person or more, to take toll & keepe the same place, from x. of the clocke before noone, vntill sunne set of euerie day of the foresaid Faire & Market, vpon paine to lose and forfeit for euerie default xl.s. And that euerie Toll gatherer, his deputie or deputies, shall during the time of euerie the said Fairs & Markets, take their due & lawfull toll for euerie such Horse, Mare, Gelding, or Colt, at the said open place to be appointed as is aforesaid, betwixt the houres of x. of the clocke in the morning, and the sunne set of the same day, if it be tendered, and not at any other time or place: And shall haue presently before him or them at the taking of the same toll, the parties to the bargaine, exchange, gift, contract, or putting away of euerie such Horse, Mare, Gelding, or Colt, and also the same Horse, Mare, Gelding, or Colt so sold, exchãged, or put away, and shal then write, or cause to be written in a booke to be kept for the purpose, the names, surnames, and dwelling places of all the said parties, and the colour, with one speciall mark at the least of euerie such Horse, Mare, Gelding, or Colt, on paine to forfeit, at, and for euerie default contrarie to the tenor hereof xl.s. And the said Toll gatherer, or Keeper of the said book, shal within one day next after euerie such Faire or Market, bring and deliuer his said booke to the owner, Gouernor, Ruler, Steward, Bailife, or chiefe Keeper of the said Faire or Market, who shall then cause a note to be made of the true number of all Horses, Mares, Geldings, & Colts, sold at the said Market or Faire, and shall there subscribe his name, or set his marke thereunto, vpon paine to him that shall make default therein, to lose and forfeit for euerie default xl.s. and also to answer the partie grieued by reason of the same his negligence in euerie behalfe. And be it &c. That the sale, gift, exchange, or putting away after the last day of February now next comming, in any Faire or Market ouert, of any Horse, Mare, Gelding, or Colt, that is or shalbe theruithly stollen, or feloniously taken away from any person or persons, shal not alter, take away, or exchange the propertie of any person or persons, to or from any such Horse, Mare, Gelding, or Colt, vnlesse the same Horse, Mare, Gelding, or Colt, shalbe in the time of the said Faire or Market, wherin the same shalbe so sold, giuen, exchanged, or put away, openly ridden, led, walked, driuen, or kept standing by the space of one houre together at the least, betwixt x. of the clock in the morning and the sunne set, in the open place of the faire or market, wherein commonly horses are vsed to be sold, and not within any house, yard, backside, or other priuie or secret place, and vnlesse all the parties to the bargaine, contract, gift, or exchange, present in the said faire or market, shall also come together & bring the horse, mare, gelding, or colt so sold, exchanged, giuen, or put away to the open place appointed for the Toll taker, or for the Booke keeper, where no toll is due, and there enter or cause to bee entred their names and dwelling places, in manner as is aforesaid, with the colour or colours, and one speciall marke at the least, of euerie the same horses, mares, geldings, or colts, in the Tollers booke, or in the Keepers booke for that purpose, where no toll is due, as is aforesayd: and also pay him their toll, if they ought to pay any, if not, then the buyer to giue one penie for the entrie of their names, and executing the other circumstances afore rehearsed, to him that shall write the same in the said booke. And if any horse, mare, gelding, or colt, that is, or shall bee theruithly stollen or taken away, shall after the sayd last day of February next comming, be sold, giuen, exchanged, or put away in any faire or market, and not vsed in all poynts according to the tenor and intent of this Statute: that then the owner of euerie such horse, mare, gelding, or colt, shall and may by force of this Statute seise or take againe the sayd horse, mare, gelding, or colt, or haue an action of Detinue or Repleuin for the same, any sale, gift, change or putting away of any such horse, mare, gelding, or colt, other then according to this Statute, in any wise notwithstanding: The one halfe of all which forfeiture to be to the King & Quenes Maiestie, her heires and successors, and the other to him or them that will sue for the same before the Iustices of Peace, or in any of the King and Quenes Maiesties ordinarie Courts of Record, by bill, plaint, action of debt, or information: in which &c. And be it further enacted &c. That the Iustices of Peace of euerie place and Countie as well within Liberties as without, shall haue authoritie in their Sessions within the limits of their authoritie & Commission, to enquire, heare and determine all offences against this statute, as they may do any other matter triable before them. Prouided alwayes, That in euerie such faire and market where any toll is not, nor shal be due ne payable by reason of the freedome, libertie, and priuiledge of the sayd faire or market, the Keeper or Keepers of the Booke, touching the executing of this present Act, shall take,

Owner Steward Bailife

Horses Mares Geldings

Toll

Forf.

Toll gatherer

Parties present

Toll booke

Colour Marke

Forf.

Subscribe

Forf.

take, nor exact but one penie, vpon and for euerie contract, for his labour in writing the entrie concerning the premisses, in manner and forme as is aforesaid declared. An. 2. & 3. P. & M. cap. 7.

7 No person after twentie dayes next after the end of this Session of Parliament, shall in any Faire or Market, sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, vnlesse, ỳ Toll taker there, or (where no toll is paid) the book keeper, Bailife, or chiefe Officer of some Faire or Market, shal and will take vpon him perfect knowledge of the person that so shall sell, or offer to sell, giue, or exchange, any Horse, Mare, Gelding, Colt, or Fillie, and of his true Christian name, surname, and place of dwelling or resiancie, and shall enter all the same his knowledge into a booke there kept for sale of horses: or else, ỳ he so selling or offering to sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, shall bring vnto the Toll taker or other Officer aforesaid, of the same Faire or Market, one sufficient & credible person, that can, shall or will testifie & declare vnto, and before such Toll taker, Book keeper, or other Officer, that he knoweth the partie that so selleth, giueth, exchangeth, or putteth away such Horse, Mare, Gelding, Colt, or Fillie, and his true name, surname, mysterie, and dwelling place: and there enter or cause to be entred in the booke of the said Toll taker or Officer, as well the true Christian name & surname, mysterie, and place of dwelling, or resiancie of him that so selleth, giueth, exchangeth, or putteth away such Horse, Mare, Gelding, Colt, or Fillie, as of him that so shall testifie or auouch his knowledge of the same person, and shall also cause to be entred the verie true price or value that hee shall haue for the same Horse, Mare, Gelding, Colt, or Fillie so sold. And that no person shall take vpon him to auouch, testifie, or declare, that he knoweth the partie that so shall offer to sell, giue, exchange, or put away any such Horse, Mare, Gelding, Colt or Fillie, vnlesse hee doe indeed truely know the same partie, and shall truely declare to the Toll taker, or other Officer aforesaid, as well the Christian name, surname, mysterie, and place of dwelling and resiancie of himselfe, as of him, of, and for whom he maketh such testimonie and auouchment. And that no Toll taker or other person keeping any booke of entrie of sales of Horses in Faires and Markets, shall take or receiue any toll, or make entrie of any sale, gift, exchange, or putting away of any Horse, Mare, Gelding, Colt, or Fillie, vnlesse he knoweth the partie that so selleth, giueth, exchangeth, or putteth away any such Horse, Mare, Gelding, Colt, or Fillie, and his true Christian name, surname, mysterie, and place of his dwelling or resiancie, or the partie that shall and will testifie and auouch his knowledge of the same person, so selling, giuing, exchanging, or putting away such Horse, Mare, Gelding, Colt, or Fillie, and his true Christian name, surname, mysterie, and place of dwelling, or resiancie, & shall make perfect entrie into the said Books of such his knowledge of the person, and of the name, surname, mysterie, and place of the dwelling, or resiancie of the same person, and also the true price or value that shall bee bona fide taken or had for any such Horse, Mare, Gelding, Colt, or Fillie, so sold, giuen, exchanged, or put away, so farre as he can vnderstand the same, and then giue to the partie so buying or taking by gift, exchange, or otherwise, such Horse, Mare, Gelding, Colt, or Fillie, requiring and paying two pence for the same, a true & perfect note in writing, of all the full contents of the same, subscribed with his hand, on paine that euerie person that so shall sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, without being knowne to the Toll taker, or other Officer aforesaid, or without bringing such a voucher or witnesse, causing the same to be entred as aforesayd, and euerie person making any vntrue testimonie or auouchment in the behalf aforesayd, and euerie Toll taker, Booke keeper, or other Officer of Faire or Market aforesayd, offending in the premisses, contrarie to the true meaning aforesayd, shall forfeit for euerie such default the summe of fiue pounds, but also that euerie sale, gift, exchange, or other putting away of any Horse, Mare, Gelding, Colt, or Fillie, in Faire or Market, not vsed in all points according to the true meaning aforesayd, shall be void. The one halfe of all which forfeitures to be to the Quenes Maiestie, her heires and successors, and the other halfe to him or them that will sue for the same before the Iust. of Peace, or in any her Maiesties or their Courts of Record, by Bill, Plaint, Action of debt, or Information, in which no Essoine, or Protection shall be allowed. And be it further enacted &c. That the Iustices of Peace of euerie place and Countie, as well within Liberties as without, shall haue authoritie in their Sessions, within the limits of their authoritie and Commission, to enquire, heare and determine all offences against this Statute, as they may doe any other matter triable before them. And be it further enacted, That if any Horse, Mare, Gelding, Colt, or Fillie, after twentie dayes next ensuing the end of this Session of Parliament, shalbe stollen, and after that be sold in open Faire or Market, and the same sale shall be vsed in all points and circumstances as aforesayd: that yet neuertheless, the sale of any such Horse, Mare, Gelding, Colt, or Filly, within 6. moneths next after the felonie done, shall not take away the propertie of the owner from whom the same was stollen, so as ỳ same bee made within sir moneths by the partie from whom the same was stollen, or by his Executors or Administrators, or by any other by any of their appointment, at, or in the Towne or Parish, where the same Horse, Mare, Gelding, Colt, or Fillie shall bee found, before the Maior or other head Officer of the same Towne or Parish, if the same Horse, Mare, Gelding, Colt or Fillie, shall happen to be found in any Towne Corporat, or Market Towne, or else before any Iustice of Peace of that Countie, next to the place where such Horse, Mare, Gelding, Colt, or Fillie, shalbe found, if it be out of Towne Corporat or Market towne, & so as proffe be made within xl. daies then next ensuing, by two sufficient wit-

Note

Subscribe Paine

Vntrue testimonie

Fork.

Sale

Haln Moitie

Inquire Hier & ter.

Horse

Stollen

Property

6. Moneths

Executors

Head Officer

Proofe xl. dayes. 2. Witnesses Oath

witnesses to be produced and deposed before such head Officer or Iustice (who by vertue of this Act shall haue authoritie to minister an oath in that behalfe) that the propertie of the same Horse, Mare, Gelding, Colt, or Fillie so claimed, was in the partie, by, or for whom such claime is made, and was stollen from him within six monethes next before such claime of any such Horse, Gelding, Mare, Colt, or Fillie, but that the partie from whom the said Horse, Mare, Gelding, Colt, or Fillie was stollen, his Executors, or Administrators, shall and may at all times after, notwithstanding any such sale or sales, in any Faire or open Market thereof made, haue propertie and power to haue, take againe, and enioy the sayd Horse, Mare, Gelding, Colt, or Fillie, vpon paiment, or readinesse or offer to pay to the partie that shall haue the possession & interest of the same Horse, Mare, Gelding, Colt, or Fillie, if he will receiue and accept it, so much money as the same partie shall depose and sweare before such head Officer, or Iustice of Peace (who by vertue of this Act shall haue authoritie to minister and giue an oath in that behalfe) that he payed for the same bona fide, without fraud or collusion: Any Law, Statute, or other thing to the contrarie thereof in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that after twentie dayes after the end of this Session of Parliament, not onely all accessaries before such felonie done, but also all accessaries after such felonie, shall bee depriued and put from all benefit of their Clergie, as the principall by Statute heretofore made, is, or ought to bee. Anno 31. Eliz. cap. 12.

Paiment Possession

Accessaries

Clergie principall

Felonie.

NOtorious Felons, and which openly be of euill name, and will not put themselues in Enquests concerning the Felonies that men shall lay to their charge before the Iustices at the Kings suit, shall be sent backe to strong and hard imprisonment, as they which refuse to be iustified by the Common Law of the land. But this is not to bee vnderstanden of such prisoners as bee taken for light suspition. W. 1. cap. 12. An. 3. E. 1.

Euill name

Imprison

2 Concerning prisoners which breake prison: Our Soueraigne Lord the King willeth and commaundeth, That from henceforth none that breaketh prison shall haue punishment of life or member for breaking of prison onely, except the matter or cause for which he shall be imprisoned and taken, doe require such iudgement, if hee were conuict thereupon after the law and custome of the Realme, albeit that in times past it hath been done and vsed otherwise. Stat. of breaking prison. An. 1. Ed. 2.

Breaking of prison

3 None from henceforth shall vse to multiplie gold or siluer, nor vse the craft of multiplication, and if any the same doe, he shall incurre the paine of felonie in this case. An. 5. H. 4. ca. 4.

Multiplying gold or siluer Multiplication

4 Because that many euill doers doe daily beat, wound, imprison, and maime diuers of the Kings liege people, and after purposely cut their tongues, or put out their eyes: It is ordained and established, That in such case, the offendors that so shall cut tongues, or put out the eyes of any of the Kings liege people, and it be duely proued and found, that such deed is done of malice prepensed, they shall incurre the paine of Felonie. Anno 5. H. 4. cap. 5.

Beat Wound Imprison Maime Cutting of tongues Putting out eyes

5 An. 11. H. 6. cap. 14. It was made Felonie for three yeares, to ship marchandize of the Staple in any Creeke.

Staple

6 Anno 28. H. 6. cap. 4. An Act was made to indure for fiue yeares, to be Felonie, for taking, arresting, or distraining of any person or goods in Wales, or in the Duchie of Lancaster, and carrying them out thereof.

7 Forasmuch as the Ordinances heretofore made in Parliaments, against vnlawfull hunting in Forests, Parkes, and Warrens, haue not beene put in due execution, by reason that the misdoers haue of late vsed to disguise themselues, with painting of their faces, and with visors and other disguisings, to the intent they might not be knowne, by colour whereof diuers rebellions riots and other inconueniences haue also ensued: Be it &c. That at euerie such time as information shall be made of any vnlawfull huntings by night, or with painted faces, hereafter to bee done, to any of the Kings Counsell, or to any the Iustices of the Kings Peace of the Countie where any such hunting shall be had, of any person to be suspected thereof: It shall be lawfull to any of the same Counsell or Iustices of Peace, to whom any such information shall bee made, to make a Warrant to the Sheriffe of such Countie, or to any Constable, Bailife, or other Officer within the same Countie, to take and arrest the same person or persons, of whom any such information shall bee made, and to haue him or them before the maker of the sayd Warrant, or any other of the Kings sayd Counsell, or Iustices of his Peace of the Countie. And that the sayd Counsellor or Iustice of Peace, afore whom such person or persons shall be brought by his discretion, haue power to examine him or them so brought of the sayd hunting, and of the said doers in that behalfe. And if the same person wilfully conceale the sayd huntings, or any person with him detayning therein: That then the sayd concealement bee adiudged euerie such person so concealing Felonie. And the same felonie to bee enquired of, and determined, as other felonies within the Realme haue vsed to be. And if he then confesse the truth, and all that hee shall bee examined of and knowen in that behalfe: that then the same offences of hunting by him done, be against the King but trespasse finable (by reason of the same confession) at the next generall Sessions of the Peace to bee holden in the same Countie by the Kings Iustices of the same Sessions there to be felled. And if any Rescous or disobeisance be made to any person hauing authoritie to do execution or Iustice, by any such Warrant by any person the which so should be arrested, so that execution of the same Warrant thereby be not had: that then the same Rescous and disobeysance be Felonie, enquirable, and determinable as

as is aforesaid. And ouer that it is &c. That if any person or persons hereafter bee conuicted of any such huntings with painted faces, visors or otherwise disguised, to the intent they should not bee knowne, or of vnlawfull hunting in time of night: that then the same person or persons so conuicted, haue like punishment, as hee or they should haue, if he or they were conuicted of Felonie. Anno 1. H. 7. cap. 7.

8 Where women, as well maidens as widowes and wiues, hauing substance, some in goods moueable, and some in lands and tenements, and some being heires apparant vnto their auncestors, for the lucre of such substances bin oftentimes taken by misdoers, contrarie to their will, and after maried to such misdoers, or to other by their assent, or defiled, to the great displeasure of God, and contrarie to the Kings Lawes, and dispergement of the said women, and vtter heauinesse and discomfort of their friends, and to the euill example of all other: It is &c. That what person or persons from henceforth, that taketh a woman so against her will vnlawfully, that is to say, maid, widow, or wife, that such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken against her will, and knowing the same, be felonie. And that such misdoers, takers and procurers to the same, and receiuers, knowing of the sayd offence in forme aforesaid, bee henceforth reputed and iudged as principall Felons. Prouided allway, That this Act extend not to any person taking any woman, onely claiming her as his Ward or bondwoman. An. 3. H. 7. cap. 2.

9 From henceforth the Steward, Treasurer, and Comptroller of the Kings house for the time being, or one of them, haue full authoritie & power to enquire by twelue sad men, and discreet persons of the Checke roll of the Kings honourable houshold, if any seruant, admitted to bee his seruant sworne, and his name put into the Checke roll of houshold, whatsoeuer he be, seruing in any manner Office or rome, reputed, had and taken vnder the estate of a Lord, make any confederacies, compassings, conspirations, imaginations, with any person or persons, to destroy or murder the King, or any Lord of this Realme, or any other person sworne to the Kings Counsell, Steward, Treasurer, Comptroller of the Kings house: that if it be found afore the said Steward for the time being, by the sayd twelue men, that any such of the Kings seruants, as is abouesayd, hath conseuered, compassed, conspired, or imagined, as is abouesayd: that he so found by the enquirie, be put thereupon to aunswer. And the Steward, Treasurer, and Comptroller, or two of them, haue power to determine the same matter according to the Law. And if he be put in triall, that then he be tried by other twelue sad men of the same houshold. And that such misdoers haue no challenge but for malice. And if such misdoers be found guiltie by confession or otherwise, that the sayd offence bee iudged Felonie. And they to haue iudgement and execution, as Felons attainted ought to haue by the Common Law. An. 5. H. 7. cap. 14.

10 Where before this time, diuers haue vpon trust deliuered vnto their seruants their Caskets and other Iewels, money, goods, and cattels, safely to be kept to the vse of their said Maisters, and after such deliuerie the said seruants haue gone away from their said Maisters, with the said goods and cattels, or part thereof, to the intent to steale the same, and defraud their said Maisters thereof, and sometime being with their sayd Maisters, haue conuerted the same, or part thereof to their owne vse, which misbehauior so done was doubtfull in the Common Law, whether it were Felonie or not. Be it therefore &c. That all and singular such seruants, to whom any such caskets, Iewels, money, goods, or cattels, by his or their sayd Maisters or Mistresses, shall from henceforth so be deliuered to keepe, that if any such seruant or seruants withdraw him or them from their said Maisters or Mistresses, and goe away with the sayd Caskets, Iewels, money, goods, or cattels, or any part thereof, to the intent to steale the same, and defraud his or their said Maisters or Mistresses thereof, contrarie to the trust and confidence to him or them put by his or their said Maisters or Mistresses, or else being in the seruice of his said Maister or Mistresses, without assent or commaundement of his Maister or Mistresse, he imbesell the same Caskets, Iewels, money, goods, or cattels, or any part thereof, or otherwise conuert the same to his owne vse, with like purpose to steale it, that if the said Caskets, Iewels, money, goods, or cattels that any such seruant shal so go away with, or which he shal imbesell with purpose to steale it, as is aforesaid, be of the value of xl.s. or aboue: that then the same false fraudulent, and vntrue act & demeanor, from henceforth shalbe deemed & adiudged Felonie. And he or they so offending to be punished as other felons bee punished for Felonie committed by the course of the Common Law. Prouided allway, that this Act or any thing therin contained, shal not in any wise extend or be preiudiciall to any apprentice or apprentices, nor any person within the age of xviij. yeres, going away with his or their Maisters goods, or Iewels, or otherwise conuerting the same to his or their owne vses, during the time of their apprentiship, or being within the same age of eighteene yeares, but that euerie apprentice or apprentices, & such person or persons being within the sayd age, doing or offending contrarie to this present Act, shall bee and stand in like cases, as they and euerie of them were before the making of this Act: The same Act to continue and endure vnto the next Parliament. Anno 21. Hen. 8. capit. 7. This Act is by 5. Elizab. cap. 10. reuiued to continue for euer.

11 Where tofore this time diuers euill disposed persons of their peruerse disposition, maliciously at diuers times haue broken vp diuers parts of the dike called the new Powdike in Marshland, in the Countie of Norfolke, & the broken dike otherwise called Oldfield dike by Marchlād, in the Isle of Elie, in the Countie of Cambridge, by reason whereof by the salt and fresh water entring by the

said breaches, the ground of Marshland, hath been many times drowned, and the inhabitants of the same put to unfortunate charges, and haue lost much of their cattell, to the great decay of the common weale of the countries adioyning to the same, and also thereby much people haue beene drowned in their beds: For the reformation whereof be it

Cut downe Breake downe

&c. That euerie such peruerse and malitious cutting downe and breaking vp of any part or parts of the said dikes, or of any other banke, being parcell of the rinde and vttermost part of the said countrey of Marshland aforesaid, made for the defence and saluation of the same countrey of Marshland, at euerie time and times, from henceforth, by any person or persons committed and done, otherwise then in working vpon the said banks or dikes

Marshland

Repairing

for the repairing, fortifying and mending of the same, be taken, reputed and adiudged felonie, and that the offenders, and doers of the same, and euerie of them be adiudged and reputed felons. And

Felonie Iust. of P.

that the Iustices of the Peace of the said Counties of Norfolke and Cambridge within the same Isle, at euerie of their Sessions within the same Isle and Counties to be kept, by the authoritie aforesaid, haue full power to cause enquiris to be made,

Inquire

of euerie such offence, so at any time in forme aforesaid hereafter to be committed and done, and

Proces Execution

to award like Proces against euerie of the said offendors, with like iudgement and execution of the same (if they or any of them be thereof found guiltie by verdict or otherwise) as the said Iustices haue vsed and accustomed to doe vpon other felonies, being felonie at the Common Law. Anno 22. H. 8. cap. 11. This Act was repealed by the generall words of An. 1. E. 6. ca. 12. but it is reuiued by An. 2. & 3. P. & M. cap. 19.

Breaking of the Ordinaries prison Clerke conuict

12 A. 23. H. 8. ca. 11. Wilfull breaking of the ordinarie prison by a Clerke conuict of felonie, and escape thereby, was made felonie. But it is repealed by 1. M. 1. Sess.

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13 Where before this time diuers of the kings subiects, and namely of the North part of this Realme, as well in time of peace as of warre, haue sold and deliuered out of this Realme into Scotland, great multitudes of horses, geldings, and mares, which haue beene thought not onely great occasion of strength and boldnesse to the Scottish men in time of warre to inuade this Realme, but also great infeebling of the Kings subiects in the defence of this Realme: Be it &c. That if any person or persons, after the Feast of Saint George the Martyre next comming, sell, exchange, or deliuer within the Realme of Scotland, or in any place or ground called the Batable ground betweene England and Scotland, to the vse of any Scottish man any horse, gelding, or mare, without licence obtained of the Kings Highnesse, by his letters Patents vnder his great Seale so to doe, or sell, exchange, or deliuer to any Scottish man within this Realme of England, Wales, the Towne of Berwicke or Marches of the same, or in any of the sayd Batable ground, to the intent to bee conueyed into Scotland, any Horse, Gelding, or Mare, without speciall licence obtained

Deliuer Scotland

Horse

of the Kings Highnesse by his letters Patents vnder his great Seale so to doe: That then the same sale, exchange, or deliuerie of such Horse, Gelding, or Mare, contrarie to this present Act, shall be adiudged and deemed by the Law, Felonie, as well in the seller, exchanger, or deliuerer, as also in him or them to whom the same sale, exchange, or deliuery, shall bee made. And that it shall be lawfull as well to the Warden and Wardens of the East, West, and middle Marches, for the time being, in their Warden Courts, as also the Kings Iustices of his Peace in their Quarter Sessions in euerie Shire of this Realme, to enquire, heare and determine all and euerie such Felonies, after like maner, as is vsed in other Felonies at the Common Law: whether the same sales, exchanges, or deliueries, bee made, had, or done by any person or persons, contrarie to this Act, in the Realme of Scotland, or in any part of the said Batable grounds, or within the Realme of England, Wales, Berwicke, or the Marches of the same. And that it shall bee lawful to euerie person or persons being the Kings subiects, and inhabiting in the aforesayd Marches, for and against Scotland, to arrest any Scottish man, leading or conueying any such Horse, Gelding, or Mare, out of this Realme, into the sayd Realme of Scotland: and that the one halfe of the price of the sayd Horse, Gelding, or Mare, shall bee to the vse of the seisor, and arrester of the same, after due triall of the same made, and the other moitie to the Kings Highnesse. An. 23. H. 8. ca. 16. This Statute was repealed by the generall words of An. 1. E. 6. ca. 12. but is reuiued by An. 1. Eliz. cap. 7. See after in Horses, 9.

Felonie

Warden

Iust. of P.

Arrest

Moitie

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14 For almuch as there is not yet condigne punishment appointed for the detestable and abhominable vice of Buggerie committed with mankind or beast, Be it enacted &c. That the same offence be from henceforth adiudged Felonie, and such order and forme of Proces therein to bee vsed against the offenders as in cases of Felonie at the Common Law, and that the offendors being hereof conuict, by verdict, confession, or outlawrie, shall suffer such paines of death, and losses and penalties of their goods, cattels, debts, lands, tenements, and hereditaments, as Felons beene accustomed to doe, according to the order of the Common Lawes of this Realme. And that no person offending in any such offence, shall bee admitted to his Clergie. And the Iustices of Peace shall haue power and authoritie, within the limits of their Commissions and Iurisdictions, to heare and determine the sayd offence, as they doe vse to doe in cases of other Felonies. This Act to endure till the last day of the next Parliament. Anno 25. Hen. 8. cap. 6. This Act is reuiued to continue for euer, by Anno 5. Eliz. cap. 17.

Buggrie

Felonie

Clergie

Iust. of P.

Determine

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15 Anno 31. Hen. 8. capit. 12. & Anno 32. Hen. 8. capit. 11. Taking Hawkes egges out of the Kings ground was made Felonie, and taking vp of the Kings Hawkes, and not restoring them within a time was made Felonie, and

Hawkes

Hawkes

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hunting in the day with visors or painted faces, or faces hid or disguised, or in the night in the kings grounds, and diuers other grounds, was made Felonie, except Wales and the borders of Scotland. And after Anñ 1. Edw. 6. cap. 12. these Acts were repealed. And after Añ 5. Eliz. 6. cap. 17. they were reuiued to continue for three yeares, and after they were continued Anñ 5. Eliz. 6. cap. 1. to continue to the last day of the next Parliament, and then they expired.

16 Anno 33. H. 8. cap. 8. deuising or practising Coniurations, Witchcrafts, Sorcerie, or Inchantments and digging vp of Crosses, was made Felonie, and the offendor not to haue his Clergie. But it is repealed by Anñ 1. Ed. 6. cap. 12. and by Añ 1. Mar. 1. Session.

17 Anno 33. Hen. 8. cap. 12. Stealing of the kings goods of the value of vij. s. or aboue, or breaking or entring the Kings house to the intent to steale &c. was made Felony, and the accessarie also a Felon (without Clergie or Sanctuarie) and the tryall thereof there appointed. But these felonies be repealed by Anno 1. Mar. 1. Sess. by generall words.

18 Anñ 33. H. 8. cap. 14. Prophesying vpon declaration of Armes, names, Cognisances or Badges was made Felony, & the offendor not to haue his Clergie. But it is repealed by 1. E. 6. ca. 12. and by 1. Mar. 1. Sess. by generall words.

19 Anno 37. H. 8. cap. 6. Burning of Frames was made Felony. But it is repealed by 1. Ed. 6. cap. 12.

20 Anno 37. H. 8. cap. 10. Casting of slaunderous bils was made Felony. But it is repealed by 1. Ed. 6. cap. 12.

21 Be it &c. That all wilfull killing by poysoning of any person or persons, that at any time hereafter shall be done, perpetrated, or committed, shalbe adiudged, taken and deemed wilfull murther of malice prepensed: and that the offendors therein, their ayders, abettors, procurers & counsellors, shall suffer death, and forfeit in euery behalfe, as in other cases of wilfull murther of malice prepensed. Anñ 1. Ed. 6. cap. 12. And in this Act, all offences made Felonie by Statutes since xxiij. Aprilis. Anñ 1. H. 8. not being Felonie before, were repealed: But diuers of them be reuiued againe by Statutes made since that time.

22 Anno 2. Ed. 6. cap. 2. Departing of a Souldior without licence is made Felony. See hereof Captaines 6.

23 All offences made Felonie, or limited or appointed to be within the case of Premunire, by an Act or Acts of Parliament, Statute or Statutes, made sithence the first day of the first yere of King Henry the eight, not being Felonie before, nor within the case of Premunire, and also all and euery Branch, Article and Clause mentioned, or in any wise declared in any of the same estatutes, concerning the making of any offence or offences to be Felonie, or within the case of Premunire, not being Felonie, or within the case of Premunire before, and all paines and forfeitures concerning the same, or any of them, were repealed by Anno 1. Mar. 1. Sess. But diuers of those Statutes be reuiued since that time.

24 See Amendement 3. of imbeaseling or auoiding of Records to be Felony. Imbeselling of Records,

25 See Executors 6. of Felony of seruants taking their masters goods after their death. Seruants

26 See Faires and Markets 6. for stolne Cattell. Stolne cattell

27 See Forrests 10. that hunting was not then Felonie. Hunting

28 See Tryall 8. of Felonies done vpon the Sea. Felonie on the Sea

29 See Treason 28. for practising to take or destroy the Quenes Castles to be Felonie by Anno 14. Eliz. cap. 1. Castles

30 Be it enacted &c. That if any person or persons at any time after the end of this present Session of Parliament, shall imagine, conspire, deuise, inuent, or goe about, vnlawfully and maliciously to enlarge or set at libertie any person or persons committed or to be committed to any prison, gard, or custodie, being or which shall be indicted of any Treason, in any wise concerning the person of our sayd Soueraigne Ladie the Quene, and the same conspiracies, imaginations, deuises or inuentions shall by expresse words, writing or other matter or Act, expressely or manifestly set forth, vtter, or declare: that then euery such person so offending, shall be deemed & adiudged a Felon, and suffer, lose, and forfeit, as in cases of Felony, by the due course of the Lawes of this Realme. Anñ 14. Eliz. cap. 2. To endure during her Maiesties life. Conspire Enlarge Deuise Indict Words Writing Forf.

31 Be it enacted &c. That whosoeuer shall at any time hereafter, without good and lawfull warrant or authoritie, take any of her Maiesties subiects against his or their will or wils, and carrie them out of the Counties of Cumberland, Northumberland, Westmerland, and the Bishoprick of Durham, or to any other place within any of the sayd Counties, or detaine, force, or imprison him or them, as prisoners, or against his or their wils, to ransome them, or to make a prey or spoyle of his or their person or goods, vpon deadly feude, or otherwise: Or whosoeuer shall be priuie, consenting, ayding, or assisting vnto any such taking, detaining, carrying away, or procure the taking, detaining or carrying away, of any such person or persons prisoners, as aforesaid: Or whosoeuer shall take, receiue or carrie, to the vse of himselfe, or wittingly to the vse of any other, any mony, corne, cattell, or other consideration, commonly called Blacke mayle, for the protecting or defending of him or them, or his or their lands, tenements, goods or chattels, from such thefts, spoyles and robberies, as is aforesaid: Or whosoeuer shall giue any such money, corne, cattell, or other consideration, called Blacke mayle, for such protection as is aforesaid, or shall wilfully and of malice burne or cause to be burned, or aide, procure, or consent to the burning of any Barne or Stacke of Corne or Graine within any the sayd Counties or places aforesaid, and shall be of the said seuerall offences, or of any of them indicted, and lawfully conuicted, or shall stand mute, or shall challenge peremptorily

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aboue the number of twentie before the Iustices of Assises, Iustices of Gaole deliuerie, Iustices of Oyer and Terminer, or Iustices of Peace within any of the sayd Counties, at some of their generall Sessions within some of the sayd Counties to be holden, shall be reputed, adiudged, and taken to be as Felons, and shall suffer paines of death, without any benefit of Clergie, Sanctuarie, or Abiuration, and shall forfeit as in case of Felony. And where diuers and sundry persons within the sayd Counties, being indicted and outlawed for Murthers, Robberies, Burglaries, or other Felonies, doe notwithstanding ordinarily resort and come to Markets & Faires, and other publicke assemblies and meetings, and do there conuerse, trafficke, and trade with other her Maiesties Subiects, and are entertained, and haue the priuiledge as men obedient to Lawes, and yet do neuer yeeld themselues to tryall of the Law, nor are apprehended, whereby the ordinarie proceeding of Law, and execution of Iustice in those parts, are growne now into very great contempt. Be it therefore likewise further enacted, That euery Clerke of the Peace within euery of the said Counties shall within the space of two moneths next after any Outlarie within any of the sayd Counties, deliuer or cause to be deliuered, by writing vnder his hand, the names of all and euery such as are or shall be hereafter outlawed within their seuerall Counties, to all and euery the Shirifes of the said seuerall Counties: And all and euery the sayd Shirifes shall proclaime & publish them to be outlawed in their seuerall Countie Courts, and in the Citie of Carliol, the Townes of Penreth & Cockermouth in the Countie of Cumberland, and in the Townes of Appulby and Kendall in the Countie of Westmerland, and in the Towne of Newcastle vpon Tine, in the Countie of the Towne of Newcastle vpon Tine, and in the Townes of Morpeth, Alnewicke and Heram, in the Countie of Northumberland, and in the Citie of Dureme, and Townes of Darlington, Bishop Awcland, and Barnard Castle within the said Bishoprick of Dureme, and in the Towne of Barwicke vpon Twede. And that the sayd Shirifes hauing notice as aforesaid, shall from time to time, once in the moneth, at their Countie Court proclaime euery of the sayd persons so outlawed, or hereafter to be outlawed, vntill they shall yeeld their bodies to prison. And likewise that the Mayors, Baylifes, Aldermen, or other chiefe Officers within the sayd seuerall Cities and Townes, shall proclaime the like at euery Faire or Faires to be kept within the sayd Cities or Townes, and once euery fire weekes at their Markets. And be it also enacted, That if any person or persons inhabiting within any the sayd seuerall Counties, shall wittingly and willingly haue conference, talke, or in any sort shall relieue, entertaine, or conferre with any such person or persons so outlawed, or hereafter to be outlawed for any such Murthers, Robberies, Burglaries, or other Felonies, hauing knowledge of the same Outlaries, by reason of the same Proclamation, or otherwise, & then shall not with conuenient speed doe his best endeuour to take and arrest any such person or persons so outlawed, or to be outlawed, as is aforesaid, shall suffer imprisonment by the space of fiue moneths, without baile or mainprize, and be bound with two sufficient sureties for his good behauiour, for the space of one yeare after, before he be enlarged of his imprisonment. And be it further enacted, That the Iustices of Assise within any of the sayd Counties, Iustices of Gaole deliuerie, Iustices of Oyer and Terminer, or Iustices of Peace within any of the said Counties, at any of their generall Sessions, shall haue power and authoritie, by vertue of this Act, to enquire, heare and determine of the offences and defaults of the sayd Shirifes, Mayors, Baylifes, Aldermen, and other Officers, and of the Clerkes of the Peace within the sayd Counties, and proceed against them by Information or Indictment, and punish them by fine, imprisonment, or otherwise, as they shall thinke fit. Prouided alwayes, That this Act, nor any thing therein contained, shall not extend to abridge or impeach the iurisdiction or authoritie of any the Lords Wardens of any the Marches of England, for and against Scotland: any thing in this present Act to the contrarie notwithstanding. Anno 43. Elizabeth. cap. 13.

Fesants and Partridges.

FOrasmuch as diuers persons vse by Nets and other Engines to take Fesants and Partridges vpon the lands and tenements of diuers owners and possessors of the same, without their licence, by the which they lose not onely their disport, that they, their friends and seruants should haue about hawking and taking of the same, but also the profit that should grow to their household, to the great hurt of all Lords and Gentlemen, and other hauing any great liuelode within this Realme: Wherefore it is &c. That it shall not be lawfull to any person, of what condition he be, to take or cause to be taken any Fesants or Partridges by Net, Snares, or other Engines, out of his owne Warren, vpon the freehold of any other person, without the assent, agreement, and speciall licence of the owner or possessioner of the same, vpon paine of forfeiture of tenne pounds: The one halfe thereof to the partie that will sue for the same by Action of Debt, or by Bill, or otherwise, and the other halfe thereof to the owner or possessor of the sayd ground, vpon the which the said Fesants and Partridges be so taken. Also it is ordained by the said authoritie, That no manner of person, of what condition or degree he be, take or cause to be taken (be it vpon his owne ground, or any other mans) the egges of any Faulkon, Goshawkes, Laners, or Swannes, out of the neall, vpon paine of imprisonment of a yeare and a day, and fine at the Kings will: The one halfe thereof to the King, and the other halfe to the owner of the ground where the egges were so taken, and that the Iustices of the Peace haue authoritie by this present Act to heare and determine such matter, as well by inquisition, as information and prowes. Also it is or-

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dained by the sayd authoritie, That no man from the Feast of Easter next comming, beare any Hawke of the brood of England, called a Nisse Gosshawke, Tassell, Laner, Lanneret, or Faulcon, vpon paine of forfeiture of his Hawke to ỳ King, and the sayd Hawke to be at the Kings pleasure. And that all such persons that bring any Nisse Hawke or Hawkes from any of the parts beyond the Seas, bring a certificate vnder the Customers Seale of the Port where he first landed with the said Hawke or Hawkes, or if he come out of Scotland then vnder the Seale of the Warden or Lieutenant of that March that he commeth through, testifying that the same Hawke or Hawkes be of the parts beyond the Seas, or of Scotland, vpon the same paine. And that person that bringeth any such Hawke or Hawkes to the King, shall haue a reasonable reward of the King, or else the same Hawke or Hawkes for their labour. Also it is ordained by the same authoritie, That no man take any Ayer, Faulcon, Gosshawke, Tassell, or Laner, or Lanerets in their Warren or Woods, or in other place, nor purposely driue them out of their coverts, accustomed to breed in, to cause them to goe to other coverts to breed, nor slay them for any hurt by them done, but suffer them to passe at their liberties, vpon paine of x. l. The one halfe to the partie that will sue for the same, by Action of Debt, by examination before the Justices of the Peace, information, or otherwise, and the other halfe to the King. Prouided alway, that the moitie of the forfeiture aboue said, given to the owner of the ground, for taking of Swannes egges, be vnto the owner of the said Swannes, and not to the owner of the ground.

Anno xi. H. 7. cap. 17.

Where the game of Fesants and Partridges is within these few yeares in manner vtterly decayed, by meanes of such as take them with Nets and other Engines, and of such as do vse hawking in the beginning of Haruest, before the young Fesants and Partridges be of any bignesse, to the great spoile of corne and graine then growing in the fields: For reformation whereof be it ordained, That no manner of person or persons, of what estate, degree, or condition soeuer, shall at any time or times, from and after the first day of April next ensuing, take, kill, or destroy any Fesants or Partridges by any manner of Nets, Snares, Gynnes, Engins, Howlets, Lowbels, or other deuises whatsoeuer in the night time, vpon paine of forfeiture for euery Fesant so taken, killed or destroyed, contrarie to the true meaning of this Act, the summe of x. s. and euery Partridge so taken, killed or destroyed, the summe of x. s. The which sayd penalties and forfeitures, if euery person or persons so offending doe not pay within tenne dayes next after his or their conuiction, shall haue one moneths imprisonment, without bayle or mainprise. And further, ouer & besides such forfeiture or imprisonment, to put in bond, with good sureties, for ỳ space of two yeares, that he shall not take, kill or destroy any Partridges or Fesants, contrarie to the true meaning of this Act: the same bond to be taken by some Justice of the Peace, of the Countie where the said offence shall be committed: The one halfe of all which sayd seuerall forfeitures to be to the chiefe Lord or Lords of the Liberties, Lordships, or Mannors, vpon and in which the same shall be so taken, killed or destroyed, & the other moitie to such person or persons as will sue for the same in any of her Maiesties Courts of Record, by Bill, Plaint, or Information, in which suit no Essoine, Protection, or Wager of Law shall be allowed. Prouided alwaies, that if such person to whom the one halfe of the said forfeiture is appointed for the taking, killing or destroying of Partridges and Fesants, contrarie to the tenor and true meaning of this Act, shall dispence with, licence or procure any taking, killing or destroying of any Partridges or Fesants, contrarie to the forme of this Act, that then all such forfeitures and penalties as such person or persons should haue by vertue of this Act, shall be to the poore of the Parish, where such taking, killing or destroying shall be committed, and that to be leuied or recouered in manner and forme aforesaid, by any one of the Churchwardens of the Parish where the offence shall be committed. And be it likewise further enacted by the authority aforesaid, That no manner of person or persons, from and after the said first day of April shall hawke, or with his spaniels hunt in any ground where corne or other graine shall then growe (except it be in his owne ground) at such time as any eared or codded corne or graine shall be standing and growing vpon the same, nor before such time as such corne and graine shall be shocked, cocked, hyled or copped, vpon paine of forfeiture for euery time that he shall so hawke or hunt as aforesaid (without the consent of the owner of the corne or graine) to such person or persons as shall be owner of the said eared or codded corne or graine, xl. s. and the same to be leuied or recouered in manner and forme aforesaid. Prouided alwayes, and be it ec. That the Justices of Assise in their circuits, and Justices of the Peace in euery Shire, Countie, and Towne corporate within this Realme, in their Sessions, within the seuerall limits of their Commission, & Stewards of Leetes, Liberties and Lawdayes, within their seuerall iurisdictions, shall and may by vertue hereof heare, enquire and determine of all and euerie offence & offences, which shal be committed within the precinct of their Liberties, Iurisdictions, or Franchises, against the tenor of this Act. And further, that euery Iustice of the Peace within euery Countie of this Realme, shall within the limits of his Commission haue power & authoritie, by vertue hereof, to examine all offenders in the premisses within the Countie where he is or shalbe Justice, if so be that the said offence or offences shall not before be heard or determined by the said Justices of Assise in their circuits, or by ỳ Stewards of Leets, Liberties or Lawdayes, within the said seuerall iurisdictions, & also to take bond, with good sureties, for his and their apparance that shall so offend, to appeare at the next generall Sessions of the Peace, to be holden within the same Countie, where the same offence shall be committed, to answer the said offence, and to pay the penalties, or receiue the punishment

Lord

Poore of the Parish

Church-wardens

Hawke

Corne

Fast.

Just. of P.

Sessions

Leetes

Oyer & ter.

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Next Sess.

aboue the number of twentie before the Iustices of Assises, Iustices of Gaole deliuerie, Iustices of Oyer and Terminer, or Iustices of Peace within any of the sayd Counties, at some of their generall Sessions within some of the sayd Counties to be holden, shall be reputed, adiudged, and taken to be as Felons, and shall suffer paines of death, without any benefit of Clergie, Sanctuarie, or Abiuration, and shall forfeit as in case of Felony. And where diuers and sundry persons within the sayd Counties, being indicted and outlawed for Murthers, Robberies, Burglaries, or other Felonies, doe notwithstanding ordinarily resort and come to Markets & Faires, and other publicke assemblies and meetings, and do there conuerse, trafficke, and trade with other her Maiesties Subiects, and are entertained, and haue the priuiledge as men obedient to Lawes, and yet do neuer yeeld themselues to tryall of the Law, nor are apprehended, whereby the ordinarie proceeding of Law, and execution of Iustice in those parts, are growne now into very great contempt. Be it therefore likewise further enacted, That euery Clerke of the Peace within euery of the said Counties shall within the space of two moneths next after any Outlarie within any of the sayd Counties, deliuer or cause to be deliuered, by writing vnder his hand, the names of all and euery such as are or shall be hereafter outlawed within their seuerall Counties, to all and euery the Shirifes of the said seuerall Counties: And all and euery the sayd Shirifes shall proclaime & publish them to be outlawed in their seuerall Countie Courts, and in the Citie of Carliol, the Townes of Penreth & Cockermouth in the Countie of Cumberland, and in the Townes of Appulby and Kendall in the Countie of Westmerland, and in the Towne of Newcastle vpon Tine, in the Countie of the Towne of Newcastle vpon Tine, and in the Townes of Morpeth, Alnewicke and Yeram, in the Countie of Northumberland, and in the Citie of Dureme, and Townes of Darlington, Bishop Awcland, and Barnard Castle within the said Bishopricke of Dureme, and in the Towne of Barwicke vpon Twede. And that the sayd Shirifes hauing notice as aforesaid, shall from time to time, once in the moneth, at their Countie Court proclaime euery of the sayd persons so outlawed, or hereafter to be outlawed, vntill they shall yeeld their bodies to prison. And likewise that the Mayors, Baylifes, Aldermen, or other chiefe Officers within the sayd seuerall Cities and Townes, shall proclaime the like at euery Faire or Faires to be kept within the sayd Cities or Townes, and once euery fiue weekes at their Markets. And be it also enacted, That if any person or persons inhabiting within any the sayd seuerall Counties, shall wittingly and willingly haue conference, talke, or in any sort shall relieue, entertaine, or conferre with any such person or persons so outlawed, or hereafter to be outlawed for any such Murthers, Robberies, Burglaries, or other Felonies, hauing knowledge of the same Outlaries, by reason of the same Proclamation, or otherwise, & then shall not with conuenient speed doe his best endeuour to take and arrest any such person or persons so outlawed, or to be outlawed, as is aforesaid, shall suffer imprisonment by the space of fiue moneths, without baile or mainprize, and be bound with two sufficient sureties for his good behauiour, for the space of one yeare after, before he be enlarged of his imprisonment. And be it further enacted, That the Iustices of Assise within any of the sayd Counties, Iustices of Gaole deliuerie, Iustices of Oyer and Terminer, or Iustices of Peace within any of the said Counties, at any of their generall Sessions, shall haue power and authoritie, by vertue of this Act, to enquire, heare and determine of the offences and defaults of the sayd Shirifes, Mayors, Baylifes, Aldermen, and other Officers, and of the Clerkes of the Peace within the sayd Counties, and proceed against them by Information or Iudgment, and punish them by fine, imprisonment, or otherwise, as they shall thinke fit. Prouided alwayes, That this Act, nor any thing therein contained, shall not extend to abridge or impeach the iurisdiction or authoritie of any the Lords Wardens of any the Marches of England, for and against Scotland: any thing in this present Act to the contrarie notwithstanding. Anno 43. Elizabeth. cap. 13.

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FOrasmuch as diuers persons vse by Nets and other Engines to take Fesants and Partridges vpon the lands and tenements of diuers owners and possessors of the same, without their licence, by the which they lose not onely their disport, that they, their friends and seruants should haue about hawking and taking of the same, but also the profit that should grow to their household, to the great hurt of all Lords and Gentlemen, and other hauing any great liuelode within this Realme: Wherefore it is &c. That it shall not be lawfull to any person, of what condition he be, to take or cause to be taken any Fesants or Partridges by Net, Snares, or other Engines, out of his owne Warren, vpon the freehold of any other person, without the assent, agreement, and speciall licence of the owner or possessioner of the same, vpon paine of forfeiture of tenne pounds: The one halfe thereof to the partie that will sue for the same by Action of Debt, or by Bill, or otherwise, and the other halfe thereof to the owner or possessor of the sayd ground, vpon the which the said Fesants and Partridges be so taken. Also it is ordained by the said authoritie, That no manner of person, of what condition or degree he be, take or cause to be taken (be it vpon his owne ground, or any other mans) the egges of any Faulkon, Gothawkes, Laners, or Swannes, out of the neast, vpon paine of imprisonment of a yeare and a day, and fine at the Kings will: The one halfe thereof to the King, and the other halfe to the owner of the ground where the egges were so taken, and that the Iustices of the Peace haue authoritie by this present Act to heare and determine such matter, as well by inquisition, as information and prowes. Also it is ordained

dained by the said authoritie, That no man from the Feast of Easter next comming, beare any Hawke of the breed of England, called a Nielle Gosshawke, Tassell, Laner, Lanret, or Faulcon, vpon paine of forfeiture of his Hawke to ỳ King, and the said Hawke to be at the Kings pleasure. And that all such persons that bring any Nielle Hawke or Hawkes from any of the parts beyond the Seas, being a certificate vnder the Customers Seale of the Port where he first landed with the said Hawke or Hawkes; or if he come out of Scotland then vnder the Seale of the Warden or Lieutenant of that March that he commeth through, testifying that the same Hawke or Hawkes be of the parts beyond the Sea, or of Scotland, vpon the same paine. And that person that bringeth any such Hawke or Hawkes to the King, shall haue a reasonable reward of the King, or else the same Hawke or Hawkes for their labour. Also it is ordained by the same authoritie, That no man take any Ayer, Faulcon, Gosshawke, Tassell, or Laner, or Lanerets in their Warren or Woods, or in other place, nor pursuely driue them out of their coverts, accustomed to breed in, to cause them to goe to other coverts to breed, nor slay them for any hurt by the same, but suffer them to passe at their liberties, vpon paine of x. l. The one halfe to the partie that will sue for the same, by Action of Debt, by examination before the Justices of the Peace, information, or otherwise, and the other halfe to the King. Prouided alway, that the moitie of the forfeiture aboue said, given to the owner of the ground, for taking of Swannes egges, be vnto the owner of the said Swannes, and not to the owner of the ground. Anno 11. H. 7. cap. 17.

Where the game of Fesants and Partridges is within these few yeares in manner vtterly decayed, by meanes of such as take them with Nets and other Engines, and of such as do vse hawking in the beginning of Haruest, before the young Fesants and Partridges be of any bignesse, to the great spoile of corne and graine then growing in the fields: For reformation whereof be it ec. That no manner of person or persons, of what estate, degree, or condition soeuer, shall at any time or times, from and after the first day of April next ensuing, take, kill, or destroy any Fesants or Partridges by any manner of Nets, Snares, Gynnes, Engins, Nowfling, Lowfling, or other deuise whatsoeuer in the night time, vpon paine of forfeiture for euery Fesant so taken, killed or destroyed, contrarie to the true meaning of this Act, the summe of x. s. and euery Partridge so taken, killed or destroyed, the summe of x. s. The which said penalties and forfeitures, if euery person or persons so offending doe not pay within tenne dayes next after his or their conuiction, shall haue one moneths imprisonment, without baile or mainprise. And further, ouer & besides such forfeiture or imprisonment, to put in bond, with good sureties, for ỳ space of two yeares, that he shall not take, kill or destroy any Partridges or Fesants, contrarie to the true meaning of this Act: the same bond to be taken by some Justice of the Peace, of the Countie where the said offence shall be committed: The one halfe of all which said seuerall forfeitures to be to the chiefe Lord or Lords of the Liberties, Lordships, or Mannors, vpon and in which the same shall be so taken, killed or destroyed, & the other moitie to such person or persons as will sue for the same in any of her Maiesties Courts of Record, by Bill, Plaint, or Information, in which suit no Essoine, Protection, or Wager of Law shall be allowed. Prouided alwaies, that if such person to whom the one halfe of the said forfeiture is appointed for the taking, killing or destroying of Partridges and Fesants, contrarie to the tenor and true meaning of this Act, shall dispence with, licence or procure any taking, killing or destroying of any Partridges or Fesants, contrarie to the forme of this Act, that then all such forfeitures and penalties as such person or persons should haue by vertue of this Act, shall be to the poore of the Parish, where such taking, killing or destroying shall be committed, and that to be leuied or recouered in manner and forme aforesaid, by any one of the Churchwardens of the Parish where the offence shall be committed. And be it likewise further enacted by the authority aforesaid, That no manner of person or persons, from and after the said first day of April shall hawke, or with his spaniels hunt in any ground where corne or other graine shall then growe (except it be in his owne ground) at such time as any eared or codded corne or graine shall be standing and growing vpon the same, nor before such time, as such corne and graine shall be shocked, corked, hyled or copped, vpon paine of forfeiture for euery time that he shall so hawke or hunt, as aforesaid (without the consent of the owner of the same, or graine) to such person or persons as shall be owner of the said eared or codded corne or graine, xl. s. and the same to be leuied or recouered in manner and forme aforesaid. Prouided alwayes, and be it ec. That the Justices of Assise in their circuits, and Justices of the Peace in euery Shire, Countie, and Towne corporate within this Realme, in their Sessions, within the seuerall limits of their Commission, & Stewards of Leetes, Liberties and Lawdayes, within their seuerall iurisdictions, shall and may by vertue hereof heare, enquire and determine of all and euerie offence & offences, which shal be committed within the precinct of their Liberties, Iurisdictions, or Franchises, against the tenor of this Act. And further, that euery Justice of the Peace within euery Countie of this Realme, shall within the limits of his Commission haue power & authority, by vertue hereof, to examine all offendors in the premisses within the Countie where he is or shalbe Justice, if so be that the said offence or offences shall not before be heard or determined by the said Justices of Assise in their circuits, or by ỳ Stewards of Leets, Liberties or Lawdayes, within the said seuerall iurisdictions, & also to take bond, with good sureties, for his and their apparance that shall so offend, to appeare at the next generall Sessions of the Peace, to be holden within the same Countie, where the same offence shall be committed, to answer the said offence, and to pay the penalties, or receiue the punishment

Poore of the Parish

Churchwardens

Hawke

Corne

Fesk.

Just. of P.

Sessions

Leetes

Oyer & ter.

Just. of P.

Examine

Bond

Next Sess.

nishment by this Act appointed or limited. Prouided also, that this Act shall not in any wise extend to Lowbellers, Tramellers, or others, which shall vnwillingly happe to take any Partridges or Fesants by night, vnder any Tramel, Lowbel, Roadnet, or other Engine, so as they and euery of them doe presently lose and let goe euery Fesant & Partridge so taken, & suffer them presently to flye and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Fesant or Partridge so taken in any manner of sort: any thing in this Act contained to the contrarie notwithstanding. An 23. Eliz. cap. 10.

Vnwillingly

Flie

☞ 3 Be it enacted &c. That all & euery person and persons, which from and after the first day of August next following, shall shoot at, kill or destroy, with any Gunne, Crossebow, Stonebow, or Long bow, any Fesant, Partridge, house Doue, or Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouse, Heathcock, Porregame, or any such fowle, or any Hare: Or after the said first day of August shall take, kill, or destroy any Fesant, Partridge, house Doue, or Pigeon, with setting Dogges and Nets, or with any manner of Nets, Snares, Engines, or Instruments whatsoeuer: Or shall take the egges of any Fesant, Partridge, or Swannes, out of the neasts, or willingly breake, spoyle, or destroy the same in the neast: Or after the sayd first day of August shal trace or course any Hares in the Snow, or at any time take or destroy any Hares with any Harepipes, Cords, or with any such Instruments, or other Engines: And the same offence or offences being proued, by the confession of the partie, or by the testimonie of two sufficient witnesses, vpon oath before two or more Justices of Peace of the same Countie, Citie, or Towne corporate, wherein the offence shall be committed, or the partie offending apprehended, shall be by the said Justices of Peace, for euery such offence, committed to the common Gaole of the said Countie, Citie, or Towne corporate, where the offence shall be committed, or the parties apprehended, there to remaine for vj. moneths without baile or mainprise, vnlesse that the said offendor doe or shall forthwith vpon the said conuiction pay or cause to be payed to the Churchwardens of the said Parish where the said offence shall be committed, or the party apprehended, to the vse of the poore of the said parish, the summe of 20. s. for euery Fesant, Partridge, house Doue, Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouse, Heathcocke, Porregame, or any such fowle, & for euery egge of Fesant, Partridge, or Swannes, and for euery Hare, which any and euery such person and persons so offending & conuicted, as aforesaid, shall take, kill, or willingly destroy, contrarie to the true purport & true meaning of this Statute, or after one moneth after his commitment, together with two sufficient sureties become bound by Recognisance in the summe of 20. l. apiece to the Kings Maiesties vse, his heires and successors, with condition, that he the said partie so offending shall not at any time hereafter shoot at, kill, take, or destroy any of the said Games before mentioned, by any of the meanes aforesaid: Which said Recognisances shall be taken by any two, or more Justices of Peace of the said Countie, Citie, or Towne corporate, where the offendor shall be so imprisoned, as aforesaid, and shall be returned to the then next Quarter Sessions, & there to remaine of record, as other Recognisances, taken for the Peace. And for the better preseruation of Deere, Hares, and other the Games aforesaid, Be it further enacted by the authoritie aforesaid, That all and euery person & persons, which from or after the said first day of August shall haue or keepe any Greyhound for courting of Deere or Hare, or setting Dogge or Dogges, or Net or Nets, to take Fesants or Partridges (except such person or persons which shal be seised in their owne right, or in the right of their Wiues, of lands, tenements, or hereditaments, of the cleare yearely value of 10. l. by the yeare, or more, ouer and aboue all charges and reprises, of some estate of inheritance: Or of lands, tenements, or hereditaments in his owne right, or in the right of his Wife, for terme of life, or liues, of the yearely value of 30. l. ouer & aboue all charges and reprises: Or bee possest of goods or chattels, to the full value of 200. l. to his owne vse: Or bee the sonne or sonnes of any Knight, or of any Baron of Parliament, or of some person of higher degree, or the sonne & heire apparant of any Esquire) and being thereof conuicted, as aforesaid, shall by the said Justices of the Peace be committed and imprisoned, in manner and forme, as in and by this present Act before is expressed, specified, and declared, Except such person and persons so offending, & thereof conuicted, as aforesaid, doe forthwith pay or cause to be payed to the Churchwardens of the said Parish where the said offence shalbe committed, or the partie apprehended, to the vse of the poore of the said Parish, the summe of 40. s. of good and lawfull money of England. And be it further enacted &c. That euery person and persons, which at any time after the said first day of August, shall sell, or buy to sell againe, any Deere, Hare, Partridge, or Fesant (except Partridge and Fesants reared and brought vp in house or houses, or brought from beyond the Seas) shall forfeit for euery Deere so bought and sold, 40. s. for euery Hare 10. s. and for euery Partridge 10. s. and for euery Fesant so to be bought and sold, 20. s. Of all which forfeitures, the one moitie shall be to him that will sue for the same by Bill of Indictment or Information, and the other moitie to the poore of the Parish, where the said offence or offences shall be committed. And be it further enacted &c. That no person or persons shall or may, after the said first day of August, be punished by force of any former Statute or Law, for any of the said offences, for which, by force of this Law, any punishment shall be inflicted: And that all Justices of Assise in their seuerall circuits, and all the Justices of the Peace in their generall Quarter Sessions, & any two Justices of Peace, or more together, out of any Sessions, shall and may, by force of this present Act, haue full power and authoritie to examine, heare, punish, and determine

Shoot Kill &c.

Dogs Nets

Egges

Trace Hares

Harepypes, &c.

2. Iust. of Peace

Bayle denied

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mine all offences to be committed againſt this preſent Statute, and to adminiſter Oathes as aforeſaid, and performe and execute all and euery Act and thing, fit or requiſite for the due execution of this preſent Act. Prouided alwayes, That it ſhall and may be lawfull for euery perſon or perſons, which haue or ſhall haue free Warren, and to and for euery Lord of a Manor, and to euery Freeholder, which is or ſhall be ſeiſed in his owne right, or in the right of his Wife, of lands, tenements, or hereditaments, to the cleare yearely value of 10. l. or more by the yeare, ouer & aboue all charges and repriſes of ſome eſtate of Inheritance, or of lands, tenements, or hereditaments, in his owne right, or in the right of his Wife, for terme of life or liues, of the yearely value of 30. l. ouer and aboue all charges and repriſes, or be, or which ſhall be worth in goods and chattels 200. l. by him or themſelues, or by his or their meniall ſeruants (ſufficiently authorized from his or their maſter for that purpoſe) to take Feſants and Partridges in the day time onely with Nets, in and vpon his & their owne, or his & their Maſters free Warren, Manor and Freehold, or on any part of them, betwixt the Feaſt of S. Michael the Archangell, and the Feaſt of the birth of our Lord God yearely: any thing in this Law to the contrarie notwithſtanding. And be it enacted &c. That it ſhall and may be lawfull to and for euery perſon and perſons, keeping any Hawke or Hawkes, which at the generall Quarter Seſſions of the Countie (where he and they ſhall dwell) ſhall be licenced to ſhoot hayle-ſhot in Handgunnes or Birding Piece, at Crow, Chough, Pye, Rooke, Ringdoue, Jay, or ſmaller Birds, for Hawkes meat onely, to ſhoot and kill Hawkes meat, according to the ſaid Licence only, ſo that ſuch partie ſo to be licenced, doe at the ſame Quarter Seſſions, wherein he ſhall be licenced, become bound to the Kings Maieſtie by Recogniſance in 20. l. not to ſhoot at any the Fowle, or Game, at which, ſhooting is prohibited by this law: And ſo that he or they ſhall not ſhoot in any Handgunne or other Gunne, within 600 paces of any Pennerie, nor within 100 paces of any Pigeon-houſe, nor in any Parke, Forreſt, or Chaſe, whereof the partie ſo licenced, or his Maſter, is or ſhall not be the Owner, Keeper, or Gouernour, for which Licence and Recogniſance the Clerke of the Peace is to take onely twelue pence, and no more. This Law to continue to the end of the firſt Seſſion of the next Parliament. Anno 1. Iac. cap. 27.

4 Whereas in the firſt Seſſion of this preſent Parliament there was a good Law made, amongſt other things, for the preſeruation of the Game of Feſants and Partridges (before 3.) which hath not yelded that good ſucceſſe as was by the ſame Law hoped for and intended, through diſorderly and vnſeaſonable Hawking, whereby great quantities of Corne and Graine hath beene and is not onely vncharitably ſpoiled and deſtroyed, but great numbers of Feſants and Partridges thereby killed and ſpoyled before they be either fit to be hawked at, or to be vſed for food or vſe: For the preuenting of both which inconueniences and miſchiefes, Be it &c. That all and euery perſon and perſons whatſoeuer, which at any time after the end of this preſent Seſſion of Parliament doth, or ſhall hawke at, deſtroy, or kill any Feſant or Feſants, Partridge or Partridges, with any kind of Hawke or Hawkes, Dogge or Dogges, by colour of hawking, betweene the firſt of July, and the laſt day of Auguſt: And the ſame offence or offences being proued by the confeſſion of the partie, or by the teſtimonie of two ſufficient witneſſes vpon Oath, before two or more Juſtices of the Peace of the ſayd Countie, Citie, or Towne corporate, wherein the offence ſhall be committed, or the partie offending apprehended, ſhall be by the ſaid Juſtices of the Peace for euery ſuch offence committed to the common Gaole of the ſaid Countie, Citie or Towne corporate, where the offence ſhalbe committed, or the parties apprehended, there to remaine for one whole moneth without baile or mainprize, vnleſſe that the ſaid offendor do or ſhall forthwith, vpon the ſaid conuiction, pay or cauſe to be payed to the Churchwardens of the ſaid Pariſh, or vnto the Ouerſeers of the poore, or ſome of them, where the ſaid offence ſhall be committed, or the partie apprehended, to the vſe of the poore of the ſame Pariſh, the ſumme of fortie ſhillings for euery ſuch hawking at any Feſant or Partridge, and twentie ſhillings for euery Feſant or Partridge, which any and euery ſuch perſon and perſons ſo offending and conuicted (as aforeſaid) by himſelfe, his Hawke or Hawkes, Dogge or Dogges, ſhall take, kill or deſtroy, contrarie to the true purport, intent, and meaning of this preſent Statute. Prouided alwayes, and be it &c. That if any perſon or perſons ſhall be at any time hereafter conuicted and puniſhed by vertue of this Law, That then the partie ſo puniſhed ſhall not for the ſame offence be eſſſones called in queſtion, and puniſhed by vertue of any other Law touching or concerning the like offences. Prouided alſo, that no offendors ſhall bee impeached or puniſhed by vertue of this Act, vnleſſe he or they be accuſed as delinquent before the ſaid Juſtices of Peace within ſix moneths next after the ſayd offence or offences committed and done. And whereas by a Proviſo in the ſaid Statute contained, it is prouided, That it ſhall and may be lawfull to and for euery perſon and perſons which haue or ſhall haue free Warren, and to and for euery Lord of a Manor, and to euery Freeholder, which is or ſhall be ſeiſed in his owne right, or in the right of his wife, of lands, tenements, or hereditaments, to the cleere yearely value of tenne pounds or more by the yere, ouer and aboue all charges and repriſes, of ſome eſtate of Inheritance, or of lands, tenements, or hereditaments in his owne right, or in the right of his wife, for terme of life or liues, of the yearely value of thirtie pounds, ouer and aboue all charges and repriſes, or be or which ſhall be worth in goods or chattels two hundred pounds, by him or themſelues, or by his or their meniall ſeruants (ſufficiently authoriſed from his or their Maſter for that purpoſe) to take Feſants and Partridges

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(in the day time onely) with Nets, in and vpon his and their owne, or his and their Mallers free Warren, Manor and Freehold, or on any part of them, betwixt the Feaſt of Saint Michael the Archangell, and the Feaſt of the Birth of our Lord God yearely, any thing in the ſaid Law to the contrarie notwithſtanding: By colour of which libertie ſo giuen by the ſaid Prouiſo, it is found by experience, that the ſaid Games of Feſants and Partridges haue beene and ſtill are likely to bee much ſpoyled and deſtroyed by many meane Tenants and Freeholders, againſt the will of the Lords or Owners of Inheritance of the ſayd lands and tenements, Be it &c. That the ſayd Prouiſo, and euery clauſe, article and thing therein contained, ſhall be from the end of this preſent Seſſion of Parliament vtterly repealed, fruſtrate, and made void, any thing in the ſaid Prouiſo contained to the contrarie notwithſtanding. And that it ſhall and may be lawfull for euery perſon or perſons, which haue or ſhall haue free Warren, and to and for euery Lord of a Manor, and to and for euery Freeholder, which is, or ſhall be ſeiſed in his owne right, or in the right of his wife, of lands, tenements and hereditaments, to the cleare yearely value of fortie pounds or more by the yeare, ouer and aboue all charges and reprizes, of ſome eſtate of Inheritance, or of landes, tenements and hereditaments, in his owne right, or in the right of his wife, for terme of life or liues, of the yearely value of fourefcore pounds ouer and aboue all charges and reprizes, or which ſhall be worth in goods or chattels foure hundred pounds, by him or themſelues, or by his or their meniall and houſehold ſeruants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Feſants and Partridges (in the day time onely) in and vpon his and their owne, or his and their Mallets free Warren, Manor, and Freehold, as aforeſaid, or on any part of them, betwixt the Feaſt of Saint Michael the Archangell, and the Birth of our Lord God yearely, any thing in the ſaid Law before mentioned to the contrarie notwithſtanding. And whereas the ſayd Games of Feſants and Partridges are exceſſiuely ſpoyled and deſtroyed by baſe perſons, of bad and meane condition, making a trade and a liuing of the ſpoyling and deſtroying of the ſayd Games, who are not of ſufficiencie to pay any penaltie, in any former Statute mentioned, nor to anſwere the coſts and charges of any that ſhould informe and proſecute againſt them, in any of his Maieſties Courts: By reaſon whereof, and for that the ſayd offendors are hardly diſcouered, and felonie or neuer found offending, in the preſence of diuers witneſſes, ſo that it is very hard to conuict them by the teſtimonie of more witneſſes then one, by reaſon that they ſpoyle and deſtroy the ſayde Games ſecretly, and for the moſt part in the night time, and doe carrie ſuch Feſants and Partridges, as they ſo deſtroy likewiſe by night, to Cities and Market Townes to be ſold, Be it &c. That all and euery perſon and perſons, which from and after the firſt day of September next, ſhall take, kill, or deſtroy any Feſant or Partridge, with Setting Dogges and Nets, or otherwiſe, with any manner of Nets, Snares, or Engines, and the ſame offence or offences being proued by the confeſſion of the partie, or by the teſtimonie of one ſufficient witneſſe, vpon Oath, before two or more Juſtices of the Peace of the ſame Countie, Citie, or Towne corporate, wherein the offence ſhall bee committed, or the partie offending apprehended, ſhall be by the ſayd Juſtices of Peace, for euery ſuch offence committed to the common Gaole of the ſayd Countie, Citie, or Towne corporate, where the offence ſhall be committed, or the partie apprehended, there to remaine for three moneths, without bayle or mainprize, vnleſſe that the ſayd offendor ſhall forthwith pay or cauſe to be payed to the Churchwardens or Ouerſeers of the poore of the ſayde Parith, where the ſayd offence ſhall be committed, the ſumme of twentie ſhillings, for euerie Feſant or Partridge, which any and euery ſuch perſon or perſons ſo offending, ſhall take, kill, or deſtroy, as aforeſaid, contrarie to the purport and true meaning of this Statute, and further to become bound by Recogniſance in the ſumme of twentie pounds, to his Maieſtie, his heires and ſucceſſors, with condition, that he the ſayd partie ſo offending ſhall not at any time hereafter take, kill, or deſtroy any Feſant or Partridge: which ſayd Recogniſance ſhall be taken by any one, or more Juſtices of Peace of the ſayd Countie, Citie, or Towne corporate, where the ſayd offence ſhall be committed, as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remaine of Record, as other Recogniſances taken for the Peace. And be it further enacted, That euerie Conſtable and Headborough in euerie Countie, Citie, Towne corporate, and other place where they ſhall be ſworne Officers, ſhall and may by vertue of this preſent Act, (bringing with them to that purpoſe a lawfull Warrant, vnder the hands of two Juſtices of Peace of the Countie, Citie, Liberties, or Towne corporate) haue full power and authoritie to enter into, and ſearch the houſe or houſes of any perſon or perſons (other then ſuch as by this preſent Act are allowed to take Feſants and Partridges with Nets, as aforeſaid) being ſuſpected to haue any Setting Dogges or Nets, for the taking of Feſants and Partridges, and whereſoeuer they ſhall finde any ſuch Setting Dogge or Nets, the ſame to take, carrie away, and detaine, kill, deſtroy, and cut in pieces, as things prohibited by this Act, and forfeited to ſuch of the ſaid Officers, as ſhall finde out and take the ſame, as aforeſaid. This Law to continue vnto the end of the firſt Seſſion of the next Parliament, and no longer. Anno 7. Iac. cap. 11.

Fighting and quarelling.

FOraſmuch as of late, many barbarous behauiours haue beene committed by irreligious perſons,

sons, by brawling and fraying openly in the churches and churchyards: Be it &c. That if any person whatsoeuer, shall at any time after the first day of May next cumming, by words onely, quarrell, chide or brawle in any church or churchyard, that then it shalbe lawfull to the Ordinary of the place, where the same offence shall be done & proued by y. lawful witnesses, to suspend euery person so offending, that is to say: if he be a Layman, ab ingressu Ecclesiæ: and if he be a Clerke, from the administration of his office, for so long time as the Ordinary shall by his discretion thinke meete and conuenient according to the fault. And further it is &c. That if any person or persons, after the said first day of May shall smite or lay any violent hands vpon any other, either in any Church or Churchyard, that then ipso facto, euery person so offending shall be deemed excommunicate, & be excluded from the fellowship and company of Christs congregation. And also it is &c. That if any person after the said first day of May shall maliciously strike anie person with any weapon in any Church or churchyard: or after the same first day of May shal draw any weapon in any Church or Churchyard, to the intent to strike an other with the same weapon: that then euery person so offending, and being thereof conuicted by verdict of twelue men, or by his owne confession, or by two lawfull witnesses before the Justices of Assises, Justices of diuers and terminer, or Justices of peace in their sessions, by force of this Act shalbe adiudged by the same Justices before whom such person shal be so conuicted, to haue one of his eares cut off. And if the person or persons so offending haue none eares, whereby they should receiue such punishment as is before declared, that then he or they to be marked and burned in the cheek with an hote yron, hauing this letter F. whereby hee or they may be knowne and taken for fray-makers and fighters: Besides that euery such person to be and stand in ipso facto excommunicated, as is aforesaid. Anno 5. Ed. 6. ca. 4.

Fines.

FOrasmuch as fines leuyed in the Court, ought, and doe make an end of all suites, and thereof are called fines, chiefly when and next vnto trialles by battel, or the great assise in their cases, they hold the most and finall place for euer. And now by a certaine time passed, aswell in the time of K. Henry of famous memorie our father, as in our time, the parties to such fines and their heires, contrary to the lawes of our realme of ancient time vsed, were admitted to annull & defeat such fine, alledging, that before the fine leuied, & at the leuying therof, & since the demaundants or plaintifes, or their auncestors were alway seised of the lands cõtained in the fine, or of some parcell thereof, & so fines lawfully leuied, were many times vniustly defeated and annulled by iurors of the country, falsly and malitiously procured: We therefore intending to prouide a remedy in the premisses, in our Parliament at Westm. haue ordained, that such exceptions, answers or inquisitions of the country, shall from hencefoorth in no wise be admitted, contrary to such recognitios or fines. And further, we will that this statute shal extend as well vnto fines heretofore leuied, as to them that shalbe leuied hereafter. And let the Justices se that such notes and fines as hereafter shal be leuied in our Court, be read openly & solemnly, and that in the meane time all plees shall cease, and this must be y. certain daies in the week, according to the discretion of the Justices. An 27. Ed. 1. Statut. 1. ca. 1.

Justices

Read openly

2 The K. vnto the Justices of his Bench greeting: whereas of late we haue ordained, that al such fines as are to be leuied in our court, be lawfully leuied, which we will in no wise to be broken, or to be annulled of their power, we haue sent to you our minde in writing, firmely to be obserued, that is to wit, that aswel the parties demandant or plaintife, as the Tenants or Defendants, that will yelde or knowledge right of lands or tenements vnto other in plees of warranty of Charter, Couenant & other whereupon fines are to be leuied afore you, before such fines do passe, the parties shall appeare personally, so that their age, ideocy, or any other default being in them, may be iudged or discerned by you. Prouided allway, that if any person aged or decrepit, or impotent by casualty, be so oppressed and holden, that by no meane he is able to come before you in our court, then in such case we wil, that y. or 3. of you, by assent of the residue of the Bench, shall visit the party so diseased, & shall receiue his cognisance vpon the plee & forme of the plee that he hath in our court, whereupon the same fine ought to be leuied. And if there goe but one, he shall take with him an abbot, a prior, or a knight, a man of good fame and credence, and shal certifie you thereof by Record, so that all things incident to the same fine being examined by him or them, the same fines according to our forme & ordinance, may be lawfully leuied: yet we wil not that any of our Barons of the Eschecq. or our Justices, shall admit any Atturnies but only in plees and matters that passe afore them in the Benches, and in places where they be assigned by vs. And the same power of admitting Atturnies, we prohibite & deny to the clerkes & seruants of the said Barons & Justices: And do ordaine, that if any Atturnies be admitted hereafter by any of the persons aforesaid, their admission shalbe of none effect: Reserued alway to the Chancellor for the time being, his authority in admitting Atturnies, according to whose discretion they shal be admitted, and to those our Justices as heretofore hath bẽ obserued in the admission of Atturnies: we wil also that this our ordinance shall take effect and beginne at the vtas of the Trinity ensuing. Giuen at our parliament at Carlile the xv. yeere of our reigne. An. 15. Ed. 2. Stat. of Carlile.

Warrant Charter Couenant

Appeare personally

Impotent

Visit the party diseased

Abbot Prior Knight

Barons of the Eschequer

Atturnies

Clerkes Seruants

Lord Chancellor

3 When ỳ writ original is deliuered in presence of the parties, a pleador shall say this: Sir Justice, conge de accorder, & the Justice shal say to him, Sir R. & shal name one of the parties: then whẽ they be agreed of the sum of money, that must be giuẽ to the K. the Just. shal command the peace to be cried, and after the pleador shal say: Insomuch as the peace is licẽced thus vnto you W. S. & A. his wife, that here be to knowledge the manor of B. with the appur-

Original

Money Proclamation

tenances, conteined in the writ, to be the right of our soueraigne lord the king, which he hath of their gift: To haue and to hold to him and to his heyres, of the said W. and A. and to the heyres of the sayde A. as in demeanes, rents, seignioryes, plees, purchases, wardes, mariages, releefes, escheats, mills, aduowsons of churches, and all other franchises and free customs to the said manour belonging, paying yearely to R. and his heyres, as cheefe lords of the fee, the seruices and customes due for all seruices. And it is to be noted, That the order of the law will not suffer a finall accord to be leuied in the Kings Court, without a writ originall, and that must be at the least before foure Justices in the bench, or in eyre, and not otherwise, and in presence of the parties named in the writ, which must be of full age, of good memory, and out of prison. And if a woman couert be one of the parties, then shee must be first examined, by foure of the sayd Justices, and if shee doe not assent thereto, the fine shall not be leuyed. And the cause wherefore such solemnity ought to be done in a fine, is because a fine is so high a barre, of so great force, & of so strong nature in himselfe, that it concludeth not onely such as be parties and privies thereto, and their heyres, but all other people of the world, being of full age, out of prison, of good memory, & within the 4. seas, the day of the fine leuied, if they make not their claim of their action within a yeere and a day by the country. Anno 18.E.1.

Presence of the parties
Full age
Good memorie
Out of prison
Women couert
Examine
Assent

Claime within a yeare and a day.

4 The plees of Nonclaime of fines, which from henceforth be to be leuied, shall not be taken nor holden for any barre in time to come. Anñ 34.E.3. cap.16.

Nonclaime

5 All the fines to be taken before any Justices, shall be in the presence of the pledges, and that the pledges know the summe of their fine before their departing. Anno 38.Ed.3.cap.3.Stat.1.

In presence of the parties

6 All the Writs of Couenant, & all other writs wherupon fines shalbe leuied in time to come, with the writs of Dedimus potestatem if any be, with all knowledges and notes of the same, before that they be drawne out of the Common Bench by the Chyrographer, shalbe inrolled in a roll, to be of record, for euer, to remayne in the safe custody of the cheefe clerke of the common Bench, and of his successors, for the old fee of xxy.d accustomed to be payed to the cheefe Clerke for the entring of the concord of euery fine, without paying any more: to the intent that if the notes in the custody of the Chyrographer, or the fines be imbesilled, a man may haue recourse to the said roll to haue execution, as he should haue if the fines were not imbesilled, and all the writs of the Couenant, and all other Writs, whereupon fines haue beene leuyed in times past, shalbe also of record. And moreouer, al the fines that were now late imbesilled in the Treasury of our soueraigne lord the King, by persons vnknowne, if the notes & the same writs of Couenant of such fines imbesilled, remayning in the custody of the Chyrographer may be found, that then to the party shewing part of the fines imbesilled, such notes & writs of Couenants shall remaine of Record, as farre forth as the same fines should haue beene, if no imbesilling thereof had beene made. Anno 5.H.4.cap.14.

Writes of couenant
De limus potestatem
Place
Inroll
Fee
Embesill
Notes
Record

7 After the ingrossing of euery fine to be leuyed after the feast of Easter next comming in the Kings Court before his Justices of the Common Place, of any lands, tenements or other hereditaments, the same fine shall be openly and solemnly read and proclaimed in the same Court the same terme, and in three termes of the yeare next insuing, after the same ingrossing in the same Court at foure seuerall dayes in euery terme. And in the same time that it is so read and proclaimed, all plees shall cease, and moreouer, a transcript of the same fine shall be sent by the said Justices of the Common Place, to the Justices of Assises of the County where the saide lands and tenements be, they to cause the said fine to be read and proclaimed openly and solemnely in euery their sessions of Assises to be holden the same yeare, if Assises nee then hold, and all the plees in the meane time to cease. Also it is ordained and established by the said authority of Parliament, that a like transcript of the same fine shall be sent to the Justices of Peace of the County where the saide lands and tenements be, and they shall cause open and solemne Proclamatoin of the said fine to be made at iiij. generall sessions of the peace to be holden in the same yeare. The said Justices of Assises, and also Justices of peace to certifie the same Proclamation to the Kings Justices of the Common Place at the second day of Returne of the Terme then next following, after which Proclamation had, made, and certified, the said fine to be a finall end, and to conclude as well privies as straungers to the same, except women couert, other then be parties to the said fine, and euery person or persons then being within age, in prison, or out of this Realme of England, or not of whole memory, at the time of such fine leuied. Also sauing to euery person or persons such right, title, claim and interest, which they haue, to, or in the said lands, tenements and other hereditaments, at the time of such fine ingrossed, so that they doe pursue their saide right, title, claime and interest by way of Action or lawfull entry, within fiue yeares next after the said proclamation made, had or certified. And also saying to all other persons, all such actions, right, title, claime and interest, in, and to all the said lands, tenements and other hereditaments, which shall grow, remaine, descend or come to them, after the sayd Fine ingrossed, by force of any gift in taile, or by any other cause or matter had or made, before the said fine leuyed, so that those persons take their saide Actions, or pursue their said right and title, according to the Law within fiue yeares next after such Actions, title, claime or interest growen, descended, remained, or come to them. And also, that the saide persons and their heyres, may haue their saide Action against the Taker of the Profits of the saide Landes, Tenements, and other Hereditaments, at the time of such Action to be taken. And if the same persons at the time of such Action, right and title growen, descended, remained, or come to them, be Couert Baron, or within age, or in prison, or out of this land, or not of whole memorie: It is ordained, established and enacted by authority aforesaid, that their

Ingrossed
Proclaimed three termes Foure seuerall dayes
Transcript Justices of the Common place
Justices of Assises
Proclaimed
Transcript to the Justices of peace
Proclamation Foure seuerall sessions
Justices of Assises
Certify
Women couert
Out of prison
Not of whole memorie
Right pursued
Actions
Time
Action
Profits

actions,

actiõs, right and title be reserued to them and their heires, till the time they come & be at their full age, out of prison, within this land, vnmaried, and of whole memorie, so that they or their heires take their said actiõs or lawfull entry, according to their right and title, within fiue yeres next after they come and be at their full age, out of prison, within this land, vnmaried, and of whole memorie, and pursue the same actions, or take their lawfull entry with effect, according to the Law of England. Also by authority of the said parliament it is ordained, established and enacted, that all such persons, which be vncouert, not parties to the fine, and euery person being within age, in prison, or out of this realme, or out of whole memory at the time of the said fines leuied and ingrossed, by this Act of Parliament before excepted, hauing any right or title, or cause of action to any of the said lands, tenements and other hereditaments: that they or their heires, take their said actions or lawfull entry, according to their right and title, within fiue yeares next after that the said persons come or be of full age, out of prison, vnmaried, within this land, and also being of whole memory, and also sue the same actions and take their lawfull entry, and so pursue with effect according to the Law of the Realme of England. And moreouer, if they do not, and take their said actions, and also their said lawfull entry, in the manner as is aforesaid, that then they shall be concluded by the said fines for euer, in like forme as they be that be parties and privies to the said fines leuied and ingrossed. And by the said authority it is ordained and established, That euery fine which shall be from henceforth leuied in any of the Kings Courts of any manors, lands, tenements, or other possessions, after the manner, vsage and forme that fines hath beene leuied before the making of this act before rehearsed, shall be of like strength, effect and authority, as fines so leuied be or were before the making of this Act: this Act or any other act in this Parliament made or to be made notwithstanding. And that euery person shal be at his liberty, to leuy any fine hereafter, as he himselfe at his pleasure, after the making contained and ordained in and by this Act, or after the maner and forme before vsed. Anno 1. R. 3. cap. 7.

8 That after the ingrolling of euery fine to be leuied after the Feast of Easter that shall be in the yeare of our Lord 1490. in the Kings Court afore his Iustices of the Common Place, of any lands, tenements or other hereditaments, the same fine shall be openly and solemnely read and proclaimed in the same Court the same terme, and in ij. terms then next following, the same ingrossing in the same Court at foure seuerall dayes in euery terme. And in the same time that it is so read and proclaimed, all pleas shall cease, and the said Proclamations so had, and made, the said fine to be finall end, and conclude as well privies as strangers to the same, except women couert, other then be parties to the said fines, and euery person then being within age of xxj. yeares, in prison, or out of this realm, or not of whole mind, at the time of such fine leuied, nor parties to such fine. And sauing to euery person or persons, and to their heires, other then the parties in the said fine, such right, title, claime and interest, as they haue to, or in the said lands, tenements and other hereditaments, the time of such fine ingrossed. So that they doe pursue their title, claime or interest by way of action or lawful entry, within fiue yeres next after the said proclamation had and made. And also sauing to all other persons, such action, right, title, claime and interest in, or to the said lands, tenements or other hereditaments, as first shall grow, remain, descend or come to them, after the said fine ingrossed, and proclamation made by force of any gift in the taile, or by any other cause or matter had and made, before the said fins leuied. So that they take their said right and title, according to the Law within fiue yeares next after such action, right, title, claime or interest to them accrued, descended, remained, fallen or come. And the said persons and their heires, may haue their said action against the perceiuor of the profites of the said lands and tenements and other hereditaments, at the time of the said action to be taken. And if the same persons at time of such action, right and title accrued, descended, remained, or come vnto them, be couert baron, or within age, or in prison, or out of this land, or not of whole mind: that then it is ordained, by the said authority, that their action, right and title to be reserued and saued to them and to their heires, vnto the time they come and be at their full age of xxj. yeares, out of prison, within this land, vncouert, and of whole minde, so that they or their heires take their actions of lawful entry, according to their right and title, within fiue yeres next after that they come & be at their ful age, out of prison, within this land, vncouert, & of whole mind. And the same actions pursue, or other lawful entry take, according to the law. And also it is ordained by the authority afore said, that all such persons as be couert de Baron, not party to the fine, and euery person being within age of xxj. yeares, in prison, or out of this land, or not of whole mind at time of the said fines leuied and ingrossed, & by this said Act afore excepted, hauing any right or title, or cause of actions to any of the saide lands, and other hereditaments, that they or their heires inheritable to the same, take their said actions or lawful entry, according to their right and title, within fiue yeres next after they come and be of full age of xxj. yeres, out of prison, vncouert, within this land, & of whole mind, & the same actions sue, or their lawfull entry take and pursue, according to the Law. And if they do, & take not their actions & entry, as is afore said, that they and euery of them & their heires, and the heirs of euery of them be concluded by the said fines for euer, in like forme, as they bin, that bin parties or priuies to the said fines. Sauing to euery person and persons, not party nor priuy to the said Fine, their exception to auoid the said Fine, by that that those that were parties to the Fine, nor any of the, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the lands & tenements compriſed in the said fine, at the time of the said fine leuied. And it is ordaind by the said authority, that euery fine that hereafter shalbe leuied in any of

Right

Within fiue yeares

Action

Gift in taile

Perceiuor of profits

Couert baron
Within age
Prisoners
Out of this land
Non sane memoriæ

Full age
Out of prison
Uncouert
Whole mind
Fiue yeres

Action
Pursue

Fiue yeres

Concluded

Exception

Nothing in lands

of the Kings Courts of any manors, lands, tenements or other possessions, after the maner, vse and forme that fines haue beene leuied afore the making of this act, be of like force, effect & authority, as fines so leuied be, or were afore the making of this Act: This Act or any other Act in the said Parliament, made, or to be made, notwithstanding. And euery person be at his liberty to leuy any fins hereafter, after his pleasure, whether he will, after the forme contained and ordained, in, and by this Act, of or after the manner and forme aforetims vsed. Anno 4.H.7.cap.24.

Force

9 All and singuler fines as well heretofore leuied, as hereafter to be leuied before the said Iustices (s. of the common place) with Proclamations according to the said statute (s.4.H.7.ca.24.) by any person or persons of full age of one and twentie yeares, of any manors, lands, tenements or hereditaments, before the time of the same fine leuied, in any wise entailed to the person or persons so leuying the same fine, or to any the ancestor or ancestors of the same person or persons, in possession, reuersion, remainder, or in vse, shall be immediatly after the same fine leuied, ingrossed, and proclamation made, abiudged, accepted, deemed, and taken, to all intents and purposes, a sufficient barre and discharge for euer, against the said person and persons and their heires, claiming the said lands, tenements, and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons clayming the same, or anie parcell thereof, onely to their vse, or to the vse of any manner of heire of the bodies of them: any ambiguitie, doubt, or contrarietie of opinion risen or growne vpon the said statute to the contrary notwithstanding. Prouided alwayes, that this Act nor any thing therein contained, shall extend to barre or exclude the lawfull entry, title, or interest of any heire or heires, person or persons, heretofore giuen, or hereafter to be giuen, growne or accrued to them, or any of them in or to any manors, lands, tenements or hereditaments, by reason of any fine or fines heretofore leuied or hereafter to be leuied by any woman after the death of her husband, contrary to the forme, intent and effect of the statute made in the 11. yeere of King Henry the seuenth (s.ca.20. which is in Discontinuance of Right 1.) of anie manors, lands, tenements and hereditaments, of the inheritance or purchase of the said husband, or of any his auncestors, giuen or assigned to any such woman in dower, for terme of life, or in taile, in vse or in possession, but that the same Act made in the said 11. yeere of the said late K. Henry the 7. (s. cap.20.) shall stand, remaine, & be in full strength and vertue, in euery article, sentence and clause therein contained, in like manner and forme, as though this present Act had neuer bin had ne made. Prouided also that this Act, ne any thing therein contained, doe extend to any fine or fines, at anie time heretofore leuied, or hereafter to be leuied, of any lordships, manors, lands, tenements or other hereditaments, whatsoeuer they be, the possessioners and owners whereof by reason of any expresse words contained in any especiall act or acts of parliament, made or ordained sithen the said fourth yeare of king Henry the seuenth, and be bounden or restrained from making any alienations, discontinuances, or other alterations of any of the same lordships, manors, lands, tenements, or hereditaments, contained in the said fine or fines: but that all and euery such fine or fines, at any time heretofore leuied, or hereafter to be leuied by any such persons or persons, or their heires, of any such lordships, manors, lands, tenements or other hereditaments, shalbe of such like force and strength in the law, and of none other effect, then that same fine so leuied, or to be leuied, should haue beene, if this present Act had neuer been had or made: any thing therein contained to the contrary notwithstanding. Prouided also that this Act, nor any thing therein contained, shall not extend to any fine or fines heretofore leuied, of any manors, lands, tenements, or hereditaments, now in suite, demand, or whereof any charters, euidences, or muniments concerning the same, be now in demand in the high Court of Chauncerie: nor to any fine or fines heretofore leuied, of any manors, lands, tenements or hereditaments, which before the first day of this present parliament, haue bin recouered, gotten or obtained by reason of any iudgement, entry, decree, arbitrement, or other lawfull meanes, contrary to the purport, intent, or effect of any such fine or fines thereof heretofore leuied, nor to any fine or fines heretofore leuied, or hereafter to be leuied by any person of any manors, lands, tenements or hereditaments, before the time of the leuying of the same fine, giuen, graunted or assigned to the same person or persons so leuying the same fine, or any of his or their auncestors in the taile, by vertue of Letters Patents of our said soueraigne Lord, or any of his progenitors, or by vertue of any Act or Acts of Parliament, the reuersion whereof at the time of the same fine or fines so leuied, being in our said soueraigne Lord his heires or successors: but that euery such fine and fines, shalbe of like force, strength and effect as they were or should haue bin if this Act had not beene had or made. Anno 32.H. 8.cap.36.

Proclamation

Full age

Intailed

Possession Reuersion

Barre

Heires

Women

Dower Terme of life Intaile

10 All and singuler fines which at anie time hereafter shall be leuied or knowledged before the Iustices of our soueraigne Lord the King, or of his heires or successours of the County Palantine of Lancaster, commonly called Iustices of Assises at Lancaster, or before one of them, of any lands, tenements, or other hereditaments, lying or being within the county of palantine of Lancaster, which shall be openly read and proclaimed three seuerall dayes in the open Sessions, in the presence of the Iustices of Assises at Lancaster, or one of them for the time being, at the same sessions that the same fine shall fortune to be ingrossed, and also that shall be openly read and proclaimed in the presence of the Iustices of Assise at Lancaster, or one of them for the time being, at the two next Generall Sessions that shall be holden in the said county palantine of Lancaster, before the Iustices of the same county, commonly called Iustices of Assise at Lancaster, or before one of the, next after the leuying or ingrossing

Lordships Manors

ingrossing of such said fine, at three seuerall dayes in either of the said two sessions, after such manner and forme, as is commonly vsed in the K. Court of his Common place at Westminster, shalbe of like force, strength, and effect in the Law to all intents, constructions, and purposes, as fines being duely leuied with proclamation before the Kings Justices of his Common place, be, or ought to be of. An. 37. H. 8. cap. 12.

11 Fines which at any time hereafter shall be leuied or knowledged before the high Justice of our soueraigne Lord the King, or of his heires and successors of his county Palantine of Chester for the time being, or before the deputy or lieutenant Justice there for the time being, of any lands, tenements or other hereditamets, lying or being within the said county palantine of Chester, which shall be openly read and proclaimed three seuerall dayes in the open session, in the presence of the Justice of the said county palantine of Chester for the time being, or before the deputy or lieutenant Justice there at the same sessions that the same fine shall fortune to be ingrossed. And also that shalbe openly read and proclaimed in the presence of the Justice of the said County Palantine of Chester, or before the deputy or lieutenant Justice there for the time being, at the two next general sessions that shalbe holden in the said county Palantine of Chester, before the Justice of the same county Palantine, or before the deputy or lieutenant Justice there, next after the leuying and ingrossing of such fine, at three seuerall dayes in either of the said two sessions, after such manner and formei, as is commonly vsed in the Kings Court of Common pleas at Westminster, shall be of like force, strength and effect in the Law, to all intents, constructions and purposes, as fines duely leuied with Proclamations before the Kings Justices of his Common Pleas, be, or ought to be of. Anno 2. Ed. 6. capit. 28.

12 All fines as well heretofore leuied, as hereafter to be leuied before the Justices of the commō Place, of any manors, lands, tenements, or other hereditaments, whereupon the Proclamations haue not, or shall not by reason of adiournement of any terme by writ, be duely made, shalbe of as good force, effect and strength, to all intents, constructions and purposes, as if any Terme heretofore so adiourned, or at any time hereafter shall be so adiourned, had beene holden and kept from the beginning to the end thereof not adiourned, and proclamations therein made according to the form and effect of the said statute. Prouided alwayes, that this Act shall not in anie wise extend to anie fine heretofore leuied of any the manors, lands, tenements or hereditaments now in suite, demaund or variance in any of the M. courts, or wherof any charters, euidences or muniments, concerning the same, be now in demand in the Queens high court of Chancery: nor to any fine or fines heretofore leuied, of any manors, lands, tenements or hereditaments, which before the first day of this present Parliament, haue beene recouered, gotten or obtained, by reason of any iudgement, entry, decree, arbitrement, or other lawfull meanes contrary to the purport, intent, or effect of any such fine or fines thereof heretofore leuied. An. 1. M. 1. parl. cap. 2.

13 All fines with Proclamations from and after the feast of Easter next ensuing, to be leuied in the said Court (viz. of common pleas) shal be proclaimed only foure times: that is to say, once in the terme wherein it is ingrossed, and once in euery of the three termes, holden next after the same ingrossing. And that euery fine proclaimed as aforesaide, shall be of as great force and effect in Law, to all intents and purposes, as if the same had beene fiue times proclaimed, according to the statutes heretofore made. (viz. 4. H. 7. cap. 24. before 8.) Anno 31. Eliz. cap. 2. Proclamation

Fines to the King.

NOthing from henceforth shall be giuen for a Writ of Inquisition, nor taken of him that prayeth inquisition of life or of member, but it shal be granted freely. Magna charta cap. 26. 9. H. 3. Writ of Inquisition

First fruits and Tenths.

THe Kings Highnesse, his heires and successors, Kings of this Realme, shall haue and enioy from time to time to endure for euer, of euery such person and persons, which at any time after the first day of January next comming shall be nominated, elected, prefected, presented, collated or by any other meanes appointed to haue any Archbishoprick, Bishoprick, Abbacie, Monasterie, Priorie, Colledge, Hospitall, Archdeaconry, Deanry, Prouostship, Prebend, Parsonage, Vicarage, Chauntry, Free chappell, or other dignitie, benefice, office or promotion spirituall within this Realme, or elsewhere within any of the Kings dominions of what name, nature or quality soeuer they be, or to whose foundation, patronage or gifts soeuer they belong, the first fruits, reuenues and profits for one yeare of euery such Archbishoprick, bishoprick, abbacie, monastery, priorie, colledge, hospitall, archdeaconry, deanry, prouostship, prebend, parsonage, vicarage, chauntry, freechappell, or other dignity, benefice, office or promotion spirituall afore named, whereunto any such person or persons shall after the said first day of Januarie be nominated, elected, prefected, presented, collated, or by any other meanes appointed. And that euery such person and persons, before any actuall or reall possession, or medling with the profits of anie such Archbishoprick, bishoprick, abbacie, monasterie, colledge, hospitall, deanry, prouostship, prebend, parsonage, vicarage, chauntry, free chappell, priory, or other dignity, benefice, office or promotion spirituall, shal satisfie, content & pay or cōpound or agree to pay to the kings vse at reasonable days, vpon good sureties, the said first fruits and profits for one yeare after. And be it also enacted by authority aforesaid, that the Chancellor of England and M. of the Rolles for the time being, ioyntly & seuerally, or such other person & persons, as shall please the kings highnes, his heirs or successors from time 1. Ia. 1535. Spirituall promotions One yeares profits Day or compound L. Chancellor M. of the Rolles

Commiſſions to time, at his or their pleaſure, to name and depute by Commiſſion or Commiſſions vnder the great ſeale, ſhall haue power and authority aſwell to examine and ſearch for the iuſt and true value of the ſaid firſt fruits and profits by all waies and means that they can, as to compound and agree for the rate of the ſaid firſt fruits and profits, as to ſtall and limit reaſonable dayes of paiment thereof vpon good and ſufficient ſurette or ſureties, by writings Obligatorie by their diſcretions. And if compoſition or agreement be had or made for the ſaid firſt fruits before the ſaid Lord Chauncellor or Maſter of the Rolles, that then the writings obligatory or money taken for the ſame, ſhall reſt, remaine and abide in the hanaper of the Kings Chauncery, there ſafely to be kept to the Kings vſe, and the money to be due of ſuch writings obligatory, or to be receiued in hand by reaſon of any ſuch compoſition, ſhall be paid in the ſaid hanaper, to the clerk of the hanaper for the time being. And that the ſaid clerk of the hanaper ſhal make a true & iuſt account thereof like as he is bound to do of the mony receiued of the profites of the Kings great ſeale. And if compoſition or agreement be had or made for the ſaid firſt fruits, afore any other perſon or perſons to be deputed by the Kings Highneſſe, his heires or ſucceſſors by Commiſſion vnder his great ſeale, that then the writings obligatory and mony taken for the ſame, ſhalbe deliuered to the Treaſorer of the kings moſt honorable chamber for the time being, or elſewhere, to whom it ſhall pleaſe the Kings Highneſſe, his heires and ſucceſſours, to giue authoritie by Commiſſion vnder the great ſeale, to receiue the ſame. And it is alſo ordained and enacted by authority aforeſaid, that euery writing of acquittance ſubſcribed with the hand and name of the Clerke of the hanaper, and Treaſorer of the Chamber or other Commiſſioners aforeſaid, or any of them, witneſſing the receipt of the ſaid firſt fruits or any part thereof, ſhall be as good and effectuall againſt the Kings Highneſſe, his heires and ſucceſſors, to euery perſon and perſons, hauing the ſame for ſo much money, as ſhall be mentioned to be receiued and contained in euery ſuch acquittance, as if ſuch acquittance were or had been lawfully had and obtained in the Kings name vnder the Kings great ſeale, and ſo ſhall be admitted, accepted and allowed and taken in euery of the Kings Courts. And that all writings obligatory to be taken for payment of the ſaid firſt fruits by and afore the ſaid Lord Chauncellour, or Maſter of the Rolles, or by and afore any other perſon or perſons to be deputed to compound & agree for the ſaid firſt fruits, as is aforeſaid, ſhall be of the ſame ſtrength, force, vertue, quality and effect to all intents & purpoſes, as writings obligatory heretofore made by any lay perſon by authority of the ſtatute of the ſtaple bin. And that vpon certificat hereafter to be made in the K. Chancery of any ſuch writings obligatory to be taken for paiment of ſuch firſt fruits, like proces & execution ſhall be thereupon made, and had againſt any perſon Spirituall or Temporall, as hath beene accuſtomed to be made againſt any lay perſon vpon certificate of writings obligatory of the ſaid ſtatute of the Staple. And that no perſon ſhal be compelled to pay for any writing obligatory to be made for the ſaid payment of the ſaid firſt fruits aboue eight pence, nor for any acquittance to be made for receipt of ſuch firſt fruits aboue foure pence. And that ſuch perſon and perſons as ſhal be deputed by the K. Highneſſe by Commiſſion vnder the great ſeale, to compound and agree for the ſaid firſt fruits, ſhal at the end of euery ſix moneths, next after the date of their Commiſſion, and ſo from ſixe moneths to ſixe moneths, deliuer or cauſe to be deliuered vnto the Treaſorer of the Chamber, for the time being, or elſewhere, to ſuch Commiſſioners as ſhall be appointed, as is aforeſaid, to receiue the ſame, as well all ſuch money, as all ſuch ſpecialties and bonds, as they ſhall haue taken for the payment of the ſaid firſt fruits by Indenture to be made betweene them and the ſaid Treaſorer, or other Commiſſioners, as is aforeſaid, containing the certainty and number of the ſummes of mony, and ſpecialties and bonds by them taken and receiued. And if any perſon or perſons, to whom anie deputation ſhall be made by Commiſſion, to compound & agree for the paiment of the ſaid firſt fruits, their heyres, executours, or adminiſtratours, conceale, or imbeſil any of the ſaid ſpecialties or bonds, taken for the ſure payment of the ſaid firſt fruits, and doe not deliuer them according to the tenor of this Act, that then euery ſuch offendor ſhall forfeit that office of deputation, and ouer that make fine and ranſome at the Kings owne pleaſure and will. And if any perſon or perſons which at any time after the ſaid firſt day of January, ſhall be nominated, elected, prefected, preſented, collated, or by any other meanes appointed to any of the dignities, offices, benefices, or other promotions ſpirituall before mentioned, doe enter into the actuall and reall poſſeſſions thereof, or meddle with the profits thereof, before they ſhall haue truely ſatiſfied and payed to the Kings vſe the firſt fruits and profits thereof for one yeare, or elſe ſhall haue agreed or compounded for payment of the ſame at reaſonable daies vpon good ſureties, in manner and forme as by this Act is aboue eſpecified (before 2.) that then euery ſuch perſon and perſons ſo doing and offending, and being thereof conuict by preſentment, verdict, confeſſion, or witneſſe before the ſaid Lord Chauncellor, or ſuch other as ſhall haue authority by Commiſſion to compound for the ſaid firſt fruits and profits as is aforeſaide, ſhalbe accepted and taken an intruder vpon the K. poſſeſſion. And that they, their executors, or adminiſtrators ſhall pay to the vſe of the Kings highnes for euery ſuch offence, ſo much ſummes of money, as ſhall amount to the double value of the ſaid firſt fruits and profits of ſuch dignities, benefices, or other Spirituall promotions wherein they ſhall ſo enter and intrude before the payment of the ſaide firſt fruits and profits for one yeare thereof, or before due agreement made for the ſame, in manner and forme as is aboue rehearſed. And the firſt fruits of benefices heretofore accuſtomed to be paied to the Biſhop of Norwich within the Diocelle, and to the Archdeacon of Richmond within his Arch-

Search Value

Clerke of the hamper

Accompt

Commiſſion

Treaſorer of the chamber

Acquittance

Obligatory

Force

Statute Staple

Chancerie

Fine and ranſome

Double

Norwich

Richm

Archdeaconry, or to any other person or persons within this realm, or any other the K. dominions, shall from the said first day of January cease and determine, and no longer to be paid, but only to the K. highnes, his heires, and successors, in such forme as is above mentioned in this act. Prouided alwaies, that Archbishops, and Bishops, and all other hauing iurisdiction ordinary, may giue and deliuer Letters of institution and induction, as they might do before the making of this Act, without any offence of any article conteined in this Act: any thing in this act conteined to the contrarie thereof notwithstanding. Prouided also, that where there be diuers celles appertaining to monasteries and priories, & that the priors of such celles be named and remouable from time to time, at the only wils and pleasures of their Maisters and Soueraignes of the Monasteries and Priories, whereunto such celles belong, that the Priors of such celles shal not be compelled to pay any first fruits, by vertue or authority of this act; any thing in this Act conteined to the contrary thereof notwithstanding: but that the first fruites and profits of euery such cell shall be paide to the kings Highnesse, his heires & successors whensoeuer and as often as any person shall be nominated, elected, preferred, or collated to the Monasterie or Priorie, whereunto such celles belong. And that the kings Maiestie, his heires and successors kings of this realme, shall yearely haue take and enioy, and receiue vnited and knit to his imperiall Crowne for euer, one yearely rent or pension, amounting to the value of the Tenth part of all the Reuenues, rents, Fermes, tythes, Offerings, Emoluments, and of all other profits, as well called spirituall as Temporal, now appertaining or belonging, or that hereafter shall belong to any Archbishoprick, Bishoprick, Abbacy, Monasterie, Priory, Archdeaconry, Deaconry, Hospitall, Colledge, House Collegiate, Prebend, Cathedrall church, Collegiate Church, Conuentuall Church, Parsonage, Vicarage, Chauntry, free chappell, or other benefice or promotion spirituall, of what name, nature or quality soeuer they be within any Dioces of this realm or in Wales, the said pension or annuall rent, to be yearely paid for euer to our said soueraigne Lord to his heires & successors kings of this Realme, at the feast of the Natiuity of our Lord God, and the first payment therof to begin at the feast of the Natiuity of Lord God, which shall be in the yeare of our Lord God, 1535. And to be paid yearely by such as shal be appointed to haue the collection thereof by this Act, in such manner and forme as shall hereafter bee limited by this act, before the first day of Aprill yearely next following, after the said Feast of the Natiuity of our Lord (See 7. Ed. 6. cap. 4.) And that the said yearely rent and pension shall bee tared, rated, leuyed, perceiued, and payed to the kings vse, his Heires and Successors, in maner and forme hereafter to bee declared by this Act: That is to say, that the Chancellour of England for the time being, shall haue power and authoritie to direct into euery Diocesse in this Realme and in Wales, seuerall Commissions in the kings name vnder his great Seale, as well to the Archbishop or bishop of euery such Diocesse, as to such other person or persons, as the Kings Highnesse shall name or appoint, commanding & authorizing the said Commissioners for to be named in euery such Commission, or three of them at the least, to examine, search, and enquire by all the waies and meanes that they can by their discretions, of and for the true and iust, whole and entyre yearely values of all the manors, lands, tenements, hereditaments, rents, tythes, offrings, emoluments, & all other profits, as well spirituall as temporall, appertaining or belonging to any Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, Archdeaconry, Deanry, Hospitall, Colledge, house collegiate, Prebend, Cathedrall Church, Collegiate Church, Conuentuall church, Parsonage, Vicarage, Chauntrie, Freechappell, or to any other benefice or promotion spirituall within the limits of their Commission, with a clause to be conteined in euery such Commission, that the said Commissioners, or three of them at the least, shall deduct and allow in the making and rating of the said yearely values of the premisses, these deductions following and none other: That is to say, the rents resolute to the chiefe Lords, and all other annuall and perpetuall rents and charges, which any spirituall person or persons beene bounden yerely to pay to any person or persons, to their heires or successors for euer, or to giue yerely in almes by reason of any foundation or ordinance, & all fees for Stewards, Receiuors, Bailifes, and Auditors, and Synods, and Priories, with another clause to be also conteined in euery such Commission, that the said Commissioners, or three of them at the least, shall certifie vnder their Seales at such daies, as shall be limitted by the said Commissions, as well the whole & entry value, as the deductions aforesaid of euery Archbishoprick, Bishoprick, Abbacy, monastery, Priory, Archdeaconry, Deanry, Hospitall, Colledge, house Collegiate, Prebend, Cathedrall Church, Collegiate Church, Conuentuall Church, Parsonage, Vicarage, Chauntrie, free Chappel, and of al other benefices, and promotiõs spirituall. And that the said Commissioners, that shall be so appointed, or three of them at the least, shall haue full power and authority to doe, accomplish, and execute the effects and contents of their said Commissions in euery behalfe: And that euery the said Commissioners, before they shall execute their said Commission, shall receiue and take a corporall othe before the Lord Chancellor, or before such other as shall be appointed by the saide Chancellor, by the kings writ of Dedimus potestatem, that they shall diligently and truely without fauour, affection, fraude, couin, mede, dreade, or corruption, do, fulfil and execute the whole effects, and contents expressed in euery such Commission within the limits thereof, to their cunning, wits, and vttermost of their powers. And that after such certificate made by the said commissioners, the said yearely rent and pension of the tenth part shall be set, tared, rated and taken iustly and truely, and indifferently by the Treasorer, Chancellor, chamberlaine

Annuitie or Pension
Tenth part
Payment
1535
Aprill
Chancellor
Commissions
Firstfruits and tenths
Deane and Chapter
Dublin
Natiue
Richm.
Fee
Comm. owers
Deliuer
Celles
Remouable
Tenths
Firstfruits
Yerely
Tenth part
Payment
1535
Aprill
Chancellor
Commissions
Search
Valuing
Spirituall promotion
Deductions
Chiefe rents Perpetuall Annuall charge
Fees
Synods Priories
Certifie
Commissioners
Power
Othe

berlaine and Barons of the kings Eſchequer, of and out of the cleare yearely value of the premiſſes, that ſhall be aboue the deductions afore mentioned, and none otherwiſe. And that euery Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpitall, Colledge, houſe Collegiate, Prebend, Cathedrall Church, Collegiate church, conuentual church, Parſonage Vicarage, Chantrie, free chappell, or other benefice or promotion ſpirituall, ſhall be ſeuerally & diſtinctly tared, charged, & chargeable in the proper Dioceſſe where they bene, for the payment of ſuch portion of the ſaid Tenth part, as ſhall be tared and ſet vpon them by authority of this act. That is to ſay, euerie of them by and for themſelues, ſhal be tared, charged, & chargeable in the proper Dioces where they bene, for the tenth part of the yearely value of their poſſeſſions and profits to them belonging, whereſoeuer their ſaid poſſeſſions and profits ſhal happen to be or lie in any part of this realme, or elſwhere, in any of the Kings Dominions, and that none of them ſhall be charged, or chargeable for the paiment of the others charge or portion. And that after ſuch certificate made into the K. Eſcheq. & tare ſet of the Tenth part, in form aboue remembred, euery Archbiſhop and Biſhop now being, & that hereafter ſhall be charged and chargeable, to leuy, collect, and receiue, within their proper Dioceſſe, as well in places exempt, as not exempt, all ſuch ſummes of money, wherewith the dignities, benefices, and other promotions ſpirituall afore mentioned within their dioces, chargeable by this Act, ſhal be ſet, tared, and charged towards the paiment of the ſaid yearely penſion, and ſhall pay and content the ſaid ſummes of money yearely, before the ſaid firſt day of Aprill, to the Treaſorer of the Kings Chamber, for the time being, or to any other perſon or perſons, whome it ſhall pleaſe the kings highnes to appoint to receiue the ſame. And that euerie of the ſaid Archbiſhops and Biſhops, their Executors and Adminiſtrators, and the poſſeſſions of their dignities and churches, ſhall ſtand charged and chargeable for the ſure and true payment of ſuch ſummes of mouey, as they ſhall collect and receiue of the ſaid yerely rent and penſion. And that the Treaſorer, Chancellor, Chäberlaine, and Barons of the Kings Eſchequer, ſhall yerely cauſe Proces to be made by their diſcretions, for non paiment of the ſaid penſion or yearely rent, or any parcell thereof, againſt euery Archbiſhop and Biſhop of this Realme, that is to ſay, againſt euery Archbiſhop & Biſhop, for ſo much part & portion of the ſaid penſion and yearely rent, wherewith the dignities, benefices, and other promotions ſpiritual afore mentioned within the Dioces, ſhalbe tared and charged, ſo that euery of the ſaide Archbiſhops and Biſhops, ſhall be charged and chargeable for the rate and portion of the ſaid yerely rent and penſion, ſet, and tared within his owne peculiar Dioces, and none otherwiſe. And that euerie Archbiſhop and Biſhop, ſhall haue power & authority, to leuy, take and perceiue by authority of cenſures of the Church, or by diſtreſſe, or otherwiſe by their diſcretion, all ſuch ſummes of money as ſhall be rated, tared, and ſet to goe out of the lands, tenements, hereditaments, profits and emoluments of any dignitie, office, benefice or other place or promotion ſpirituall within their Dioces towards the payment of the ſaid yearely rent and penſion, and that no replenin, prohibition, or Superſedeas, vpon any excommunication, nor any other writ or impediment ſhal be ſued, allowed, or obeyed for any perſon or perſons, making default of payment of ſuch part, and portion, as they ſhall be rated and tared vnto by authority of this Act, till ſuch time as they haue truely ſatiſfied their ſaid part and portion to them allotted of the the ſaid yearely rent and penſion. And that whenſoeuer and as often as any of the Archbiſhopricks or Biſhoprickes happen to be voide, that then the Deane and Chapter of the Cathedrall church, or the Prior, or conent, or Chapter, or couent of the Monaſtery or Cathedrall church, where the See of ſuch Archbiſhoprick or Biſhoprick, being void, ſhall happen to be, during the time of the vacation thereof, and their executors, adminiſtrators & poſſeſſions ſhall be charged and chargeable to doe and cauſe to be done, all & euery thing & things for ỳ due execution of this act, within ỳ dioces of ſuch Archbiſhoprick or biſhoprick, being void, as the ſame archbiſhop or biſhop of the See being void, ſhould haue done, according as it is limited and appointed by this act, or by any thing therein conteined. And that if any ſumme of money (being once due by any incumbent of any of the dignities, benefices, or promotions ſpirituall afore eſpecified, charged to the paiment of the ſaid yearely penſion and annuall rent be reaſonably demanded and required any time after the ſaid feaſt of the Natiuity of our Lord at their dignities, Monaſteries, Priories, Hoſpitals, Colledges, Churches, Chauntries, or houſes by the Archbiſhop or Biſhop, or ſuch as ſhall be charged with the collection of any part of the ſaide penſion, or by any other their Miniſters, ſeruäts, or Officers, to pay ſuch portion of the ſaid penſion and yearely rent, as they ſhal be tared and aſſeſſed) be not truely content and paid vnto ſuch Archbiſhop or Biſhop, or their Miniſters and Officers, or to ſuch other perſon or perſons, or their Miniſters or Seruants, as ſhall haue the charge of collection thereof, euery yeare yearely at the time of ſuch requeſt & demand thereof, or elſe within forty daies next after euery ſuch requeſt at the furtheſt, that then euerie incumbent, making ſuch default of payment, after ſuch default therof certified into the kings Eſchequer in writing vnder the Seales of any Archbiſhop or Biſhop, or of ſuch as be limited & charged to the collection of the ſaid penſion by this Act, ſhall be adiudged depriued, ipſo facto, of all ſuch dignities, benefices, penſions, and promotions ſpirituall, as any ſuch incumbent making ſuch default, ſhall haue at the time of ſuch certificate to be made, or at any time after: ſo that al ſuch dignities, benefices, penſion, & promotions ſpiritual, which any incumbent making ſuch default of payment, ſhall haue at the time of any ſuch certificate to be made, or at any time after, ſhal be clerely void & deſtitute of incumbent in the Law to all intents

and

Eſchequer Spirituall promotion Tared in the Dioces

Biſhop

Receiue

Pay

1. Aprill

Biſhoprick

Charge

Dioces

Biſhop Leue Cenſures Church Diſtreſſe

Replenin Prohibition Superſedeas as Excommunicamus

Biſhoprick Lord Deane and Chapter

Executors Adminiſtrators

Demand

At Dyner

40. Daies

Defaut Certified

Depriued

and proceed as if such incumbent making such default of paiment, were dead indeed. See Anno 2 & 3. Edw. 6. cap. 20. & 7. Ed. 6. cap. 4. And that if any Archbishop or Bishop, or any other limited and charged by this act, to the collection and paiment of the said pension and annuall rent, do make a certificate into the Kings Eschequer, before the 1. day of April, or at any time within fifty & twentie dayes next after the said first day of April, that they according to this Act, haue reasonably required & demaded any incumbent of any dignity, benefice, or promotion spirituall, chargeable by this act, to pay such part and portion of the said pension and annuall rent, as they shall happen to be assessed vnto, and that such incumbent, so being required, hath not paide his said part and portion, according to the forme and effect of this act, that then euery such Archbishop and bishop, and euery other person, having the charge by this Act, for collection and payment of the said pension and annual rent, vpon euerie such certificate, shall be discharged and acquited for euer against the king, his heires & successors, of and for al such sums of mony, as any such incumbent, against whom such certificate shal be made, should or ought to haue paide by this Act: And that then in euery such case the Treasorer, Chauncellor, Chamberlaine, and Barons of the kings Eschequer, shall deuise and direct vpon euery such certificate, such Proces out of the kings Eschequer, against euery such incumbent, against whome any such certificate shal be made and their executors and administrators, or for insufficiency of them, against the successors of euery such incumbent, whereby the kings Highnes, his heires and successors shall and may be truely answered, paied, & contented of such portion & part as the incumbent, against whome any such certificate shall bee made, was taxed, and assessed for his dignities, benefices, or promotions spirituall, chargeable by this act. And that all manner of acquitances made by the treasorer of the kings chamber, or any other such Commissioners, as shall be appointed, as is aforesaid, to receiue the said pension, or any part thereof, and subscribed with the name of the saide Treasorer, or any other such Commissioner for the payment of the said pension or annual rent, or any such person or persons as be limited & charged with the collection thereof, shall be of as good strength, force, vertue and effect, to the parties hauing the same, as if they were made in the kings name vnder his great seale, & so shall be allowed, admitted, and accepted in all courts of this realme: And y the Treasorer, Chancellor, Chamberlaine, and barons of the kings Eschequer, shall by vertue and authority of this act, as well admit and allow such acquitances, as al such certificats as shall be made against any incumbent for default of paiment, as is aboue said, vpon the accoũt of euery Archbishop and Bishop, and of euery other person limited and charged by this act for the collection and paiment of the said pension and annuall rent, without any writ, bil, or warrant to be sued in or for that behalf. And that no manner of Officer of the kings Eschequer shall take of any Archbishop or Bishop, or of any other persons hauing charge with the collection and paiment of the said pension or annuall rent, any manner reward or thing for making their accompt or Quietus est, in the same Eschequer, or for any manner of thing appertaining to the same concerning the said pension and annuall rent, vpon paine of euerie officer doing contrary to this act, to lose and forfeit his office, and make fine to the K. at his will & pleasure. And forasmuch as euery incumbent of the dignities, benefices and promotiõs spirituall afore mentioned, shal be charged by this act to the payment of the tenth part of the value of their dignities, benefices, and promotions spirituall, without any deduction or allowance of such pension or pensions, wherewith some of them been charged to pay their predecessors, during their liues, or to other persons to the vse of such their predecessors during their liues, it shall be lawful to euery incũbent, charged with any such pension, payable to any his predecessors, or to any to his vse, to retaine & keepe in his hand the tenth part of euery such pension: And that euerie such incumbent & his sureties, shal from henceforth be acquited & discharged of ỹ said x. part of euery such pension, by vertue and authority of this present act, any decree, ordinance or assignmẽt of any such ordinary, or any collateral writing or surety made for such pension to any spirituall person or persons, or to any to their vses for terme of their liues in any wise notwithstanding. And that as well euery incumbent as such persons as stand bounden for him, for paiment of any such pensions, shall pleade this Act in euerie of the kings Courts, for the clere extinguishment & discharge of the tenth part of euery such pension. And ỹ no pension shall hereafter be assigned by ỹ ordinarie, or by any other maner of agreement by collaterall surety, or otherwise, vpon any resignation of any dignity, benefice or promotion spiritual, aboue the value of the third part of the dignity, benefice, or promotion spirituall resigned: And if any pension, amounting aboue ỹ value of the third part of the dignity, benefice, or promotion spirituall heretofore resigned, be already limitted and made sure to any spirituall person or persons, by decree of ỹ Ordinarie, or otherwise by any collateral suretie, or hereafter shal happen to be assigned & made sure to any person or persõs spirituall, or to any other to their vse, by decree of ỹ ordinary, or by any other collateral surety, vpõ any resignation therof, yet neuertheles the incumbent charged with such pension, nor his sureties collaterall, shall not be compelled to pay any more pension then the value of ỹ 3. part of the dignity, benefice, or promotion spirituall, so resigned shal mount vnto: but shal by authority of this act, be clearely acquited and discharged of so much of the said pension, as shall amount aboue the value of the third part of the dignity or benefice resigned: any decree or assignement of the Ordinary, or any collaterall writings or sureties heretofore made, or hereafter to be had or made for the same, to the contrary thereof notwithstanding. And for asmuch as diuers Abbots and Priors been charged to pay great pensions to sundry their predecessors yet liuing,

Certificate 1. April 24. Dates

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Penalties

40. Dates

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uing, to the great decay of their Hoſpitalities and houſe keeping: Weit enacted by authority afore-ſaid, that euery ſuch predeceſſor of ſuch Abbots or Priors, hauing any penſion made ſure vnto them, or to any to their vſe during their liues, amoũting abone the yearely value of forty pounds, ſhall from henceforth be defalked and abated of the moity and halfe deale of euery ſuch penſion. And that euery Abbot and all other perſons charged for the payment of ſuch penſion, abone the ſaid yearely valus of forty pound, ſhall be clearely acquited and diſcharged by authority of this act of the moity & halfe deale thereof for euer. Any decree or allignement thereof by the Ordinarie, or any writing or ſuerty collaterall had or made for the ſurety thereof notwithſtanding. And that euery perſon & perſons, which after the ſaid firſt day of January, ſhal happen to be nominated, elected, collated, or by any other meanes appointed to the dignity of the ſaid Prior of Saint Johns of Ieruſalem in England or to any commandry apperteining vnto the ſame ſhal before their actual and real entrie into the ſame dignity or commãdry, or medling with the profits thereof, ſatiſfie and pay to the vſe of the kings highnes, his heires and ſucceſſors, the firſt fruits & profits thereof for one whole yeare, or agree or compound for the ſame at reaſonable daies, in like maner and forme, and vpon like pain in euery behalfe as Archbiſhops and Biſhops, and other ſpirituall perſons bene bound to, by vertue and authority of this act. And that alſo the Prior of Saint Johns now being, and his ſucceſſors, and euerie of his Brethren, hauing any commandry, and their ſucceſſors, ſhall contribute and pay yearely to the K. Highnelle, his heires and ſucceſſors, one yearely rent and penſion amounting to the x. part of all their poſſeſſions and profits, as well ſpirituall as temporall: And ſhall be charged, rated, tared, and ſet to the contribution and payment of the ſaid x. part. And that alſo the ſaid tenth part ſhall be leuied, collected, and paid in ſuch like maner and forme, to all intents and purpoſes, as the tenth part of other dignities & benefices ſpirituall ſhal be charged, tared, ſet, leuyed, collected, and paide by authority of this act. And for aſmuch as in ſundry and many Cathedrall Churches, Colledges, and Hoſpitalles of this Realme, there is and time out of minde hath bene certaine ordinances inſtituted and made, whereby the Deane, Prouoſte, Maſter, or other Chiefe Gouernour of ſuch Churches, Colledges, and Hoſpitalles hath a certaine part and portion of ỹ poſſeſſiõs & profits belonging to ſuch Church, Colledges, and Hoſpitalles, all onely limitted and belonging to their offices and dignitie: And euery Prebendary, Brother, Vicar, Fellow, Pety Canon, and other miniſters ſpirituall in ſuch Churches, Colledges, & Hoſpitalles, hath another portion, all onely and diſtinctly limitted, appertaining and belonging to their dignities and offices in ſuch Churches, Hoſpitalles, and Colledges: It is therfore prouided and ordeined by authority afore-ſaid, that ſuch perſon and perſons, which at any time after the ſaid firſt day of Januarie, ſhal be nominated, elected, preſented, prefected, collated, or by other meanes appointed to be Deane, Prouoſte, Maſter, or other cheife gouernour of ſuch Cathedrall Churches, Colledges, or Hoſpitalles, ſhall be rated, compound and pay for their firſt fruits, but onely after the rate of the yearely value of the poſſeſſions and profits, limitted & belonging to their Office and dignity. And that euery other perſon & perſons, that after the ſaid firſt day of Januarie ſhall be nominated, elected, preſented, prefected, collated, or by any other means appointed to haue any Prebend, Brotherſhip, Fellowſhip, or to be any Vicar or Petie cannon, or to haue any other dignity or office ſpirituall in any ſuch Cathedrall Churches, Colledges, or Hoſpitalls, ſhall be rated compound and pay for their firſt fruits, after the rate of the yerely value of the poſſeſſions and profits limitted and belonging to their dignities and offices in ſuch Churches, Colledges, and Hoſpitalles, and none other wiſe: Any thing in this act to the contrary hereof in any wiſe notwithſtanding. Prouided alwaies, that ſuch perſon or perſons, that after the ſaid firſt day of January, ſhall be preſented and collated to any Parſonage or Vicarage whereof the yerely value ſhal not exceed 8. marke, ſhall not be compelled to pay any firſt fruites for any ſuch Parſonage or Vicarage, whereunto they ſhall be preſented or collated, not being abone the ſaid yerely value of eight markes: Except that the incumbent preſented or collated to ſuch parſonage or Vicarage, whereof the yerely value ſhall not exceed eight markes, doe liue three yeers next & immediately following after his inſtitution, induction, or collation to ſuch Parſonage or Vicarage. And if ſuch incumbent doe liue after the ſaid three yeares, then he or his executors or adminiſtrators ſhal pay at daies to be limited after ỹ ſaid yeres vpon ſureties (as is afore-ſaid) the firſt fruits of euery ſuch parſonage & vicarage. And that in euery Obligation to be made by any incumbent of ſuch parſonage or Vicarage and his ſureties for payment of the firſt fruits of ſuch parſonage or Vicarage, there ſhall be conteined a proviſo, that if the ſaid incumbent die within three yeares next after the date of the inſtitution, induction, or collation of the ſaide Parſonage or Vicarage, that then the Obligation ſhall be void and of none effect. Any thing in this Act to the contrary hereof notwithſtanding. And ouer this where the Clergy of the prouince of Caterbury in their conuocation, haue graunted vnto the Kings highnes, one hundred thouſand pouds, and the Clergie of the Prouince of Yorke, eighteen thouſand, eight hundred, forty pound, ten pence, to be paid by euen portions in fiue yeares, and that which could not be leuied thereof in the ſame fiue yeares, to be paide in the firſt yeare, as by the tenor of their ſeuerall graunts thereof made in their ſeuerall conuocations more plainly appeareth: It may pleaſe the Kings Maieſty, of his excellent godneſſe, in conſideration that the ſaid yerely penſion and annuall rent ſhall be yearely from henceforth duely paide and ſatiſfied to his Highnes, and to his heires and ſucceſſors, according to the tenor, forme, purport and effect of this preſent act, that it may be enacted by authority of this preſent Parliament,

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ament, that the Clergie of the said Prouince of Canterburie, and euerie of them, shall be discharged and acquited against our said Soueraigne Lord his heires and Successors, of and for twenty thousand pound, parcell of the said hundred thousand pound, which should be paide the fift yere of paiment limited by their grant: And that the Clergie of the said prouince of Yorke shal likewise be discharged and acquited of and for all such sums of money, parcell of the said eighténe thousand eight hundred forty pound ten pence, which should be paide in the fift yere of payment limited by their grant: any thing in their said seuerall grants thereof made in any wise notwithstanding. Prouided alwaies, that all the residue of summes of money, which be yet to be paid, & not released nor discharged by this act, shall be truely paid & satisfied to our said Soueraigne Lord, his heires or successors, according to the tenor, forme, and effect of their saide seuerall grants. Prouided also, that all such fées, which any Archbishop, Bishop, Abbat, Prior, or other Prelate of the Church is bounden yerely to pay to any Chancellor, master of the Rols, Justices, Sheriffes, or other Officers, or Ministers of record, for temporall Justice to be done or ministred within their Diocesse or iurisdictions, shall be allowed and deducted by the Commissioners aforesaid, in and vpon the valuation of the dignities, Monasteries, Priories, or Churches chargeable with such fées, any thing in this act to the contrary hereof notwithstanding. Anno 26. H. 8. cap. 3.

2 All and singuler termors and lessees of any mannors, Lordships, Lands, Tenements, or other hereditaments, Parsonages, Vicarages, portions of Tythes, or other whatsoeuer profits or cõmodities, belonging to any Archbishop, Bishop, or other prelate or spirituall persõ or persons, or spirituall body corporat or politik, whereof any 1. fruits or yerely pensiõ of ỳ r. part is granted to the K. our soueraigne L. in this present sessiõ of ỳ said court of Parliament, shall be discharged & not chargeable to pay to our said Soueraigne Lord of his or their proper money, cost, or charge, for or in discharge of the lessor or lessors, owner or owners of the same, by reason of any couenant, bargain, bõd, condition, clause of reentry, or other thing heretofore made or concluded, but that euerie of the saide lessors and owners, and their successors, shall bee charged and chargeable to pay and satisfie the same of his or their proper cost and charge, to the king our Soueraigne Lord, his heires and successors, according to the grant thereof: any couenant, bargaine, contract, bond, condition, clause of reentrie, or other thing heretofore made, or concluded to the contrarie thereof in any wise notwithstanding. Anno 26. H. 8. cap. 17.

3 Whensoeuer any person or persons, from the first day of May, which shall be in the yeare of our Lord God 1536. shall be named, prefected, presented, collated, or by any other meanes appointed to haue any Archbishopricke, Bishopricke, Abbacie, Monastery, Priory, Colledge, Hospital, Archdeaconry, Deanry, Prouostship, Prebend, Parsonage, Vicarage, Chauntrie, Frechappell, or other dignity, benefice or promotion spirituall, by vertue whereof they shall be charged or chargeable, as well for the paiment of the tenth of euery of the said Archbishopricke, Bishopricke, Abbacy, Monasterie, Priory, Colledge, Hospitall, Archdeaconry, Deanry, Prouostship, Prebend, Parsonage, Vicarage, Chauntrie, Frechappell, or other dignity, Benefice, or promotion spirituall, as with the payment of the first Fruites of the same and euery of the same, shall at his or their composition agreement or entry into specialty or specialties, for the paiment of the said first fruits, haue allowance and deduction of the said tenth part of the whole, out of the summe to be paid for the said first fruits of the yeare, wherein he or they shall be first nominated, prefected, presented, collated, or by any other meanes appointed, to haue any of the said dignities, Benefices, Offices, or other promotions spirituall, according to the iust rate, taration, and sessement of the tenth of euery of the saide Archbishopricke, Bishopricke, Abbacy, Monastery, priory, Colledge, Hospitall, Archdeaconry, Deanry, Prouostship, Prebend, Parsonage, Vicarage, Chauntrie, Frechappell, or other dignity, Benefice, Office, or promotion spirituall within this Realme or elsewhere, within any of the Kings dominions, of what name, nature or quality soeuer they be, or to whose foundation, Patronage or gift soeuer they belong, now being inrolled, or that hereafter shall be inrolled in the kings Exchequer, or in any other the kings Courts of Record. And be it further enacted, that euery Commissioner or Commissioners, or other the kings Officers or Ministers, or any other person or persons, which either by authority of any Act of Parliament, or by Commission or Commissions, vnder the kings great Seale, or otherwise by his graces Comunandement, or by the commandement of such, as by his Highnesse shall be authorised for that purpose, be appointed, assigned or deputed, or that hereafter shall be appointed, authorized, assigned or deputed, to compoũd, agrée, and receiue bonds and specialties to his Maiesties vse, for payment of the said first fruits, of euery of the said dignities, benefices, Offices, or other promotions spirituall, shall and may by force of this Act, from the said first day of May for euer forward, haue authority to deduct and allow vnto euery such person or persons, as from the foresaid first day of May, shall be nominated prefected, presented, collated, or by any other meanes appointed to haue any of the said Archbishopricke, Bishopricke, Abbacy, Monastery, priory, Colledge, Hospitall, Archdeaconry, Deanry, Prouostship, Prebend, Parsonage, Vicarage, Chauntry, Frechappel, or other Dignity, Benefice, Office, or promotion spirituall, the tenth part of the whole as is aforesaid, out of the same first fruits for the yeare, wherein he or they shal be first nominated, prefected, presented, collated, or by any other meanes appointed vnto euery of the same, as is aforesaid, without any further suit to be made to the Kings Highnesse, and without imposition or extraction or other charge to be in any wise demanded or exacted of the person or persons so preferred,

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for the allowance vnto them of the said tenth, for the said first yeare in forme aboue expressed: any thing or things in the said Act of the graunt of the said tenth and first fruits to the contrary notwithstanding. And it is also &c. that al and euery person and persons, that vpon his or their composition & agreement for the first fruits, shall be defalked and allowed the tenth part of the whole summe of his or their dignities, Benefices, Offices, or promotions spirituall, for the yeare wherein he or they shal be first nominated, prefected, preferred, collated, or by any other meanes appointed vnto any of the same, as is aboue said, shall yeld and pay the tenth part vnto the Kings Maiesty, his heires and Successors, the said first years in like manner and forme, and at such day as is limited in the said Act of the graunt of the tenth, and first fruites: any thing conteined in this act to the contrary notwithstanding. Be it &c. that in such cases, where the successor of any incumbent, shalbe chargeable to the payment of such summes of money, as shall be due of and for the said tenth, that shal happen to be behinde vnpaied in the time or life of his predecessor, there euerie such successor may lawfully distreine such goods and cattels of his predecessor as shall happen to be and remaine in or vpon the dignity, benefice, or promotion spirituall, of the which the same tenth was behind and vnpaide in the life or time of his predecessor, and to reteine the saide goods and cattels, til such time as the said predecessor if he be aliue, and if he be dead, then his executors or administrators, or such other to whom his goods & cattels should apperteine, haue fully satisfied & paid such sums of money, as shall happen to be behinde & vnpaid of the said tenth. And in case the said predecessor, his executors, administrators, or such other to whome his goods or cattels should appertain, within xij. daies next after the distresse therof, do not satisfie the said sums of mony, being behinde of the said x. as is aforesaid: that then for such default of paiment, it shall be lawfull to euery such successor, to cause the said goods & catells so distreined, to be prised by two or three indifferent persons to be sworne for the same: And according to the same appraising to sel so much therof, as shal amount as wel to the ful satisfaction of the said sums of money, being behind & vnpaid of the said tenth, in the life or time of his predecessor, as for the reasonable costs, that shall be spent by occasion of distreining & appraising of the same goods & cattels. And in case no sufficient goods and cattels may be found in or vpon such dignities, benefices, or promotions spirituall, for the satisfaction of the said tenth, being behinde vnpaid, as is aboue said, that then the predecessor, by whom such tenth was due to to be paid, if he be aliue: and if he be dead, then his executors, administrators and other, to whome his goods and Cattels shall appertaine or belong, shall be compelled to the paiment of the said tenth being behind and vnpaid, as is aforesaid, by bill to be pursued in the kings Chancery by the successor that shal be chargeable for the same, or else by actiõ or plaint of debt to be take or cõmenced by such successor by order of the cõmon laws. An. 27. H. 8. c. 8

Pay Tenth

Successor

Distreine Predecessors.

12. Daies

Sell

Executors Administrators

Bill Chancery

Action

Debt

4 What if the Archbishop & Bishops, or any of them, their Deputies or other accomptants or any of them, that now be or hereafter shalbe chargeable with the collection of the said annuall rent or pension (called the tenth) or of any part or portion thereof, sue & alleadge by the othe of any of the said Archbishops, Bish. or other accomptants, or any other person or persons authorized to account for any of them, before the Treasorer, Chancellor and Barons of your Escheq. or before the more part of them, or before such persons, as it shal please the K. highnes to appoint to heare the same account, that they or any of them for any of the causes, or for any other sufficient cause or matter by any of them to be alleadged, cannot or may not in any wise lawfully leuy such particular sum or sums of mony of the said annual rent or pension, as they or any of them, now be or hereafter shall bee chargeable and charged with, and no matter apparant there shewed to the contrarie for your highnes by any of your Sergeants at the law, or by your Atturney generall for the time being, or by any other for your maiestie: that then your said treasorer, chancelor, & barons, or the more part of them, or such other persons as shalbe appointed by the K. highnes, shall by vertue and authority of this act, haue ful power & authority by their discretions to accept & allow ỹ allegation, and thereupon thereof to discharge the accomptant, or else by their discretions to direct the K. writ vnto any of the K. courts, for to certifie vnto them the truth thereof. And thereupon the saide Treasorer, Chancellor, and Barons, or the more part of them, or such persons as shalbe thereunto appointed by the K. highnes, further to heare & examin the same matter & cause by witnes & depositions of such as can inform the court, or ỹ said other persons, as shalbe thereunto appointed by the K. highnes of the truth thereof, or by any other waies and meanes that they can best deuise: And if need require, to award commissions by their discretiõs to certaine indifferent persons in euery such Dices, where any such matter or cause shal be alleged, without any charge asking or taking for the making of the same commissiõs so to be awarded: which said commissioners shall & may by vertue of their Commissions, haue ful power & authority to examin the same matter and cause so alleadged by any of the said bishops or other accomptants for them, & in their discharge, by the othes of such persons as shall haue perfect notice thereof, or otherwise, & thereupon to make certificate thereof to the treasorer, chancellor, & barons, or to the more part of them in the said Escheq. or to such other persons as thereunto shall be appointed by the K. highnes. And vpon certificat so made, of the said matter, or if by any other matter or certificat it shall appeare to the said Treasorer, Chancellor, & Barons, or to the more part of them, or to such other persons as thereunto shall be appointed by the K. highnes, ỹ the said matter, & the allegations thereof, be good & true: then the said treasorer, chancellor, & barons or the more part of them, or the said such other persons as thereunto shall be appointed by the Kings highnes, thereupon to make a clere & sufficient deduction,

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Trial Mandate

Commission

action, allowance, determination, and discharge to any of the said Archbishops, Bishops, and other accomptants, and to euery of them, of and for the same without further sute or delay, and the same allowance and discharge, to cause to be entred in that Court, there to remaine of Record, as by their discretions shall be thought requisite from time to time, without further suit, charge, or other inquieting of any of the said Archbishops, Bishops, or other accomptants, or any of them, or any of the successors, or executors of any of them in that behalfe. And in case it be hereafter certified by commission, or otherwise, by sufficient & probable witnesses, had & found before ẏ said treasorer, Chancellor, & barõs, or before the more part of thẽ, or before such other persons as therũto shal be appointed by the K. highnes, ẏ any benefice, chaũtry, hospital, or other ecclesiastical promotion is omitted & not specified, or not certified, by or in the said originall or former certificat: that then vpon due proufe, information, knowledge, or certificate thereof by any of the said Archbishops or Bishops, or otherwise made or declared before the said Treasorer, Chancellor and Barons, or before the more part of them, or before such other persons as thereunto shall be appointed by the kings Highnes, of any summe or summes of money concerning the premisses so omitted, and not charged for lacke of knowledge or certificate thereof, whereof the King of right ought to be answered: The said Treasorer, Chancellor, and Barons, or the more part of them, or such other persons as thereunto shall be appointed by the kings Highnelle, shal make a sufficient entrie therof, to be annered to and with the said originall of the same Tenth, and thereupon to charge the saide accomptants, to make leuy and answere thereof yearely from henceforth, so that the kings highnes may be truely answered thereof, from time to time according to his lawfull title in that behalfe. Anno 32. H. 8. cap. 22.

5 Whereas by act of Parliament holden in the 27. yeare of King Henry the eight, the Bishop of Norwich and his Successors, were clearely acquited and discharged, of, and for the collection of the yearely Tenth, that was then or should be due and leuiable to the kings vse within the said Dioces of Norwich, of any person or persons, or bodies politike or corporate, chargeable to the yerely paiment of the said Tenth, the Act made (s. 26. H. 8. cap 3.) for the same collection of Tenth to the contrary notwithstanding, as by the same act it will appear. But for as much as the K. highnes, in recompence of diuers and sundry Lordships & Manors, parcel of the said Bishopricke giuen vnto his grace by act of Parliament, hath united and knit to the See of the said bishopricke of Norwich, the monasterie of S. Be. with diuers other possessiõs being of a greater yearely value then the said Lordships & Manors so to his grace giuen were, that frõ henceforth the bishop of Norwich, and his successors Bishops there, & in the time of vacatiõ of the said bishoprick, the Deane & Chapter of the Cathedrall Church of Norwich, shal Collect and gather together the said annual rent or pention, of al the promotions spirituall within his Dioces, aswell in places exempt, as not exempt. And all and singuler such summes of money so by him or them to be collected and gathered, to pay yearely to the hands of the treasorer of the first fruits and tenths, before the said first of Aprill, and thereof yerely to accompt before the barons of the K. Eschequer, and to haue like allowance and discharge vpon the same accompt by the acquitance of the said Treasorer, as other bishops and Collectors of the said Tenths haue had, or shall haue: the act made in the said 27. of Henry the eight notwithstanding. Anno 32. H. 8. cap. 45.

Pay

Accompt

Eschequer

6 Where in the Parliament begun & holden at London, the 4. day of November, in the 21. yeare of the raigne our most soueraigne L. king Henry the eight, and from thence adiourned to Westminster, & there holden & continued by diuers prorogations, vntill the dissolution thereof, it was among other things established & enacted, that the Kings Maiesty, his heires and successors, for the augmentation & maintenance of the royall estate of his imperiall Crowne and dignity, of supreame head of the Church of England, should yearely haue, take, inioy, & receiue, vnited, and knit vnto his Imperiall Crowne for euer, one yerely rent or pention, amounting to the value of the tenth part of all the reuenues, rents, farmes, tythes, offerings, emoluments, and of all other profits, as well called spirituall as temporall, then appertaining or belonging, or that afterward from thencefoorth should belong to any Archbishoprick, Bishoprick, Abbacy, monastery, Priorie, Archdeaconry, Deanry, Hospitall, Colledge, house Collegiate, Prebend, Cathedrall church, collegiate church, conuentuall church, Parsonage, Vicarage, Chauntrie, Free chappell, or other benefice or promotion spirituall, of what name nature or quality soeuer they were, within any Dioces of this Realme, or in Wales, the said pentiõ or annual rent, to be yerely paid for euer, to our said soueraign Lord, his heires and successors Kings of this Realme, at the feast of the Natiuity of our Lord God, as by the same act among diuers other things therein conteined, more plainly is shewed and may appeare. And where also at the Parliament, begun at Westminster the xxviij. day of Aprill, in the 31. yeare of our said soueraigne Lord the Kings most gracious raigne: and afterward continued by diuers and sundry prorogations, vntill the dissolution thereof, there was by authority of the said Parliament, erected and established a certaine court, called the Court of the first fruits and Tenth: And it was further enacted by the authority of the said Parliament, that the said first fruits and Tenths, and all the reuenues and profits thereof, which then were, or hereafter from henceforth should grow or be, by any manner of meanes, should be from henceforth in the order, suruey, & gouernance of the said Court of the first fruits and Tenth, and Ministers of the same, as by the same act among diuers other things therein conteined plainly appeareth. Sithence the making of which said Act, our Soueraigne Lord, of his most gratious & blessed disposition, by his most gratious seuerall Letters Pat-

Court of the first Fruits & Tenths

hath made, erected, incorporate, and eſtabliſhed within this his Realme, diuers and ſundrie
New Biſhops
Biſhops, and ſees of Biſhops, that is to ſay, John now biſhop of Cheſter, John now biſhop of Glouceſter, John now Biſhop of Peterborough, Paule now biſhop of Briſtoll, and Robert now biſhop of Oxenford: and by the ſame his ſeuerall and ſundry Letters Patents hath ſunderly and ſeuerally giuen and granted vnto the ſaid Biſhops diuers and ſundrie mannors, lands, tenements, & hereditaments. In which ſaid ſeuerall Letters Patents there béene reſerued vnto his highnes, his heires & ſucceſſors, certaine yearely rents & pentions, amounting to the tenth of the ſame mannors, lands, tenements & hereditamẽts, ſo ſeuerally giuen to the ſaid ſeuerall biſhops, to be paied and payable yearely in our ſaid Soueraigne Lord the Kings Court of Augmentations of the reuenues of his Crowne, as in the ſaid ſeuerall Letters Patents more plainely appeareth. And forasmuch as by the ſaid former eſtatutes, the ſaid Biſhops béene compellable euerie one of them to pay the Tenths of his or their poſſeſſions, annexed to their ſeuerall biſhoprickes, in our ſaid Soueraigne Lord the kings Court of firſt Fruits & Tenth, the ſaid Biſhops be, and ſhall be double charged, and chargeable with the paiments of the ſaid rents and pentions, reſerued and to be paide, as is aforeſaid, for that that the payments thereof in one of the ſaid Courts, is no diſcharge in the other, cõtrary to the true intent and meaning of the kings highnes, and to the great hurt and decay of the ſaid Biſhops, and their ſucceſſors, if ſpeedy remedy bee not therefore prouided: For reformation whereof be it enacted & ordained by ẏ authority of this preſent parliamẽt, ẏ al the yerely rents, tenths, & pentions, as is, or be aboue rehearſed, reſerued, in, and by all and ſinguler the kings highnes ſaid ſeuerall Letters Patents made of any Mannors, lands, tenements, parſonages appropriate, or other hereditaments whatſoeuer they be, ſithen the 28. day of Aprill, in the ſaid 31. yere of the raign of our ſaid ſoueraign lord, to any the ſaid ſeuerall Biſhops, ſhall from the firſt day of May next comming, be in the rule, gouernance, and ſuruey of the ſaid Court of firſt fruits & tenth. And that all ſuch and the ſame rents, pentions, & tenthes, ſhall be from the ſaid firſt day of May, paiable, and alwaies paied in the ſaid Court of firſt fruits and Tenth, and not elſewhere, nor in any other Court or place: any thing rehearſed in the ſaid ſeuerall letters Patents or in any of them, or any act, ſtatute, or law, had, made or vſed to the contrary thereof notwithſtanding. And be it further enacted by the authority aforeſaid, that the ſaid Biſhops, nor their ſucceſſours, ne any of them, ſhall at any time hereafter be impeached, or ſued in the ſaid Court of firſt fruits & tenth, of, or for any tenth, yerely rent, or pention reſerued in or by any of the ſaid ſeuerall letters Patents which now is, or before the ſaid firſt day of May next comming ſhall be due vnto the kings highnes. And that all and ſinguler proces & ſuites now had and purſued, or hereafter on this ſide the ſaid firſt day of May to be had or ſued out of ẏ ſaid Court of firſt fruits, and Tenth, againſt any of the ſaid Biſhops newly erected and made as is aforeſaid, of, for, or concerning onely any yearely rent, pention, or Tenths, reſerued vpon, or by any of the ſaid Letters Patents, ſhall ceaſe and be clearely void to all intents and purpoſes. An. 34. H.8. cap. 17.

7 If any ſumme of the annuall pention, called the Tenth, being once due and demanded, accroding to the maner and forme ſpecified in the Act made Anno 26. H.8. cap. 3. be not truely contented and paied vnto ſuch Archbiſhop or Biſhop, or their Miniſters and officers, or to ſuch other perſon or perſons, or their Miniſters or Seruants as ſhall haue the charge and collection thereof, euery yeare yearely, at the time in the ſaid act (s. 26. H.8. cap. 3.) expreſſed, and thereupon certificate made into the Kings Maieſties Court of Firſt fruites and Tenths, in writing vnder the ſeales of any Archbiſhop or Biſhop, or of ſuch as be limitted, and charged to the collection of the ſaid pention by the ſaid former act: Then euerie Incumbent ſo making default, and certified, ſhall be iudged, depriued ipſo facto, of that onely dignity, benefice, or other eccleſiaſticall promotion, by what name ſoeuer it be called, whereof ſuch certificate ſhall be made, ſo that ſuch dignity, benefice, or other eccleſiaſtical promotion, wherof any Incumbent making ſuch default of paiment, ſhall be adiudged depriued, as is aforeſaid, ſhall be clearely voide, deſtitute of Incumbent in the Law, to all intents and purpoſes, as if ſuch Incumbent, making ſuch default of payment were dead indeed. And that no Incumbent making ſuch default of payment, ſhall be therefore made vnable to take or enioy any other benefice or promotion ſpirituall, or incur any penalty, forfeiture, or loſſe, to be paide by them, their executors, or aſſignes, for the ſame default, other then in this preſent Act is heretofore expreſſed: any thing in the ſaid former act, or any other ſtatutes or acts conteined to ẏ contrary notwithſtanding. Prouided allway, that the ſaid former Act, concerning the paiment of the ſaid yerely rent and pention, amounting to the Tenth part of euerie ſuch dignity, benefice, or promotion ſpirituall, and euery other act touching the ſame, and all Articles, clauſes, and ſentences in them, or any of them, mentioned, expreſſed, or conteined, nowbeing in his or their force and effect, other then ſuch as by this preſent act be already qualified or moderated, ſhall ſtand and abide in all his or their full ſtrength, effect, and vertue: any thing in this preſent Act conteined notwithſtanding. Anno 2. & 3. Ed. 6. cap. 20.

8 All Collectours of the Tenthes vnder any Archbiſhoppe, or Biſhoppe, within this Realme of England, or other the Kings Dominions, hauing Letters Patents, or other writings of their Office of Collectourſhip of the ſaid Tenthes, ſhall before the Feaſt of the Natiuity of Saint John Baptiſt next comming, be bound by their ſufficient writing obligatorie, or recogniſance, in the Court of the Firſt fruites, and Tenth, or in any other Court, where the Kings Reuenues of the Tenth ſhall be anſwerable, in ſuch ſumme or ſummes of money,

ney, as shall be due and growing yearely to our Soueraigne Lord the King, within their said collection or Office, to saue and keepe the said Archbishops or Bishops, and euerie of them harmelesse, and without hurt, or damnage, against the Kings Maiestie, his heires and successors, of, and for all manner of accompts, and payments of money, which they, or any of them haue, shall or may conueniently receiue, during the time of their seuerall collections, and that may be lawfully demaunded, or required of the said Archbishops, or Bishops, or any of them, for, or concerning the said Tenths, by reason of the Statute of the first Fruits, and Tenth, or else their said Letters Pattents, and other writings to be vtterly voide, and of none effect. And for that the Parsons, Vicars, and Curates, within this Realme, for the most part, be not able to pay their Tenths, before that they shall haue receiued the profits of their benefices, which yerely groweth, and renueth to them at the feast of Easter, which feast in many yeares falleth after the first day of Aprill, which said first day of Aprill is now the day that is stalled, and appointed to the said Archbishops and bishops, to make payment to the K. Maiestie of the said Tenths: Be it therefore enacted by authority aforesaid, that the said Archbishops, and Bishops, and euery of them, shall from henceforth make yearely payment of the said Tenths, vnto our soueraigne Lord, his heires and successors, in the Court of the first Fruits and Tenth, or else where it shal please the Kings Maiestie to appoint the payment of the same, before, or at the last day of May, and not otherwise. And that the certificate of Recusants made by any of the said Archbishops, or Bishops, or any of them before, or at the said last day of May yearely, shall be as good and effectuall in the Law, to all intents, constructions, and purposes, as though it had beene made at the daies and times heretofore limited and appointed by the statute made in the six & twentieth yere of the raigne of his most noble father of famous memory king Henry the eight, for paiment of Tenths and first fruits, any law, or statute heretofore had or made to the contrary in any wise notwithstanding. And be it further enacted by the authority aforesaid, that if any promotion spirituall be now, or shal chance hereafter to be or remaine in such sort voide, that no incumbent is, or can be conueniently prouided for the same: that then the said Archbishops, and Bishops, and euery of them, shall and may certifie yerely before the last day of May, the same vacations specially, and according to the troth of the matter, into the said Court of the first fruits and Tenth, or in any other Court, where the K. reuenues of Tenths shall bee answerable, vpon which certificate, the said Archbishops and Bishops, and euery of them, shall be discharged towards & against the K. Maiesty, his heirs & successors, in like sort, as they now be, vpon their certificate of the Recusants: And that then, and from thencefoorth, it shal be lawfull to the K. Maiesty his heires and successors, to leuy, and take al the glebe lands, tythes, issues, or profits of the said benefice, or spiritual promotion so specially certified, as is aforesaid, vntill his grace, his heires & successors may be fully answered, satisfied, & paid of the whole arrerages of the said Tenths then due to his Maiestie, & the said Archbishops, & bishops, and euery of them to be from the time of the said especiall certificate, clearely exonerated & discharged against the king, his heires & successors of the same arrerages: any law, or statute heretofore had or made to the contrarie in any wise notwithstanding. And be it further enacted by the authority aforesaid, that all & euery grant, patent, or writing whatsoeuer, that shall hereafter bee made to any person or persons, by any Archbishop or Bishop, by themselues, or else by any Archbishop, or Bish. cõfirmed by chapter seale, within this realm of Englãd, or elsewhee within the K. Dominions, of thoffice of Collectorship of ỹ tenths, growing & arising yerely to be due vnto our said Soueraigne Lord the K. within the Dioces and Bishoprieke of any such graunt or, by the reason of the statute of the first fruits & tenths, shall stand, abide, and indure in his, or their force, strength, and effect no more, nor longer time, then the said grant or shall be and remaine Archbishop or bishop of the same See and Bishoprieke, wherof he was possessed at the time of his said grant: any confirmation of the said grant, or any custome, vsage, law, or statute at any time heretofore had, vsed, or made, to the cõtrary in any wise notwithstanding. Anno 7. Ed. 6. cap. 4.

Grant

Collectorship

Bishop

Confirmation

9 All paiments of the first fruits (s. granted by An. 26. H. 8. cap. 3.) were taken away from the crowne by one act An. 2. & 3. P. & M. ca. 4. And afterward restored by 1. El. c. 4. as followeth, wherein be repeated the statuts of H. 8. an. 26. ca. 3. & 17 An. 27. cap. 8. An. 28. cap. 11. An. 32. ca. 32. & 45. & 47. An. 34. cap. 2. An. 37. ca. 21. Ed. 6. an. 7. cap. 20. An. 7. cap. 4. & Mary An. 1. părl. 2. Sess. ca. 10 & the statute 2. & 3. P. & M. cap. 4.

Crowne

Restored

10 That the said Act made in the second and third yeare of the Raigne of the said late King Philip and Mucene Marie, and all Articles, clauses, and sentences therein contained, shall be from and after the said first day of this present Parliament, vtterly and clearely repealed, made voide, and of no force ne effect. And all authorities and liberties granted, limitted, and appointed, in, and by the saide Act, to the said late Cardinall Poole, or made, or deriued by force, strength, or colour of the saide Act, by, or from the saide late Cardinall, to any other person or persons, bodies politike or corporate, to cease and be vtterly void & determined. And that the said first fruits, and all payments thereof, from & after the said first day of this Parliament, shal be reuiued and haue their being and continuance againe, and bee deemed and adiudged, to all intents, constructions and purposes, to the Queens Highnesse most royall person, her heires and Successors, and vnited, and annexed to the imperiall Crowne of this Realme, of, and in such like, and the same estate, interest, title, qualitie, sort, degree, and condition, and in as ample and

Repealed

Liberties

Cardinall Poole

Crowne

Vsed

beneficiall manner and forme, as the same was or were in the person or possessions of the said late M. Mary, at & before the said 8. day of August, in the said act of extinguishment, mentioned & expressed: the same act of extinguishmẽt, or any letters P. or any other matter or thing, had, done, or suffered by the said late M. to the contrarie thereof in any wise notwithstanding. And also ỳ aswel so much of the said perpetual & annual r. & pentiõ grãted by ỳ said act, made in ỳ said 26. yeare of the raigne of the said late K. H. 8. as also so much of ỳ said yerely rents, reserued vpon the said seuerall Letters P. nomine Decimæ, & also so many of the said Rectories, parsonages, and Benefices impropriate, glebe lands, tithes, oblations, pentions, portions, & other profits and emoluments ecclesiasticall and spirituall aforesaid, and the reuersion & reuersions thereof, and all rents, emoluments, and profits incident to the same, as were in the hands & possession of the saide late M. Mary, at and before the said 8. day of Aug. shall from the feast of S. Michael the Archangell last past, be vested, adiudged, and deemed actually & really in the seisin and possession of our said Soueraigne Lady M. Elizabeth, her heires and successors, to all intents, constructions & purposes, of & in such like, & the same estat, interest, order, degrée, quality, sort, & condition, & as fully, wholly, largely and beneficially, as the same were in the seisin and possession of the said late M. Mary, at & before the same 8. day of August. And that aswell the said first fruits and Tenths, & the order thereof, as also the said annuall rents, reserued nomine Decimæ, and the said Rectories, Parsonages, Benefices, glebe lands, Mythes, oblations, pentions, portions, and other profits & emoluments, ecclesiasticall and spirituall aforesaid, and euerie of them, and the reuersion and reuersions of them, and of all rents and profits vnto the same, or any of them incident or belonging, shall be within the said order, survey, rule, & gouernance of the said Court of Eschequer, in euery degrée, sort, and condition, as they were (at, and before the said 8. day of Aug.) the said act made in the said 26. & 32. yeres, or any other matter or thing, to the contrary thereof notwithstãding. And that so much of al and euery the said acts & statutes first recited (viz. of H. 8. an. 26. cap. 3. and 17. Ann. 17. cap. 8. Anno 28. cap. 11. Anno 32. cap. 32. 45. and 47. Anno 34. cap. 2. Anno 37. cap. 21. Ed. 6. An. 2. ca 10. An. 7. cap. 4. Qu. Ma. An. 1. parl. 1. Sess. 2. ca. 10. & 2. 3. P. & Ma. ca. 4.) or of any other Act or statute, touching or concerning the order, leuying, true answering, and paiment, or qualification of the said first fruits and Tenths, and of the said Rectories, Parsonages, & benefices impropriate & of the rents, reuenues, emoluments, and profits thereof, & of all other the premisses, & also the charge, discharge, or alteration of them, or any of them, or any matter or thing in any wise sounding or tending thereunto, which were standing and being in force, effect, and vnrepealed, at and before the said 8. day of August, except onely the said Actes of the Erection of the Courts of Augmentations & first fruits & Tenths shall be remaine, and continue in their ful & perfect strength and forces, and be obserued and put in due execution, according to the tenors and purports of the same, and of euerie of them. And that the M. Maiesty, her heires and successors, by authority of this present Parliament, shall from the said first day of this present parliament, haue, hold, posseed, and enioy for euer, the Aduowsons, gifts and patronages of all Vicarages, belonging or incident to any of the said Rectories and Parsonages impropriate, in the same sort, quality, condition, and degrée, to all intents and purposes, as the same were in the person and possession of the saide late Queene Mary, at and before the said eight day of August: any thing or Act done by the same late Cardinall, or any graunt or graunts by Letters Patents made by the said late Quéene Mary, of the said Aduowsons, Patronages, or any of them, to any Ecclesiasticall or spirtual person or persons, or any spirituall Corporation, to the contrarie in any wise notwithstanding. Sauing to all and euery person or persons, bodies politike and corporate, and their Heires, Executors, Successors, and Assignes, and euery of them, other then such persons as be mentioned and named in any Letters Patents made by the said Queene Mary, the said eight day of August, or at any time sithen, or claiming onely by or vnder the authority and strength of the same act, or Letters patents, or any of them, all such right, title, interest, estate, Offices, leases, graunts, annuities, pensions, fées, Corodies, rents, and other yearely profits and commodities, as they or any of them ought or should haue had, perceiued, or inioyed, of, in, or by reason of any the Parsonages, Rectories, or of any other the premisses, in case the said former act now repealed, & this present act of repeale, had neuer bin had ne made: any thing in the same acts, or either of them conteined, or sounding, to the contrarie thereof in any wise notwithstanding. And be it further enacted by the authority aforesaid, that from & after the said feast of S. Michael the Archangell last past, & so from thencesorth from time to time, ỳ said pentions, annuities, rents, corrodies, fées & other yecely payments, shall be paid & payable only by our said soueraigne Lady, her heires, & successors, at the receit of the Eschequer, or in such other places, as the Quéenes Maiesty, her heirs & successors, shal appoint, to all & euery person & persons that ought to haue and inioy the same, in such sort, order, and forme, as the same should or ought to haue bin paied & payable, in case the saide act now repealed, had neuer bin had ne made: any thing therein, or else in this act contained to the contrary thereof, in any wise notwithstanding. And bee it further enacted by the authority aforesaide, that all and singuler Incumbents, proprietaries, Tenants, Farmours, Lessees, and occupyers of the Premisses, or any part thereof, their Heires, Executors, and Assignes, which at the first day of this present Parliament were behinde, or in any arrerages, of, and with the rents, farmes, tenthes, or other reuenues, profits, and dueties by them, or any of them due and payable,

Letters P.

Rectories Parsonages Glebe lands

Possession

Annuall rents

Mations

Eschequer

Leuying

Qualification

Vnrepealed

Augmentation

Aduowsons Patronages Vicarages

Graunts

Spirituall persons Spirituall Corporations

Offices Leases Graunts Annuities

Repeale

Rents Corodies fees

Incumbents Propriaries

Arrerages

his, for, or by reason of ỹ premisses, or any of them, shall and may be by authority of this act seuerally chargeable, accomptable, and answerable to the Queenes Maiestie, her heires and successors, in, and at the said Court of the Eschequer, of, and for the same arrerages and duties, as other accomptants beene, and shall be in the same Court: any thing in the said act now repealed in this Act, or any other matter or cause to the contrary thereof in any wise notwithstanding. And yet neuertheles, the Queenes most excellent Maiestie, at the humble request of her said subiects, of her abounDant grace and bountifulnesse, is pleased and contented, that be it enacted by the authority aforesaid, that all and singuler Vicarages, not exceeding the yearely value of x.l. after the rate and value vpon the Records and books of the rates and values for the first fruits and Tenths, now remaining in the Eschequer, or that shal hereafter come and remain in the same court: And also all and singuler Parsonages, not exceeding the value of ten Parkes after the like rate and valuation, and the Incumbents thereof, and euery of them, their Executors, Administrators, Successors and Sureties, and euery of them, from the said feast of Saint Michaell the Archangell last past, shall be free and clearely discharged, and acquit for euer against the Queenes maiestie, her heires and successors, of, and from the said First fruits, any thing in the said Act of First fruites and Tenths, made in the said xxvj. yeare of the Raigne of the said late King Henry the eight, or in this Act of Repeale, or any other Act or acte before recited to the contrarie thereof in any wise notwithstanding. Prouided alwaies and be it enacted by authority aforesaid, that if any Incumbent of any such promotion spirituall, as is aforesaid, charged or chargeable to the payment of the said first fruits, happen to liue to the end of one halfe yeare next after the last auoidance of the same promotion spirituall, so as he hath receiued, or without fraud or couin might lawfully haue receiued or inioyed the rents or profits of that halfe yeare. And before the end of the other halfe yeare then next following, shall happen to die, or to be lawfully euicted, remoued, or put frō the said promotion spirituall, by iudgement in any action at the Common law, without fraude or couin: that then euerie such incumbent, his Heires, Executors, Administrators, and sureties, shall be charged and chargeable but onely with the fourth part of the First fruits, due to be paide for such his promotions, and with no more of the said first fruites: any thing in this act contained, or any bond or writing to be made for the paiment of the said first fruits, or any other matter or cause to the cōtrary notwithstanding. And if it shall happen any such Incumbent to liue by the space of one whole yeare next after the last auoidance of the same promotion spirituall, and after, before the end of one halfe yeare then next following, shall fortune to die, or to be lawfully euicted, remoued, or put from the said promotion spirituall by iudgement in any action at the Common Law, without fraud or couin: that then euerie such incumbent, his Heires, Executors, Administrators, and sureties, shall be charged and chargeable but onely with the moity, and one halfe of the first fruits due to be paide for such his promotion spirituall and with no more of the same first fruites, any thing in this act conteined, or any bond or writing obligatorie to be made for the paiment of the same first fruites, or any other matter or cause to the contrarie notwithstanding. And if it shall happen any such Incumbent to liue to the end of one whole yere and a halfe, next after the last auoidance of such promotion spirituall, and before the end of fiue monthes then next following, shall fortune to die, or to be lawfully, euicted, remoued, or put from the promotion spirituall by iudgement in any action at the Common Law, without fraude or Couin: that then euery such Incumbent, his heires, executors, administrators, and sureties, shall be charged and chargeable but onely with three parts of the first fruits of the same promotion spirituall, in foure parts to be diuided, and with doe more: any thing in this act conteined, or any bond or writing obligatory had or made for the paiment of the said first fruits, or any other matter or cause to the cōtrarie notwithstanding. And if it shall happen any such Incumbent to liue to the end of two whole yeares next after the last auoidance of the same his promotion spirituall and not to be lawfully euicted, remoued, or put from the same promotion spirituall, as is aforesaid: that then euery such Incumbent, his Heires, Executors, Administrators and Sureties, shall content and pay to our said Soueraigne Lady the Queene her Heires and Successors, the whole first Fruites due to be paid for the same promotion spirituall, according to the Statutes aforesaid. Prouided also, and be it &c. that all graunts, immunities and liberties, giuen to the Vniuersities of Oxford and Cambridge, or to any Colledge or Hall in either of the said Vniuersities, and to the Colledges of Wincheller and Eaton, and vnto euery or any of them by our late Soueraigne Lord king Henry the eight, or any other of the Queens highnesse progenitors or predecessors, or by act of Parliament, for or touching the release or discharge of the saide first fruits and tenths, or any part thereof, shall be alwaies & remaine in their full strength and vertue. And that all such lawfull conueyances and assurāces in the law, as were had or made before the making of this Act, to either of the said Vniuersities of Oxford and Cambridge, or to any Colledge or Hall, within any of them, by what name or names soeuer they or any of them be incorporated or named, of any of the said Parsonages or benefices impropriate, or of any part of the same, or of any Patronages, for the maintenance of Students or learning, shall bee as good and effectuall in the law, to al intents, constructions, & purposes, as though this act had neuer been made. And be it further enacted by ỹ authority aforesaid, ỹ the deane & Canons of the free chappel of Saint George the Martyr within the Castle of Windsor, and al the possessions and hereditaments of the

Heires Executors Administrators Vicary

Bond

Yeare and a halfe

Die Euicted

3. Parts

2. Yeres

Grants

Oxford Cambridge Colledge

Wincheller Eaton

Conueyāces

Vniuersities

Parsonages Benefices Impropriat Patronage

Deane Cannons Free chappell

same free Chappell, Deanry, and canons, by whatsoeuer name or names they be incorporated or knowne, shall be exonerated, and shall stand for euer discharged of the Tenths and first fruits before mentioned: any thing in this Act, or in any other Act or Statute before mentioned to the contrary thereof in any wise notwithstanding. Prouided also and be it enacted, that al leases made before the twentieth of December last past, for xxi. yeres, or iii. liues at the most, by any person or persons, bodies politike or corporate, being lawfully seised, of, or in any of the said Parsonages impropriate, or of, or in any other the premisses, wont commonly to be let, or set to farme, then being out of lease, or whereof there was not at the time of the making of the said lease or leases, any former lease to endure aboue one yeare then to come at the most: And vpon which new lease or leases, the old yerely rent as customably wont to be paid for the same, by the space of twenty yeres last before the making of such lease or leases, or more yerely rent is reserued and payable during the said terme, and all other lawful grants by them or any of them heretofore made of any Office or Offices in old time, wont commonly to be granted: And all gifts and grants of any parsonage or parsonages impropriate, heretofore belonging to the Archdeaconry of Welles in the County of Somerset, or to the Incumbent of the same Office or Dignitie, or to the Incumbent of the same lately giuen and restored, shall be as good and effectuall in the law, as though this act or any thing therein conteined had not beene had or made. And be it further enacted by the authoritie aforesaid that the said Archdeaconry, and all Rectories and spirituall promotions giuen, assigned, limited, or appointed to same, and all and euery Incumbent & Incumbents, which hereafter shall be presented, collated, preferred, & admitted vnto the said Archdeaconry, and the rectories and spirituall promotions thereunto limited and appointed, or appertaining or belonging, shall stand, remaine and be charged & chargeable with the paiment of the first fruits and Tenths for the same to the Queenes highnes, her heires and successors, in such like manner and forme, as other spirituall promotions, and the Incumbents of the same, bee and shall be charged and chargeable by this act, or by any other Act or Statute before specified. Prouided alwaies, and be it further enacted by the authority aforesaid, that so many of the said rectories, Parsonages, and Benefices impropriate, glebe Lands, Tythes, oblations, and other profits and emoluments Ecclesiasticall and spirituall, and euery of them, and the reuersion and reuersions of them, and all rents and profits vnto the same, or any of them, incident or belonging, as were at and before the said eight day of August, in the hands or possession of the said late Queene Mary, and within the survey, rule, & order of the court of the Duchie of Lancaster, shall be againe within the order, survey, rule, & gouernment of the said court in such & the same manner & forme, to all intents & purposes, as they were at & before the said eight day of August, in the said second and third yeres of the raigne of the late King and Queene: any thing in this Act, or in the same Act of the same late King and Queene, to the contrarie thereof in any wise notwithstanding. Prouided alwaies, and be it further enacted by the authority of this present Parliament, that no person nor persons presented, instituted, or inducted, at any time sithence the first day of this present Parliament, or that shall be presented, instituted, or inducted, on this side the feast of the Nativity of S. Iohn Baptist next comming, to any the said spirituall or ecclesiasticall promotions, chargeable to, or with the paiment of the first fruits, or one yeres profits of such promotiō, shall incurre any penalty or forfeiture, by entring into any of the said spirituall or ecclesiasticall promotions, or by taking the profits thereof, for the nonpayment, or not compounding, of, or for the first fruits thereof, so that he or any other for him, shall, or doe compound for the same first fruits, according to the true meaning of this Statute, before the said feast of the Nativity of Saint Iohn Baptist: any thing in this Act conteined to the contrary notwithstanding. Prouided also, that this Act, or any thing therein conteined, shall not in any wise extend, to charge any Hospitall founded and vsed, and the possessions thereof imployed, to and for the releife of poore people, or any Scholes, or the possessions or reuennes of them, or any of them, with the payment of any Tenths or first fruits, any thing in this Act before mentioned to the contrarie in any wise notwithstanding. Anno 1. Eliz. cap. 4.

Discharged

Leases for 21. yeares 3. Liues

Former Leale

Old rent

Offices

Gifts of Parsonages Mels

Archdeacons

Incumbent

Chargeable

Duchie of Lancaster

Institution Induction

Compound

Hospital

Poore people Scholes

Fishers and Fishing.

THe waters of Humber, Owse, Trent, Done, Arre, Derewent, Wherfe, Nidiore, Swale, Teese, Tine, Eden, and all other waters, (wherin Salmons be taken) shall be in defence for taking Salmons, from the Nativity of our Lady, vnto Saint Martins day. And likewise the yong Salmons shall not be taken nor destroyed by nets nor by other engines at mill poles, from the midst of Aprill, vnto the Nativity of S. Iohn Baptist. And in places where as fresh waters be, there shall be assigned Duersers of this Statut, which being sworne, shall oftentimes see and inquire of the offendors: And for the first Trespalle they shall be punished by burning of their nets and engins: And for the second time, they shall haue imprisonment for a quarter of a yeare: And for the third trespalle, they shall be imprisoned a whole yeare. As the trespalle increaseth, so shall the punishment. West. 2. cap. 47. Anno 13. Ed. 1. See some alteration in part Hauens 1.

Humber

Salmons

Yong Salmons

Duersers

1. Trespalle Burning of nets Imprisonment

2 First that no Herring be bought nor sold in the sea, til the fishers be come into the hauen with their Herring, & that the cable of the ship be drawne to the land. Stat. of Calice, An. 31. Ed. 3. cap. 1.

Herring

3 The Fishers bee free to sell their Herring to all that come to the Faire of great Yarmouth without any disturbance of their Hostelers, or any other. And when the Fishers will sell their Merchandizes in the Port, they shall haue their hostelers with them, if they there will be, & in their presence,

Herring Faire

Hostelers

presence, & in the presence of other Marchants openly shall sel their marchandizes. And that euerie man claime his part for the taking, after the rate of the same marchandizes so sold. And the said sale shalbe made from the Sunne rising, till the Sunne going downe, and not before nor after, vpon forfeiture of the same marchandizes. And that the said fishers be free to buy their victuailes, and that that them needeth, where shall please them. And that no Hostlers, nor other, buy any fish to hang in their houses, by couin, nor in other manner, at a higher price the last, then forty shillings, but lesse in as much as he may, according as he may agree with the seller. And that none Hostelers, nor none of their yeomen, nor none other what soeuer they be, comming to the said faire, shal goe by land, nor by sea, to forestall Herring priuily, nor apertly, but the herring shall come freely vnsold vnto the hauen. Nor that none make buying of fresh herring in the hauen of Yarmouth, betwixt the feasts of Saint Michaell and Saint Martin, vpon paine of imprisonment at the Kings will, and to forfeit all the herring so bought. And that no vessell called Picar of London, nor of none other place, shall enter in the said hauen to abate the faire, in damage of the people, vpon the paine of forfeiture of their vessell, and all their chattells found within. And that all the Hostelers be sworne before the wardens of the said faire, and inioyned vpon a great forfeiture to the King, to receiue their hostes well and conuenably, and to aide and ease them reasonably, taking of euery laste that shal be sold to other Marchants, then to the said Hostelers xl. d. And that of herring sold to the same Hostelers to take in their houses, the same Hostelers shall take nothing, and that because of the profits, which they shall haue of victuals sold to their said hostes, and of their aduantage that they haue more then other, of carriage of Herring so by them bought and sold in their houses. And that the Hostelers because of this ordinaunce, do not refuse their hostes, but receiue them and intreat them in good and friendly maner, as they haue done before this time. And that they for the aduantage of forty pence the laste, take vpon them for the payment of all the herring that shall be sold by their assent to any persons. And the hundred of herring, shall be accounted by fire score, and the laste of ten thousand. And that the Marchants of Yarmouth, of London, or elsewhere, sell the thousand of Herring to the people, after the rate of the price of the laste. And that the people of Yarmouth sell the laste of red herring bought for forty shillings fresh within forty dayes, for halfe a marke of gaine, and not aboue. And that the people of London at such faire, shall bring the laste from Yarmouth to London for one marke of gaine, and not aboue. And also two lastes of shotten herring fresh shall be solde for the price of the rate of the buying of a laste of full Herring. And so of more and lesse after the same rate, and of shotten herring red, the two lastes shall be sold dearer of a marke then the laste of herrings full red. And that because the cariage of a laste of shotten herring, drawleth to as much as the laste of full herrin, & so of more and lesse, according to the same rate. And that the shippes called the Pikers, shall freely buy fresh herring and al other Marchandizes of fishes in Winkley, and elsewhere vpon the coasts of the sea, without impeachment or disturbance of the Hostelers of Yarmouth, or of any other. So allwayes that no more herring be discharged in the road of Winkley of the fishers shippes, but as much as may reasonably suffice, to the charge of the Pikers, that thither commeth for the same cause. And that the fishers be compelled to bring al the remnāt of their herring to the said faire to sell there: so that none sel Herring in no place aboue the Hauen of Yarmouth liij. miles, except in the three townes of Yarmouth: that is to say, Gilton, Wellton and Southton, vnles it be herring of their own fishing. And our soueraigne lord the King will, that the Barons of the fiue Ports shal do to be kept and gouerned the said faire according to the composition late made betweene them and the people of the Towne of Yarmouth, confirmed by the kings grandfather. And that the same Barons and Bailifs of great Yarmouth doe to be kept this present ordinance in all points, & to be cried in euery Sunday, betweene Saint Michael and Saint Martin, vpon paine to lose their franchise, and to be punished at the Kings will. And that the people of Yarmouth suffer the said Barons of the fiue Ports, to gouerne and rule the said faire, after the purport of the said composition, and due execution to be made of this ordinaunce, vpon the paine last aforesaid. And these ordinaunces in the right of buying and selling of herring shalbe holden in all the Townes of England, where herring is taken and searched, vpon the paines aforesaid. Statute of Calice, Anno 31. Ed. 3. cap. 2.

Pikers

Hostelers

Barons of fiue ports. Faire

Proclaimed

Losse of franchise

4 The Chauncellor and Treasorer talking to them Justices and other of the Kings counsel, such as to them shall seeme conuenient, shall haue power to ordaine remedy of the buying and selling of stockefish of Saint Botolph, and salmon of Warwicke, and of wines, and fish of Britt, fruit, and elsewhere, to the intent that the King and the people may the better be serued, and haue better market then they haue had before this time. and that the Ordinaunces by them made in this part be firmely holden. Statute of Calice, Anno 31. Edw. 3. capit. 3.

Chancellor Treasorer Justices

Stockefish Salmon

5 All the ships called Boggers, and land ships appertaining to the hauen of Blackeney, and the coasts thereto adioyning (that is to say) of Sutterley, Winton, Clay, Salthouse, Sheringham and Crowmers, shall deliuer and discharge their fish within the hauen of Blackeney onely, betweene Beuord and Hodfleet, and in none other place, vpon paine of imprisonment at the Kings pleasure, and forfeiture of the same fish. And that no fish be deliuered and carried out of the said shippes into any house or elsewhere, before the Owner of the in which the Fish is, and the Marchant which bought the same fish, be agreed of the price. And this shalbe done by day light. Anno 31. Ed. 3. cap. 1. Stat. 3.

Ships Blackney.

Deliuer fish

Imprison. Forf.

6 No fisher, nor lord of any ship, nor none other, set hand vpon any fisher within the ship for to trie, chose

Ship

chuse or impaire the fish, but only the buyer or his Attorny upon the said paine. And that no fish called Loich fish be chosen or tried but onely in three parts, that is to say, Lob, Ling and Cod. And that euery of the same three sorts of Lob, Ling and Cod, be good and conueniable, as in old time hath been vsed. And in case that no Dogeis, that is to say, fish greater then Lob, be found in the ship called a Land ship, in the hundred of Lob, Ling and Cod, the maister & mariners shal haue of euery hundred of Lod, Ling and Cod (the hundred accounted to six score) xx. Dogeis if there be so many, and if there be lesse, the maister and mariners shall haue all the Dogeis. And if there be more, the ouerplus aboue the score to euery hundred, shalbe put to the ship boate, in amendment of the price of the same, to the profit of the buyer. And also by the aduice of the marchants and buyers of the Lords comming to the Faire of Blackney, and of the Lords of the shippes, a price shall be set at the beginning, and assessed vpon the fish of Dogger fish, before that any sale be made, which price shall be holden during the Faire. And that the said fish be sold at such a price openly, and not by couin priuily. And that no Lord of shippes, mariners, nor other, lodge nor do be lodged in their houses, priuily nor apertly, fish in mud, nor fish searched, for to sell againe an other time at retaile, but al such fish shalbe sold resonably within the said bounds, at the faire & price aforesaid, vpon the same paine. And that no man buy nettes, hookes, nor other instrumēts pertaining to fishing in the county of Norffolke, but Lords, maister and mariners of ships, that vse the mystery of fishing, and which haue to do of such things, vpon paine of imprisonment, and to be ransomed at the Kings will, and to forfeit the thing so bought. And that no Lord of ship, mariner nor other, make impeachment, nor be rebell in any point against this present ordinance: Nor that no mariner nor fisher, because of this ordinance, let not, nor refuse to goe in fishing as before times they were wont to do, nor disturbe couenant made betweene Marchant and Lord of ship, vpon paine of imprisonment, and to be ransomed at the Kings will. And that vpon the same a writ be sent to the sherife of Norffolke, that euery mans complaint that wil sue for the King, or for himselfe, against those that in any point commeth against this ordinaunce: he shall doe the same rebelles and trespassers to be attached, and them detaine in prison, till the King and his Counsell haue ordained of them that right requireth, after the quantitie of their trespasse. Ordinance for Fish, Anno 31. Ed. 3. Stat. 2. ca. 2.

Loich fish

Lob Ling Cod

120. to the hundred

Merchants Faire of Blackeney

Dogger fish

Price

Fish vnsold Retaile

Nets Hookes Norffolke

Imprison

Impeach.

Obstrike

Attach

7 It shalbe lawful to euery man, of condition that he be, marchant, or other, to buy herring openly, and not priuily, at such price as may be agreed betwixt him and the seller of the same herring. And that no man enter in bargaine vpon the buying of the same, til he that first commeth to bargain shal haue an end of his bargaine greeable to the seller, and that none encrease vpon other during the first bargaine, vpon paine of forfeiture against vs the double of his proffer, but euery man shall haue the herring so bought, according to the bargaine thereof made. And that euery fisher may deliuer and sell herring & fish at euery mart, when he commeth to the said towne of great Yarmouth, without anie disturbance or impeachment, notwithstanding any ordinance made to the contrarie before this time.

Herring Buy openly

Forf.

Mart

Anno 35. Edw. 3.

8 No marchant stranger nor denizen, after the feast of S. Michael next comming, shall sell nor set to sale any salmon, by but, barrel, or halfe barrell, or any other vessell, before that it be seene, except the same but do hold & contain lxxviij. gallons, the barrell xlij. gallons, the halfe barrell xxj. gallons, well and faithfully packed, vpon paine of forfeiture for euery but, barrell, and halfe barrell so failing their said measure vj.s viij.d. Also that no such marchant being vnder the Kings obeisance, after the said feast of S. Michaell, shall sell or put to sale any maner of salmon by but or other vessell, except it be well and faithfully packed, that is to say, the greater salmon by himself, without mingling with them any grils or broken bellied salmon. And that all small fish called grils shal be packed by themselues onely, without any mingling, vpon pain of forfeiture and losse of vj.s viij.d for euery but, barrell, and halfe barrell mingled, packed, and set to sale contrary to this act. Also that no Marchant or other person set any herring to sale, by barrell, halfe barrel, or firkin, except the same barrel conteine xxxij. gallons, the halfe barrel and firkin after the same rate, and that the same herring be well, faithfully and iustly couched & packed, and that it be of one times taking and salting: And that the same herring be as good and as well packed in the midst, and in euery part of the same barrel or other vessel, as it shall be in the ends of the same barrels and other vessels, vpon paine to forfeit iij.s iiij.d for euery barrel, halfe barrel and firkin so failing their said measure, and also vpon paine of forfeiture and losse of iij.s iiij.d for euery barrell, halfe barrel, and firkin of herring, sorted, layed or packed contrary to this Act. Also that no such marchant nor palingman sell or set to sale any eeles by barrell, halfe barrell or firkin, except the same barrel containe xlij. gallons, the halfe barrell and firkin after the same rate. Nor that any such marchant nor palingman, do mingle any gale-beaten, stowed or pulled eeles with the good eeles, but that the good eeles be wel and iustly packed & sold by themselues. Nor that they mingle with the good eeles, or put to sale any red eeles, vpon paine of forfeiture and losse of x.s for euery barrell, halfe barrell and firkin so failing their measure. And also vpon paine of forfeiture and losse of x.s for euery barrel, halfe barrel, and firkin so mixt, packed and set to sale, as afore is said, contrary to this Act. Also, that no such Marchant after the said feast, sell, or set to sale any barrelled fish, except the same fish be well and faithfully packed, that is to say, the countable fish, commonly called Tale fish, by it selfe, and the small fish called Grills by themselues, without any mixing of the said fishes with the great fish, and without mixing or packing of the thokes, or fish with broken bellies, with the said Tale fish or small fish. And that the said Tale fish or small fish be not layed double in the packing. And that euerie Tale fish

Marchant stranger Denizen

Contrary Barrell

Gils

Fish

Herring barrell

Mixt

Eeles

Eeles packed

Fish

Barrelled fish

Tale fish

contain

containe in length from the bone in the ſinne to the third ioynt of the tayle ſixe and twenty inches at the leaſt, and that the napes of all ſuch barrelled fiſh, ſhalbe no longer then the little bone that ſitteth vpon the greate ſinne. And that the bone of euery ſuch ſalt fiſh ſhall be taken away to the nauel of the ſame fiſh: and that euery ſuch fiſh be ſplatted, or opened downe to an handfull of the taile, vpon paine of forfeiting and loſing three ſhillings and foure pence for euery barrell of fiſh, which hereafter ſhalbe found packed, forted, mixt, naped, layed double, or not boned nor ſplatted open according to this Act. Alſo in eſchewing the common damage and deceit aforeſaide, Our Soueraigne Lord the King hath ordained and enacted by the authority aforeſaid, That all Maiors, Bayliſes and Gouernors of Cities, Borroughs, Townes, Markets, and all other places of this his Realme for the time being where there be Maiors, Bayliſes, or Gouernors, ſhall haue power and authoritie to name and chooſe diſcreet and expert perſon or perſons, daily to ſearch and gauge all ſuch veſſells as aboue be rehearſed, that they be faithfully packed, and keepe their faithfull meaſure and aſſiſe, according to the ordinaunces aforeſaid. The one halfe of all the ſaid fines, forfeitures and paines, and euery of them to be to our Soueraigne Lord the King, and the other halfe to him or them of his ſubiects that ſhall ſeiſe or purſue for the ſame, by action of debt, by writ at the Common Law, by bill or plaint, after the cuſtome of the Citie or Towne where any ſuch fines, forfeitures and paines ſhall hereafter happen to be or fall. And that the Defendant in any ſuch Action be not admitted to wage nor doe his law, nor that any protection or eſſoine in the Kings ſeruices for anie ſuch Defendants be allowed. Prouided alwaies, that this Act be not preiudiciall to any perſon or perſons hauing the forfeiture of the goods of felõs, fugitiues and damned perſons. Moreouer, it is ordained and enacted by the authoritie aforeſaid, that euery ſuch perſon and perſons ſhall haue and inioy like forfeitures, of, and in euery of the premiſſes, within their franchiſes, as the King now hath in other places without. Anno 22. Ed. 4. cap. 2.

9 It may pleaſe the King &c. to confirme, ratifie and eſtabliſh the ſaid Act (3. Anno 22. Edw. 4. cap. 2.) and euery thing therein compriſed. And ouer that by the ſame authority to ordaine and eſtabliſh, That euery ſuch gaugeor, packer or ſearcher take no more for ganging of a barrel ſalmon, barrel herring, barrel fiſh, barrel eeles, halfe barrel and firkin, for euery peece ſo gauged, but a farthing, and for his labor for ſearching & packing, if it be neede, for a barrell ſalmon from head to head one peny, and for his labor for boning, naping and packing of a barrell fiſh, if it be need one peny, and for his labor in ſearching and packing of a barrell herring from head to head, if it be neede two pence, and for ſearching and packing of euery barrell of eeles two pence, and for ſearching and packing of euery halfe barrell from head to head one peny, for euery halfe barrel of eeles ſearching and packing one peny, and for ſearching and packing of euery firkin of herring if it be neede full a halfe peny. And ouer that, that all & euery ſuch gaugeor, ſearcher and packer that miſbehaueth or offendeth in any thing concerning the ſaid offices of gaugeor, ſearcher & packer, contrary to this Act, and ſo proued before any of the ſaid Maiors, Bayliſes, or Gouernors of any Citie, towne, Borough, Market or any other place within this Realme, where he or they ſo be gaugers, packers or ſearchers, gaugeor, packer or ſearcher, ſhall loſe and forfeit his ſaids office, and the ſame frõ henceforth no longer to enioy, any leaſe, grant, or graunts thereof made notwithſtanding, and for further punihment, to haue and ſuffer impriſonment by the ſpace of forty dayes, without baile or mainprize. Prouided alway, that the ſaid ſearcher and packer, or any of them ſhall nothing receiue of the ſaid fees by colour of their office, but onely for ſuch buts, barrels, halfe barrels and firkins, as by them hereafter ſhalbe ſufficiently ſearched and packed, and be not afore ſufficiently packed: This preſent act to begin and take effect at the feaſt of Eaſter next comming, and not before. Añ 11. H. 7. ca. 23.

Offend

Proued Maiors Bayliſes

Fork.

Impriſon

10 Anno 25. H. 8. cap. 4. An Act was made againſt foreſtalling and regrating of fiſh, and againſt buying and ſelling of fiſh, againſt merchant Aduenturers into Iſland. But it is repealed by Añ 35. H. 8. ca. 5.

Foreſtalling Regrating

11 Anno 25. Henr. 8. capit. 7. An Acte was made to endure tenne yeares, againſt the killing of yong Frie and Spawne of Eeles and Salmons and Kepper Salmon, vpon forfeitures there declared.

Killing of frie Spawne

12 Anno 31. Hen. 8. cap. 2. Filhing of ponds, Stewes or Motes with intent to ſteale fiſh, betweene ſixe a clocke in the Euening, to ſixe a clocke in the Morning, againſt the will of the poſſeſſors, and alſo vnlawfull breaking of the heads of ſeuerall ponds, ſtewes or motes, by day or night, whereby fiſh is taken or deſtroyed againſt the wil of the poſſeſſors is made felony. But thoſe felonies be repealed by 1. Ed. 6. cap. 12. and By 1. M. 1. Seſſ. And in the ſaid Act of Anno 31. H. 8. cap. 2. It is further enacted, that if any ſuch euill diſpoſed perſons, after the feaſt before limited, do fiſh in the day time at any other time then is before rehearſed, in any ſuch ſeuerall Ponds, Stewes or Motes, with any manner of nettes, hookes or baites, as is aforeſaid, what kind ſoeuer they be of, againſt the will, pleaſure & minde of the owners or poſſeſſors of the ſaid ſeuerall Ponds, Stews or Motes not hauing any manner of colour of title ſo to doe, and thereof be lawfully conuicted at the ſuite of our Soueraigne Lord the King, or of the partie grieued: That then the ſaid parties ſo conuicted, ſhall ſuffer impriſonment by the ſpace of ix. moneths, and after the ſaid ix. monthes expired, ſhall find ſufficient ſuretie for his or their good abearing, or elſe to remaine ſtill in priſon without baile or mainprize, vntill ſuch time as he or they can find ſuch ſuretie. Anno 31. H. 8. cap. 2.

Ponds Stewes In the night

Breaking of dammes

Felonie

Seuerall waters

Conuict

Impriſon

Good abearing

13 Anno 33. H. 8. cap. 2. An Act was made againſt buying of fiſh of Strangers vpon the ſea, or beyond the ſea, to indure to the later end of the parliament. And after Anno 37. Henr. 8. capit. 23. it was continued, and after Anno 5. Edw. 6. cap. 17.

Buying of fiſh Strangers

it

Robert Darby sic Vide Book

Robert Darby sic

it was continued, and after Anno 7. Edw. 6. cap. 11. it was continued. And after Anno 1. M. 1. Parliament. cap. 13. it was continued to the end of the nert parliament, and then it erpired.

Admirals Officers Marchants

14 Forasmuch as within these few yeeres now last past, there hath beene leuied, perceiued and taken by certaine of the Officers of the Admiraltie, of such marchants and fishermen, as haue vsed and practised the aduentures and iournies into Island,

New found land Ireland

New found land, Ireland and other places commodious for fishing, and the getting of fish, in, and vpon the Seas, or otherwise by way of Marchandise in those parts, diuers great exactions, as sums of money, dole or shares of fish, and such other like things, to the great discouragement and hindrance of the same marchants and fishermen, and to no little damage to the whole common weale: and wherof also great complaints haue beene made, and information also yearely to the Kings maiesties most honourable Counsell: for reformation whereof, and to the intent also, that the said marchants and fishermen, may haue occasion the rather to practise and vse the same trade of marchandise, and fishing freely, without any such charges, or exactions as is before limited, whereby it is to be thought that more plentie of Fish shall come into this Realme, and thereby to haue the same at the more reasonable prices: Be it &c. That neither the Admirall, nor any other Officer or minister, Officers or ministers of the Admiraltie for the time being, shall in any wise hereafter exact, receiue or take by himselfe, his Seruant, Deputie, Seruants or Deputies, of any such marchaunt or fishermen, any summe or summes of money, doles or shares of fish, or any other reward, benefite, or aduauntage whatsoeuer it be, for any licence to passe this Realme to the said voyages, or anie of them: Nor vpon any respect concerning the saide voyages or anie of them, vpon paine to forfeit for the first offence treble the summe, or treble the valew of the reward, benefite or aduantage that any such Officer or Minister shall hereafter haue or take of anie such marchant or fisherman: for the which forfeiture the party grieued, and euery other person or persons whatsoeuer he or they be, shall and may sue for the same, by Information, Bill, Plaint or Action of Debt, in anie of the Kings Courts of Record: The King to haue the one moitie, and the partie complaining the other moitie, in which suite no essoine &c. and for the second offence, the partie so offending, not onelie to lose and forfeit his and their Office or Offices in the Admiraltie, but also to make fine and ransome at the Kings will and pleasure. Anno 2. Ed. 6. cap. 6.

Admirall Officer

Exact

Money No reward Licence

Forf. First office

Moitie

Second offence Forf. office

Fine

15 Anno 4. Henr. 7. capit. 21. An Act was made to endure to the beginning of the nert Parliament, for the keeping and sauing of the frie of fish in the hauen of Dorford in Suffolke.

Frie Dorford

16 For the preseruation of spawne, frie and young breede of fish in Riuers and Streames both salt and fresh, wherewith heretofore swine and dogs haue beene fed, to the great hinderance of the Common wealth: Be it &c. That no person or persons of what estate, degree, or condition soeuer he or they be, from and after the first day of June nert comming, with any manner of nette, wele, but, taining, kepper, lime, creele, raw, fagnet, trolnet, trimnet, trimbote, stalbote, weblisher, seur, lamet, or with any deuice or ingines made of haire, woll, line, tanuas, or shall vse any heling net, or trimlebote, or by any other deuice, ingine, cautels, wayes or meanes whatsoeuer, heretofore made or deuised, or hereafter to be made or deuised, shall take and kill anie yong brood, spawne or frie of Eeles, Salmon, Pike or Pikerell, or of anie ny other fish in any floudgate, pipe, or the taile of any Mill, Weare, or in any Streits, Streames, Brookes, Riuer salt or fresh, within this Realme of England, Wales, Barwicke, or the Marches thereof, or shal from and after the first day of June nert comming, by any of the wayes or meanes aforesaid, or otherwise in any Riuer or place aboue specified, take and kill any Salmons, or Trowts not being in season, being kepper salmons, or kepper trowts, shedder salmons, or shedder trowts. And be it further enacted &c. That no person or persons of what estate, degree and condition he or they shall be of, from and after the said first day of June, by any of the meanes aforesaid in any of the riuers or places aboue named, shall take and kill any pike or pikerell not being in length ten inches fish and more, nor any salmon not being in length sixteene inches fish and more, nor any trowt not being in length eight inches or more, nor any barbell not being in length twelue inches or more. And to the intent the said yong frie, brood or spawne may be preserued, according to the true meaning hereof: Be it therefore enacted by the authority aforesaid, That no manner of person or persons, from and after the first day of June nert comming shall fish or take fish with any manner of nets, tramell, keepe, woze, helue, creele, or by any other ingine, deuice, wayes or meanes whatsoeuer, in any Riuer or other places aboue mentioned, but onely with net or tramell, whereof euery mesh or make shall be two inches and an halfe broad, angling excepted. Prouided neuertheless, and be it enacted by the authority aforesaide, That in all such places where Smelts, Loches, Minnies, Bullheads, Gudgeons, or Eeles, haue beene vsed to be taken and killed, that in all such places, it shall be lawfull onelie for the taking of Smelts, Loches, Minnies, Gudgeons and Eeles, to vse such nets, lepes, and other ingines, deuises, wayes and meanes, as heretofore hath beene vsed for the taking of the same, so that such person or persons vsing or occupying such nettes or other ingines, as is last afore mentioned, doe not take, kill or destroy any other fish with the said nets or ingins, contrary to the tenor and forme aboue in this Statute contained. And be it further enacted, That if any person or persons, after the aforesaid day limited in this present Act, offend in any of the points before rehearsed, contrary to the tenor, forme and purport of any part of the same: that then euery such person and persons so offending, shall lose and forfeit for euery time of his or their offence the summe of xx. s. and the fish so taken

Forf.

kein, contrary to the tenor hereof, and also the vnlawfull nettes, ingines, deuises and instruments whatsoeuer they be, wherwith or whereby such offences shall fortune to be made, committed or done. And to the intent that a perfect execution may be had of this present Act: Be it further ordained by authority aforesaid, that the lord Admirall of England, and the Maior of the Citie of London for the time being, and all and euery other person and persons, bodies politike and corporate, which by grant or other lawfull wayes or meanes lawfully haue or ought to haue any conseruation or preseruation of any riuers, streames or waters, or punishments, and correction of offences committed in any of the: shall haue full power and authority by vertue of this Act to inquire of all offences to be committed and done contrarie to the effect and true meaning of this Act, within his or their such lawfull rule, gouernement, iurisdiction and conseruation, by the oaths of vj. men, or more, and to heare and determine all and euerie the same offences committed within his or their such iurisdiction, conseruation, rule and gouernement. And that all such paines and forfeitures as shall rise or grow by the reason of such conuiction, for any the offences aforesaid, shall be to the vse of euerie of the said person or persons, being no bodie politike or corporate, nor head of any body politike or corporate before whom such conuiction, as is aforesaid, shalbe had, and to the vse of euery such body politike and corporate, as heretofore haue lawfully had any fines, forfeitures and amerciaments for any offence vnlawfully committed or done in any such their iurisdiction or conseruacies, vpon conuiction had before the head of anie such body politique or corporate. And that also the Lord of euery Leet within this realme of England and Wales or the Dominions of the same, shall haue full power and authority to inquire of all the offences contrary to the purport, tenor and forme of this statute within the precinct of their said Leet, such inquiry to be had in the maner and forme, and after such sort, as common amerciaments or other things inquirable in their Court or Leete, haue bene lawfully vsed and accustomed to be had and made, and that vpon euery such presentment had in any Court or Leete, by the oath of twelue men or more, as is aforesaid of anie offence or offences, made contrary to the tenor of this estatute: that then all such forfeitures aboue in this statute limited and appointed for such offence, shal be vnto the Lord of the same Leete for the time being, to his owne vse for euer, and shall be leuied in such manner and forme, as amerciaments for affaires committed within the precinct of such Leete, haue bene vsed and accustomed to be leuied. And if any Leete after the said first day of June, be kept within this Realme of England or Wales, or the dominions thereof, and the Steward of the said Leete for the time being, or other for him, do not charge the Iurie sworne in such Leete, to inquire of all the offences done within the precinct of the said Leete, contrary to the tenor and forme of this Statute: that then the Steward of the said Leet to lose and forfeit forty shillings: The one moitie of which forfeiture shall be to the Quenes Maiestie, her heyres and successors, and the other moitie to him that wil sue for the same. And if any Iurie sworne in anie Leete, and being charged to inquire of the offences committed within the precinct of that Leet, do wilfully and willingly conceale and make default in presentment, or doe not present the offence and offenders: that then it shall be lawfull to the steward or bailife of the Leete or his or their Deputie for the time being, to impanell one other Iurie within the same Leete, and to inquire of such concealement, default and nonpresentment, and that vpon such concealement, default or nonpresentment found & presented, euery of the said Iurors which so did conceale, make default, or not present, shall lose & forfeit for euery such offence twenty shillings to the Lord of the same Leete, the same to be leuied in maner and forme as is aforesaid, for the other offences limited and expressed. And it is further enacted by authority aforesaid, That if the offences aboue mentioned, touching the taking, killing or destroying of fish, or fry and spawne, be not presented at the Leete where they shall be committed, within one yeare next after the offence committed, that the Justices of Peace in their Sessions, Justices of Oyer and determiner, and Justices of assises in their seuerall circuites, shall haue full power and authority to inquire thereof, and to heare and determine all the offences committed contrarie to the tenor of this estatute: Sauing alwayes to all and euery person and persons, bodies politike and corporate and euery of them, all such right, title, interest, claime, priuiledge and conseruation, and inquirie and punishment of, and for anie the offences aforesaid, as they or any of them lawfully han an denioy, or of right ought to haue and enioy, by any manner meanes: Any thing in this act to the contrary notwithstanding: this Act to endure to the end of the next Parliament. Prouided alwayes that this Act or any thing therein contained, shall not extend vnto the fishing of the riuer or water of Mwede, nor to any riuer or water whereof the Quenes Maiesty is answered of any yearely rent or profit, nor to the owners, farmors and occupiers of the riuer of Vske or Wie in the County of Monmoth, for any fish hereafter to be taken in any the riuers or waters before mentioned and expressed, but that it may be lawfull at all seasonable time and times hereafter for such as haue or shal haue any maner of interest therein, to take & fish the said riuers and waters, in such manner and forme, as heretofore hath been vsed and accustomed, not vsing any net or ingine, to thintent willingly to take, kill & destroy the spawne, breede or fry breeding of any kind of fish within the said seuerall Riuers or Waters: this Act or anie thing therein mentioned or contained to the contrarie notwithstanding. Anno 1. Eliz cap. 17.

Iurie

Conceale

Another Iury

Fact.

Destroying of fish

Inst. of P. Iu. of Oyer Iust of All.

Inquire Diet & ter.

Bodies politike

Mwede

Ingine

Spawne

This Act was discontinued 8. Eliz. and reuiued 13. El. ca. 25. & continued vnto the end of the next parliament. And 14. El. ca. 11. likewise continued vntil the end of the next parliament This Act was continued by Anno 27. Eli. ca. 11. vntill the end of the next Parliament. And Anno 29. Eliz. cap. 5.

Discontinued Continued

it.

it was continued to the end of the next parliament. And anno 31. Elizab. cap. 10. it was continued to the end of the next parliament. And anno 35. Elizab. cap. 7. it was continued to the end of the parliament next inſuing. ¶ Note that Iuſtices of Peace ſeeme to haue beene conſeruators of Riuers, at the making of this Statute, by the Statute of Anno 17. Rich. 2. cap. 9. which ſee after Hauens 2. And anno 39. Elizab. capit. 18. it was continued vntill the end of the next Parliament. And anno 43. Elizab. cap. 9. it was enacted to continue in force vntil the end of the firſt Seſſion of the next parliament. And anno 1. Iac. cap. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

17 Where diuers perſons of great poſſeſſions, haue of long time had, and many now of late haue made in their ſeuerall grounds, powles, &c. for the increaſe of fiſh, for the prouiſion of their houſes, and haue incloſed many parcells of their grounds for Deere, and haue Hawkes breeding in their woods for their commoditie, and the ſame haue beene by euill diſpoſed perſons broken into, cut out, and ſet open, and the fiſh, deere and hawkes taken and ſtollen, whereby many riots and other inconueniences haue beene perpetrated: for remedy whereof be it enacted &c. That if any perſon or perſons, after the feaſt of Pentecoſt next comming, ſhall at anie time by day or by night, vnlawfully without authority, breake, cut downe, cut out, or deſtroy anie head or heads, damme or dammes of any pondes, powles, motes, ſtagnes, ſtewes, or ſeuerall pittes wherein fiſh are or ſhall happen to be put in, or ſtored withall, by the owners or poſſeſſioners thereof, or doe, or ſhall wrongfully fiſh in any the ſaid ſeuerall ponds, powles, motes, ſtagnes, ſtewes or pits, to the intent to deſtroy, kill, take or ſteale away any of the ſame fiſh, againſt the will, minde or pleaſure of the owners or poſſeſſioners of the ſame, not hauing any lawfull title or authority ſo to doe, and thereof be lawfully conuicted at the ſuite of our Soueraigne Lady the Queene, her heirs or ſucceſſors, or the party grieued: ſhall ſuffer impriſonment of his or their bodies by the ſpace of three months, and ſhall yelde and pay to the party grieued, his treble damages and after the ſaid three moneths expired, ſhall finde ſufficient ſureties for his or their good abearing againſt the Queene our ſoueraigne Ladie, her heires and ſucceſſors, and all her liege people, for the ſpace of ſeuen yeares after, or elſe ſhall remaine and continue ſtill in priſon without baile or mainpriſe, vntill ſuch time as he or they ſo offending, can and ſhall find ſuch ſufficient ſureties, during the ſaid time and ſpace of vij. yeres as is aforeſaid. And be it further enacted by the authoritie of this preſent parliament, that if any perſon or perſons, after the ſaid feaſt of Pentecoſt next cõming, at any time by night, or by day in maner aforeſaid, wrongfully or vnlawfully breake or enter into any parke empaled, or any other ſeuerall ground cloſed with wall, pale or hedge, and vſed for the keeping, breeding and cheriſhing of deere, and ſo wrongfully hunt, driue or chaſe out, or take, kil or ſlea any deere within any ſuch empaled parke or cloſed ground with wall, pale or other incloſure, and vſed for deere as is aforeſaid, or do or ſhall take away any hawke or hawkes, or the egs of any of them, by any waies or meanes vnlawfully out of any the Woods or ground of any perſon or perſons (not hauing lawful authority or licence ſo to do) and thereof be lawfully conuicted at the ſuite of our ſoueraigne Ladie the Queene, or the party grieued as is aforeſaide, ſhall likewiſe ſuffer impriſonment of his or their bodies, by the ſpace of three moneths, and ſhall yelde and pay to the party grieued his treble damages. And after the ſaid three moneths expired, ſhall finde ſufficient ſureties for his or their good abearing, for the ſpace of vij. yeres after, againſt the Queenes maieſty, her heires and ſucceſſors, and all her liege people, as is aforeſaid, or elſe ſhall remaine and continue ſtill in priſon, without baile or mainprize, vntill ſuch time as he or they ſo offending, can and ſhall finde ſuch ſufficient ſureties, during the ſaid terme of vij. yeares as is afore rehearſed. Prouided alwaies that this Act, or any thing therein contained, extend not to any parke or incloſed ground hereafter to be made & vſed for deere, without the grant or licence of our ſoueraigne Lady the Queene, her heires, ſucceſſours or progenitours. Prouided alwayes, and be it enacted by authoritie aforeſaid, that it ſhall be lawfull for the party grieued, to ſue and take his further remedy againſt all & euery ſuch offender or offenders for his loſſe and damage, and to recouer the treble value of the ſame in this behalfe, as well before the Iuſtices of Oier and determiner, Iuſtices of Aſſiſe in their circuits, and Iuſtices of Peace, as elſewhere, in any other the Queens courts of Record, & that vpon the true ſatisfaction of the ſaid treble damages to the partie grieued, or vpon the confeſſion and knowledge thereof by the ſame party, before the Iuſtices in open ſeſſions, to be holden within the county where the offence was committed, it ſhal be at the libertie of the ſame party grieued, to whom the ſaid offence was committed, to releaſe at his pleaſure, the ſaide ſuretiſhip of good abearing, at any time within the ſaid vij. yeres, or before: Anie thing in this Act before ſpecified or expreſſed, to the contrary notwithſtanding. And be it further enacted by the authority aforeſaid, that the Iuſtices of Oier and determiner, Iuſtices of Aſſiſes in their circuits, and Iuſtices of the peace and gaole deliuery in their Seſſions, ſhall by vertue hereof, haue power & authority to inquire, heare & determine all and ſinguler the offences aforeſaid, and to make and award proces thereupon, as wel vpon Indictments taken before them, as by bill of complaint, information or anie other action, in which ſuite or action, no eſſoine, wager of Law, or protection ſhall be allowed. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, at any time hereafter ſhall fortune to be bound before any of the Iuſtices before mentioned, to the Queenes heires or ſucceſſors, for his or their good abearing for vij. yeers according to the tenor of this Act, and the ſame party or parties ſo bound, ſhall afterwards within the vij. yeers come before the Iuſtices of peace of the ſaid County, where the ſaid offence was committed, or ſome

of

Vnlawfully

Heads of ponds

Wrongfully Seuerall

Conuict

Impriſon

Good abearing

7. Yeares Without baile or mainpriſe

Night or day Parke

Deere Hunt Kill any deere

Hawkes

Hawkes

Conuict

Impriſon

3. dr. mages

Good a bearing

Without baile or mainprize

Parke

D. grou

Recouer 3. dam

Iu. of Oy Iuſt. of Iuſt. of

3. dam

Conuict

Vpon

Releaſe Good a ring

Iuſt. of Iuſt. of Iuſt. of

Inquire Oier & Byers Iuſtices

Bound to good bearing confide ſance

of them in open Seſſions, and there in the ſaid open Seſſions confeſſe and acknowledge his or their ſaid offence or offences, and be ſorie therefore, and ſatisfie the partie or parties grieued, according to the tenor of this Act, that then the ſame Juſtices before whom the ſaid confeſſion ſhall be ſo made, ſhall and may haue power and authoritie, by vertue of this Act (in the ſame open Seſſions, or in any other open Seſſions afterwards to bee holden before the ſaid Juſtices in the ſaid County, within the ſaid terme of ſeuen yeares, if it ſhall ſeeme good to their diſcretions) to diſcharge the ſaid Recogniſance and bond ſo taken, and alſo the partie and parties ſo bound: This Act or any thing contained to the contrarie thereof notwithſtanding. Anno 5. Eliz. cap. 21.

18 Be it enacted &c. That it ſhall and may be lawfull at all time and times hereafter to and for euery ſuch Watchmen, Balcors, Hurors, Condors, Directors, and Guidors, and all ſuch Fiſhermen, and other perſons, as ſhall neceſſarily attend their Seanes, or Nets, for the drawing and carrying of Herrings, Pilchards, and other Seane fiſh, on land or ſhore, at the times of fiſhing for Herrings, Pilchards, and other Seane fiſh within the Counties of Somerſet, Deuon, and Cornewall, where ſuch fiſh ſhall hereafter be taken, to enter and go into and vpon any lands, tenements, and hereditaments, which doe lye or adioyne neere vnto any ſuch fiſhing places, and fit, conuenient, and neceſſarie to watch and balke in, or to draw or carrie the ſaid fiſh on ſhore, and there to watch for the ſaid fiſh, and to balke, hue, conde, direct, and guide the Fiſhermen which ſhall be vpon the ſaid ſea and ſea coaſts, for the taking of the ſaid fiſh, and to draw and carrie the ſaid fiſh on land or ſhore: Any Law, Vſage, or Cuſtome to the contrarie in any wiſe notwithſtanding. And be it further enacted &c. That if any Action of Treſpaſſe or other Suit ſhall at any time hereafter happen to bee attempted and brought againſt any perſon or perſons, for entring and going on the land for watching of the ſaid fiſh, or for balking, huing, conding, directing, or guiding of the ſaid Fiſhermen in their Boates vpon ſea or ſea coaſt, for taking of the ſaid fiſh, or for the landing of the ſaid fiſh, as aforeſaid, by authoritie of this preſent Act, the defendant or defendants in any ſuch Action or Suit ſhall and may plead Not guiltie for any thing doing by vertue of this Act: And vpon the tryall of that Iſſue the whole matter to be giuen on both parties in euidence, according to the very truth of the ſame: And after ſuch Iſſue tryed for the defendant or defendants, or Nonſute of the plaintife or plaintifes after appearance, the ſame defendant or defendants to recouer his or their damages, by reaſon of his or their wrongfull veration in that behalfe, with coſtes alſo in that behalfe ſuſtained, and that to be aſſeſſed by the ſame Iurie that ſhall trie the ſaid Iſſue: Or elſe by Writ to enquire of the damages, as the caſe ſhall require: For which coſtes and damages, ſuch defendant ſhall and may, by vertue of this Act, take and ſue forth ſuch Execution, as the defendant in a Repleuin may doe. Anno 1. Iac. cap. 23.

19 Be it enacted &c. That euerie perſon and perſons, that from and after the fiue and twentieth day of July next enſuing this Seſſion of Parliament, ſhall erect or ſet vp any new Weare or Weares along the Sea ſhore, or in any Hauen, Harbour, or Creeke, or within fiue myles of the mouth of any Hauen or Creeke, or ſhall willingly take, deſtroy, or ſpoyle any Spawne, Fry, or Brood of any Sea fiſh in any Weare, or other Engine or Deuice whatſoeuer, ſhall forfeit for euerie time ſo erecting, ſetting vp, taking, deſtroying, or ſpoyling, contrarie to this Act, the ſumme of tenne pounds: The one halfe to the Kings Maieſtie, his Heires or Succeſſors, and the other halfe to him that will ſue for the ſame: and that euerie perſon which after the firſt day of October next enſuing this Seſſion of Parliament, in any Hauen, Harbour, Creeke, or within fiue myles of the mouth of any Hauen, Harbour, or Creeke of the Sea, ſhall fiſh with any Drawnet, or Dagnet, vnder three ynches Meaſh, viz. one ynch and a halfe from knot to knot, except for the taking of Smoulds in Northfolke onely, or with any Net with Canuas, or other Engine or Deuice, whereby the Spawne, Fry, or Brood of Sea fiſh may be deſtroyed, ſhall forfeit ſuch Net, and alſo forfeit for euerie time ſo doing tenne ſhillings: The one halfe to the vſe of the poore people of the Citie, Towne corporate, Borough, Market Towne, Pariſh, or Libertie, where the offence or offences ſhall be committed, and the other halfe to the perſon that ſhall ſue for the ſame, the ſayd Forfeitures to be leuied to the vſes aforeſaid, by the Mayor, Baylife, or other head Officer of euerie Citie, Borough, or Towne corporate, And by Warrant of one or more Juſtices of Peace, it ſhall be lawfull for the Conſtable and Churchwardens of euerie Market Towne, Pariſh, or Libertie, within which any ſuch offence or offences ſhall be done, by way of Diſtreſſe, and ſale of the offendors goods, rendring to them the ſurpluſage, according to the order of former Statutes, in ſuch caſes of Forfeitures ordained. Prouided alwayes, That this Act, or any thing therein contained, ſhall not extend to puniſh any perſon or perſons, for vſing any Net or Nets of leſſer Meaſh then is by this Statute appointed onely for taking of Herring, Pilchards, Sprats, or Lampryan: any thing in this Act to the contrarie in any wiſe notwithſtanding. Prouided further, That this Act ſhall not extend to the Iſle and Countie of Angleſey. Anno 3. Iacob. cap. 12.

Boat. Ship. Weare. Spawne. Fry. Net. Drawnet. Dagnet. Smoulds. Northfolke. Fine. Mayor, Baylife, &c. Iuſt. of P. Conſtable. Churchwarden. Diſtreſſe. Leſſer meaſh. Angleſey.

Flax and Hempe.

FOr the better putting in practiſe of making of Linnen Cloth within this Realme, to the increaſe of the Commonwealth of the ſame, and to

ſet a woꝛke a number of idle people, Be it &c. That all manner of perſons, of what degree, eſtate, oꝛ condition they be of, hauing to their occupation thꝛeeſcoꝛe acres of errable land oꝛ paſture, oꝛ thꝛeſcoꝛe acres of errable land and paſture being apt foꝛ tillage, ſhall yearely foꝛ euer, after the Feaſt of Saint Michael the Archangel next comming, at their pꝛoper coſtes and charges, tyll and ſow, oꝛ cauſe to be tylled and ſowen in ſeaſonable time, one Rod, that is to ſay, the fourth part of an acre of the land being in their occupation, as is afoꝛeſaid, with Line ſeed, otherwiſe called Flax ſeed, oꝛ Hempe ſeed, oꝛ with both, the ſaid Rod to be ſowen in one place together, oꝛ in the ſeuerall places, at their pleaſure. And ſo from the ſaid Feaſt yeare-ly ſhall tyll and ſow, oꝛ cauſe to be tylled and ſowen one Rod foꝛ euery foꝛtie acres, which he oꝛ they ſhall happen to haue in occupation, as is afoꝛeſaid, without any fraud oꝛ couin, vpon paine to foꝛfeit thꝛee ſhillings and foure pence foꝛ euery foꝛtie acres which any perſon oꝛ perſons ſhall haue in occupation, as is afoꝛeſaid, and not tyll and ſow, oꝛ cauſe to be tylled and ſowne one Rod, accoꝛding to this Act, in manner and foꝛme afoꝛerehearſed. And it is alſo enacted, That all Iuſtices of Peace in their Seſſions, and Mayoꝛs, Shiriſes, and Baylifes, in Cities, Boꝛoughes, and Townes coꝛpoꝛate, in their Seſſions, oꝛ other Courts within the limits of their Commiſſions and authoꝛities, ſhall haue full power and authoꝛitie to enquire of the offendoꝛs in this Act, as well by the oathes of twelue men, as otherwiſe by infoꝛmation, by their diſcretions. And if any perſon oꝛ perſons be pꝛeſented afoꝛe them, within the limits of their authoꝛities, oꝛ any infoꝛmation giuen to them of any offendoꝛs in this Act, that then they ſhall haue full power and authoꝛitie, vpon euery ſuch pꝛeſentment oꝛ infoꝛmation to make Pꝛoces againſt the offendoꝛs of this Act, like as is commonly vſed vpon Indictments of Treſpaſſe: And if any be pꝛeſented, and afterward be conuicted by confeſſion, oꝛ otherwiſe, that he hath offended contrarie to this Act, that then he ſhall be put to no leſſe foꝛfeiture then is afoꝛeſaid, to the vſe of the King our Soueraigne Loꝛd, if the offence be without Cities, Boꝛoughes, oꝛ Townes coꝛpoꝛate. And if the offence be within any Citie, Boꝛough, oꝛ Towne coꝛpoꝛate, then the ſayd fine to be to the vſe of the Mayoꝛ, Shirife, oꝛ Baylifes of the ſayd Citie, Boꝛough, oꝛ Towne coꝛpoꝛate, where the offence ſhall be pꝛeſented. And if any be conuict by confeſſion, oꝛ otherwiſe by examination, vpon any infoꝛmation made by any perſon oꝛ perſons againſt any offendoꝛ oꝛ offendoꝛs of this Act, that then euery ſuch perſon ſo conuict vpon any infoꝛmation, ſhall loſe ſuch foꝛfeit as is aboue remembꝛed: The one halfe thereof to the King our Soueraigne Loꝛd, and the other halfe to ſuch as make the infoꝛmation. And that foꝛ the leuying of euery ſuch foꝛfeiture, as well the Iuſtices of Peace, as Mayoꝛs, Shiriſes, and Baylifes, within the limits of their Commiſſions and authoꝛities, haue full power and authoꝛitie to make ſuch Pꝛoces as they ſhall ſeeme by their diſcretions. Pꝛouided alwayes, That none infoꝛmation at the ſuit of any perſon, concerning this Act, ſhall be of any effect to put any perſon to anſwere, oꝛ loſſe of foꝛfeiture, except the ſame infoꝛmation be exhibited within one yeare next after the offence done contrarie to this Act: Noꝛ that any infoꝛmation oꝛ pꝛeſentment foꝛ the King be of any effect to put any perſon to any anſwere, oꝛ loſſe of any foꝛfeiture by vertue of this Act, except the ſaid infoꝛmation oꝛ pꝛeſentment foꝛ the King be within two yeares next after the offence done and committed contrarie to this Act. Pꝛouided alſo, that Parks of Deere, Woods, Groues, low grounds foꝛ Medowes, Felles, Fennes, ſalt Marſhes, Heath grounds, Commons, and ſuch other like grounds, the nature whereof is not apt foꝛ tyllage, noꝛ any lands oꝛ paſture, which hath not beene put in tyllage within the ſpace of fiftie yeares, ſhall not be accounted in, noꝛ of the number of acres, foꝛ the which any perſon ſhall bee bound to tyll and ſow any the ſeedes afoꝛeſaid, by vertue of this Act: any thing in this Act to the contrarie notwithſtanding. And it is further ordered, That the acres ſhall be accounted after the rate of eightſcoꝛe Perches foꝛ the acre, and euery Perch containing ſixteene foot and an halfe of the Rule, and not otherwiſe. Pꝛouided alway, That this Act, oꝛ any thing therein contained, extend not to ſuch lands as haue foꝛtuned oꝛ ſhall foꝛtune to be plowed, tylled, oꝛ bꝛoken one, two, oꝛ thꝛee yeres together, in tenne oꝛ twelue yeares, oꝛ other longer ſeaſon, onely foꝛ cleanſing of the ſame from moſſe, molehils, buſhes, oꝛ like thing, oꝛ foꝛ pꝛoſe of the aptneſſe of the ground to beare Coꝛne, and not vſed otherwiſe in time paſt in tyllage, ſo that in thoſe yeares that it ſhall foꝛtune the ſaid lands not afoꝛe excepted to be ſo plowed, tylled, oꝛ bꝛoken, the ſame oꝛder be obſerued in ſowing the poꝛtion thereof with Line oꝛ Hempe ſeed, as is afoꝛeſaid. Pꝛouided alſo ſhall extend to any grounds incloſed, oꝛ to be incloſed, wherein Deere haue beene, be, oꝛ ſhall be kept by the Kings Graunt, oꝛ otherwiſe: any thing in this pꝛeſent Act made to the contrarie notwithſtanding. And foꝛaſmuch as Spirituall perſons, which doe oꝛ ſhall haue in their hands and occupation lands foꝛ expences of their houſehold, cannot conueniently otherwiſe take any pꝛofit of ſuch Flax oꝛ Hempe as grow vpon the ſame, vnleſſe by ſale to other perſons, Be it therefoꝛe enacted, That it may bee lawfull to all and ſingular Spirituall perſons, hauing in their hands and occupation any manner lands foꝛ expences of their houſeholds, not pꝛohibited by the Law, to ſell ſuch Flax and Hempe as ſhall gꝛow vpon their lands, ſo being in their owne hands and occupation, as is afoꝛeſaid: any Act, Statute, oꝛ Pꝛouiſion made to the contrarie notwithſtanding. This Act to continue to the laſt day of the next Parliament. Anno 24. H. 8. cap. 4. This Statute was reuiued in ſome ſort with ſome alteration by 5. Eliz. cap. 5. which ſee after in Ships 13.

2 It ſhall not be lawfull to any perſon oꝛ perſons at any time hereafter to water any manꝛ of Hempe oꝛ Flax in any riuer, ꝛuning water, ſtreame, bꝛooke, oꝛ

60. acres — Sow — 4. part of one acre — Flaxe Hempe — 21. acres — Iuſt. of P. Mayoꝛs — Pꝛoces — Fo[illegible]. — Pꝛouiſion — Execution

or other common Pond, where beasts be vsed to be watered, but onely on the ground, or pits for the same ordained, and to be ordained, made and prouided, or else in other their owne seuerall Ponds, vpon paine euery person and persons offending or doing contrarie to the tenor, meaning and purport of this Statute, to lose and forfeit for euery time so doing, xx. s. The one halfe thereof to be to our Soueraigne Lord the King, & the other halfe thereof to the partie grieued, or to any other the Kings subiects that will sue for the same forfeiture, in any Court of Record, Leet, or Lawday, by action of Debt, Bill, Plaint, Information, or otherwise, in which suit, no Protection, Wager of Law, Essoine, or other dilatorie plee shall be admitted or allowed. An 33. H. 8. cap. 17.

Fooles, Lunatikes, and Madmen.

THe King shall haue ward of the lands of naturall fooles, taking the profits of them without wast or destruction, and find to them their necessaries, of whose fee soeuer that the lands bee holden. And after the death of such Idcots, he shall render it to the right heires, so that such Idcots shall not alien, nor their heires shalbe disherited. Prærogatiua Reg. Añ 17. Ed. 2. cap. 9.

2 Also the King shall prouide, when any (that before time hath had his wit and memorie) happen to falle of his wit, as there are many per lucida intervalla, i. by euident spaces, that their landes and tenements shall be safely kept without wast or destruction, and that they and their household shall liue and be conueniently maintained with the profits of the same, and the residue, besides their sustentation, shall be kept to their vse, to be deliuered vnto them, when they come to right mind: So that such lands and tenements shall in no wise be alienes. And the King shall take nothing to his owne vse, and if the partie die in such estate, then the residue shall be distributed for his soule, by the aduice of the Ordinarie. Prærog. Regis, Añ 17. Ed. 2. cap. 10.

Forcible entrie.

THe King defendeth, that none from henceforth make any Entrie into any lands and tenements, but in case where Entrie is giuen by the Law, & in such case not with strong hand, nor with multitude of people, but onely in peaceable & easie manner. And if any man from henceforth doe to the contrarie, and thereof be duly conuict, he shalbe punished by imprisonment of his bodie, and thereof ransomed at the Kings will. Añ 5. R. 2. cap. 7.

2 The Ordinances and Statutes made and not repealed, of them that make Entries with strong hand into lands & tenements, or other possessions, and hold themselues in with force: And also of all those that make insurrection or great ridings, riots, routs, or assemblies, in disturbance of ỳ peace, or of the common Law, or in affray of the people, shalbe holden and kept, and fully executed: Joyned to the same, that at all times ỳ such forcible entries be made, and complaint therof commeth to the Iustices of the Peace, or to any of them, that the same Iustices or Iustice, take sufficient power of the Countie, & goe to the place where such forcible entrie with force is made, & if they find any that hold such place forcibly after such entry made, they shall be taken and put in the next Gaole, there to abide conuict by the record of ỳ same Iustices or Iustice, till they haue made fine and ransome to the King. And that all they of the Countie, as well the Shirife as other, shall attend vpon the Iustices, to goe and assist them to arrest such offendors, vpon paine of imprisonment, and to make a fine to the King. And in the same maner it shalbe done of them that make such forcible entries into benefices or offices of holy Church. Añ 15. R. 2. cap. 2.

Complaine
Iust. of P.
Power of the Countie
Enter with force
The nere Gaole
Conuict of record
Fine
Sherife
Assist
Imprison. Fine
Benefices

3 Forasmuch as the said Statute (s. of Añ 15. R. 2. before 2.) doth not extend to entries into tenements in peaceable manner, & after holden with force, nor if the persons which enter with force into lands or tenements, be remoued & voided before the comming of the said Iustices or Iustice, as before, nor no paine ordained if the Shirife do not obey the commandement & precept of the said Iustices, for to execute the said ordinance, many wrongfull and forcible entries be daily made in lands and tenements by such as haue no right, & also diuers gifts, feoffements, & discontinuances, sometimes made to Lords, and other puissant persons and extortioners within the Counties where they be conuersant, to haue maintenance, & sometime to such persons as be vnknowne to them so put out, to the intent to delay and defraud such rightfull possessors of their right & recouerie for euer, to the finall disherison of diuers of the Kings faithfull liege people, and likely daily to increase, if due remedie be not prouided in this behalfe, Our soueraigne Lord the King considering the premisses, hath ordained, That the said Statute and all other Statutes of such entries or alienations made in times past, shall be holden and duely executed: Joyned to the same, that from henceforth where any that doth make such forcible entry into lands, tenements, or other possessions, or them hold forcibly, after complaint thereof made (within the same Countie where such entrie is made) to the Iustices of Peace, or to one of them, by the partie grieued, that the Iustices or Iustice so warned, within a conuenable time, doe the said Statute duly to be executed, and that at the costs of the parties so grieued. And moreouer, though that such persons making such entries be present, or else voided before the comming of the said Iustices or Iustice: Neuertheless, the same Iustices or Iustice in some good Towne nert the tenement so entred, or in some other conuenient place, after their discretion, and euery of them shall haue authoritie and power to enquire by the people of the same Countie, as well of them that make such forcible entries into lands and tenements, as of them which the same hold with force. And if it be found before any of them, that any doth contrarie to this Statute, then the said Iustices or Iustice

Peaceable entrie
Hold with force
Remoued
Sherife
Refuse to pay
Delay
Defraud
Hold forcibly
Complaint
Iust. of P.
Execute at the parties costs
Enquirie

Reseised Put in possession

shall doe the lands and tenements so entred or holden, as afore, to be reseised, and put the partie to put out in full possession of the same lands and tenements so entred or holden as before. And if any person after such entrie in lands or tenements holden with force, make a feoffement or other discontinuance to any Lord or other person to haue maintenance, or to toll and defraud the possessor of his recouerie in any wise, if after in Assise or other action thereof to be taken or pursued before Justices of Assises, or other the Kings Justices whatsoeuer they be, by due inquirie thereof to be taken, ỹ same feoffements and discontinuances may be duely proued to be made for maintenance, as is aforesaid, that then such feoffements, or other discontinuances, as before made, be void, frustrate, & holden for none. And also when the said Justices or Justice make such inquiries as before, they shal do their warrants and precepts to be directed to the Shirife of the said Countie, commaunding him of the Kings behalfe, to cause to come before them, and euery of them, sufficient and indifferent persons dwelling next about the lands so entred as before, to enquire of such entries, whereof euery man which shalbe impanelled to inquire in this behalfe, haue lands or tenements of the yearely value of xl s. by yeare at the least aboue reprises. And that the Shirifes returne issues vpon euery of them at the day of the first precept returnable xx. s. and at the second day xl. s. and at the third time C. s. at euery day after the double. And if any Shirife or Baylife within a franchise, hauing returne of the Kings Writ, be slack, and make not execution duly of the said precepts to him directed to make such inquiries, that he shall forfeit to the King xx. l. for euery default, and moreouer, shall make fine and ransome to the King. And that as well the Justices or Justice aforesaid, as the Justices of Assises at their comming into the countrey to take Assises, and euery of them, haue power to heare and determine such defaults and negligences of the said Shirifes and Baylifes, and euery of them, as well by Bill at the suit of the partie grieued for himselfe, as for the King, to be sued, as by Indictment to be taken for the King onely. And if the Shirife or Baylife be duly attainted in this behalfe, by Indictment or by Bill, that he which sueth for him and for the King, haue the one moitie of the forfeiture of xx. l. together with his costs and expences, and that the same Proces be made against such persons indicted or sued by Bill in this behalfe, as should be against persons indicted or sued by Writ of Trespasse done with force and armes against the Peace of the King. And moreouer, if any person be put out, disseisen of any lands or tenements in forcible manner, or put out peaceably, and after holden out with strong hand, or after such entrie, any feoffement or discontinuance in any wise thereof bee made, to defraud and take away the right of the possessor, that the partie grieued in this behalfe, haue Assise of Nouel disseisin, or a Writ of Trespasse against such disseisor, and if the partie grieued recouer by Assise, or by Action of Trespasse, and if it be found by verdict, or in any other manner, by due forme in the Law, that the partie defendant entred with force into the landes and tenements, or them after his entrie did hold with force, that the plaintife shall recouer his treble damages against the defendant. And moreouer, that he make fine and ransome to the King. And the Mayors, Justice or Justices of Peace, Shirifes and Baylifes of Cities, Townes, and Boroughes, hauing franchise, haue in the said Cities, Townes, and Boroughes, like power to enquire of such entries or putting out, and in other articles aforesaid rising within the same, as the Justices of Peace and Shirifes in Counties and countries aforesaid haue. Prouided alwayes, that they which keepe their possessions with force in any lands or tenements, whereof they or their auncestors, or they whose estate they haue in such lands and tenements, haue continued their possessions in the same by three yeares, or more, bee not indamaged by force of this Statute. Anno 8. Hen. 6. cap. 9.

Feoffement Discontinuance

Assise

Maintenance

Void

Iust. of P.

Precept to the Sherife

Inquire of entries

xl s. land

Issues

Sherife Bailife

Fork.

Fine

Iust. of P. Iust. of ass.

Oyer & ter.

King Indictment Shirife Baylife Attaint

Moitie

Costs

Proces

Disseised with force Put out peaceably Holds with force

Feoffement

Assise of nouel disseisin

Writ of Trespasse

Recouer

4 Whereas there is one verie good Prouiso or Clause in the said Act (S. 8. H. 6. cap. 9. before 3.) contained, as ensueth. Prouided alwayes, That they which keepe their possessions with force, in any lands and tenements, whereof they or their ancestors haue continued their possession in the same by three yeares, or more, be not indamaged by force of the said Statute. And whereas diuers of the Quenes Maiesties good and louing subiects, and their auncestors, or those whose estate they haue for many yeares together, aboue the space of three yeares or more, haue been in quiet possession of their dwelling houses, and other their lands and possessions. And now of late diuers of her Maiesties said subiects hauing entries made vpon their possessions, hauing had such quiet and long possession, for disturbing of such entries, and for keeping of their possession against such Entrers, by colour of Indictments of Forcible entrie, or forcible keeping possession found against them, by meanes of the oathes of such Entrers, haue been remoued and put out of their dwelling houses, and other their possessions, which they haue quietly held by the space of three yeares together, or longer time, next before such Indictments found against them, against the true meaning and intent of the said Prouiso or Clause contained in the said Act: For remedie of which inconuenience, and for true declaration and explanation of the Law therein, Be it ordained, declared and enacted by the authoritie of this present Parliament, That no restitution vpon any Indictment of Forcible entrie, or holding with force, be made to any person or persons, if the person or persons so indicted hath had the occupation, or hath been in quiet possession by the space of three whole yeares together, next before the day of such Indictment so found, and his, her, or their estate or estates therein not ended nor determined, which the partie indicted shall and may alledge for stay of restitution, and restitution to stay vntill that be tryed, if

Entr. force Hold &c. forc. &c. dam.

Fine

Offic. Iust. of Peace Sheriffs Bayliffes

Hold &c. force

iii. yeares possession

if the other will denie or trauerse the same. And if the same allegation be tryed against the same person or persons so indicted: then the same person or persons so indicted, to pay such costs and damages to the other partie, as shal be assessed by the Iudges or Iustices before whom the same shalbe tryed, the same costs and damages to be recouered and leuied as is vsuall for costes and damages contained in Iudgements vpon other Actions. Anno 31. Eliz. cap. 11.

Forests, Chaces, Parkes, and Warrens.

ALl Forests which King Henry our grandfather afforested and made, shall be viewed by good and lawfull men, and if he haue made Forest of any other wood more then of his owne demesne, whereby the owner of the wood hath hurt, Wee will, that forthwith it be disafforested. And if he haue made forest of no mens wood but of his owne, then we will, that it remaine forest still: Sauing the Common of herbage, and of other things in the same forest, to them which before were accustomed to haue the same. Charta de Foresta, cap. 1.

2 Men that dwell out of the Forest from henceforth shal not come before the Iusticers of our Forest by no common summons, vnlesse they be impleaded there, or be sureties for some other that were attached for the forest. Charta de Foresta, cap. 2.

3 All woods which haue beene made Forest by King Richard our vncle, or by King John our father, vnto our first Coronation, shall be forthwith disafforested, vnlesse it be our demesne wood. Charta de Foresta, cap. 3.

4 All Archbishops, Bishops, Abbots, Priors, Earles, Barons, Knights, and other our Freeholders, which haue their woods in Forests, shall haue their woods as they had them at the time of the first coronation of King Henry our grandfather, so that they shall be quit for euermore of all purprestures, walks, and assarts made in those woods after that time, vntill the beginning of the second yere of our coronation. And those that from henceforth doe make purpresture without our speciall licence, or walk or assart in the same, shall answer vnto vs for the same walks, purprestures, and assarts. Charta de Foresta, cap. 4.

5 Our Rangers shall go through the Forest to make range, as it hath been accustomed at the time of the first coronation of King Henry our grandfather, and none otherwise. Charta de Foresta, cap. 5.

6 The inquirie or view for lawing of dogges within our Forest, shall be made from henceforth when the range is made, that is to say, euery third yeare, and then it shalbe done by the view and testimonie of honest men, and not otherwise. And he whose dog is not lawed and so found, shal be amerced, and shal pay for the same iij. s. And from henceforth no Dre shalbe taken for lawing of dogs. And such lawing shalbe done by the assise cõmonly vsed: that is to say, that 3. clawes of the forefoot shalbe cut off by the skin. But from henceforth such lawing of dogges shall not be done, but in places where it hath bin accustomed from the time of the first coronation of ỳ aforesaid king Henry our grandfather. Charta de Foresta, cap. 6.

7 No Forster or Beadle from henceforth shall make scotall, or gather garbe of oates, or any corne, lambe, or pigge, nor shall make no gathering but by the sight, and vpon the oath of the 12. rangers, whē they shall make their range. So many Forresters shalbe assigned to the keeping of the Forests, as reasonably shall seeme sufficient for the keeping of the same. Charta de Foresta, cap. 7. Forester

8 No Swanimote from henceforth shalbe kept within this our Realme but thrice in the yere: first the xv. day afore Michaelmas, whē that our Giltakers and Walkers of our woods come together to take agistment in our demesne woods, and about the Feast of Saint Martin in Winter, when that our Giltakers shall receiue our pawnage. And to these two Swanimotes shall come our Forsters, Verders, Giltakers, and none other by distresse. The iij. Swanimote shalbe kept in the beginning, xv. dayes before the Feast of Saint John Baptist, when that our Giltakers or walkers doe mēt to hunt our Dēre. And at this Swanimote shal mēt our Forsters, Verders, and none other by distresse. Moreouer, euery fortie dayes through the yere our Forsters & Verders shall mēt to see the attachments of the Forest, as well for grēne hugh as for hunting by the presentment of our Forresters, and afore them shal be attached. And the said Swanimotes shall not be kept but within the Counties in which they haue bin vsed to be kept. Charta de Foresta, cap. 8. Swanimote · Agistment · Pawnage · Forsters · View · Attachmēt · Green hugh · Hunting

9 Euery freeman may take agistment in his owne wood within our Forest at his pleasure, and shall take his pawnage. Also we do graunt, that euery freeman may driue his swine freely & without impediment through our demesne woods, for to agist them in their owne woods, or else where they will. And if their swine tarie one night, & lie within our Forest, there shal be no occasion taken thereof, whereby he may leese any of his owne. Charta de Foresta, cap. 9. Freemen Agistment · Pawnage · Driue swine

10 No man from henceforth shall lose neither life nor member for killing of our Dēre, but if any man be taken therewith, and conuict for taking of our Venison, he shall make a grieuous fine, if he haue any thing whereof, and if he haue nothing to leese, he shall be imprisoned a yeare and a day, and after the yeare and a day expired (if he can find sufficient sureties) he shall be deliuered. And if not, he shall abiure the Realme. Charta de Foresta, cap. 10. Killing of Dere · Conuict · Fine · Imprison · Abiure

11 Whatsoeuer Archbishop, Bishop, Earle, or Baron, comming to vs at our commaundement, and passing by our Forest, it shall be lawfull for him to take and kill one or two of our Dēre, with our Forster, if he be present, or else he shall cause one to blow an horne for him, that he seeme not to steale our Dēre. And likewise they shall doe, returning home from vs. Charta de Foresta, cap. 11. Archbishop · Bishop · Earle · Baron · Kill one or two Deere · Blow an horne

Freemen Wood Milles Arable

12 Euery freeman from henceforth without danger, ſhal make in his owne wood, or in his land, or in his water, which he hath within his forreſt, milles, ſprings, poles, marſhes, dikes, or arable ground, without incloſing ỳ arable ground, ſo that it be not to the annoyance of his neighbours. Charta de Foreſta, cap. 12.

Freemen Ayries of Hawkes Honey

13 Euery freeman ſhall haue within his owne woods, ayries of Hawkes, Sparrow Hawkes, Faulcons, Eagles, and Herons, and ſhall haue alſo the honey that is found within his woods. Charta de Foreſta, cap. 13.

Foſſor Chiminage Fee

14 No Foſſer from henceforth, which is no Foſſer in fée, paying to vs farme for his Bayliwike, ſhall take any chiminage or toll within his Bayliwike. But a Foſſer in fée, paying vs farme for his Bayliwike, ſhall take chiminage, that is to ſay, for carriage by Cart the halfe yeare ỳ. ſ. and for another halfe yeare ỳ. ſ. for an Horſe that beareth loades, euery halfe yeare an halfepenny. And but of thoſe onely that come as marchants through his Bayliwike by licence to buy Bulhes, Tymber, Barke, Coale, and to ſell it againe at their pleaſure: But for none other carriage by Cart, chiminage or toll ſhall be taken: Nor chiminage ſhall not be taken but in ſuch places onely where it hath béen vſed to be. Thoſe which beare vpon their backs Brufhment, Barke, or Coale to ſell, though it be their liuing, ſhall pay no chiminage to our foſters, except they take it within our demeſn woods. Charta de Foreſta, cap. 14.

Marchants Demeſne woods

Outlawed of treſpaſſe Sureties

15 All that be outlawed of treſpaſſe within our Foreſt, ſince the time of King Henry our grandfather, vnto the firſt yeare of our Coronation, ſhall come to our peace without let, and ſhall find to vs ſureties, that from henceforth they ſhall not treſpaſſe vnto vs within our Foreſt. Charta de Foreſta, cap. 15.

Conſtable Bayliffe Hunting Plea of Foreſt

16 No Conſtable, Caſtelleine, or Bailife, ſhal hold plea of Foreſt, neither for grene hugh, nor Hunting, but euery foſter in fée ſhall make attachments for plea of Foreſt, as well for grene hugh as Hunting, and ſhall preſent them to the Verdors of the Prouinces. And when they be inrolled and incloſed vnder the ſeales of the Verdors, they ſhall be preſented to our chiefe Iuſtices of our Foreſt, when they ſhall come thither to hold plea of Foreſt, and before them they ſhall bee determined. Charta de Foreſta, cap. 16.

Preſent Iuſtices

17 Concerning treſpaſſers in Parks & Ponds, it is not yet diſcuſſed, for the Lords demaunded the proper impriſonment of ſuch as they ſhould take in their Parkes & Ponds, which the King denied. Wherefore it was deferred, Merton, cap. 22. Anñ 20. H. 3.

Determine Treſpaſſers Ponds

Treſpaſſers Ponds Attaint Impriſon. Fine Surette

18 It is prouided alſo for treſpaſſers in Parks and Ponds, that if any be thereof attainted at the ſuit of the partie, great and large amends ſhall be awarded according to the treſpaſſe, and three yeres impriſonment, and after ſhall make fines at the Kings pleaſure (if he haue whereof) and then ſhall find good ſuretie, that after hee ſhall not commit like treſpaſſe. And if he haue not whereof to make fine, after three yeares impriſonment, hee ſhall find like ſuretie, and if hee cannot find like ſuretie, hee ſhall abiure the Realme. And if any guiltie thereof be fugitiue, and haue no land nor tenement ſufficient (whereby he may be inſtified) ſo ſoone as the King ſhall find it by Enqueſt, he ſhall be proclaimed from Countie to Countie, and if he come not, he ſhall be outlawed. It is prouided alſo and agréed, That if none doe ſue within a yeare and a day for the treſpas done, the King ſhall haue the ſuit. And ſuch as bee found guiltie thereof by lawfull Enqueſt, ſhall be puniſhed in like manner in all points, as aboue is ſaid, and if any ſuch treſpaſſor bee attainted, that hee hath taken tame beaſts, or other thing in his Parkes, by manner of Robberie, in comming, tarrying, or returning, let the common Law be executed vpon him, as vpon him that is attainted of open Theft and Robberie, as well at the ſuit of the King as of the partie. Weſt. 1. cap. 20. Anno 3. Edw. 1.

Attaint Foreſt Common Law Robbery

19 If any Foreſter, Parker, or Warrennor, doe find any treſpaſſor wandering within his libertie, intending to doe damage therein, and that after hue and cry made to him to ſtand vnto the peace, will not yéeld himſelfe, but doth continue and execute his malice, and diſobeying the Kings peace, doth flye or defend himſelfe with force and armes, although ſuch Foreſters, Parkers, and Warrennors, or any other comming in their companie, and ayding ſuch Foreſters, Parkers, and Warrennors, in the Kings peace, doe kill any offendor or offendors, being ſo found, either in arreſting or taking them, or any of them, they ſhall not be arraigned vpon the ſame before the King and his Iuſtices, or before any other the King his Bayliffes, or any other within any franchiſe or without, nor ſhall léeſe for ſo doing either life or limme, or ſuffer any other puniſhment, but ſhall enioy the Kings peace, as they did before: Notwithſtanding, let all ſuch Foreſters, Parkers, Warrennors, and all other beware, that by reaſon of any malice, diſcord, debate, or other euill will had before time, they doe not lye, nor maliciouſly pretend againſt any perſon paſſing through their liberties, that they came thither for to treſpaſſe or miſdo, when of truth they did nothing, nor were not found as treſpaſſors, and ſo kill them, for if they doe and be conuict thereupon, the death of ſuch perſons ſhall be inquired, and execution ſhall be done in like manner, as is done for other of the Kings ſubiects ſtanding in his peace, & like as it ought to be done of right, and according to the law and cuſtome of the Realme. Statute of Treſpaſſers in Parkes. Anñ 21. Ed. 1.

Warrennor Treſpaſſe Dyſeaſe Flie Foyſe Kill the Offendor Not arraigned Parker kills a Man Indict Malice

20 Whereas certaine people that be put out of the Foreſt for the purliew, and by the great men haue made requeſt to our Soueraigne Lord the King at his Parliament, That they might be acquited of their charge, and of things that the Forreſters demaund of them, as they were wont to be, Our Soueraigne Lord the King anſwered: Firſt, that where he had graunted purliew, that he was pleaſed that it ſhould ſtand in like manner as it was graunted, albeit that the thing were ſued and demaunded in an euill point. Nevertheleſſe, he

Purliew

he willeth & intendeth, that all his demeine lands wheresoeuer they be, that haue béene of the Crown, being returned by way of Escheat, or otherwise, shall haue estate of frée chase and frée warren, and in such manner shall be saued and kept to his vse for all manner of Escheats, and for all manner of things that pleaseth him. And in right of them that haue lands and tenements disafforested for the said purliew, and such as demaund to haue common within the bounds of forests: The intent and will of our Soueraigne Lord the King is, that from henceforth (where purliew is) they may claime to be quit of charge of the forest. And whereas the Kings beasts cannot haue their haunt and repaire vpon the forest ground, as they had so long as they were within the forests, that such folke shall not haue common, nor other easement within the bounds of the woods, nor of the lands, the which remaine in forest, but if any of them that be disafforested by the purliew, would rather bee within the forest as they were before, then to be out of the forest as they be now: It pleaseth the King verie well, that they shall be receiued thereunto, so that they shall remaine in their ancient estate, and shall haue common and other easement as well as they had before. Whereupon our Soueraigne Lord the King willeth and commaundeth, that his Iustices of the forest on this side Trent, and beyond Trent, in like manner shall keepe and hold, and cause to be kept and holden straitly the foresaid points within their Liberties, in the forme aboue mentioned. An. 33. E. 1. Stat. 5.

21 If any Forester shall find any man attachable for grene Yew in his forest, first hee shall attach him by two pledges, if they be to be found, if not, he shall be brought to the next towne where they may be found. And if they be afterward found he shall attach him by foure pledges. And if the third time, he shal be presented before the Verdors, and be put by eight pledges, afterward after the third attachment, his bodie shall be attached and retained for a remembrance that hee is a Verdor. Know that all trées not bearing fruit, and these which beare fruit at any time in the whole yeare, and an Ash if he be old, shall remaine in the forest, and arable, because our Lord the King is in possession. If any man shall be found felling an Oke without the demeine wood, and within the Precinct, without the view or deliuerie of the Forester or Verdor, he shalbe attached by foure pledges, and by the view of the Verdor the Oke shall be prized, and the names of the pledges shal be written in the roll of the Foresters and Verdors. If any man shall be found in the Kings demeines asserting or doing purpresture, his bodie shall be forthwith retained, but if without the demeines within the precinct, he shall be put by six pledges, and if he be afterward found, he shall double his pledges, if the third time, he shall retaine his bodie. If any man attachable do refuse to put in sureties and pledges, he shall be distrained by his cattels, found within the bounds of the Forest, but if he haue none, his bodie shall be detained vntill hee haue done that which he ought, and if his abode bee without the bounds of the forest, his name and his place whence he is shall be inrolled. But deliuerie of housebote and haybote shall be made as the Woodséer may suffer the same to remaine in the state in which it is, and not at the request of the demaundant, neither may he giue nor sell any thing of the wood without the Kings warrant. If any Déere be found dead, or wounded, there shall be an inquisition made by sire of the next villages to the forest, which shall be written in the roll, the finder shalbe put by six pledges, and the flesh shall be sent to a Spittle-house, if by testimonie of the Verdors and the countrey, there be any nigh: but if there be no such house néere, the flesh shall be giuen to the poore and lame, the head and skinne shall be giuen to the poore of the next towne, and the arrow (if there be any found) shall be presented to the Verdor, and inrolled in his roll. If there be any Greyhounds found running to doe any hurt, the Forster shall retaine them, and present them in the presence of the Verdor, and send them to the King or chiefe Iustice of the forest. If any Mastiue be found vpon any Déere and shall be mussled, he whose Mastiue he is shall be quit of the déed, but if he be not mussled, the owner of such Mastiue shall be guiltie, as if he had giuen it him with his hand, and he shall be put by six pledges, whose names shall be written, and also what dogge it was. If any man take Déere in the forest, without warrant, his bodie shal be arrested whersoeuer hée bée found within the bounds of the forest, and when he is taken, he shal not be deliuered without speciall commandement of the King, or of the chiefe Iustice of the forest. If any sée any misdoers within the bounds of the forest, to take or carrie away any Déere, he shall doe what he may to take them, and if he cannot, shall leuie huy and crie, and if he doe not so, he shall remaine in the Kings mercie. If any Woodward shall sée misdoers within his Wardship, or shall sée a dead wild beast, he shall shew him to the chiefe Forster, or Verdor, and if he doe not, and the Forster of our Lord the King find such a fault in his wood within the precinct, that wood shall be taken into the Kings hands by the Kings commaundement, or of his chiefe Iustice, and the Woodward is to be attached by foure pledges. If any man shal haue a wood against the demeine wood of our Lord the King, it is lawful for him after that the demeine hedges are agisted, to haue in the time of pawnage so many swine as the wood may suffer, by the view of the Forster, Verdor, Regrador, Agistor, and other lawfull men, and this shall be done of the profit of the swine. Know that in the time of pawnage when the agistment ought to be made, the Forsters, Verdors, and Agistors ought to craue the assent of the Iustices of our Lord the Kings forest, and séek their good will, and the agistment shall bée made as well within the demeine hedges and woods as without, and the agistment shall be made according to their commaundement, and tenor of their letters, which letters he shall haue before the Iustices of the Forest, in the next circuit. And it is commaunded, That hereafter be taken for euerie hogge as much as may be, to the vse of our Lord the

Inroll
Housebote Haybote
Sell
Deere
Dead
Inquest
Pledges
Spittle-house
Poore folke
Arrow
Inroll Greyhound
Mastiue
Pledges
Deere
Arrest
Ill doers
Arrest
Huy Amerciament
Woodward
Dead beast
Wood
Woodward
Pledges
Woods
Hogge
Agistment

King

Pawnage Hogges Pigges

King for pawnage, that is to ſay, one penie or two pence, but of little pigs there ſhall be no more paid then was before. If any man of another Countie

Beaſts

put, or willingly ſuffer his cattell to goe within the bounds of the foreſt, the Foreſter may retaine the cattell by ſureties and ſafe pledges, which if he cannot doe, by the teſtimonie of the Verdors, he ſhall

Sheriffe

ſhew the Sheriffe of the Countie thereof, that hee may make diſtreſſe vntill he find pledges. If the Sheriffe doe it not, the Foreſter ſhall ſhew the ſame to the Iuſtices. No mower ſhall ſhall bring with

Maſtiue

him a great Maſtiue, to driue away the Deere of our Lord the King, but little dogges to looke to ſuch things as lie open. Of theſe which claime to haue

Dogges

priuiledges, as dogs without clawes, and Greyhounds within the bounds of the foreſt, they ſhall haue nothing to doe without our Lord the Kings

Woods

warrant, or his Iuſtices. A wood remaining in the hands of our Lord the King by one yeare and

Yere & day

one day, it is in the Kings pleaſure, except it be recouered by the iudgement of the Iuſtices. All the

Bounds

bounds of the whole foreſt are the Kings. It is

Peterborough

lawfull to the Abbot of the Borough of Saint Peter, to hunt, and to take Hares and Fores within the bounds of the foreſt, and to haue vnlowed dogges, becauſe he hath ſufficient warrant thereunto. When Verdors haue taken an enqueſt, one

Verdors Inquiſition

ſhall ſet to his Seale, and the other ſhall keepe the roll, and ſo from time to time vntill the comming of the Iuſtice: Then the firſt day he and all the Miniſters ſhall preſent the roll, or elſe they ſhalbe amerced, and mainpernors that day ſhall be proffered for the foreſt. A man attached for cutting of

Amercia-ment Cutting Swani-mote

boughes, that plee appertaineth to the Swanimote before the Steward. And a man attached for felling of an Oke in the demeſne of the King, or of any other tree, it belongeth to be tried before the Iuſtice, and if he doe it to any man in the night time, he ſhall be impriſoned. A man arreſted to the

Impriſon Arreſt Swani-mote

Swanimote for greene hugh, and not preſented at the next, at another time the preſentation ſhall not hurt him, but ſhalbe taken as a fault in the Foreſter for the concealement, and he that is attached

Foreſter

ſhall goe quit by Aſſiſe. If a Foreſter doe agree vnto an offence in the demeſne woods of the King, the King ſhall take from him his Office.

22 Firſt we haue decreed for our ſelues and our heires, that of treſpaſſes hereafter to be done in our foreſts of greene hugh, and of hunting, the Foreſters within whoſe Bailiwikes ſuch treſpaſſes ſhal happen to be committed, ſhall preſent the ſame at the

Treſpaſſe Foreſters

Preſent Swani-mote

next Swanimote, before the Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters of the ſame Foreſt, and vpon ſuch preſentations there before the Foreſters, Verdors, and all other Miniſters aforeſaid, by the oath as well of Knights as

Oath

of other honeſt and lawfull men of the neereſt

Indictment

parts, where the treſpaſſe (ſo preſented) ſhall bee done not ſuſpected, by whom the truth of the matter may be lawfully enquired of, and the truth ſo enquired of, theſe preſentations ſhall be ſolemnely affirmed, and ſealed with their Seales by the common agreement, and aſſent of all the Miniſters aforeſaid, and if the iudgement be giuen otherwiſe, it ſhall be vtterly void. And if it happen any of the foreſaid Foreſters, Regardors, or other Miniſters of ỹ ſame foreſts to die, either by ſickneſs, or by any other meanes, by reaſon whereof he cannot be preſent to ſuch Swanimotes: immediately the Iuſtice of the foreſt or his Lieutenant ſhall put another in his place, ſo that the Indictment may bee made by all, in forme aforeſaid, and that the Officers which are to be put out, be put out, as hitherto hath beene accuſtomed to be done: Sauing the

Void

Miniſters Dis Abbot Swani-mote

Verdors Election

Verdors which ſhall be appointed by election, and by our writ. And we will, that none of the foreſaid Miniſters hereafter, be put in any Aſſiſes, Iuries or Inqueſts, to be taken without the foreſt.

Iuries

And if any ſurcharge be found of the Foreſters, or other, which haue to doe as Miniſters of the foreſt, ſuch ſurcharges ſhall be amoued, and ſhall be impriſoned according to the diſcretion of the Iuſtice of the foreſt, or his Lieutenant. And they alſo who ſurcharged ſhall bee puniſhed likewiſe at our pleaſure. And at euerie Swanimote, it ſhall be inquired of the ſurcharge of the Foreſters, and other Miniſters of the foreſt, & of their oppreſſions brought vpon our people, and they ſhall make thereof amends, and be puniſhed as is aboue expreſſed. The wood which is cut and felled ſhall be remoued, and the wood ſtanding ſhall remaine in the foreſt, and if by chance any ſuch wood yet ſtanding to be ſold, it ſhall remaine in the foreſt, and the ſeller ſhall ſatiſfie the buyer, according to the quantitie of the portion of the wood ſtanding in the foreſt, and ſo of wood ſold in the meane time, and euen as he hath taken of the ſame buyer. We will alſo, that the Iuſtice of our foreſt, or his Lieutenant, in the preſence of our Treſurer, and by his aſſent, haue power to take fines and redemptions of them which are indicted of treſpaſſes, committed in the foreſt before this time not enquired of in the Iuſtices circuit. We will moreouer, that they which haue had common of paſture in the foreſt, before perambulation made, and they which afterwards were denied in the foreſt, and they which haue beene letten of the ſaid common by the perambulatiõ aforeſaid, ſhall haue their common of paſture from henceforth in the foreſt, as largely and freely as they were wont to haue before the perambulation aforeſaid: Sauing our rents in forme aforeſayd &c. Teſte &c. Weſtminſter the xxviij. day of May. An. 34. E. 1.

Swani-mote Iuſt. of F. Fines Indict. Comm. Perambulation

23 That the great Charter of the Liberties, and the Charter of the Foreſt, be obſerued & kept in euerie Article. And that the old perambulations of the foreſt, in time of King Edward, grandfather to the King that now is, be from henceforth holden in like forme, as it was then ridden and bounden. And thereupon a Charter to be made to euerie Shire, where it was ridden and bounden, and in ſuch places where it was not bounden, the King will that it ſhall be bounden by good men and lawfull, and that a Charter be therupon made, as is aforeſayd. An. 1. E. 3. cap. 1. Stat. 2.

Charter Bound

24 Whereas diuers people bee diſherited, ranſomed and vndone by the chiefe Keepers of the foreſt on this ſide Trent and beyond, and by other

Diſher. Trent

Mini-

Miniſters, againſt the forme of the Statute of the great Charter of the Foreſt, and againſt the declaration made by King Edward, ſonne of King Henrie, in forme following: that is to ſay, Wee will and grant for vs and our heires, that for any treſpaſſe done in the foreſt of Wert and Venilon: That the Foreſters in whoſe Bailiwike ſuch treſpaſſe ſhall be committed, ſhal preſent the ſame treſpaſſes at the next Swanimote, before the Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters of the ſame foreſt. And that ſuch preſentmẽt be made before ỳ ſaid Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters aforeſaid, as well by the oathes of Knights, as by other diſcreet and lawfull men, and not ſuſpitious, of the parties ioyning neere where ſuch offences ſhall be preſented, and where the truth may beſt and moſt clerely be knowne. And the truth perfectly known then ſuch preſentments by the common aſſent and conſent of all the ſaid Miniſters, ſhall be ſolemnely written, and with their Seales inſealed. And if any Indictment be in any other manner made, the ſame ſhall be void. And therefore becauſe the chiefe Wardens of the foreſts haue not obſerued the ſame hitherto: It is agréed and ordained, That from henceforth no man ſhall be taken nor impriſoned for Wert nor Venilon, vnleſſe he be taken with the manner, or elſe indicted after the forme before ſpecified. And then the chiefe Warden of the foreſt ſhall let him to mainprize, till the eire of the foreſt, without any thing taking for his deliuerance. And if the ſayd Warden will not ſo doe, he ſhall haue a writ out of the Chauncerie, which hath béene in old time ordained for ſuch perſons indicted to be at mainprize, till the eire. And if ſuch Warden after he hath receiued the writ, doe not incontinently deliuer ſuch perſons indicted to mainprize, without taking any thing: then the plaintife ſhall haue a writ out of the Chauncerie to the Sherife, to attach the ſaid Warden, to be before the King at a certaine day, to anſwer wherefore he hath not repleuied him that is ſo taken. And the Sherife (the Verdors being called to him) ſhall deliuer him that is ſo taken by good mainprize, in the preſence of the Verdors, and ſhall deliuer the names of the mainpernors to the ſame Verdors, to anſwer the eyre of the Juſtices. And if the chiefe Warden be therof attainted, the plaintife ſhal recouer his treble damages, and the ſaid Warden to bee committed to priſon, and ranſomed at the Kings will. And from henceforth it ſhall be written to them as the chiefe Warden of the foreſts, becauſe they may not bée Juſtices, nor to haue any record. Anno 1. Ed. 3. cap. 8. Stat. 1.

25 No Foreſter nor Keeper of foreſt or chace, nor none Miniſter, ſhall make or gather ſuſtenance, nor none other gathering of victuals nor other thing, by colour of their Office, againſt any mans will within their Bailiwike nor without, but that that is due of old right. An. 25. E. 3. ca. 7. Stat. 5.

26 No manner of Iurie ſhall be from henceforth compelled by any Miniſter of the foreſt, to trauell from place to place out of the places where their charge is giuen to them againſt their gré, nor by malice, nor by menace, or other dureſſe conſtrained to ſay their verdict of a treſpaſſe done in the foreſt, otherwiſe then their conſcience will clérely informe them, but they ſhall ſay their verdicts vpon their charge, in the places where the charge is giuen them, as aboue is ſaid. Anno 7. R. 2. cap. 3. Dureſſe. Verdict.

27 That no man be taken nor priſoned by any Miniſter of the foreſt, without due indictment, or by minouerie, or treſpalling in the foreſt, nor alſo ſhall not be conſtrained to make any Obligation or ranſome, to any Miniſter of the foreſt by any manner, againſt their gré and the Aſſiſe of the foreſt. And if any doe againſt this ordinance in any point, and thereof bée attainted, he ſhall pay to the partie damnified their double dammages, and fine and ranſome to the King for his offence. An. 7. R. 2. cap. 4. Impriſ. Treſpaſſe Obligation Attaint Double damages Fine

28 From henceforth all and euerie the Juſtice and Juſtices of the Kings foreſts, parkes and chaſes within this Realme, which now be, or hereafter ſhall be, by the writing ſealed with the Seale of their Office, ſhall make, aſſigne, depute and appoint as many deputie or deputies for the exerciſing of the ſame Office of the Juſtice or Juſtices of the foreſts, as to ſuch Juſtices from time to time ſhall be thought conuenient, which deputie and deputies ſo appointed, ſhall haue like power and authoritie to doe and execute all things concerning the Kings foreſts, parkes, and chaſes, and all other things concerning the Office and Offices of the Juſtice of the foreſts, to all intents and purpoſes, and in as large and ample manner and forme, as the ſame Juſtice or Juſtices might, or may lawfully doe or execute by the lawes of this Realme, and as though the ſame Juſtice or Juſtices were there perſonally preſent in his or their owne perſon or perſons. An. 32. H. 8. cap. 35. Juſtices Deputie

Forfeiture.

WE ſhall not hold the lands of them that be conuict of felonie, but one yeare and one day, and then thoſe lands ſhall be deliuered to the Lords of the fée. Mag. Char. cap. 22. Lands Conuict of Felonie Lords of the fee

2 See Aſſiſe 6. Of forfeiture of the State of a particular tenant by alienation.

3 See Contra formam collationis 1. How Abbots and Religious houſes ſhould forfeit their lands by alienation.

4 The King ſhall haue Eſcheats of lands of the Freeholders, of Archbiſhops and Biſhops, when ſuch tenants be attainted for felonie in time of vacation, whiles their Temporalties were in the Kings hands to giue at his pleaſure. Sauing to ſuch Prelates the ſeruice that therto is due and accuſtomed. An. 17. E. 2. cap. 14. Eſcheats Archbiſhops Biſhops Vacation Seruice

5 The King ſhall haue all the goods of all felons attainted, or that runne away, whereſoeuer they be found. And if they haue freehold, then it ſhall be forthwith taken into the Kings hands. And the King ſhall haue all profits of the ſame by one yeare and one day, and the land ſhall be waſted and Felons goods Flit

and destroied in the houses, woods, gardens, and in all manner of things belonging to the same land, excepting men of certaine places priuileged by the King. And after the King hath had the yeare, day, and waste, then the land shall be restored to the chiefe Lord of the same fee, vnlesse that he fine before with the King for the yeare and day, and the waste: Neuertheless it is vsed in the Countie of Gloucester by custome, that after one yere and one day, the lands and tenements of felons shall reuert and be restored to the nert heire, to whom it ought to haue descended, if the felonie had not béene done. And in Kent in Gauelkind, the father to the bough the sonne to the plough, there all heires males shall diuide their inheritance, but women shal not make partition with men. And a woman after the death of her husband shall be indowed of the moitie. And if she commit Fornication in her widowhood, or take an husband afterward, she shal lése her dower. An. 17. E. 2. cap. 16.

Freehold
Fee and a day
Waste
Lord fee
Nert heire
Gauelkind
Heires males
Women
Dower
Fornication
Losse of power

6 In the second volume of the old Statutes is an ordinance, intituled, Exilium Hugonis le Dispenser Patris & Filij, whereby they two were disherited and banished, where is recited their ill doing, and then followed an Act of Pardon of felonies and trespasses done in the persecuting of them, which is intituled, Ne quis occasionetur pro felonijs seu transgressionibus factis in persecutione H. le D. patris & filij, and then followeth the forme of the Pardon, intituled, Forma chartarum persequentibus Hugh le Dispenser patrem & filium concessarum.

Pardon

7 The King to the Sherife, and all other his faithfull subiects greeting: Know you, that it is prouided in our Court before our Iustices, that hereafter no man taken for the death of a man, or for other felonie, for which he shall be imprisoned, shall be disseised of his lands and tenements, or his cattels, vntill such time as he shall be conuicted of felonie, whereof he shall be arraigned, but as sone as he shall be taken, his tenements and cattels aforesaid shall be séene by the view of the Kéeper of the plees of our Court, and by the view of the Sherife, or other our Officers and lawfull men, and shall be written, and shall be safely kept by the Bailifes of him that is taken, who shall find vs good suretie to answer our Iustices of the cattels or the price, if they be demaunded of them: Sauing (notwithstanding) thereof to him that is taken, and his houshold, his necessaries, as long as he shall be in prison, and his reasonable estouer, that when he that is taken shall be conuicted before our Iustices, of the felonie, then the residue of his cattels besides his estouer, remaine to vs, according to the custome of our Realme, with the terme of one yeare and one day of his lands and tenements. And if he can defend himselfe before our Iustices, of the felonie laied against him, then his cattels shall remaine to him quietly. And therefore we commaund you, that hereafter you cause it so to be done in your Bailiwikes: And we straitly forbid you, that for the cause aforesaid, you doe not otherwise lay your hands on the lands, tenements, or cattels, of any man taken in forme aforesaid.

Arrest
Felonie
Lands
Kept
Suretie
Yere & day

Witnesse &c. De cattallis felonum.

8 If any man or towne be charged at the Exchequer by estreats of the Iustices, of the cattels of the fugitiues, and of felons, and will alledge in discharge of him, another which is chargeable, he shall be heard, and right done to the other. An. 31. E. 3. cap. 3. Stat. 1.

Exchequer
Estreats
Iustices

9 Whereas the Commons haue complained them of Escheators, which by colour of their Office haue seised much lands and tenements as forfeit to the King, for treason surmised in dead persons, which were neuer attainted in their liues: The King thereof hath good regard: but because he and his progenitors haue béene seised of the forfeitures of wares of all times, the King will not extend himselfe of such right whereof he found his Crowne seised, and his right will continue of such forfeitures fallen in his time, and in the time of his father, in the manner as hath béene vsed: Neuertheless, of his especiall grace, he will and granteth, that of such forfeitures fallen in the time of his grandfather, and all his progenitors before, as sone as an Inquest shall be thereof returned in the Chaunterie, by the Escheator, or other which hath power to inquire, that the tenant shall not be out of his possession, but shall be warned by Scire facias, to be at a certaine day to answer to his Scire facias, if he will. And if any such forfeiture be now, or shall be seised of the same time, that the Kings hand shall be out thereof: so alwayes that in all other cases of forfeiture of treason of dead persons not attainted or iudged in their liues, their heires nor their land tenants shall not be impeached nor challenged, nor of none other forfeiture except the forfeitures in old times iudged after the death of the persons by presentment in eire, or in the Kings Bench, as of felons of themselues and other. An. 34 E. 3. cap. 12.

Etch

10 An. 11. R. 2. cap. 5. & 6. All the lands & goods of certaine attainted in the Parliament were giuen to the King, except the lands whereof they were seised to others vses, and except tailed lands or Joyntures.

Land Goods Attaint
Tailed lands Joynt

11 An. 11. R. 2. ca. 6. It was enacted, That all lands and profits that came to the King by forfeiture, should remain in his hands during the wars, and that none should aske any of them: Sauing that they that had right might sue &c. and that the King might sell part thereof.

12 An. 21. R. 2. cap. 10. 11. Certaine lands of certaine persons attainted were giuen to the King. But this Parliament was repealed by 1. H. 4. ca. 3.

13 An. 2. H. 4. cap. 22. It was enacted, That none should be grieued for suing contrarie to the Statute of An. 11. R. 2. cap. See the Statute.

14 An. 5. H. 4 cap. 1. And An. 7. H. 4. cap. 12. It was enacted, That lands whereof certain there named attainted, were seised to others vses, should not be forfeited by their attainders, and graunts thereof made to be voyd: but their owne lands, or whereof other were seised to their vses should be forfait.

15 No Sherife, Undersherife, nor Escheator, Bailife of Franchise, nor any other person, take or seise

Sheriff Escheat Bailife

or impriſoned, before that the ſame perſon or perſons ſo arreſted and impriſoned, be conuict or attainted of ſuch felonie, according to the Law of England, or elſe the ſame goods otherwiſe lawfully forfeit, vpon paine to forfeit the double value of the goods ſo taken to him or them, that is or bee thereby indamaged by action of debt in this behalfe to be purſued by like Proces, Iudgement, and Execution, as is accuſtomably vſed in other actions of debt purſued at the Common Law. And alſo that no Eſſoine nor Protection be allowed in any ſuch action: Nor that the defendant in any ſuch action be in any wiſe admitted to wage or do his law. An. An. 1. R. 3. cap. 3.

16 No manner of perſon ne perſons whatſoeuer he or they be, that attend vpon the King, and Soueraigne Lord of this land for the time being, in his perſon, and doe him true and faithfull ſeruice of alleageance in the ſame, or be in other places by his commaundement in his warres, within this land or without, that for the ſame deed and true ſeruice of alleageance, he or they be in no wiſe conuict or attaint of high treaſon, ne of other offences, for that cauſe by Act of Parliament, or otherwiſe by any Proces of Law, whereby he or any of them ſhall loſe or forfeit life, lands, tenemẽts, rents, poſſeſſions, hereditaments, goods, cattels, or any other thing: but to be for that deed and ſeruice vtterly diſcharged of any veratiõ, trouble, or loſſe. And if any Act or Acts, or other Proces of the law hereafter thereupon for the ſame happen to be made, contracie to this ordinance: That then the Act or Acts, or other Proces of the Law whatſoeuer they ſhall be, ſtand and be vtterly voyd. Prouided alway, that no perſon or perſons ſhall take any benefit or aduantage by this Act, which ſhall hereafter decline from his or their ſaid alleageance. An. 11. H. 7. cap. 1.

17 Foraſmuch as it hath béene in queſtion and ambiguitie, that if any euill diſpoſed perſon or perſons, doe attempt felonioully to rob or murder any perſon or perſons, in, or nigh any common highway, cart way, horſe way, or foot way, or in their manſion, meſſuages, or dwelling places, or that felonioully doe attempt to breake any dwelling houſe in the night time, ſhould happen in his or their being in their ſuch felonious intent, to be ſlain by him or them, whom the ſaid euill doers ſhould ſo attempt to rob or murder, or by any perſon or perſons being in their dwelling houſe, which the ſame euill doers ſhould attempt Burgularly to breake by night: if the ſayd perſon ſo happening in ſuch caſes to ſlay any ſuch perſon ſo attempting to commit ſuch Murder or Burglarie, ſhould for the death of the ſaid euill diſpoſed perſon, forfeit or loſe his goods and cattels for the ſame, as any other perſon ſhould doe, that by chaunce medley ſhould happen to kill or ſlay any other perſon in his or their defence: For the declaration of the which ambiguitie and doubt: Be it &c. and by authoritie, that if any perſon or perſons at any time hereafter, be indicted or appealed, of, or for the death of any ſuch euill diſpoſed perſon or perſons, attempting to murder, rob, or Burgularly to breake manſion houſes, as is aforeſaid, that the perſon or perſons ſo indicted or appealed thereof, and of the ſame by verdict ſo found and tried, ſhall not forfeit and loſe any lands, tenements, goods, or cattels, for the death of any ſuch euill diſpoſed perſon, in ſuch manner ſlaine, but ſhall bee thereof and for the ſame fully acquited and diſcharged, in like manner, as the ſame perſon or perſons ſhould be, if he or they were lawfully acquited of the death of the ſaid euill diſpoſed perſon or perſons. Anno 24. H. 8. cap. 5.

Verdict ſhall not loſe.

Acquited

18 See Treaſon 15. Of forfeitures of Traitors lands and goods, to be in reall poſſeſſion of the King, without Office found thereof, where they be attainted by courſe of the Common Law.

Traitors Lands Goods

19 See Warre 8. Of Forfeitures of fées, Offices and lands, giuen or granted by the King, and being attendant on him in his warres.

Forger of falſe deeds.

WHereas many of the Kings liege people, which haue Pannors, lands, and tenemẽts by purchaſe, or by diſcent of inheritance, or in any other manner, intending to be in peace and reſt in their ſaid tenures, as they were wont to be, diuers euill diſpoſed perſons, ſome of their owne head, and ſome by falſe conſpiracie and couin, ſubtilly imagine and forge of new, diuers falſe deeds muniments, and them doe openly to be pronounced, publiſhed and read, to trouble and change the lands of good people of the countrey, and to vndoe and trouble the poſſeſſions and titles of the ſayd Kings liege people, by the which imagination and falſitie, many of the foreſaid liege people bee troubled and vexed, and at all times abiding in doubt of their poſſeſſions and eſtate: Our Soueraigne Lord the King, willing to prouide a remedie in this caſe, by the aduiſe and aſſent aforeſaid, and at the requeſt of the ſayd Commons, hath ordayned and eſtabliſh, that the partie ſo grieued, ſhall haue his ſuit in that caſe, and recouer his damages, and the partie conuict ſhall make fine and ranſome at the Kings pleaſure. Anno 1. H. 5. cap. 3. This Stature is repealed by 5. Eliz. cap. 14. after 2.

Conſpiracies

Action of the caſe Damages Fine

2 Be it enacted &c. That if any perſon or perſons whatſoeuer, after the firſt day of June now next comming, vpon his or their owne head and imagination, or by falſe conſpiracie and fraud with others, ſhall wittingly, ſubtilly and falſely forge or make, or ſubtilly cauſe, or wittingly aſſent to be forged or made, any falſe deed, charter, or writing ſealed, Court roll, or the Will of any perſon or perſons in writing, to the intent that the eſtate of Freehold, or inheritance of any perſon or perſons, of, in, or to any lands, tenements, or hereditaments, Freehold, or Copihold, or the right, title, or intereſt of any perſon or perſons, of, in, or to the ſame, or any of them, ſhall or may bee moleſted, troubled, defeated, recouered, or charged, or after the ſayd firſt day of June, ſhall pronounce, publiſh, or ſhew forth in euidence any ſuch falſe and forged deed, charter, writing, Court roll,

Conſpiracie

Forge

Charter

Court roll

Teſtament

Inheritãce

Copiholy

Shewing euidence

Knowing the euidence

roll, or Will, as true, knowing the same to be false and forged, as is aforesaid, to the intent aboue remembred, and shall be thereof conuicted, either vpon any action or actions of forger of false deeds, to

Knowing the forgerie Conuict

be founden vpon this Estatute, at the suit of the partie grieued or otherwise, according to the order and due course of the Lawes of this Realme, or vpon bill or information to be exhibited into the

Starre Chamber

Court of the Starre Chamber, according to the order and vse of the Court, shall pay vnto the par-

ij Damages

tie grieued his double costs and dammages, to be found or assessed in the Court where such conuic-

Pillorie

tion shall be, and also shall be set vpon the Pillorie, in some open Market Towne, or other open place,

Ears cut off

and there to haue both his eares cut off, and also his

Nostrils slit Seared

nostrils to be slit and cut, and seared with an hot yron, so as they may remaine for a perpetuall note or marke of his falshood, and shall forfeit to the Quéene our Soueraigne Ladie, her heirs and suc-

Forf. of lands Perpetuall imprison-ment

cessors, the whole illues and profits of his lands and tenements, during his life, and also shall suffer and haue perpetuall imprisonment during his life. The said dammages and costs to be recouered at the suit of the partie grieued, as is aforesaid, to be first payed and leuied of the goods and cattels of the offendors, and of the issues and profits of the sayd lands, tenements, and hereditaments of such partie conuicted, or of one or both of them: the sayd title of the sayd Soueraigne Ladie the Quéene, her heires and successors, to the same notwithstanding. And be it &c. That if any person or persons, after the first day of June, vpon his or their owne head or imagination, or by false

Conspiracy

conspiration or fraud, had with any other, shall

Forge

wittingly, subtilly, and falsly forge, or make, or

Assent

wittingly, subtilly, and falsly cause or assent to be made or forged, any false charter, deed, or writing, to the intent that any person or persons shall or may haue or claime, any estate or interest, for terme of yeares, of, in, or to any Mannors, lands, tenements, and hereditaments, not being Copi-

Annuitie Fee simple Fee taile Liues Yeares Obligatiõs Acquitãces Release

hold, or any annuitie in fée simple, fée taile, for terme of life, liues, or yeares: or after the sayd day, shall as is aforesaid, forge, make, or cause or assent to be made or forged, any Obligation, or bill Obligatorie, or any Acquitance, Release, or other discharge of any debt, account, action, suit, demand, or other thing personall, or if any person or persons, after the sayd first day of June, shall pro-

Giue in euidence

nounce, publish, or giue in euidence any such false or forged charter, deed, writing, obligation, bill obligatorie, acquitance, release, or discharge as true,

Knowing the forgerie Conuict

knowing the same to be false and forged, and shall be thereof conuict, by any the wayes or meanes aforesaid, that then he shall pay vnto the partie grieued his double costs and dammages, to be found and assessed in such Court, where the said conuicti-

ij. Damages

on shall be had, and shall be also set vpon the Pillo-

Pillorie

rie, in some open Market towne, or other open place, and there to haue one of his eares cut off, and

One eare cut off Imprit.

also shall haue & suffer imprisonment, by the space of one whole yeare, without bayle or mainprise. And be it further enacted by the authoritie aforesaid, That the partie and parties grieued by reason of any of the offences aforesaid, shall and may at his and their pleasure, haue and sue his action of Forger of false deeds, vpon this Statute against any the offendors in the same, by originall Writ, out of the Quéenes Highnesse Court of Chancerie, and shall and may haue like Proces vpon the same, as in cases of trespasse at the Common law: or may at his pleasure take his suit, against any such offendors in any the premisses, by bill, before the Quéenes Highnesse, her heires and successors, in her Court commonly called the Kings Bench, or in the Court of the Exchequer, in which suits no Essoine, Iniunction, or Protection, shall be allowed for the partie defendant. And be it further enacted by the authoritie aforesaid, That if the party defendant shall be conuicted for any the offences aforesaid, according to the order and forme aboue limited, and shall haue receiued thereupon punishment corporall, according to this Act: That then he shall not eftsoons be impeached for the same offence. And be it further enacted by the authoritie aforesaid, That although the partie or parties plaintife, in any such action or bill to be sued, as is aforesayd, shall after verdict passed against the defendant or defendants, happe to release or discharge the iudgment or execution vpon the same, or otherwise suffer the same to be discontinued: that yet neuertheless, the same release, discharge, or discontinuance, shall extend onely to discharge such costs and dammages, as the same plaintifes should haue had against the defendant, and that the Iudges before whom the said action or suit shall be taken, shal and may proceed to iudgement, of, and vpon the residue of the said penalties and forfeitures, and to commaund execution vpon the same: the said release, discontinuance, or other discharge, had, made, done or suffered by the partie plaintife, in any wise notwithstanding: This Act or any thing therein contained, to the contrarie in any wise notwithstanding. And be it further enacted &c. That if any person or persons, being hereafter conuicted or condemned of any the offences aforesaid, by any the wayes or meanes aboue limited, shall after any such his or their conuiction or condemnation eftsoones commit or perpetrate any of the sayd offences, in forme aforesaid, that then euerie such second offence or offences, shall be adiudged felonie, and the parties being conuicted or attainted, according to the Lawes of this Realme, shall suffer paines of death, losse and forfeiture of their goods, cattels, lands, and tenements, as in cases of Felonie by the Common Lawes of this Realme ought to be lost or forfeited, without hauing any aduantage or benefit of Clergie or Sanctuarie: Sauing to euerie person and persons, bodies politique and corporate, their heires and successors, other then the sayd offendors, and such as claime to their vses, all such rights, titles, interests, possession, liberties of distresses, leases, rents, reuersions, offices, and other profits and aduantages, which they or any of them shall haue at the time of such conuiction or attainder, of, in, or to any the lands, tenements, or hereditaments, of any such person, so as is aforesayd, conuicted or attainted,

or

or at any time before, in as large and ample maner, to all intents and purpoſes, as if this Act had neuer beene had nor made. Prouided alwayes, and be it enacted by the authoritie aforeſaid, That any ſuch conuiction or attainder of felonie, as is aforeſaid, or any forfeiture by reaſon of the ſame, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, nor to the corruption of bloud, or diſheriſon of any the heire or heires of any ſuch perſon or perſons ſo attainted: This Act or any thing therein contained, or any other Statute, Law, vſage, cuſtome, or thing heretofore vſed, to the contrarie in any wiſe notwithſtanding. Prouided alſo, and be it &c. That this Act, or any thing therein contained, ſhall not extend to charge any Ordinarie, or any their Commiſſaries, Officials, Regiſters, or any other their Officers or Miniſters, with any the offences aforeſaid, for putting their Seale of Office to any writ, to be exhibited vnto them, not knowing the ſame to be falſe or forged, or for writing of the ſayd writ, or Probate of the ſame: This Act or any thing therein contained to the contrarie notwithſtanding. And be it further enacted by the authoritie aforeſaid, That all and euerie Iuſtices of Oier and determiner, and Iuſtices of Aſſiſe in their circuits, and euerie of them, ſhall haue full power and authoritie, in euerie of their open and generall Seſſions, to inquire, heare and determine, of all and euerie the offences aforeſaid, committed or done within the limits of their Commiſſion, and to make Proces for the execution of the ſame, as they may doe againſt any perſon being indicted before them of treſpaſſe, or lawfully conuicted thereof. And be it further enacted by the authoritie aforeſaid, That all other Statutes heretofore made and prouided for forger of falſe deeds, charters, muniments, or writings, and all and euerie penaltie appointed by the ſame, ſhall from and after the ſaid firſt day of June, be void and of none effect in the Law: Any ſuch Statute or thing therein contained, to the contrarie in any wiſe notwithſtanding. Prouided alwayes, That this Act, or any thing therein contained, ſhall not extend or be hurtfull in any wiſe to any Proctor, Aduocate, or Regiſter of any Eccleſiaſticall Court within this Realme, for the writing, ſetting forth, or pleading of any Prorie made according to the Eccleſiaſticall Lawes or cuſtomes, heretofore vſed and allowed by the Eccleſiaſticall Courts of this Realme, for the appearance of any perſon or perſons, being cited to appeare in any of the ſaid Courts Eccleſiaſticall, nor to any Archdeacon or Officiall, for putting their authentick Seale to the ſaid Prories or Prorie, neither yet to any Iudge Eccleſiaſticall, for admitting of the ſame: But that they and euerie of them, may hereafter doe in all points concerning the ſame, as they and euerie of them might lawfully haue done before the making of this Act: Any thing in this Act to the contrarie in any wiſe notwithſtanding. Prouided alwayes, and be it further enacted by the authoritie &c. That if any perſon or perſons whatſoeuer, that hath of his or their owne head, or by falſe conſpiracie or fraud with any other, wittingly, ſubtilly, and falſely forged or made, or ſhall before the firſt day of June forge and make any falſe deed, charter, or writing ſealed, or the Will of any perſon in writing, or any Court roll, to the intent that the eſtate of freehold or inheritance, or the right, title, or intereſt of inheritance, or freehold of any perſons, or, in, or to any Mannors, lands, tenements, or hereditaments, being freehold or copihold, or that by any ſuch forged deed, charter, Court roll, or writing, before the ſaid firſt day of June, ſhall or may be moleſted, troubled, or defeated of any the ſayd eſtates, of any lands, tenements, or hereditaments, being freehold or copihold, or if any perſon or perſons, haue heretofore publiſhed or ſhewed forth in euidence, or before the ſaid firſt day ſhall publiſh or ſhew in euidence, for the proofe of any title, any falſe and forged deed, charter, writing, Will, or Court roll, as true, knowing the ſame to be falſe and forged, as is aforeſaid, to the intent aboue remembred, and ſhall bee thereof attainted or conuicted, according to the order of the Lawes of this Realme, either in an action of Forger of falſe faits, or in an Action vpon the caſe, at the ſuit of the partie grieued, his heires, executors, or aſſignes: That then the partie ſo conuicted, ſhall pay and yeeld dammages and coſts of ſuit to the plaintife, as ſhall be aſſeſſed, according to the order of the Law of this Realme, in any ſuch like action or ſuit, and ſhall ſuffer impriſonment, and pay fine and ranſome at the pleaſure of the Quenes Maieſtie, her heires and ſucceſſors. And if any perſon or perſons ſhall after the firſt day of June, plead, publiſh, or ſhew forth in euidence or otherwiſe for the proofe of any title, any falſe and forged deed, charter, writing, Will, or Court roll (heretofore falſely made, and forged, or to be falſely made and forged, before the ſaid firſt day of June) as true, knowing the ſame to be falſe and forged, to the intent to haue or claime thereby, any eſtate of inheritance, freehold, or leaſe of yeares, in or to any Mannors, lands, tenements, or hereditaments, or any annuitie, rent or profit, forth of any Mannors, lands, tenements, or hereditaments, or to the intent to alter, defeat, moleſt, trouble, charge, or recouer the eſtate of inheritance, freehold, or for yeares, of any perſon, in any Mannors, lands, tenements, rents, or hereditaments: That then euery perſon or perſons that ſhall ſo offend, & ſhall bee thereof conuicted, in forme firſt aboue remembred, ſhall pay vnto the partie grieued double coſts & damages, & ſhal haue impriſonment, loſſe of ears, ſlitting and ſearing of noſe, & forfeiture of lands, in the ſame manner and forme, as aboue is limited for any perſon that ſhall offend by forging, or publiſhing of any falſe deed or writing, as is aforeſaid, after the ſaid firſt day of June. Prouided alwayes, and be it enacted by the authoritie aforeſaid, That this Act, nor any paine, forfeiture, or thing therein contained, ſhall extend to any Atturney, Lawyer, or Councellor that ſhall for his clients plead, ſhew forth, or giue in euidence any falſe and forged deed, charter, Will, Court roll, or other writing, for true, and being not partie and priuie to the forging

Forge Charter Teſtament Court roll

Freehold Copihold

Shew in euidence

Knowing the forgerie

Attaint

Attaint of forgerie Action on the caſe.

Damages

Impriſ. Fine.

Knowing the forgerie.

Leaſes

Annuitie.

Conuict

& Damages Impriſ. Loſſe of eares Slitting & ſearing Forf.

Atturney Lawyer Councellor

Not priuie

Not prime

ging of the ſame, for the pleading, ſhewing forth, or giuing in euidence of the ſame: Any thing in this Act to the contrarie notwithſtanding. Prouided alwayes and be it enacted by the authoritie aforeſaid, That this Act or any thing therein contained, ſhall not extend to any perſon or perſons, that ſhall plead or ſhew forth any deed or writing exemplified vnder the great Seale of England, or vnder the great Seale of any other Authentique Court of this Realme. Nor ſhall extend to any Iudge or Iuſtice, or other perſon, that ſhall cauſe any Seale of any Court to be ſet to any ſuch deed, charter, or writing inrolled, not knowing the ſame to bee falſe and forged: Any thing in this Act to the contrarie notwithſtanding. Anno 5. Elizab. cap. 14.

Exemplification

Iudge Iuſtice

Foreſtallers, Regrators, and Ingroſſers.

Foreſtaller

NO Foreſtaller ſhall be ſuffered to dwell in any towne, who manifeſtly is an oppreſſor of the poore, a publicke enemie of the whole Communaltie and countrey who meeting, graine, fiſh, Herring, or other things, comming by land or by water to be ſold, doth make haſt to buy them before other, thirſting after wicked gaine, oppreſſing the poore, and deceiuing the rich, and by that meanes goeth about to ſell the ſaid things much dearer then hee which brought them: who commeth about Marchant ſtrangers comming with their marchandiſe, and offereth them his helpe in the ſale of their wares, and informeth them, that they may ſell their wares dearer then they meant to haue done, and ſo the towne and countrey is deceiued by ſuch ſubtiltie: Hee that is conuict thereof the firſt time ſhall be amerced, and ſhall leeſe the thing ſo bought, and that according to the cuſtome and ordinance of the towne: He that is conuict the ſecond time ſhall haue the iudgement of the Pillorie: At the third time he ſhall bee impriſoned and ranſomed: The fourth time he ſhall abiure the towne. And this iudgement ſhall be giuen vpon all manner of Foreſtallers: And likewiſe vpon them that giue them counſell, helpe, or fauour. An. 31. E. 1.

Buy

Marchants

Conuict

Firſt

Second

Third

Fourth

Counſell

2 The Foreſtallers of wines and all other victuals, wares, and marchandizes that come to the good townes of England by land or by water, in damage of our Soueraigne Lord the King and of his people, if they be thereof attainted at the ſuit of the King or the partie, before Maior, Bailife, or Iuſtices therto aſſigned, or elſwhere in the kings court, and if they be attainted at the kings ſuit by indictment or other manner, the things foreſtalled ſhalbe forfeit to the king, if the buyer thereof hath made gree to the ſeller. And if he hath not made gree of all but by arreſt, the buyer ſhall incurre the forfeiture of as much as the foreſtalled goods doe amount to, after the value as he bought them, if he haue thereof. And if he haue not whereof, then he ſhall haue two yeares impriſonment and more, at the kings will, without being let to mainprize, or deliuered in other manner. And if he be attainted at the ſuit of the partie, the partie ſhall haue the one halfe of ſuch things foreſtalled & forfeit, or the price of the kings gift, and the King the other halfe. An. 35. Ed. 3. cap. 3. Stat. 4.

Wines

Attaint

Maior Bailife Iuſtice

Buyer Fork.

Imppiſ.

3 The Statute made in the time of King Ed. our grandfather, the 25. yeare of his raigne, (5. ca. 3. before 2.) for the Foreſtallers of wines, victuals, wares, and marchandizes which come to the good townes within the Realme by land or by water, ſhalbe holden and firmely kept in all points, & put in due execution for the comunon profit of the ſayd Realme. An. 2. R. 2. cap. 2.

4 Albeit diuers good Statutes heretofore haue beene made againſt Foreſtallers of marchandizes and victuals, yet for that good lawes againſt Regrators and Ingroſſers of the ſame haue not beene ſufficiently made: And for that it hath not bin perfectly knowne, what perſon ſhould be taken for a Foreſtaller, Regrator, or Ingroſſer, the ſaid Statutes haue not taken good effect. Therefore be it enacted and declared &c. That whatſoeuer perſon or perſons, that after the firſt day of May next comming, ſhal buy or cauſe to be bought, any marchandiſe, victuall, or any other thing whatſoeuer, comming by land or by water, toward any Market or Faire to be ſold in the ſame, or comming toward any Citie, Port, Hauen, Creeke, or Road of this Realme or Wales, from any parts beyond the ſea, to be ſold, or make any bargaine, contract, or promiſe, for the hauing and buying of the ſame, or any part thereof ſo comming, as is aforeſaid, before the ſaid marchandiſe, victuals, or other thing ſhall be in the Market, Faire, Citie, Port, Hauen, Creeke, or Road, readie to be ſold, or ſhall make any motiõ by word, letter, meſſage, or otherwiſe, to any perſon or perſons, for the enhaunſing of the price, or dearer ſelling of any thing or things aboue mentioned, or elſe diſſuade, moue, or ſtirre any perſon or perſons comming to the Market or Faire, to abſtaine, or forbeare to bring, or cõuey any of the things aboue rehearſed, to any Market, Faire, Citie, Port, Hauen, Creeke, or Road, to be ſold, as is aforeſaid ſhall be deemed, taken, and adiudged for a Foreſtaller. Further be it &c. That whatſoeuer perſon or perſons, that after the ſaid firſt day of May, ſhall by any meanes regrate, obtaine, or get into their hands or poſſeſſion, in any Faire or Market, any corne, wine, fiſh, butter, cheeſe, candles, tallow, ſheepe, lambs, calues, ſwine, pigs, geeſe, capons, hennes, chickens, pigeons, conies, or other dead victuall whatſoeuer, that ſhall be brought to any Faire or Market within this Realme or Wales, to be ſold, and doe ſell the ſame againe in any Faire or Market holden or kept in the ſame place, or in any other Faire or Market, within fiue miles thereof, ſhall be accepted, reputed and taken for a Regrator or Regrators. And be it further enacted &c. That whatſoeuer perſon or perſons, that after the ſaid firſt day of May ſhal ingroſſe, or get into his or their hands by buying, contracting, or promiſe taking, (other then by demiſe, graunt, or leaſe of land, or tithe) any Corne growing in the fieldes, or any other Corne or graine, butter, cheeſe, fiſh, or other dead

dead victuals whatsoeuer, within the Realms of England, to the intent to sell the same againe, shall be accepted, reputed, and taken vnlawfull Ingrosser or Ingrossers. And if any person or persons shall at any time after the said first day of May, offend in any the things before recited, and being thereof duely conuicted or attainted by the Lawes of this Realme, or after the forme hereafter mentioned, shall for his or their first offence, haue or suffer imprisonment by the space of two monethes without baile or mainprise, and also shall lose and forfeit the value of the goods, cattels, and victuall, so by him or them bought or had. And if any person lawfully conuicted or attainted, of, and for any the offences aboue said, be thereof eftsoones lawfully conuicted or attainted: that then euerie person or persons so offending, shall haue and suffer for his said second offence, imprisonment by the space of one halfe yere, without baile or mainprise, and shall lose the double value of all the goods, cattels, and victuall, so by him bought or had, as is aforesaid. And if any person being lawfully twice conuicted or attainted, of and for any the said offences, shall eftsoones offend the third time, and bee thereof lawfully conuicted or attainted: that then euerie such person for the said third offence, shall be set on the Pillorie in the Citie, Towne, or place where he shall then dwell and inhabit, and lose and forfeit all the goods and cattell, that he or they haue to their owne vse, and also be committed to prison, there to remain during the Kings Maiesties pleasure. Prouided alwayes and it is &c. That the buying of any such Barley, Big, or Oats, as any person or persons (not forestalling) shall buy to conuert into malt or oatemeale in his or their owne house or houses, and so shall be conuerted indeed, or the buying of any such thing, by any such Fishmonger, Butcher, or Poulter, as concerne his or their owne facultie, craft, or mysterie (otherwise then by forestalling) which shall sell the same again vpon reasonable prices by retaile, or the taking of any cattell, corne, graine, butter, cheese, or any other thing aboue mentioned, reserued without fraud or couine, vpon any Lease for terme of life or liues, yeare or yeares, heretofore made, or hereafter to be made: Or the buying of any wine, or other dead victuall aboue mentioned, being apt and meet for mans sustenance, by any Inholder or other victualler, to sell the same by retaile within his house, or to any of his neighbours for their sustenance, for reasonable prices: Or the buying of any dried or salted fish, Herring or Sprats (not forestalled) and sold for reasonable prices: Or the buying of any corne, fish, butter, or cheese, by any such Badger, Lader, Kidder, or Carrier, as shalbe assigned and allowed to that Office or doing, by three Iustices of Peace, of the Countie where the said Badger, Lader, Kidder, or Carrier, shal dwell, which shall sell or deliuer in open Faire or Market, or to any other Victualler, or to any other person or persons, for the prouision of his or their house or houses, all such corne, graine, butter and cheese, as any such person shall buy or cause to bee bought, (and that within one moneth next after he shall so buy any such corne, graine, butter, or cheese) so that the same shall be bought without forestalling, or else that any common prouision made, or hereafter to be made without fraud or couin by any person or persons, of any of the things aboue said, for any Citie, Borough, or Towne corporate, or for prouision of victualing of any Ship, Caslle, or Fort, within the Kings Dominions, without forestalling, which shall bee imployed onely to that vse and purpose. Or the buying and prouision of any the victuals aboue mentioned, necessarie and requisite for the furniture and prouision of the inhabitants of Calice, Guisnes, and other the Marches of the same, or of the towne of Berwicke, Holy Iland, or the Marches of England against Scotland, which without fraud or couine shall be transported and conueyed, as soone as wind and weather may serue to such of the places aforesaid, for the which the same shall be so prouided, shall not bee in any wise deemed, adiudged, or taken, any offence contrarie to this Act. And be it &c. That if any person or persons after the said first day of May next comming, hauing sufficient corne and graine for the prouision of his or their owne house or houses, and sowing of their grounds for one yeare, doe buy any corne at any Faire or Market, for the change of his or their seed, and doe not bring to the same Faire or Market the same day so much corne, as he shall fortune to buy for his seed, and sell the same if he can, as the price of corne then goeth in the said Market or Faire: That then euerie such person or persons so buying corne for seed, shall forfeit and lose the double value of the corne so bought. Or if any person or persons, after the said first day of May, shall buy any manner of Oxen, Ronts, Steeres, Kine, Heifers, Calues, Shéepe, Lambes, Goats, or Kiddes, liuing, and sell the same againe aliue, vnlesse he or they doe keepe and feed the same by the space of fiue weekes, in his or their owne houses, grounds, farme ground, or else in such ground or grounds where he or they haue the herbage, or common of pasture, by grant or prescription: that then euerie person or persons so buying and selling againe, shall lose the double value of the cattell, or things so bought and sold againe: The moitie of all which forfeiture afore rehearsed, shall bee to the King, and the other moitie to him or them that will sue &c. in which &c. Be it &c. That the Iustices of the Peace in euerie Countie within this Realme, or Wales, at their Quarter Sessions, shall haue full power and authoritie by vertue of this Act, to inquire, heare and determine, all and euerie the defaults and offences perpetrated, committed, or done contrarie to this Act, within the Countie where any such Sessions shall be kept, by Inquisition, Presentment, Bill, or Information, before them exhibited, by examination of two lawfull witnesses, or by any of the same wayes or meanes, by the discretion of the sayd Iustices, and to make Proces thereupon, as though they were indicted before them by Inquisition, or by Verdict of xij. men, or more, and vpon the conuiction of the offendor (by Informa-

Common prouision

Victualing of ships Calis

Calice

Berwicke

Marches

Buy seed corne

Fort.

Buy cattell

Fort.

Moitie

Iust. of P. Wales

Inquire Diet &c.

Witnesses

Proces

Extracts

tion or ſuit of any other then the King) to make extracts of the one moitie of the forfeitures, to be leuied to the Kings vſe, as they vſe to doe of other fines, iſſues, and amerciaments, growne in the Seſſions of Peace, and to award execution of the other moitie for the complainant or Informer againſt the offendor, by Fieri facias and Capias, as the Kings Iuſtices at Weſtminſter may doe, and vſe to doe. And if any ſuch conuiction or attainder ſhall hereafter happen to be at the Kings ſuit onely, that then the whole forfeitures to be extracted and leuied to the Kings vſe onely. And it is &c. That whatſoeuer perſon ſhall at any time hereafter be puniſhed by vertue of this Act, for any thing mentioned in this Act: that then the ſame perſon ſhall not otherwiſe be vexed, troubled, ſued, or put to any paine or puniſhment for the thing, whereof he or they ſhall haue béene ſo puniſhed. Prouided alwayes, and it is enacted by the authoritie aforeſaid, That it ſhall be lawfull to euerie perſon or perſons, which ſhall be aſſigned and allowed by three Iuſtices of the Peace of the Countie where he ſhall dwell, thereunto to buy (otherwiſe then by foreſtalling) corne, graine, or cattell, to bée tranſported or carried by water from any Port or place within this Realme, or Wales, vnto any other Port or place within the ſaid Realme or Dominions, if he or they ſhall without fraud or couin ſhip or imbarke within fortie dayes next after he or they ſhall haue bought the ſame, or taken couenant or promiſe for the buying thereof, and with ſuch expedition and diligence, as wind and weather ſhal ſerue, to carie and tranſport the ſame, to ſuch port or place, as his or their Cocket ſhall declare; and there to diſbarke, vnlade, and ſell the ſame, and do bring a true certificat thereof, from one Iuſtice of Peace of the Countie, or Maior, or Bailife of the Towne corporate, where the ſame ſhall be vnladen, and alſo of the Cuſtomer of the Port where ſuch vnlading ſhall be, of the place and day, where the ſaid corne or cattell ſhalbe diſbarked, vnladen, & ſold, to be directed vnto the Cuſtomer and Comptroller of the Port where the ſame was imbarked: Any thing mentioned in this Act to the contrarie notwithſtanding. And ouer that, That at all times hereafter, when Wheat ſhall be commonly at the price of vj. s. viij. d. the quarter, or vnder, Malt and Barley at iij. s. iiij. d. the quarter, or vnder, Otes, or Dates malted, at the price of ij. s. the quarter, Peaſe or Beanes at the price of iiij. s. the quarter, or vnder, and Rie or Meſcelin at the price of v. s. the quarter, or vnder, (all which quarters ſhalbe intended to be of London meaſure) that then it ſhall be lawfull to euerie perſon and perſons (not foreſtalling) to buy, ingroſſe, and kéepe in his or their grainers or houſes, ſuch corne of the kindes aforeſaid, as without fraud or couin ſhalbe bought at, or vnder the prices afore expreſſed: Any thing in this Act to the contrarie notwithſtanding. Prouided alwayes, and be it &c. That this Act, or any thing therein contained, extend not to charge any perſon or perſons for any the offences aboue mentioned, vnleſſe he or they be ſued for the ſame within two yeares next after ſuch offence done or committed. This Act to endure vntill the end of the next Parliament. Prouided alwayes and be it &c. That it ſhall be lawfull to all and euerie of the Kings Maieſties ſubiects, now dwelling and inhabiting, or that hereafter ſhall dwell or inhabite within one mile of the maine Sea, to buy all manner of Fiſh, freſh or ſalted (not foreſtalling the ſame) and to ſell the ſame againe at reaſonable prices: This Act or any thing therein contained to the contrarie in any wiſe notwithſtanding. Prouided alſo, and be it &c. That it ſhall be lawfull to all and euerie perſon and perſons, knowne for a common Drouer or Drouers, being licenced, authorized, and allowed in writing by three Iuſtices of Peace, whereof one to be of the Quorum, of the Countie or Counties where the ſame Drouer or Drouers ſhall be moſt abiding and dwelling, to buy cattell in ſuch Shires and Counties, where Drouers haue béene wont in time paſt accuſtomably to buy cattell, at their free libertie and pleaſure, and to ſell the ſame, as is aforeſaid, at reaſonable prices, in common Faires and Markets, diſtant from the place or places where he or they ſhall buy the ſame fortie miles at the leaſt, ſo that the ſame cattell be not bought by the way of foreſtalling: This Act, or any thing therein contained to the contrarie notwithſtanding. Prouided alwayes, That ſuch licence of the Iuſtices of the Peace, ſhal not endure aboue one yeare, vnleſſe the ſame bé yearely renewed by ſo many Iuſtices, as is aforeſaid. Anno 5. Ed. 6. cap. 14. This Statute was continued vntill Anno 8. Elizab. and then was diſcontinued. But now it is reuiued againe, and made perpetuall by Anno 13. Elizab. cap. 22. with theſe two Prouiſoes and alterations following. Prouided alwayes &c. That no perſon or perſons ſhalbe a Buyer, Badger, Ridder, or Carrier of corne, cattell, butter, cheeſe, and ſuch like kind of victuall, in no other manner nor corne, nor ſhall be any other wayes admitted or licenced to be a Buyer, Badger, or Ridder, or Carrier, as is aforeſaid, then is contained, mentioned, and appointed by a Statute made in the fift yeare of the raigne of our Soueraigne Ladie Quéene Elizabeth (which ſee in Corne 7.) And prouided alway, That the ſayd Act againſt Regrators, Foreſtallers, and Ingroſſers, is not meant to extend, nor ſhall extend to any Wines, Oyles, Sugars, Spices, Cozants, nor other foreine victuals, brought, or to be brought into this Realme from beyond the Seas: Fiſh and Salt onely excepted.

Fieri facias Capias

Conuiction

Kings ſuit

Licence

Iuſt. of P.

Wales

Vnlade

Certificat

Iuſt. of P.

Maior

Bailife

Cuſtomer

Wheat 6. s. 8. d. the quarter

Malt and Barley 3. s. 4. d.

Otes

Peaſe

Beanes

Rie

London meaſure

5. Yeares

Water Fish

Drouer

Licence

Iuſt. of the Quorum

Buy cattell

Faire

Market

Licence not yeare

Buyer

Licence

Wines

Oyles

Spices

Cozants

Victuals

Fiſh

Salt

France, and Frenchmen.

AS in the Parliament holden at Weſtminſt. in the time of king Richard the 2. the 13. yeer of his raigne: It was ordained, That none Alien Frenchman ſhould haue or enioy any benefice within this Realm, for certain cauſes which might come or happen, but that they ſhould be deliuered and voided for euer out of this Realm, before a certaine time in the ſaid ordinance limited, as in the ſame is plainely contained. And that at what time that any Priories Aliens, Conuentuall, or any other

Alien

Benefice

Priorie

other benefice or Office due by the Kings title, doe void by the departing, or death of the ſayd Priors, and other occupiers, that then there ſhould be during the warres, honeſt Engliſh perſons put in their place to accompliſh the diuine Seruice, and none of the enemies aforeſaid. And notwithſtanding the ſaid ordinance, the ſaid Aliens Frenchmen, by euill imagination and brocage, to continue their euill miſchiefes, doe purchaſe the Kings Letters Patents to be Denizens, and the Kings liege people, and ſweare the ſame to continue, to theintent to occupie and enioy the ſaid benefices: and ſo yet occupie many benefices againſt the ſaid ordinances, whereby theſe Aliens Frenchmen be increaſed, in deſtruction of the Kings liege people, and beare away out of the Realme great treaſure of the Kings, and of the Realme, and the Kings counſell diſcloſe to the enemies of France, to the great dammage of the King and his Realme. Our Soueraigne Lord the King conſidering the ſayd miſchiefe, will that the ſaid ordinances be firmely holden and kept, and put in due execution: Except the Priors Aliens conuentuall, and alſo all other Priors, which haue inſtitution and induction, ſo that they bee Catholike, and that they ſhall find ſurtie, not to diſcloſe, nor cauſe to be diſcloſed the counſell, nor the ſecrets of the Realme. An. 1. H. 5. cap. 7. Note well, that the ſaid Statute of 13. R. 2. is not in the printed bookes of Statutes.

Franchiſes and Liberties.

WE haue granted to God, and by this our preſent Charter haue confirmed for vs and our heires for euermore, that the Church of England ſhall be free, and ſhall haue all her holy rights and liberties inuiolable. Magna charta cap. 1.

2 The Citie of London ſhall haue all the old liberties and cuſtomes which it hath beene vſed to haue. Moreouer, we will and grant, that all other Cities, Boroughes, Townes, and the Barons of the fiue Ports, and all other Ports, haue all their liberties and free cuſtomes. Magna charta cap. 9.

3 Reſeruing to all Archbiſhops, Biſhops, Abbots, Priors, Templers, Hoſpitlers, Earles, Barons, and all perſons, as well Spirituall as Temporall, all their liberties and free cuſtomes, which they haue had in time paſt. And all theſe cuſtomes and liberties aforeſaid, which wee haue granted to be holden within this our Realme, as much as appertaineth to vs, and to our heires, we ſhall obſerue. And all men of this our Realme, as well Spirituall as Temporall (as much as in them is) ſhall likewiſe obſerue the ſame againſt all perſons. And we haue graunted vnto them on the other part, that neither we, nor our heires, ſhall procure, or doe any thing, whereby the Liberties in this Charter ſhall be infringed or broken. And if any thing be procured by any perſon, contrarie to the premiſſes, it ſhall be holden of no force ne effect. Magna charta cap. 37.

4 For as much as writs of Quo warranto, and iudgement giuen vpō plées of the ſame were greatly delayed, becauſe that Juſtices in giuing iudgement were not certified of the kings pleaſure therin: Our Soueraigne Lord the King, at his Parliament holden at Weſtminſter after the feaſt of Eaſter, the eighteenth yeare of his raigne, of his ſpeciall grace, and for the ſingular affection that he beareth vnto his Prelates, Earles, and Barons, and other of this Realme, hath granted, That all vnder his alleageance, as well Spirituall as other, which can proue & verifie by Inqueſt in the countrey, or otherwiſe, that they and their auncеſtors and predeceſſors, haue vſed any manner Liberties, whereof they were impleaded by the ſaid writs before the time of King Richard our couſen, or in our time, and haue continued hitherto (ſo that they haue not miſuſed ſuch Liberties) that the parties ſhall bee adiourned further vnto a certaine day reaſonable before the ſame Juſtices, within the which they may goe to our Soueraigne Lord the King, with the Record of the Juſtices ſigned with his Seale, and alſo returne. And the King by his letters Patents ſhall confirme their eſtate. And they that cannot proue the ſeiſin of their auncеſtors, in ſuch manner as is before declared, ſhall be ordered and adiudged after the law and cuſtome of the Realme, and ſuch as haue the Kings Charters, ſhall be iudged according to their Charters. Moreouer, the King of his ſpeciall grace hath granted, That all iudgements that are to be giuen in plées of Quo warranto, by his Juſtices at Weſtminſter after the foreſaid Eaſter, for the King himſelfe, if the parties grieued will come againe before the King, he of his grace ſhall giue them ſuch remedie as before is mentioned. Alſo our Soueraigne Lord hath granted, for ſparing of coſts and expences of his people, That plées of Quo warranto from henceforth ſhall be pleaded and determined in the circuit of the Juſtices. And that all plées now depending ſhall be adiourned into the Shires, vntill the comming of the Juſtices into thoſe parts. Anno 18. Edw. 1.

Quo warranto

Proue Inqueſt

Adiourned

Letters P.

Iudgement

Remedie

5 Whereas Prelates, Earles, Barons, and other of our Realme, that claime to haue diuers Liberties, which to examine and iudge, the King hath prefixed a day to ſuch Prelates, Earles, Barons, and other: It is prouided, agreed, and ordained, That the Prelates, Earles, and Barons, and other, ſhall haue ſuch manner of Liberties, after the forme of the writ here following: Rex Vicecom ſalutem. Cum nuper in Parliamento noſtro apud Weſtmonaſterium per nos & Concilium noſtrum prouiſum ſit & proclamatum, quod Prælati, Comites, Barones, & alij de noſtro Regno, qui diuerſas libertates per Chartas progenitorum noſtrorum Regum Angliæ habere clamant: Ad quas examinandas & iudicandas dieni præfixerimus in eodem Parliamento, libertatibus illis taliter vterentur, quod nihil ſibi per vſurpationem, ſeu occupationem accreſceret, nec aliquid ſuper nos occuparent. Tibi præcipimus, quod omnes illos de Comitatu tuo, libertatibus ſuis quibus hucuſque rationabiliter vſi ſunt, vti & gaudere

Prelates Earles Barons

dere permittas, in forma prædicta, vſque ad proximum aduentum noſtrum per comit prædictum, vel vſque aduentum Iuſticiariorum itinerantium ad omnia placita in Comitatu, vel donec aliud inde præceperimus: Saluo ſemper iure noſtro, cum inde loqui voluerimus. Teſte &c. In like manner, and in the ſame forme writs ſhall bee directed to Sherifes and other Bailifes for euerie demaundant, and the forme ſhall bee chaunged, after the diuerſitie of the Libertie which any man claimeth to haue, in this wiſe: Rex Vicecomit ſalutem: Præcipimus tibi, quòd per totam balliuam tuam, viz. tam in Ciuitatibus, quam in Burgis, & alijs villis mercatorijs, & alibi publicè proclamari facias, quod omnes illi qui aliquas libertates per Chartas progenitorum noſtrorum Regum Angliæ, vel alio modo habere clamant, ſint coram Iuſticiarijs noſtris ad primam Aſſiſam, ad oſtendendum cuiuſmodi libertates habere clamant, & quo warranto. Et tu ipſe ſis ibidem perſonaliter cum Balliuis & miniſtris, ad certificandum ipſos Iuſticiarios ſuper his & alijs negotijs illud tangentibus. This clauſe of Liberties that beginneth in this wiſe, Præcipimus tibi, quod publicè proclamari facias, &c. is put in the Writ of common ſummons of the Iuſtices in Eire, and ſhall haue a premonition or warning before, by the ſpace of fortie dayes, as the common ſummons hath, ſo that if any partie that claimeth to haue Libertie, bee afore the King, it ſhall not be in default before any Iuſtices in their circuites: for the King of his ſpeciall grace hath graunted, that he will ſaue the partie harmeleſſe, as concerning the ordinance. And if the ſame partie bee impleaded vpon ſuch manner of Liberties, before one or two of the foreſayd Iuſtices, the ſame Iuſtices before whom the partie is impleaded, ſhall ſaue him harmeleſſe before the other Iuſtices. And if the foreſaid partie be afore the King, ſo that he cannot be the ſame day afore the ſayd Iuſtices in their circuites, the King ſhall ſaue that partie harmeleſſe before the foreſayd Iuſtices in their circuites for the day, whereas he was before the King. And if hee doe not come in the ſame day, then thoſe Liberties ſhall bee taken into the Kings hands, in name of diſtreſſe, by the Sherife of the place, ſo that they ſhall not vſe them vntill they come to anſwer before the Iuſtices. And when they doe come in by diſtreſſe, their Liberties ſhall bee replevied (if they demaund them) in the which Repleuin they ſhall anſwer immediately after the forme of the Writ aforeſaid. And if percaſe they will challenge and ſay, that they are not bounden to anſwer in the originall Writ, then if it may appeare by any meane, that they haue vſurped any Liberties vpon the King, or his predeceſſors, of their own head or preſumption, they ſhall bee commaunded to aunſwer incontinent without Writ. And moreouer, they ſhall haue ſuch iudgement as the Court of our Soueraigne Lord the King will award. And if they will ſay further, That their aunceſtors died ſeiſed thereof, they ſhall bee heard, and the truth ſhall bee inquired incontinent, and according to that, iudgement ſhall bee giuen. And if it appeare, that their aunceſtors died ſeiſed thereof, then the King ſhall haue a Writ out of the Chauncerie in this forme: Rex Vicecomit ſalutem: Summ per bonos ſummon talem, quod ſit coram nobis apud talem locum in proximo aduentu noſtro in Comitatu prædicto, vel coram Iuſticiarijs noſtris ad proximam Aſſiſam, cum in partes illas venerint, oſtenſurus quo warranto tenet viſum francipleg' in Manerio ſuo de N. *vel ſic*: quo warranto tenet Hundred' de S. in Comitatu prędict', vel quo warranto clamat habere Thelonum pro ſe & hæredibus ſuis, per totum Regnum noſtrum. Et habeas ibi hoc breue. Teſte &c. And if they come in at the ſame day, they ſhal anſwer, and if they doe not come, nor bee eſſoined before the King, and the King doe tarie longer in the ſame Shire, ſuch order ſhall be taken as is in the circuit of Iuſtices. And if the King depart from the ſame Shire, they ſhall bee adiourned vnto ſhort dayes, and ſhall haue reaſonable delayes, according to the diſcretion of the Iuſtices, as is vſed in perſonall Actions. Alſo the Iuſtices errant in their circuit, ſhall doe according to the foreſaid ordinance, and according as ſuch manner of plees ought to be ordered in the circuit. Concerning complaints made and to bee made of the Kings Bailifes, and of other, it ſhall be done according to the ordinance made before thereupon, and according to the Inqueſts taken thereupon heretofore, and the clauſe ſubſcribed ſhall bee put in a Writ of common ſummons in the circuit of the Iuſtices aſſigned to common plees directed to the Sherife &c. and that ſhall be ſuch: Rex Vicecom ſalutem. Præcipimus tibi, quod publicè proclamari facias, quod omnes conquerentes, ſeu conqueri volentes, tam de Miniſtris & alijs Balliuis noſtris quibuſcunque, quam de Miniſtris & Balliuis aliorum quorumcunque & alijs, veniant coram Iuſticiarijs noſtris ad primam Aſſiſam, ad quaſcunque quæremonias ſuas ibidem oſtendend' ad competentes emendas inde recipiendas, ſecundum legem & conſuetudinem Regni noſtri, & iuxta ordinationem per nos inde factam, & iuxta tenorem Statutorum, & iuxta articulos eiſdem Iuſticiarijs noſtris inde traditos, prout prædicti Iuſticiarij tibi ſcire faciant ex parte noſtra. Teſte meipſo &c. decimo die Septembris, anno regni noſtri triceſimo. An. 30. E. 1.

6 Concerning the writ wich is called Quo warranto, it was eſtabliſhed by our Lord the King, vpon the feaſt of Pentecoſt, in the 18. yeare of his raigne, that all thoſe which clamed to haue quiet libertie & franchiſe, before the time of King Richard without interruption, and can ſhew the ſame by lawfull Inqueſt, ſhall well enioy their poſſeſſion: And in caſe that ſuch poſſeſſion bee demaunded for cauſe reaſonable, the King ſhall confirme it by title. And theſe that haue old Charters of Franchiſe, ſhall haue the ſame Charters allowed according to the tenor and forme of them. And theſe that haue loſt their Liberties ſince Eaſter laſt paſt, by the foreſaid writ, according to the courſe of pleading in the ſame writ heretofore vſed, ſhall haue reſtitution of their Franchiſes loſt. And from hence-

Sheriffe
Summons
21. Dayes
Iuſtices
Diſtreſſe Sherife
Repleuin
Vſurpe
Iudgement
Aunceſtors
Delayes
Iuſtices errant
Complaints
Quo warranto
Confirmation
Reſtitution

henceforth they ſhall haue according to the nature of this preſent conſtitution. Añ 18.E.1. Statut' de Quo warranto nouum.

7 We will and graunt for vs and our heires, That all Clerkes and Lay men of our Land ſhall haue their Lawes, Liberties, and free Cuſtomes, as largely and wholly, as they haue vſed to haue the ſame at any time when they had them beſt. And if any Statutes haue beene made by vs, or our auncellors, or any cuſtomes brought in, contrarie to them, or any manner article contained in this preſent Charter, We will and graunt, that ſuch manner Statutes and Cuſtomes ſhalbe void and fruſtrate for euermore. Statutum de Tallagio non concedendo, Añ 34.Ed.1. cap.4.

8 The Cities, Boroughes, and franchiſed Townes, ſhall enioy their franchiſes, cuſtomes, and vſages, as they ought and were wont to doe. Añ 1.Ed.3. cap.9. Stat' 2.

9 Holy Church ſhall haue her liberties in quietnelle, without interruption or diſturbance. And that the great Charter and the Charter of the Foreſt be holden in all points. And that the Citie of London, and all other Cities and Boroughes of this Realme of England haue all their franchiſes and cuſtomes, which they haue reaſonably had and vſed in times paſt. Añ 14.Ed.3. cap.1.

10 That all priuiledges and franchiſes graunted heretofore to the Clergie, be confirmed and holden in all points. Añ 25.Ed.3. cap.1. Stat' 3.

11 The Church of England ſhall haue all her liberties whole and vnhurt, and the ſame fully enioyed and vſed. Añ 6.R.2. cap.1. and Añ 6.R.2. Stat' 2. cap.1.

12 Holy Church ſhall haue and enioy all her liberties and franchiſes as wholly as ſhe hath had and enioyed them in the time of our noble progenitors. Añ 7.R.2. cap.1. Añ 3.R.2. cap.1. Añ 2. R.2. Stat' 2. cap.1.

13 Holy Church ſhall haue and enioy all her liberties and franchiſes wholly. Añ 5. R.2. cap.1. Añ 8.R.2. cap.1. Añ 12.R.2. cap.1.

14 Añ 21.R.2. cap.1. All liberties and franchiſes were confirmed: but this Parliament was repealed by Añ 1.H.4. cap.3.

15 Holy Church ſhall haue and enioy all rights, liberties, and franchiſes entirely, and without emblemiſhing. Añ 1.H.4. cap.1. Añ 1.R.2. cap.1. Añ 5.Ed.3. cap.1.

16 That holy Church haue her right and liberties, and that all the Lords ſpirituall and temporall, and all the Cities, Boroughes, and Townes infranchiſed, haue and enioy all their liberties and franchiſes, which they haue duely vſed, and which they haue of his noble progenitors & predeceſſors, Kings of England. Añ 2.H.4. cap.1. Añ 1.H.4. cap.1. Añ 7.H.4. cap.3.

17 That holy Church haue all her liberties and franchiſes, and that all the Lords ſpirituall & temporall, and other the Kings liege people, hauing liberties and franchiſes, And all Cities & Boroughs of this Realme, haue & enioy all their liberties and franchiſes which they haue of the Graunts of the progenitors of our Soueraign Lord the King, and of his owne Graunt or Confirmation: Except the franchiſe now late granted to the Scholiers of the Vniuerſitie of Oxford. Anno 9.H.4. cap.1. and 13.H.4. cap.1.

18 That holy Church haue all her liberties and franchiſes, and that the Lords ſpirituall and temporall, and other the Kings liege people, hauing liberties and franchiſes, and all the Cities and Boroughes of the Realme, haue and enioy all their liberties and franchiſes, which they haue had of the Graunts of the Kings Progenitors, and of the Confirmation of the ſame our Soueraigne Lord the King, or his owne Graunt: Except alwayes thoſe franchiſes and liberties which be repealed in this preſent Parliament, and thoſe that be repealed by the Common Law. Añ 3.H.5. cap.1. Church Lords Liege people Cities

19 Holy Church, and all the Lords ſpirituall and temporall, and all other the Kings people, hauing liberties and franchiſes, and alſo all the Cities and Boroughes ſhall haue and enioy all their liberties and franchiſes well vſed, and not repealed, nor by the common Law repealeable. Anno 2.H.6. cap.1. Church Lords Cities Boroughes

20 Where diuers of the moſt auncient Prerogatiues and authorities of Iuſtice, appertaining to the Imperiall Crowne of this Realme, haue beene ſeuered and taken from the ſame, by ſundry gifts of the Kings moſt noble Progenitors, Kings of this Realme, to the great diminution and detriment of the Royall eſtate of the ſame, and to the hinderance and great delay of Iuſtice, For reformation whereof, be it &c. That no perſon or perſons, of what eſtate or degree ſoeuer they be of, from the firſt day of July, which ſhall be in the yeare of our Lord God 1536, ſhall haue any power or authoritie to pardon or remit any Treaſon, Murthers, Manſlaughters, or any kinds of Felonies whatſoeuer they be, nor any accellaries to any Treaſons, Murthers, Manſlaughters, or any Vtlaries for any ſuch offences aforeſaid, committed, perpetrated, done, or diuulged, or hereafter to be committed, done, or diuulged, by or againſt any perſon or perſons in any part of this Realme, Wales, or the Marches of the ſame, but that the Kings Highneſſe, his heires and ſucceſſors, Kings of this Realme, ſhall haue the whole & ſole power and authoritie thereof vnited and knit to the Imperiall Crowne of this Realme, as of good right and equitie it appertaineth: any Graunts, Vſages, Preſcription, Act or Acts of Parliament, or any other thing to the contrarie hereof notwithſtanding. And be it &c. That no perſon or perſons, of what eſtate, degree, or condition ſoeuer they be, from the ſayd firſt day of July, ſhall haue any power or authoritie to make any Iuſtice of Eire, Iuſtices of Aſſiſes, Iuſtices of Peace, or Iuſtices of Gaole deliuerie, but that all ſuch officers and miniſters ſhall be made by Letters Patents vnder the Kings great Seale, in the name, and by authoritie of the Kings Highneſſe and his heires, Kings of this Realme, in all Shires, Counties Palantine, and other places of this Realme, Wales, and Marches of the ſame, or in any other his Dominions, at their pleaſures and wils, in ſuch man- Pardon Treaſons Murthers Felonies Wales King Crowne Make any Iuſtices Letters Patents Countie Palantine

manner and forme, as Iuſtices of Eire, Iuſtices of Aſſiſes, Iuſtices of Peace, and Iuſtices of Gaole deliuerie, be commonly made in euery ſhire of this Realme: any Graunts, Vſages, Preſcriptions, Allowances, Act or Acts of Parliament, or any other thing or things to the contrarie thereof notwithſtanding. And be it &c. That all originall Writs, and iudiciall Writs, and all manner Indictments of Treaſon, of Felonie and Treſpas, and all manner of Proces to be made vpon the ſame in euery Countie Palantine of England, Wales, and Marches of the ſame, ſhall from the ſaid firſt day of July be made onely in the name of our ſaid Soueraigne Lord the King, and his heires Kings of England. And that euery perſon or perſons hauing ſuch Countie Palantine, or any other ſuch libertie to make ſuch Originals, Iudicials, or other Proces of Iuſtice, ſhall make the Teſte in the ſayd originall Writs and Iudiciall, in the name of the ſame perſon or perſons that haue ſuch Countie Palantine, or Libertie. And that in euery Writ and Indictment that ſhall be made within any ſuch Countie Palantine, or Libertie, after the ſaid firſt day of July next comming, whereby it ſhall be ſuppoſed any thing to be done againſt the Kings Peace, ſhall be made & ſuppoſed to be done onely againſt the Kings Peace, his heires and ſucceſſors, and not againſt the Peace of any other perſon or perſons whatſoeuer they be: any Act of Parliament, Graunt, Cuſtome, Vſage, or Allowance in Eire, before this time had, graunted, or vſed, to the contrarie notwithſtanding. Prouided alwayes, That Iuſtices of Aſſiſe, Iuſtices of Gaole deliuerie, and Iuſtices of Peace, to be made and aſſigned by the Kings Highneſſe within the Countie Palantine of Lancaſter, ſhalbe made and ordained by Commiſſion vnder the Kings vſuall Seale of Lancaſter, in manner and forme as hath bene accuſtomed: any thing in this Act to the contrarie notwithſtanding. Prouided alſo, That all Cities, Boroughes, and Townes corporate within this Realme, which haue libertie, power, and authoritie to haue Iuſtices of Peace, or Iuſtices of Gaole deliuerie, ſhall ſtill haue and enioy their liberties and authorities in that behalfe, after ſuch like manner as they haue bene accuſtomed, without any alteration, by occaſion of this Act: any thing in this Act, or in any article therein contained to the contrarie thereof notwithſtanding. And it is &c. That all Stewards, Baylifes, or other miniſters of any Liberties or Franchiſes, which in time paſt haue vſed, or ought to haue tended vpon the Iuſtices of Aſſiſe, Iuſtices of Gaole deliuerie, and Iuſtices of Peace, at large in any Countie, ſhalbe attendant to the Iuſtices of Aſſiſe, Iuſtices of Gaole deliuerie, and Iuſtices of Peace of the ſame Shire, wherein ſuch Liberties & Franchiſes be, and make due execution of all Proces to them to be directed, for miniſtration of Iuſtice, within ſuch Liberties or Franchiſes. And that alſo all ſuch Baylifes, or their deputies or deputie, ſhall giue their attendance & aſſiſtance vpon the Shirife, together with the Shirifes Baylifes, at all Courts of Gaole deliuerie, from time to time, for execution of priſoners, according to Iuſtice. Prouided alway, That the Article next aboue rehearſed, ſhall not in any wiſe be preiudiciall to any Stewards or Baylifes of any Cities, Boroughes, or Townes corporate, ſet in any Shire of this Realme, which haue priuiledge, that they ſhould not be compelled to attend or appeare out of ſuch Cities, Boroughes, or Townes wherein they inhabite, but that euerie ſuch Citie, Borough, and Towne corporate, ſhall vſe their ſaid priuiledges and liberties, as heretofore hath bene accuſtomed: any thing in any of the articles aboue rehearſed to the contrarie thereof notwithſtanding. And it is &c. That the King our Soueraigne Lord, his heires and ſucceſſors, Kings of this Realme, from the firſt day of July next comming, ſhal haue all waunter fines, iſſues, amerciaments, and forfeitures that ſhalbe loſt, forfeited, or aſſeſſed by or vpon any Stewards, Baylifes, or other miniſters or officers of any franchiſes or liberties, for non execution, or miſexecution, or inſufficient returnes of ſuch Writs, Warrants, Precepts, or other Proces, which to them, or any of them, or to any their deputie or deputies ſhall be directed, or for any contempt, or other miſdemeanor whatſoeuer it be, concerning their offices, in, & for the due execution or adminiſtration of Iuſtice: any Graunt, or allowance, or other thing to ỹ contrarie hereof notwithſtanding. And that ỹ amerciaments for inſufficient returnes of Writs, or other Proces made by the Stewards or Baylifes of liberties or franchiſes, hauing returne of Writs, and execution of the ſame, ſhal be put and ſet vpon the heads of ſuch Stewards or Baylifes, & not vpon ỹ Shirifes. And furthermore it is enacted by &c. That Purueyors aſſigned by the Kings Commiſſion, for prouiſions for his Grace, the Quene, and their children, ſhall and may prouide all victuals, corne, & other kind of things whatſoeuer it be, according to their Commiſſions, as well within liberties and franchiſes, as without: any Graunts, allowances, or other thing to the contrarie or let thereof notwithſtanding. Prouided alwayes, that ſuch Purueyors ſhall obſerue the ſtatutes for them prouided in euery behalfe. And ouer that it is &c. That in all ſuch places whereſoeuer the Kings Highneſſe in his owne moſt Royall perſon ſhall come to reſt, tarrie, abide, or make his repoſe within this Realme, or any his Dominions, within the libertie or without, there, and within the Verge limited and accuſtomed to his Graces Court, during the time of his abode, his Grace his Steward, Marſhall, Coroner, and all other his miniſters, ſhall and may keepe their Courts for Iuſtice, and exerciſe their offices, as ſhall appertaine to them, according to the Lawes, Cuſtomes, and Statutes of this Realme, as well within liberties as without. And that his Graces Clerkes of the Market, and none other during the ſame time, as well within liberties as without, ſhall exerciſe the office of a Clerke of the Market: any Priuiledge, Graunt, allowance, or other thing to the contrarie thereof notwithſtanding. Prouided alway, that this article next afore rehearſed, or any thing therein contained, be not in any wiſe preiudiciall to the Citie of

Originall writs Indictments Proces

Kings name

Teſte

Name

Indictment

K. peace

Iuſt. of Aſſ. Iuſt. of G. Iuſt. of P.

Commiſſion Seale of Lancaſter

Cities Boroughes

Stewards Baylifes Officers

Iuſtices

Iuſt. of P.

Execute Proces

Baillife Deputie

Sherife

Cities Townes

Fines Iſſues

Stewards Baylifes

Proces

Court

Amerciaments

Purueyors

Victuals

Clerke

K. p.

Verge

Steward Marſhall Coroner Court

Clerke of the Market

of London, but that the ſame Citie ſhall haue and vſe ſuch liberties, as they mought, if this article had neuer bëne made. And be it &c. That all and euery Statute, Act or Acts heretofore made, and being in force againſt Shiriſes, their Vnderſhiriſes, Baylifes, or other miniſters, for making or returning of Panels, or Iuries, or for due execution & ſeruing of any Writs, or other Proces, or for taking of fees, or for reformation of extortions, or for any other thing or things concerning their offices, and all penalties contained in euery ſuch Statute, ſhal from henceforth be extended to all Stewards, Baylifes, and other miniſters and officers of liberties and franchiſes, hauing returnes of Writs and executions thereof, in like maner, forme, and condition, as they extend to Shiriſes, their Vnderſhiriſes, Baylifes, and other miniſters, and as if the ſaid Stewards, Baylifes, and other miniſters or officers of Liberties and Franchiſes had bëen ſpecially and particularly named & rehearſed in ſuch Statutes. Prouided alway, That this article next aboue rehearſed, ſhall not be preiudiciall to any Steward, Baylifes of Franchiſes, or to their Deputies, or their Clerkes, for exerciſing & occupying their office ouer and aboue one yeare, but that they and euery of them may kéepe and occupie their ſaid office for ſo long time as they be, or hereafter ſhall be giuen to them, as if this article next afore rehearſed had neuer bëne made: any of the ſaid Acts to be expounded & taken againſt them, or any of them, to the contrarie thereof notwithſtanding. And it is &c. That all ſuch Iuſtices to be made, as is afore rehearſed in this Act, ſhall haue authoritie & power to kéepe and hold their Seſſions of Peace, and to deliuer the ſame Gaoles from time to time onely within the ſame Liberties and Franchiſes, and in ſuch places, and in none other place, by reaſon and authoritie of the Commiſſion, and to doe and execute all other things within the ſame, in as ample and large manner, as any other Iuſtices of Peace and Gaole Deliuerie, in any Shire within this Realme may doe, and haue authoritie to doe: any Act, Graunt, Vſe, Cuſtome, and Allowance heretofore had, made, or vſed, or any article in this preſent Act made to the contrarie notwithſtanding.

Prouided alway, That all and ſingular Iuſtices of the Peace, Gaole deliuerie, and Aſſiſe, hereafter to be made, named, & appointed by the kings Highneſſe, his heires and ſucceſſors, within any libertie where any ſuch Iuſtice of Peace, Gaole deliuerie, or Aſſiſe, or any of them haue bëne made by any perſon or perſons, by vertue or authoritie of any Letters Patents, of the Gift or Grant of our Soueraigne Lord the King, or his moſt noble progenitors, Kings of this Realme, or otherwiſe, ſhall ſit and kéepe their Seſſions, Gaole deliueries, and Aſſiſes, only in ſuch place and places as the Iuſtices of the ſaid Liberties lately haue commonly vſed within the ſaid Liberties. And that no perſon or perſons within the ſaid Liberties, or any of them ſhalbe hereafter in no wiſe compelled by authoritie of this Act to appeare out of ỹ ſaid Liberties before any other Iuſtices of Aſſiſe, Gaole deliuerie, or of the Peace, then before ſuch Iuſtices as ſhalbe named and aſſigned to ſit, and be by the Kings Highneſſe, his heires and ſucceſſors, within the ſaid Liberties, in forme aboueſaid. And that this Act ſhall not extend, or be expounded or taken to any other Libertie, Priuiledge, or Franchiſe, graunted, vſed, or had to any perſon or perſons, other then before in this preſent Act is expreſſed and plainly declared and rehearſed: any thing in this Act to the contrary notwithſtanding, and as if this Act had neuer bëen made. Prouided alway, That this Act, nor any thing therein contained, be in any wiſe hurtfull or preiudiciall vnto Sir Thomas Engleſield knight, Iuſtice of the Countie Palantine of Cheſter and Flint, nor to his deputie or deputies, nor to any of them, of, for, or concerning the office of Iuſtice or Iuſticer of the ſaid Countie Palantine & Flint, nor for or concerning any fées, profits, or aduantages to the ſame office in any manner wiſe appertaining or belonging: but that the ſaid Sir Thomas, his deputie or deputies, & euery of them, may lawfully haue, occupie, and exerciſe the ſaid office, and alſo receiue and take to their own vſe all manner of profits, commodities, and aduantages, to the ſaid office belonging or appertaining, according to the tenor, purport, and effect of ſuch Letters Patents, as before this time were vnto the ſame Sir Thomas made, vnder the Seale of the ſaid Countie Palantine, or vnder any other Seale, by our ſaid Soueraign Lord the King that now is, of, for, or concerning the ſaid office, and other the premiſſes, or any parcell thereof, in as ample manner, as though this Act had neuer bëne had ne made: any thing in this Act contained to the contrarie in any wiſe notwithſtanding. Prouided alway, that this Act, nor any thing therein contained, be in any wiſe preiudiciall or hurtfull to any City, Borough, or Towne corporate, by what name or names ſoeuer they or any of them be incorporate, and their ſucceſſors, and the ſucceſſors of euery of them, of, or for any manner of liberties, priuiledges, cuſtomes, and auncient vſages and franchiſes: And alſo of all manner of fines, iſſues, & amerciaments, and forfeitures, which they or any of them haue of the Graunt or Graunts of our ſaid Soueraigne Lord the King, or of any of his noble progenitors, Kings of this Realme of England: but that the ſaid Cities, Boroughes, and Townes corporate, and euery of them, and their ſucceſſors, may haue, take, leuie, and enioy all and euery ſuch lawfull liberties, priuiledges, franchiſes, cuſtomes, and vſages, in as ample & large manner, and in like forme and condition, as they and euery of them haue lawfully taken, vſed, and had the ſame, before the making of this Act: any thing in this Act to the contrarie notwithſtanding, and as if this Act had neuer bëne had ne made. Prouided alway, and be it enacted, That Thomas now Biſhop of Ely, & his ſucceſſors, Biſhops of Ely, and their temporall Steward of the Iſle of Ely for the time being, and euery of them, ſhall from henceforth be Iuſtices of Peace within the ſaid Iſle, and ſhall vſe & exerciſe all manner of things within the ſame Iſle, that appertaineth or belongeth to any Iuſtices of Peace within any Countie of this Realme of England,

Sir Tho. Engleſield

Fees

Letters P.

Citie Borough

Fines Iſſues

B. of Ely

Steward

Iuſt. of P.

to

to doe, exercise, and vſe, by vertue and authoritie that they be Iuſtices of Peace, in as large and ample manner, as any other Iuſtices of Peace in any Countie within this Realme haue, or might doe, exercise, or vſe: any thing or things in this Act contained to the contrarie notwithſtanding. Prouided alway, and be it enacted, That Cutbert now Biſhop of Durham, and his ſucceſſors Biſhops of Durham, and their temporall Chauncelor of the County Palantine of Durham for the time being, and euery of them, ſhall from henceforth be Iuſtice of Peace within the ſame Countie Palantine of Durham, and ſhal exercise & vſe all manner things within the ſame Countie Palantine, that appertaineth or belongeth to any Iuſtice of Peace within any Countie of this Realme of England to do, exercise and vſe, by vertue and authoritie that they be Iuſtices of Peace, in as large & ample manner, as any other Iuſtices of Peace in any Countie within this Realme haue or might doe, exercise, or vſe: any thing or things in this Act contained, to the contrary notwithſtanding. Prouided alwaies, and be it enacted, That Edward now Archbiſhop of Yorke, & his ſucceſſors Archbiſhops of Yorke, and their temporall Chauncelor of the Shire, and libertie of Yeram, otherwiſe called Yertoldham, for the time being, and euery of them, ſhall from henceforth be Iuſtice of Peace within ỹ ſaid Shire and libertie of Yeram, otherwiſe called Yertoldham, and ſhall exercise and vſe all manner things within the ſaid Shire and libertie, that appertaineth or belongeth to any Iuſtice of Peace, within any Countie of this Realme of England, to doe, exercise, and vſe, by vertue and authoritie that they be Iuſtices of Peace, in as large and ample manner, as any other Iuſtices of Peace in any Countie within this Realme haue, or might doe, exercise, or vſe: any thing or things in this Act contained to the contrarie notwithſtanding. An. 27. H. 8. cap. 24.

Biſhop of Durham Chancelor

Iuſt. of P.

Archbiſhop of Yorke

Chancelor Yeram

Iuſt. of P.

21 Whereas diuers and ſundry ſites, circuits, and precincts of late Monaſteries, Abbacies, Priories, Nunries, Colledges, Hoſpitals, and other Eccleſiaſticall and Religious houſes & places, and diuers Honors, Caſtles, Mannors, Meſuages, Lands, Tenements, Liberties, Priuiledges, and Franchiſes, and other Hereditaments, by diuers and ſundry Statutes heretofore made, bene aſſigned, limited, and appointed, to the order, rule, ſurney, & gouernance of the Court of our Soueraigne Lord the King, called the Court of Augmentations of the reuenues of his Crowne, & of the Chancelor, officers & miniſters of the ſame, by the which Statutes it is not fully, plainely, or expreſſely declared or rehearſed, how, and in what wiſe, and by what ſpeciall officers and miniſters, the liberties, priuiledges and franchiſes, which the late owners of ỹ ſame ſites, circuits, precincts, honors, caſtles, mannors, meſuages, lands, tenements, and other the premiſſes, had, vſed, and exerciſed, ſhould be ordered, vſed, exerciſed, & put in execution, Be it therefore enacted &c. That all & ſingular the ſame liberties, franchiſes, priuiledges, & temporall iuriſdictions, which the ſaid late owners had, vſed, or exerciſed lawfully by themſelues, or by their officers or miniſters, or might haue vſed or exerciſed within 3. moneths next before that the ſaid ſites, circuits, precincts, honors, caſtles, mannors, meſuages, lands, tenements, and other the premiſſes, came to the poſſeſſion of the Kings Highneſſe, ſhall by vertue of this preſent Act be reuiued, and be really and actually in the Kings Highneſſe, his heires & ſucceſſors, and ſhall be in the rule, order, ſurney & gouernance of the Kings ſaid Court of Augmentations of the reuenues of his Crowne, and the Chancelor, officers, and miniſters of the ſame, and that the ſame liberties, franchiſes, priuiledges, & temporall iuriſdictions, and all manner fines, iſſues, amerciaments, and other profits & commodities, of what kinds or natures ſoeuer they be, comming, growing, or riſing, by reaſon & occaſion of them, or any of them, ſhall be vſed, exerciſed, and occupied, to all intents, purpoſes, conditions, and reſpects, and ſhalbe claymed, leuied, collected, and taken by ſuch Stewards, Bayliſes, and other officers & miniſters, as ſhal pleaſe the Kings Highnes to name and appoint, in like manner & forme, faſhion & condition, as they or any of them were lawfully vſed, exerciſed, executed, claimed, leuied, collected, & taken before that they came to the hands & poſſeſſion of our ſaid Soueraigne Lord. And that the ſame Stewards, Baylifes, officers, and miniſters ſhall be accomptant for the iſſues and reuenues of their Bayliwikes and Offices, and ſhal be compelled to accompt in the ſaid Court of Augmentations, like as the Kings Receiuers, or other officers accomptants in the Court, heretofore haue done or ought to doe. And where alſo ſundry ſites, circuits, and precincts of late Monaſteries, Abbeyes, Priories, Nunries, Colledges, Hoſpitals, and other Eccleſiaſticall and Religious houſes and places, and alſo diuers honors, caſtles, mannors, meſuages, lands, tenements, liberties, priuiledges, franchiſes, and other hereditaments, which bene commen to the Kings hands by attainder or attainders of high Treaſon, bene aſſigned, limited, and appointed to the order, rule, ſuruey, and gouernance of the Kings generall ſurueiours. And foraſmuch as it is not fully, plainely, nor expreſſly knowen or declared, how and in what wiſe, and by what ſpeciall Officers and Miniſters, the temporall liberties, priuiledges, franchiſes and temporall iuriſdictions, which the late Owners of the ſaide ſites, circuits, precincts, honours, caſtles, mannors, meſuages, lands, tenements and other the premiſſes, had, vſed, and exerciſed, ſhould be ordered vſed and put in execution: Be it therefore enacted &c. that all and ſinguler the ſame liberties, franchiſes, priuiledges, and temporall iuriſdictions, which the late owners of the ſaid ſites, circuites, precincts, honors, caſtles, mannours, and other the premiſſes, which bene commen to the Kings hands by Attainders, as is aforeſaid, lawfully had, vſed and exerciſed by themſelues, or by their Officers or Miniſters, or which they might haue vſed or exerciſed within three moneths next before that the ſame ſites, circuites, precincts, honours, caſtles, manors and other the premiſſes, came to the poſſeſſion of the kings highnes, ſhall

Monaſteries

Owners

Rolls Surueys Augmentations Courts

Fines Iſſues Amerciaments

Leuied Gathered

Bayliwikes Offices Accompts

Gifts

Attainders

Temporall iuriſdictions

ſhall by vertue of this Act be reuiued, & be really and actually in the Kings highneſſe, his heires and ſucceſſors, and ſhall be in the rule, order, ſuruey, and gouernance of the Kings ſaid generall Surueyors, and of the officers and miniſters of the ſame. And that the ſame Liberties, Franchiſes, Priuiledges and tempozall iuriſdictions, and all manner fines, iſſues and amerciaments, and other profits & commodities, of what kinds or natures ſoeuer they be, comming, growing, or riſing, by any reaſon or occaſion of them, or any of them, ſhall be vſed, exerciſed and executed, to all intents, purpoſes, conditions and reſpects, and ſhall be claymed, leuied, collected and taken by ſuch Stewards, Baylifes, and other officers & miniſters, as ſhall pleaſe the Kings Highnes to name and appoint for the ſame, in like manner, forme, faſhion and condition, as they or any of them were vſed, exerciſed, executed, claymed, leuied, collected and taken, before they came to the hands and poſſeſſion of our ſayd Soueraigne Lord, by attainder as is aforeſaid: And that ỳ ſaid Stewards, Baylifes, Officers, & miniſters thereof, ſhall be accomptant for the iſſues and reuenues of their Bayliwikes and offices, and ſhall be compelled to accompt before the ſaid generall Surueyors, as other officers accomptants in that Court heretofore haue done, or owe to doe. And be it enacted &c. That the ſaid Stewards, Baylifes, and other officers and miniſters ſhall be attendant and obedient to all other the Kings Courts, as well for all executions and returnes of Writs, Warrants and Precepts, as for their perſonall appearances and other duties of their offices, like as the officers and miniſters of the ſaid late owners did, & ought to doe, or ſhould haue done, by reaſon of their ſayd ſeuerall offices, before that the ſame Liberties, Priuiledges and tempozall Iuriſdictions did come to the poſſeſſion of our ſaid Soueraigne Lord, and that to be done and obſerued vpon all paines & penalties, by the Lawes of this Realme limited and ordained for any offence or default in the ſame. And that no Shirife, Underſhirife, nor other officer or miniſter of any Shirife, or other forraine officer or miniſter, ſhall in any wiſe intromit or meddle in, with or vpon any of the premiſſes otherwiſe, or in any other manner, nor for any other cauſe, thẽ they or any of them lawfully might haue done, before the ſame premiſſes did come to the poſſeſſion of our ſaid Soueraigne Lord. Prouided alway, and be it enacted, That all and ſingular perſons and bodies politicke, and the heires, ſucceſſors, and aſſignes of euery of them, ſhall haue, hold, vſe, execute & exerciſe, as well by themſelues, their officers, ſeruants and miniſters, as by & for their tenants, farmors, and reſiants, all and ſingular Liberties, Priuiledges, and Franchiſes, which they or any of them now haue, by, or frõ the Kings Maieſtie, by any Letters Patents, Indentures, or Writings vnder any his Highneſſe Seales, or by authoritie of Parliaments, or otherwiſe, or by the lawfull Graunt or Leaſe of any perſon or perſons, or by any other meanes, or lawfull title, in as large, ample, and beneficiall manner, to all intents, reſpects, and purpoſes, as they or any of them now haue, or of right ought to haue, the ſaid Liberties, Franchiſes and Priuiledges, or any of them, and as though this Act had neuer bẽne had, ne made: any thing aboue written notwithſtanding. (The priuiledges of Sanctuaries, Churches, Churchyards or Cemitories, for tuition of tranſgreſſors and offendors onely excepted.) Saning to all and ſingular perſons and bodies politicke, and the heires, ſucceſſors and aſſignes of euery of them, all ſuch office & offices, fées, annuities, profits and commodities, which they or any of the now haue, or of right ought to haue in or vpon, or by reaſon of the ſaid ſites, circuits, precincts, caſtles, honors, mannors, meſuages, lands, tenements, liberties, franchiſes, priuiledges, and other the premiſſes, or in parcell of them, in as large and ample manner, forme, faſhion and condition, to all reſpects and purpoſes, as if this Act had neuer bẽn had nor made, any thing in this Act to the contrarie thereof notwithſtanding. And furthermore be it enacted &c. That the Chauncelor of the ſayd Court of Augmentations now being, and euerie of his ſucceſſors, being Chauncelors of the ſame Court, and the Kings generall Atturney and his Graces Atturney of the ſaid Court of Augmentations for the time being, and euery of them, & their ſucceſſors, and the ſucceſſors of euery of them, ſhall haue full power and authoritie, by vertue of this Act, to take to the vſe of the King our Soueraigne Lord, his heires and ſucceſſors, knowledges of all manner of concords for fines thereupon to be had and recorded in the Court of our Soueraigne Lord the King, and of his heires and ſucceſſors, commonly called the Common place, of and vpon all & ſingular Mannors, Lordſhips, lands, tenements, and other hereditaments, being, and which by reaſon of thoſe fines, or otherwiſe ſhall be vnder the order, rule, or ſurney of the ſaid Court of Augmentation, without any fine or fée to be payed for the ſame. And that the Iudges and Iuſtices for ỳ time being of the ſaid Court, called the Common place, and their ſucceſſors, ſhall accept, receiue, and allow all the ſaid knowledges of Concords by the ſaid Chancellor and Atturnies, or any of them, to be certified or deliuered into the ſaid court called the Common place. And the ſame to be as effectuall in the Law to all intents and purpoſes, as if the ſame knowledges of Concordes had bẽne made, taken or knowledged before the chiefe Iudge of the ſaid Common place out of the ſame Courts, or openly in that Court. And alſo that the ſaid Chancellour and Atturneis for the time being, and euery of them, and the ſucceſſors of euery of them, ſhall haue full power and authority to take knowledge for Inrollments of all Dedes made, or to be made to the vſe of the King our ſoueraigne Lord, his heires and ſucceſſours, of any manors, lands and tenements, and of all Obligations to bee made to the King, his heires and ſucceſſors, or to other perſon or perſons, to the vſe of the King, his heires and ſucceſſors, for any matter or cauſe concerning the ſaid Court of Augmentations, or concerning the ſaid mannors, lands, and tenements, without any fée, gift, or reward by them or any of

Sanctuaries
Church Churchyards
Offices Fees Annuities
Sites
Chancelor of Augmentation
K. Atturny
Fines
C. place
Judges
Inrolments of Deeds
Obligations

of them to be taken therefore. And the ſame deed ſo knowledged, to be inrolled or regiſtred in the ſaid Court of Augmentation, and ſo being there inrolled & regiſtred amongſt other Records there remaining, and the inrolments and regiſtrings of the ſame, to ſtand and be of record, and of as good ſtrength and effect, as if the ſame were or had bene knowledged before any other Judge or Juſticer of Record, and inrolled in any other Court of Record. Prouided alway, and be it &c. That in all ſuch of the ſaid Liberties, Franchiſes, and places priuileged, & in euery of them limited to the ſaid Court of Augmentations, and to the Surueyors Court, whereſoeuer the Kings Highneſſe in his owne moſt Royall perſon ſhall come to reſt, tarry, abide or make his repoſe within this his Realme, or any of his Dominions, within libertie or without, there and within the Vierge limited and accuſtomed to his Graces Court during the time of his abode, the Steward or great Maſter of his Graces houſehold, the Marſhall, Coroner, Clerk of the Market, and all other his miniſters, ſhall and may keepe their Courts for Juſtice, and exerciſe their office and offices, as ſhall appertaine to them, according to the Lawes, Cuſtomes and Statutes of this Realme, as well within Liberties and Franchiſes, as without. And that his Graces Clerkes of the Market, and none other during the ſame time, as well within the ſaid Liberties and Franchiſes, as without, ſhall exerciſe the office of Clerks of the Market, within ỹ ſaid Vierge: any Priuiledge or Graunt, Allowance, or other thing to the contrarie thereof notwithſtanding. Prouided alway, That this Article next beefore rehearſed, or any thing therein contained, be not in any wiſe hurtfull to the Citie of London, but that the ſame Citie ſhal haue & vſe ſuch liberties, as they mought if that article had neuer bene had ne made. And where alſo the ſites, circuits and precincts of the late Monaſteries of Furnes, and of the late Monaſteries and Priories of Cartmele, Coningſhed, Burſtough and Holland, and alſo diuers honors, caſtles, mannors, meſuages, lands, tenements, liberties, priuiledges, franchiſes, and other hereditaments, late parcell and appertaining to the ſaid late Monaſteries and Priories, or to any of them, which bene commen into the Kings hands, bene aſſigned, limited, and appointed, to the order, rule, ſuruey and gouernance of the Chauncelor, Officers and Miniſters of the Countie Palantine and Duchie of Lancaſter: And foraſmuch as it is not fully, plainely, nor expreſſely knowne or declared how and in what wiſe, and by what eſpeciall Officers and Miniſters the temporall liberties, priuiuiledges, franchiſes, and temporall iuriſdictions, which the late owners of the ſaid ſites, circuits, precincts, honours, caſtles, mannors, meſuages, lands, tenements, and other the premiſſes, had, vſed, or exerciſed, ſhould be ordered, vſed and put in execution: Be it therefore enacted by the authoritie aforeſaid, That all and ſingular the ſame Liberties, Franchiſes, Priuiledges, and Temporall Juriſdictions, which the late owners of the ſaid Sites, Circuits, Precincts, Honors, Caſtles, Mannors, and other the premiſſes, lawfully had, vſed and exerciſed by themſelues, or by their Officers or Miniſters, or which they might haue vſed or exerciſed, within three moneths next before the ſame Sites, Circuits, Precincts, Honors, Caſtles, Mannors, and other the premiſſes, came to the poſſeſſion of the Kings Highneſſe, ſhall be by vertue of this Act reuiued, and be really and actually in the Kings Highneſſe, his heires and ſucceſſors, and ſhall be for euer in the rule, order, ſuruey, and gouernance of the Kings ſaid Chancelor, Officers and Miniſters of the ſaid Countie Pallantine, and Duchie of Lancaſter. And that the ſame Liberties, Franchiſes, Priuiledges, and Temporall Juriſdictions, and all manner fines, iſſues and amerciaments, and other profits and commodities, of what kinds or natures ſoeuer they be, comming, growing, or riſing by reaſon or occaſion of them, or of any of them, ſhall be vſed, exerciſed and executed, to all purpoſes, intents, conditions and reſpects, and ſhall be claymed, leuied, collected, and taken by ſuch Stewards, Bayliſes, and other Officers and Miniſters, as ſhall pleaſe the Kings Highneſſe [illegible]ame and appoint for the ſame, in like manner, forme, and condition, as they or any of them were vſed, exerciſed, executed, claymed, leuied, collected and taken, before they came to the hands and poſſeſſion of our ſaid Soueraigne Lord. And that the ſaid Stewards, Bayliſes, Officers and Miniſters ſhall be compelled to accompt for the ſame before the ſaid Chancelor, Officers and Miniſters of the ſaid Countie Palantine and Duchie of Lancaſter, as other Officers and Accomptants in the Court of the ſaid Duchie heretofore haue done, or owe to doe. And be it &c. That the ſaid Steward, Bayliſes, and other Officers and Miniſters ſhall be attendant & obedient to all other the Kings Courts, as well for all executions and returnes of Writs, Warrants, and Precepts, as for perſonall apparances, and other duties of their Offices, like as the Officers and Miniſters of the ſaid late owners did, and ought to doe, or ſhould haue done by reaſon of their ſaid ſeuerall Offices, before that the ſame Liberties, Priuiledges, and Temporall Juriſdictions did come to the poſſeſſions of our ſaid Soueraigne Lord: and that to be done and obſerued vpon all paines and penalties by the Lawes of this Realme limited and ordained for any offence or default in the ſame. And that no Shirife, Underſhirife, or other Officer or Miniſter of any Shirife, or other forraine Officer or Miniſter, ſhall in any wiſe intromit or meddle in, with, or vpon any of the premiſſes, otherwiſe, or in any other manner, or for any other cauſe then they or any of them lawfully might haue done, before the ſame premiſſes did come to the poſſeſſion of our ſaid Soueraigne Lord. Prouided alwayes, That this Act nor any thing therein contained ſhall in any wiſe extend to abrogate, adnull, diminiſh, nor to take away any Liberties, Franchiſes, Priuiledges, Juriſdictions, Royalties, or any other profites, commodities and aduantages whatſoeuer they be, belonging or in any wiſe appertaining to any the Kings

Surueyors court King

Vierge

Steward Great M. Marſhall Coroner Clerke of the Market Courts

London

Sites Monaſteries

Chancelor Countie Duchie of Lancaſter

Owners

Fines Iſſues Amerciaments

Steward Bayliffe Accompt Chancel

Duchie

Steward Bayliffe

Execution Returnes

Sheriffe

Kings caſtels, honors, manors, lands, tenements or other of his poſſeſſions of his ſaid county Palantine of Lancaſter and Duchy of Lancaſter, or of either of them, but that all ſuch liberties, franchiſes, priuiledges, iuriſdictions, royalties, and all other ſuch profits, commodities and aduantages whatſoeuer they be, ſhalbe receiued, taken and anſwered to the Kings Highneſſe, his heires and ſucceſſors, by the Chauncellor, Officer and Miniſter of the ſaid county Palantine of Lancaſter, and Duchie of Lancaſter, and either of them, as heretofore hath bene vſed and done, at any time before the fourth day of February, in the xxvij. yeare of his moſt noble reigne: Any thing, matter or clauſe in this Act contained to the contrarie hereof in any wiſe notwithſtanding. Prouided alwayes, that this Act, or any thing therein contained, doe not extend to diſannull, or be hurtfull to any of the liberties or priuiledges of the fiue Ports, or the mẽbers of the ſame: but that they and euery of them ſhall enioy, poſſeſſe and haue all and ſinguler liberties, cuſtomes and graunts, to them graunted heretofore, by the moſt famous Prince [illegible] noury K. Edward the fourth, and other his noble progenitors, confirmed by our Soueraigne Lord the Kings maieſtie that now is, in like maner and forme, as though this Act had neuer bene had ne made. Anno 32.H.8.ca.20. This Act is confirmed by anno 33.H.8.cap.39.

Fraudulent Deedes, Gifts, Graunts, Alienations, &c.

For the auoyding and abolishing of fained couinous and fraudulent feoffments, gifts, grants, alienations, conueiances, bonds, ſuits, iudgements and executions, aſwell of lands and tenements, as of goods and cattels more commonly vſed and practiſed in theſe dayes, then hath bene ſeene or heard of heretofore: which feoffements, gifts, graunts, alienations, conueiances, bonds, ſuits, iudgements and executions haue bẽn & are deuiſed and contriued of malice, fraud, couin, colluſion or guile, to the end, purpoſe and intent, to delay, hinder or defraud creditors and others, of their iuſt and lawfull actions, ſuites, debts, accompts, damages, penalties, forfeitures, heriots, mortuaries, and relieſes, not onely to the let and hindrance of the due courſe and execution of Law and Juſtice, but alſo to the ouerthrow of al true and plaine dealing, bargaining and chemiſance betweene man and man, without the which no common wealth or ciuill ſocietie can be maintained or continued. Be it therefore &c. that all & euery feoffement, gift, graunt, alienation, bargaine and conueiance of lands, tenements, hereditaments, goods & cattels, or of any of them, or of anie leaſe, rent or common, or other profit or charge, out of the ſame lands, tenements, hereditaments, goods and cattells, or of any of them, by writing or otherwiſe, and all and euery bond, ſuite, iudgement and execution, at any time had or made ſithence the beginning of the M. maieſties reigne that now is, or at any time hereafter to be had or made, to, or for any intent or purpoſe before declared and expreſſed, ſhalbe from henceforth deemed & taken (onely as againſt that perſon or perſons, his or their heires, ſucceſſors, executors, adminiſtrators and aſſigns, and euery of them, whoſe actions, ſuites, debts, accompts, damages, penalties, forfeitures, heriots, mortuaries & relieſes, by ſuch guileſull couinous or fraudulent deuiſes & practiſes as is aforeſaid, are, ſhall or mought be in any wiſe diſturbed, hindered, delaied or defrauded) to be clerly and vtterly void, Void
fruſtrate, and of none effect: any pretence, colour, Vſe
fained conſideration, expreſſing of vſe, or any other matter or thing to the contrary notwithſtanding. And be it &c. that all and euery the parties to ſuch Parties
fained, couinous or fraudulent feoffement, gift, grant, alienation, bargain, cõueiance, bonds, ſuits, iudgements, executions and other things before expreſſed, or being priuy and knowing of the ſame, Priuie
or any of thẽ, which at any time after the 1. of June then next comming, ſhall wittingly and willingly put in vre, auow, maintaine, iuſtifie or defend the Juſtifie
ſame, or any of them, as true, ſimple and done, had, or made bona fide, and vpon good conſideration: Alien
or ſhall alien or aſſigne any the lands, tenements, goods, leaſes, or other things before mentioned, to him or them conueyed as is aforeſaid, or anie part thereof: ſhall incurre the penaltie and forfeiture of Fork.
1. yeers value of the ſaid lands, tenements & hereditaments, leaſes, rents, commons, or other profits, of, or out of the ſame, and the whole value of the ſaid goods and cattels, and alſo ſo much mony, as are or Goods Money
ſhall be contained in any ſuch couinous and fained bond: the one moitie whereof to be to the Queens Moitie
Maieſtie, her heires and ſucceſſors, and the other moitie to the party or parties grieued by ſuch fained and fraudulent feoffement, gift, graunt, alienation, bargain, conueiance, bonds, ſuits, iudgemẽts, executions, leaſes, rents, commons, profites, charges and other things aforeſaid: to be recouered in any of the Queenes Courts of Record, by action of Action
debt, bill, plaint or information, wherein none eſ- Bill
ſoine, protection or wager of Law ſhall be admitted for the Defendant or Defendants: and alſo being
thereof lawfully conuicted, ſhall ſuffer impriſon- Impriſon.
ment for one halfe yeare, without baile or mainepriſe. Prouided alwayes, and be it &c. that where- Recoueries
as ſundry common recoueries of lands, tenements
and hereditaments, haue heretofore bẽne had, and
hereafter may be had againſt tenant in taile, or o- Tenant in taile
ther tenant of freehold, the reuerſion or remainder, Freehold
or the right of reuerſion or remainder, then being
in any other perſon or perſons, that euery ſuch cõ-
mon recouerie heretofore had, and hereafter to be
had, of any lands, tenements or hereditaments,
ſhall as touching ſuch perſon & perſons, the which
then had any remainder or reuerſion, or right of
remainder or reuerſion, & againſt the heirs of euery of them ſtand, remaine, and be of ſuch like force and effect, and of none other, as the ſame ſhould haue bẽne if this Act had neuer bẽne had ne made. Prouided alwaies, and be it &c. that this Act, or any thing therin contained, ſhal not extend to make voide any eſtate or conueiance, by reaſon where- of any perſon or perſons ſhall vſe anie Voucher in Voucher
anie Writte of Formedon, now depending, or Formedon
hereafter to be depending: but that all & euery ſuch

Vouchers in any Writ of Formedon, ſhall ſtand and be in like force and effect, as if this Act had neuer beene had nor made: Any thing before in this Act contained, to the contrarie notwithſtanding. Prouided alſo, and be it enacted &c. That this Act, or any thing therein contained, ſhall not extend to any eſtate or intereſt in lands, tenements, hereditaments, leaſes, rents, commons, profites, goods or cattels, had, made, conueyed or aſſured, or hereafter to be had, made, conueied or aſſured, which eſtate or intereſt, is or ſhall be vpon good conſideration, and bona fide, lawfully conueyed or aſſured, to any perſon or perſons, or bodies politike or corporate not hauing at the time of ſuch conueiance or aſſurance to them made, any manner of notice or knowledge of ſuch couine, fraud or colluſion, as is aforeſaid, any thing before mentioned, to the contrary hereof notwithſtanding. This Act to endure vnto the end of the firſt ſeſſion of the next Parliament. Anno 13. Eliz. cap. 4. Anno 14. Eliz. cap. 11. it is continued to the end of the next Parliament. This Statute in Anno 27. Elizab. capit. 11. is continu ed vntill the end of the next Parliament. And Anno 29. Eliz. capit. 5. it is made perpetuall.

Bona fide

2 Forasmuch as the ſaid pretended fraudulent eſtates (s. of the Rebelles late in the North) and conueyances, are yet kept ſecret, and not openly publiſhed, and in time to come, may be very daungerous and likely to tend to diſinherite the Queens Maieſtie and her aſſignes of their eſtate and intereſt, in ſuch Lands, Tenements and Hereditaments, as her Maieſtie and her Aſſignes now haue, by reaſon of the ſaide Attainders, vnleſſe ſome prouiſion be made, that ſuch ſecret eſtates, conueiances, and aſſurances, may in due and conuenient time bee openly publiſhed and brought to light. For remedy whereof, be it enacted &c. that euery perſon and perſons, their heires or aſſignes, which haue, hath, or claimeth to haue any eſtate of inheritaunce, leaſe, or rent, not already entred of Record, or certified in the Queens maieſties court of Eſchequer, of, in, or to any manors, landes, tenements or hereditaments, by any graunt, aſſurances or conueiances whatſoeuer, had, made or done, by any the ſaid Rebelles and perſons attainted, named in the ſaide Act or Statute, or in anie of the Records of their ſeuerall Attainders, at anie time within two yeares next before the ſeuenth day of Nouember, in the eleuenth yeare of the Queenes maieſties reigne, ſhall within the ſpace of one yeare next inſuing the firſt day of May next comming openly ſhew and bring forth, or cauſe to be ſhewed and brought forth into the Queenes Maieſties ſaid court of Eſchequer, the ſame his or their graunt, conueiance and aſſurance which hee or they haue or hath, or pretendeth to haue, of, in, or to any the ſaid manors, lands, tenements or hereditaments, and there in the terme time, ſhall offer and exhibite the ſame graunt, conueiance and aſſurance, to be entred and inrolled of Record, or elſe euery ſuch grant, conueiance and aſſurance, ſo had and made by any of the ſaid rebells and perſons attainted, before in the ſaid act of Confirmation, and other the Records of their attainders ſeuerally named, and not ſo brought into the ſaid Court of Eſchequer, and there exhibited within the yeere aforeſaid, ſhalbe vtterly voide and of none effect, to all intents and purpoſes: Any thing in the ſame conueiance contained to the contrary notwithſtanding. And be it further enacted by the authority aforeſaid, that the Treaſorer, Chauncellor, and Barons of the ſaide Court of the Eſchequer or anie of them, vpon euery ſuch offering and exhibiting of any ſuch graunt, conueiance or aſſurance hereafter in forme aforeſaid to be made, ſhall forthwith cauſe the ſame offer to be entred of Record, and ſhall likewiſe cauſe the ſaid conueiance, and aſſurance in the ſame Court to be entred and inrolled of Record, without any fee or reward to be taken or had of the party for the doing thereof. And after ſuch offer made and recorded, it ſhall and may be lawfull for euery perſon which hereafter ſhall ſo exhibite and offer any ſuch graunt, conueiance and aſſuraunce into the ſaid Court of Eſchequer, at his liberty and pleaſure, at all times within one yeare then next following, to produce and bring ſuch teſtimonie, proofes and witneſſes, into the ſaid Court of Eſchequer, there to be examined, as he can for the proofe of his ſaid graunt and aſſuraunce to be made bona fide, and without any fraude or couine. And yet neuertheleſſe, if at any time after, vpon any information vpon that Caſe, or other information to be preferred and exhibited into the ſaid Court of Eſchequer, for, and on the behalfe of our ſaid ſouereigne Lady the Queene, or vpon any Action vpon the caſe or ſuite to be proſecuted by any the patentées of the Queenes Maieſtie, her heires or ſucceſſors, or by anie the heires or aſſignes of anie the ſame Patentées, it ſhall happen to be ſufficiently tried and proued by verdict of twelue men, according to the common courſe of the Lawes of this Realme, that anie of the ſaid eſtates, aſſurances and conueiances made by any of the ſaid Rebelles and perſons attainted, were made vpon any fraud or couine, to the intent thereby to defraud the Queenes maieſty of ſuch forfeiture as might haue growen or come to her Highnes, by reaſon of any the ſaid Attainders: that then euery ſuch eſtate, conueiance & aſſurance ſo tried and ſufficiently proued as aforeſaid, to be had, and made, by, and vpon ſuch fraud or couine, ſhall be vtterly voide and of none effect, to all intents, conſtructions and purpoſes, vntill ſuch time as ſuch triall by verdict ſhal be lawfully vndone by attaint or otherwiſe: Any thing in the ſaid conueiaunces to the contrary thereof in anie wiſe notwithſtanding. Prouided alwayes and be it enacted by authority aforeſaid, that this Act, or any thing therein contained, ſhall not in anie wiſe extend to anie Bargaine and Sale by Deede indented and inrolled, of anie Lands, Tenements and Hereditaments, made vpon good and true conſiderations, without fraud or couine, by anie of the ſaid perſons ſo attainted, at any time before the day of his or their ſaid ſeuerall Treaſons committed, wherof they ſtand now attainted: but that euery ſuch bargaine and ſale ſhal ſtand and be in as good force and effect, as the ſame was or were before

Attainders

Record

Eſchequer

Graunt

One yeare

Shew

Eſchequer

Lands

Term time

Inrolled

Treaſorer Chancellor Barons of the Eſchequer

Bona fide

Fee

Action vpon the Caſe Patentées

Verdict

Couine

Defraud

Bargaine and Sale

Deed indented

Good

fore

fore the making of this Act: Any thing herein conteined to the contrary thereof in any wise notwithstanding. And sauing to all and euery person and persons and bodies politike and corporate, theyr heyres and successors, and to the heyres and successors of euery of them, (other then such persons and their heires, as be or haue béene parties or priuie to any estates or conueiances made by fraud or couin, as is aforesaid, and other then such as shall not exhibite, offer and shew forth their said grants, conueiances and assurances, in the said Court of Eschequer, within the time to them before in this Act limited) all such estate, right, titls and interest, as they or any of them haue, of, in, or to any of the said manors, lands, tenements and hereditaments, or any parcell thereof, in as large and ample manner and forme, to all intents and purposes, as they or any of them had before the making of this Act: any thing in this act contained to the contrary thereof notwithstanding. Prouided alwayes, that this Act, or any thing therein contained, shall not extend to any Lease of Lands, Tenements or Hereditaments, most commonly vsed to be letten to farme for yeares or liues, within the space of twentie yeares before the making of the same Lease, and not exceeding the terme of one and twenty yeares, or iij. liues, from the time of the making of the said lease, and whereupon the vsuall accustomed yearely rent or more is reserued: nor to any estate by copy of any lands or tenements, made according to the custome of any manor, whereof the same is parcell. Anno 18. Eli. cap. 4.

3 Forasmuch as not onely the Quéenes most excellent Maiestie, but also diuerse of her Highnesse good and louing Subiectes, and bodies politike and corporate, after conueiances obtained or to be obtained, and Purchases made, or to bee made of Lands, Tenements, Leases, Estates, and Hereditaments, for money or other good considerations, may haue, incurre, and receiue great losse and preiudice by reason of fraudulent and couinous conueiances, estates, gifts, graunts, charges and limitations of vses heretofore made, or hereafter to be made, of, in, or out of Lands, Tenements or Hereditaments, so purchased, or to be purchased, which said gifts, graunts, charges, estates, vses and conueiaunces were, or hereafter shall be meant or intended by the parties that so make the same, to be fraudulent and couinous, of purpose and intent to deceiue such as haue purchased or shall purchase the same, or else by the secret intent of the parties, the same be to their owne proper vse, and at their free disposition, coloured nevertheless by a fained countenaunce and shew of words and sentences, as though the same were made bona fide for good causes and vpon iust and lawful considerations: for remedy of which inconueniences, and for the auoyding of such fraudulent, fained, and couinous conueiances, gifts, graunts, charges, vses and estates, and for the maintenance of vpright and iust dealing in the purchasing of Lands, Tenements and Hereditaments: Bée it ordained and enacted by the authoritie of this present Parliament, That all and euery conueiance, grant, charge, lease, estate, incumbrance, & limitation, vse or vses of, in, or out of any lands, tenements or other hereditaments whatsoeuer, had or made any time heretofore sithence the beginning of the Quéenes Maiesties reigne that now is, or at anie time hereafter to be had or made, for the intent and of purpose to defraude and deceiue such person or persons, bodies politike or corporate, as haue purchased, or shall afterward purchase in fée simple, fée taile, for life, liues or yeares, the same lands, tenements and hereditaments, or any parcell thereof, so formerly conueied, graunted, leased, charged, incumbred or limited in vse, or to defraude and deceiue such as haue, or shall purchase any rent, profite or commoditie, in, or out of the same, or anie part thereof, shall be deemed and taken onely as against that person and persons, bodies politicke and corporate, his and their heyres, successors, executors, administrators and assignes, and against all and euery other person and persons lawfully hauing or claiming, by, from, or vnder them, or any of them which haue purchased, or shall hereafter so purchase for money or other good consideration, the same lands, tenements or hereditaments, or any part or parcell thereof, or any rent, profite or commodity, in or out of the same, to be vtterly void, Void frustrate and of none effect: Any pretence, colour, fained consideration, or erpelling of any vse or vses, to the cõtrary notwithstanding. And be it further &c. that al and euery the parties to such fained, couinous & fraudulent gifts, graunts, leases, charges, or conueiances before erpelled, or being priuy & knowing of the same, or any of them, which after the 1. day of April next comming, shall wittingly and willingly put in vre, auow, maintaine, iustifie or defend the same, or anie of them, as true, simple, and pone, had or made bona fide, or vpon good consideration to the disturbance or hinderance of the said purchaser or purchasers, leasées, or graunteés, or of, or to the disturbaunce or hinderaunce of their heirs, successors, executors, administrators or assignes, or such as haue, or shall lawfully claime any thing, by, from, or vnder them, or any of them, shal incurre the penalty and forfeiture of one yeres Forf. value of the said landes, tenements, and hereditaments so purchased or charged: the one moitie whereof to be to the Quénes Maiestie, her heires and successors, and the other moitie to the partie or parties grieued by such fained and fraudulent gift, graunt, lease, conueiance, incombrance or limitation of vse, to be recouered in any of the Qu. Courts of Record, by Action of debt, bill, plaint or information, wherein no essoine, protection, or wager of law shall be admitted for the Defendaunt or Defendants, And also being thereof lawfully conuicted, shall suffer imprisonment for one half yeare, Imprison without baile or maineprise. Prouided also and be it enacted &c. that this act or any thing therein contained, shall not extend or bee construed to impeach, defeate, make voyd or frustrate any conueiance, assignement of lease, assurance, grant, charge, lease, estate, interest, or limitation of vse or vses, of, in, to, or out of any Landes, Tenements or Hereditaments heretofore at any time had or made,

or hereafter to be had or made, vpon or for good consideration and bona fide, to any person or persons, bodies politike or corporate: any thing before mentioned to the contrarie hereof notwithstanding. And be it further &c. That if any person or persons, haue heretofore sithence the beginning of the Mu. Maiesties reigne that now is, made, or hereafter shall make anie conueiaunce, gift, graunt, demise, charge, limitation of vse or vses, or assurance, of, in, or out of any lands, tenements, or hereditaments, with anie clause, prouision, article, or condition of reuocation, determination, or alteration, at his or their will or pleasure of such conueiaunce, assuraunce, graunts, limitations of vses or estates, of, in, or out of the said lands, tenements, or hereditaments, or of, in, or out of anie part or parcell of them contained or mentioned in any Writing, Deed or Indenture of such assurance, conueyance, graunt or gift, and after such conueyance, graunt, gift, demise, charge, limitation of vses or assurance so had or made, shall or doe bargaine, sell, demise, graunt, conuey, or charge the same landes, tenements, or hereditaments, or any part or parcell thereof, to any person or persons, body politike or corporate, for mony or other good consideration paid or giuen, the said first conueyance, assurance, gift, graunt, demise, charge or limitation, not by him or them reuoked, made void or altered, according to the power and authoritie reserued or erpressed vnto him or them, in, and by the said secret conueiaunce, assuraunce, gift or graunt: that then the said former conueiance, assuraunce, gift, demise and graunt, as touching the said lands, tenements and hereditaments so after bargained, sold, conueyed, demised, or charged against the said bargainees, vendees, lessees, grauntees and euery of them, their heires, successors, executors, administrators and assignees, and against all and euery person and persons, which haue, shal, or may claime any thing, by, from, or vnder them, or any of them, shalbe deemed, taken and adiudged to be void, frustrate, and of none effect, by vertue and force of this present Act. Prouided neuertheless, that no lawfull morgage made or to be made bona fide, and without fraude or couine, vpon good consideration, shall be impeached or impaired by force of this Act, but shall stand in the like force and effect, as the same should haue done if this Act had neuer beene had nor made: Any thing in this Act to the contrarie in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that all the whole tenor and contents of all Statutes Marchants, and Statutes of the Staple hereafter to be knowledged, shall within six moneths next after such knowledging be entred in the office of the Clerke of Recognisances, taken according to the statut made in the xrij. yeere of the reigne of the late king Henry the 8. by the shewing forth of the said statute Marchant or statute Staple, so knowledged vnto the said Clerke, which said Clerke of Recognisance shall enter or cause to be entred the same Statutes into a booke for that purpose to be prouided and safely kept by him, taking viij. d and no more for euery such entry: And be it further enacted, that if the party to whom anie such statute marchant or of the staple shalbe knowledged, his executors, or administrators, do or shall not within foure months next after the knowledging of any such Statute, bring & deliuer, or cause to be brought & deliuered vnto the said Clerke or his deputy or deputies for the same time being, all & euery such statute & statutes, as shalbe so knowledged to him or to his vse, whereby & to the intent that the said Clerke, his deputy or deputies may take & enter a true copie thereof: that then euery such statute marchant & of the Staple not so entred shalbe void, frustrate and of none effect, against al & euery such person and persons, and bodies politike & corporate, their heires, successors, executors, administrators & assignes onely, and shall after the knowledging of the said statutes, or any of them, purchase for mony or other good consideration the lands, tenements, or hereditaments, which were liable to the same statute Marchant or the Staple, or anie part or parcell thereof, or any rent, lease, or profite, of, or out of the same. And if the said Clerke or his deputy or deputies for the time being, shall not vpon such shewing and deliuery vnto him or them of any statute Marchant or of the Staple, enter or cause to be entred the same in his said booke within the said time of six months, and also indorse vpon euery such statute so by him entred the day & yeere of his said entry, with his or their owne name: that then euery such clerke failing or defectiue in that behalfe shall forfeit & lose for euery statute Marchant and of the Staple so brought vnto him or them, and not entred and indorsed, or caused to be entred and indorsed, as is aforesaid, the summe of xx.li: the one moitie whereof to be to the Mu. Maiestie, her heires and successors, and the other moitie to him or them that will sue for the same, in any of the M. Courts of Record, by action of debt, bill, plaint, or information, wherein none essoine, protection, or wager of Law shall be allowed. And be it further enacted &c. that no clerke of the said Recognisance, shall or may take, for, or in respect of any search to be made, for, or concerning any statute Marchant, or of the Staple, so to be entred as aforesaid aboue two pence for one yeers search, and so after the rate of two pence for euerie yeere and not aboue, vpon pain to forfeit and lose to the party or parties grieued thereby xx. times as much as he shall take contrary to the true meaning of this Act to be recouered in any of the Queens maiesties Courts of Record, by action of debt, bill, plaint or information, wherein no protection or wager of Law shall be allowed: This Act to continue for the space of tenne yeeres, & from thence forth vnto the end of the parliament then next following. Prouided alwaies, that this Act or any thing therein contained, shall extend or be construed to make good any purchase, grant, lease, charge, or profit, of, in, or out of lands, tenements, or hereditaments, heretofore made voide, defeated, or vndone, by reason of any former conueiance, graunt, or assurance, so as the partie or parties, or their Heyres or Assignes, which haue so defeated or made voide the same, were in actual possession the first day of this present

Parliament,

Condition

Void

Morgage

Statute Marchant
Statute Staple

Fee

4. Mar.

6. Mar.

Fol.

Mar.

Clerke of the Recognisance Search

The pe Fol.

Parliament, of, or in the said landes, tenements or hereditaments, whereof, or out of the which anie such purchase, graunt, lease, charge or profite was made. Prouided that this Act, nor any thing therein contained, shall extend in any sort to restraine or impaire the iurisdiction, power, or authority of the Court of Starre-chamber. Anno 27. Eliz. cap. 4. This Act, and euery braunch, clause and prouiso in it, was continued and made perpetuall by the Statute of 39. Eliz. cap. 18.

4 Forasmuch as it hath beene and is very much bruited and published abroad, and by sundry persons pretended, that diuers and many of the persons attainted of high treason, sithence the eight day of Februarie, in the xviij. yeare of the reigne of our Soueraigne Ladie the Quéenes Maiestie, for matter tending to the hurt, death or destruction of the Quéenes Maiestie, or to any actuall rebellion or inuasion to haue béen made within this realme, or any other the Quéenes Maiesties Dominions, or for being adherent or giuing aide and comfort to anie the Quéenes Maiesties enemies within the same Realme, or elsewhere, haue made diuers secret and fraudulent estates and conueyances of their lands, tenements, and hereditaments, to the intent thereby to defraud the Quéenes Maiestie of such forfeiture of their lands, tenements, and hereditaments, as her Highnesse by reason of the seuerall Treasons, is, or shall be intituled to haue. And forasmuch as the said pretended fraudulent estates and conueiances are yet kept secret and not openly published, and in time to come may be very dangerous, and likely to tend to disinherit the Quéens Maiestie, her heires, successours, and assignes, of their estate and interest, in such lands, tenements, and hereditaments, as her Maiestie, her heyres, successors, or assignes, now haue or ought to haue, by reason of the said attainders, vnlesse some prouision be made, that such secret estates, conueiances and assurances, may in due and conuenient time be openly published and brought to light: for remedie whereof: Be it &c. That euery person or persons, which hath or claimeth to haue any estate of inheritance, lease or rent, not already entered of Record, or certified in the Quéens Maiesties Court of Eschequer, of, in or to, or out of anie manors, lands, or hereditaments, by or vnder any grant, assurances or conueiances whatsoeuer, had, made or done, at anie time sithence the beginning of the Quéenes Maiesties reigne, by any the persons attainted for any the aforesaid causes, sithence the eight day of Februarie, shall within two yeares next insuing the last day of this Session of Parliament, openly shew and bring forth, or cause to be shewed and brought forth into the Quéens maiesties said court of her Eschequer, the same his or their graunt, conueiance & assurance, which he or they haue or hath, or pretendeth to haue, of, in, or to any the said manors, lands, tenements or hereditaments. And there in the Terme time in open Court shall offer and exhibite the same graunt, conueiance and assurance, or vpon his or their Oath, affirming that hée or they haue not, nor can come by the same, or that it was neuer put in writing: Then the effect thereof in writing to be entred and inrolled of Record, or else euery such graunt, conueiance and assurance shall be vtterly voide and of none effect to all intents and purposes. And be it further enacted &c. That the Lord Treasurer, Chauncellor, and Barons of the said court of Eschequer for the time being, or any of them, vpon entry such offering and exhibiting of any such graunt, conueyance or assurance, or the effect thereof, hereafter in forme aforesaid to be shewed or brought forth, shall forthwith cause the same offer to be entred of Record, and shall likewise cause the saide graunt, conueyance or assurance, or the effect thereof, as is aforesaid, in the same Court to be entred and inrolled of Record, without any fée or reward to be taken or had of the party for the doing thereof. And after such offer made and recorded, it may and shall be lawfull for euery person which hereafter shall exhibite and offer any such graunt, conueyance and assurance, or the effect thereof, as is aforesaid, into the said court of Eschequer, at his liberty and pleasure, at all times within the said two yeares, by processe to be graunted out of the said Court of Eschequer, or otherwise to produce and bring forth such testimonie, proofes and witnesses, into the said Court of Eschequer, there to be examined, as hée can, for the better proofe of his said graunt, conueiaunce or assuraunce to be made bona fide, and without any fraude or couine. And yet neuertheless, if at any time after vpon any information vpon the case, or other information to be preferred & exhibited into the said Court of Eschequer, for, and in the behalfe of our saide Soueraigne Ladie the Quéene, her heyres or successours, or vpon anie Action vpon that Case or suite to be prosecuted by any of the Patentées of the Quéenes Maiestie, her heyres or successours, or by any other the heyres or assignes of the same Patentées, it shall happen to be sufficiently tried and proued by verdict of twelue men, according to the common course of the lawes of this Realme, that any of the said estates, assuraunces and conueiaunces made by any of the said traitors and persons attainted, was made vpon any fraud or couine, to the intent thereby to defraud the Quéenes Maiestie of such forfeitures as might haue growen or commen to her Highnesse by reason of anie the said Attainders: That then euerie such estate, conueyance and assurance, so tried and sufficiently proued, as aforesaid, to be had or made, by and vpon such fraude or couine, shall be vtterly void and of none effect to all intents, constructions and purposes, vntill such time as such triall by verdict shall be lawfully vndone by Attaint or otherwise. Prouided allwayes, and be it enacted by the authoritie aforesaid, That this Act, nor anie thing therein contained, shall not in any wise extend to anie bargaine and sale by Dœde indented and inrolled, nor to any other assurance heretofore inrolled in any the Quéens maiesties courts of record at Westminster, made vpon good and true cõsideration or considerations, without fraude or couine, by any of the said persons so attainted, at any time before the day of his or their said seuerall treasons cõmitted, whereof they now stand attainted:

Inrolment

Treasorer Chancelor

Inrolmẽt

Witnesses

Bargaine and sale

But that euery ſuch bargaine & ſale and aſſurance ſhall ſtand and be in as good force and effect, as the ſame was or were before the making of this Act: anie thing herein contained to the contrary thereof in any wiſe notwithſtanding. And ſauing to all and euery perſon and perſons and bodies politike and corporate, their heires and ſucceſſors, and to the heires and ſucceſſours of euery of them, (other then ſuch perſons and their heirs, as be or haue bin parties or priuy to any eſtate or conueiances made by fraud or couine, as is aforeſaid, and other then ſuch as ſhall not according to the true meaning of this Statute exhibite, offer, and ſhew forth their ſaid graunts, conueiances and aſſurances, or the effect thereof, as is aforeſaid, in the ſaid Court of Eſchequer, within the time to them before in this Act limited) all ſuch eſtate, right, title and intereſt, as they or any of them haue, of, in, or to any of the ſaid manors, lands, tenements, rents, profites and hereditaments, or any parcell thereof, in as large and ample maner and forme to all intents and purpoſes, as they or any of them had before the making of this Act: Any thing in this Act contained to the contrary thereof notwithſtanding. Prouided alwaies that this Act, or any thing therein contained, ſhall not extend to any leaſe, not exceeding one and twenty yeres, or three liues, or made for any number of yeares determinable vpon one, two, or three liues, from the time of the making of the ſame leaſe of lands, tenements, or hereditaments moſt commonly vſed to be letten to farme, for yeres or liues, within the ſpace of xx. yeares before the making of the ſame leaſe, and whereupon the vſuall accuſtomed yearely rent or more is reſerued: Nor to anie eſtate by copy of any lands or tenements made according to the cuſtome of the Manor whereof the ſame is parcell. Prouided alſo, that this Act or any thing therein contained, ſhall not in any wiſe extend to, or preiudice, or hinder any perſon or perſons, for, touching or concerning any conueyance or aſſurance made bona fide, vpon good conſideration, and without fraud or couin, by any of the ſaid perſons ſo attainted, at any time before their ſeuerall treaſons committed, other then only the wiues, children, and heires apparant of the perſons ſo attainted. Anno 29. Eliz. cap. 3.

Leaſes

Vſuall rets Copiholds

Freehold.

Diſtraine Freeholder

NOne from henceforth may diſtraine his freeholders to anſwer for their freholdes, nor for any things touching their freehold, without the K. Writ, nor ſhall cauſe his freeholders to ſweare againſt their wills, for no man may do that without the Kings commaundement. Marlebr. Anno 52. H. 3. cap. 22.

Sweare

Compelled to appeare

2 None of the Kings ſubiects be compelled, neither by no way conſtrained to come ne appeare before the Councell of any Lord or Lady, to anſwer for his freehold, ne for any thing touching his freehold, nor for any other thing reall nor perſonal, that belongeth to the law of the land in any maner. And if any finde themſelfe grieued in time to come, contrarie to this ordinance and agreement, he may complaine to the Chancellor for the time being. An. 15. Ric. 2. cap. 12.

Complaint Chancell.

3 The ſaid Statute of Anno 15. Rich. cap. 12. (before 2.) ſhall be firmely holden and kept, and if any Lord or Lady, or other of the Kings liege people, doe to the contrary, they ſhal incurre the paine of xx.li to the King. Anno 16. Ric. 2. cap. 2.

Fyne.

Friers.

ANno 4. Hen. 4. cap. 17. An Act was made againſt Friers, for taking and keeping of children, which Act is perpetuall.

Fuell.

ANno 34. H. 8. cap. 3. An Act was made for aſſiſe of fuell, but that aſſiſe was altered by Anno 7. Ed. 6. cap. 7. which followeth here.

2 That there may be a conuenient aſſiſe of fuell kept, both in reſpect of ſcarcitie of wood of late time hapned, and in mitigation of the aſſiſe ſet downe in former Lawes, and that the ſeller, maker, and marker of wood may be puniſhed, as well as the buyer, Be it &c. That no perſon or perſons ſhall ſuſtaine any loſſe, paine, or penaltie for buying or ſelling of any tall wood, billet or faggot, now cutte and made, although the ſame be not of the aſſiſe contained in the ſaid Act, (s. of 34. Hen. 8. cap. 3. before 1.) any thing contained in the ſame Act notwithſtanding. And that all tall wood, billet, faggot and coales to be made and put to ſale in the Cities of London or Weſtminſter, or in the Suburbs of the ſame, after the laſt day of September next comming, ſhall keep the aſſiſes hereafter erpreſſed: that is to wit, that euery ſacke of coales containe foure buſhels of good and cleane coales. And that euery Tall ſhide containe in length foure foot beſides the carfe. And euery tall ſhide named of one, to containe in greatnes within a foote of the middeſt fifteene inches about. And euery tall ſhide named of two, to containe in greatneſſe within a foote of the middeſt xviij. inches about. And euery tal ſhide named of three, to containe in greatnes within a foot of the middeſt xxviij. inches about. And euery tall ſhide named of foure, to containe in greatneſſe within a foote of the middeſt xxviij. inches about. And euery tall ſhide named of fiue, to containe in greatnes within a foot of the middeſt xxviij. inches about. And euery billet to containe in length iij. foote and iij. inches. And euery billet named a ſingle to containe vj. inches and a halfe about. And euery billet named to be a caſt, to containe teenne inches about. And euery billet named of iij. caſts to containe xiij. inches about. And euery faggot bend to containe in length iij. foote. And the bond of euery ſuch faggot to be of xviij. inches about, beſides the knot: which aſſiſes are little leſſe then the aſſiſes contained in the ſaid former Act, and alſo are much greater then any aſſiſe that now is, or of long time hath bin commonly kept. And be it further enacted, That it ſhall be lawfull from henceforth for euerie

Tall wood Billet Fagot

Sacke coals

Tall billet

Billet Fagot

Owner

Towne without danger of any forfeiture to make billets of two casts. And that al billets of two casts from henceforth to be made and put to sale, shall be of the Assise herein comprised or more, and shall be marked onely within fiue inches of the middest thereof; And that euery Billet of one cast from henceforth to be made and put to sale, shall be onely marked within foure inches of the ende thereof, vpon paine that euery marker and euery seller that shall make any such fuel or coales, and put the same to sale, to forfeit for euery shide of tall Wood, Billet, Fagot, or sacke of Coales, from henceforth put to sale lacking of the assize aforesaid three shillings foure pence. And that this present statute only, and no other Statute of Assize of fuell or coales, shall from henceforth stand in force ne take place. And forasmuch as by the greedy appetite and couetousnes of diuers persons, fuel, Coales and Wood, runneth many time through foure or fiue seuerall hands or more, before it commeth to the hands of them that for their necessity do burne or retaile the same: Be it further enacted, that from the first day of May next comming, no person or persons shall buy any such Wood, Coales, or fuel, but only such as will burne and consume the same, or such persons as shall sell the same againe by retaile, to such as shall burne or consume the same for their owne occupying, without fraud or couin, or wharfingers or Bargemen, vpon paine to forfeit the treble value of all such Wood, Coales and fuel, as shall be otherwise bought for any lucre or gaine. And that no person or persons shall alter any marke or Assize of any of the said fuell marked or Assized, according to this Statute, in paine of like forfeiture, as is aforesaid: The one half of al which forfeitures herein contained, shall be to the king our Soueraigne Lord, and the other half to him or them that will sue for the same by action of debt, bill, plaint or information, in any of the kings Courts of record, wherein &c. Prouided alwaies and be it &c. that no person or persons shall yeld ne forfeit any penalty herein conteined, vnlesse action or suit be commenced for the same within one whole yeare next after the offence thereof committed or done. And that if any cutter or Marker as is aforesaid, or other that shall forfeit any summes herein contained, shall not be able to yeld such forfeiture or summes as is aforesaid: That then such person thereof conuicted by witnesses or otherwise, to be set on ỳ Pillory in the next Market Towne to the place wher he shall so offend, by a Iustice of the Peace, or any other the kings Officers, at eleuen of the clocke vpon the market day, with a billet or faggot bounden to some part of his body, and so to be discharged of the saide forfeiture. Prouided also and be it enacted, that it shall be lawfull to euery person or persons, to buy, sell, marke, and cut billets for the onely seruing of the Towne of Calice, and the Marches of the same, so that they containe in length thirty ynches at the leaste, as it hath been there most accustomed forty yeares last past, without forfeiture of any penalty herein contained: Any thing herein containd to the contrary in any wise notwithstanding. Anno 7. Ed. 6. cap. 7.

3 So much of the said Statute Anno 7. Ed. 6. cap. 7. as concerneth the forfeiture of three shillings 4. d. for euery shide of Tallwood, Billet, or Faggot lacking the Assise conteined therein, is repealed by 43. Eliz. cap. 14. And yet the Assise for the said tallwood, billet and fagots shall still continue in force, not onely for London and Westminster, but also in all other Cities, Boroughs and Townes corporate of this Realme, where such Tallwood, Billet and faggots are accustomed to be sold. And be it further enacted, That if any person or persons, shall after the first day of May next now ensuing, bring any Tallwood, Billet, or Faggot to any Citie, Borough, or Towne corporate within this realm, there to be sold, or being brought, shal put ỳ same to sale, neither being of the assise mẽtioned in the said statute made in the 7. yere of K. Ed. 6. or agreeing with the measures hereafter in this act limited: that then vpon information thereof giuen to the Maior, Bailife, or other head Officer of the said Citie, Borough, or Towne corporate, they shall haue power & authority to call before them fiue good and lawful men of the said city, borough, or Towne corporate, and shall sweare them vpon their corporall othes, truely to enquire and present whether all or any part of the said Tallwood, Billet or faggots be of good and sufficient Assize according to the said Statute, and the limitation of Assize herein contained, or not. And if they shal present vpon their oathes, that any of the same Tallwood, billets, or faggots be not of such good and sufficient Assize as aboue said: that then the said Maior, Bailifes and other head Officers of the said Cities, Boroughs and Townes Corporate, by force this Act vpon their presentment, shall and may take such of the Tallwood, Billet and faggots, as be falsi sized, as forfeited, & shall deliuer the same vnto some Ouerseers for the poore in the said Cities, Boroughs, and Townes corporate, to be by them giuen & distributed to the poore there, according to their discretions from time to time, as often as such offences shall be presented, in manner and forme aboue said. And wherras in the said former statute it was enacted and limited, that euerie Tallshide shall conteine in length foure foote besides the carse, And euery Tallshide named one, should conteine in greatnes within one foot of the middest, sixtene inches about, & euery Tallshide named of two, to conteine in greatnesse within a foot of the middest, twenty and three inches about, And euery Tallshide named of three, to conteine in greatnes within one foot to the middest, twenty and eight inches about, And euery Tallshide named of foure, to conteine in greatnes within one foot of the middest, thirty three ynches about. And euerie Tallshide named of fiue, to conteine in greatnesse within one foote of the middest, thirty eight ynches about, And euery Billet to conteine in length, three foot foure inches. And euery billet named a single, to conteine seuen inches and a half about. And euery Billet named to be a cast, to conteine ten inches about, And euery Billet named of two Cast, to contein foure tene inches about. And euery faggot, bend, or sticke, to conteine in length

three

thrée foote, And the Band of euery such such faggot to be of foure and twenty inches about, besides the knot. In which act it was further enacted, that all Billets of two cast should be marked within six inches of the middest thereof, and euery Billet of one cast, to be marked only within foure ynches of the end thereof, as in the said act of Parliament amongst diuers other clauses, articles and prouisions doth and may appeare. And whereas diuers euil disposed persons euading from the true intent, good meaning & purpose of the said act of Parliament, haue cunningly deuised by cleauing of wood made, or to be marked for Tallwood or billet, and by stopping of Faggots with short stickes about the middest thereof, so to deceiue and abuse the subiects of this Realme, as many times they sell the one halfe or little more for the whole, and yet so cunningly caried, that by the strickt letter of the said statute they cannot be comptrolled, by reason the said statute vseth onely the word (About) & wanteth the word (Round.) And whereas by the true intent of the said statute, euery Bend of Faggot should be thrée foot, and the bond besides the knot foure and twenty inches, the said euill disposed people do not only make the said bends or faggot stickes more shorter but if any chance to be of sufficient length, then only one or two of those shall put in a faggot, and the bond filled vp with shorter sticks or bends, scarce one foot long, to the great dammage and deceit of her Maiesties subiects buying the same. For auoiding of all such deceits for euer hereafter, and to auoide all scruple, ambiguity, or doubt hereafter to be made of the said statute, or the true meaning thereof, And for that it must néeds be permitted to cleane great trées into Tall wood or Billet, for conueniency of vse: Be it therefore (for explanation of the true intent of the said statute) enacted by authority of this present parliament, That from and after the first day of May now next comming, euery Tall shide marked of one, being round bodied, shall conteine fyretéene ynches of assize in compas: being of halfe round, ninetéene inches of assize about, being quarter cleft, eightéene inches and an halfe of Assize about. And that euery Tall shide marked two, being round bodied, shall conteine in compasse thrée and twenty inches of Assize about: being halfe round seuen & twenty inches of Assize about: being of quarter cleft, 26. inches of Assize about. And euery Tal shide marked thrée, shall conteine in compasse (being round) eight & twenty inches of Assize: being halfe round, to conteine in compasse thrée and thirty inches of Assize: being of quarter cleft, 32. inches of Assize about. And euery Tall shide marked foure, to conteine in compasse (being round) thrée and thirty inches of assize: being halfe round nine and thirty inches of assize about: being of quarter cleft viij. & thirty inches of Assize about. And euery Tall shide marked fiue, shall conteine in compasse being round, eight and thirty inches of Assize about: being halfe round, foure and forty inches of assize about, and being quarter cleft, thrée and forty inches of Assize about. All which to be measured about within six inches of the middest thereof, and to conteine the length limitted by the said statute. And in all other formes or maner of cleauing of Wood, to be hereafter marked and sold for Tal wood, which will not admit the former formes or maner of cleauing, nor any of these, to obserue the Letter of the said statut of An 7. Ed. 6. ca. 7. And for ỳ better vnderstãding of the intent of this statut. Be it enacted by the ꝑ. that in euery one of these formes, the surplusage of compasse that shall happen betweene any two next measures, being aboue the one, & vnder the other in euery kinde, shall be demed, allowed, & taken to be for and to the benefit of the buyer, and not otherwise to be comptable. And be it further enacted by ỳ authority aforesaid, that euery billet named a single, shal conteine in compasse being rõd bodied, seuen inches and a halfe of Assize, & no singles to be made or marked out of cleft Wood. And euery billet marked one, commonly called a Cast, to conteine in compasse about, eleuen inches of Assize, being rouud, and being half round to cõteine in compasse thirtéene inches of Assize about and being quarter cleft to conteine in compasse about twelue inches and an halfe: And euery billet marked two, cõmonly called two cast, to conteine in compasse about, being round, syretéene inches of Assize: and being halfe round, to conteine in compasse about ninetéene inches of Assize: and being of quarter cleft, to contein in compasse about eightéene inches and a halfe of assize: And in all other formes or manner of cleauing of Billet to be hereafter marked and sold for billets, which will not admit the former formes or manner of cleauing, nor any of them, And touching the length of all the said Billet, to obserue the letter of the saids Statute of Anno 7. Ed. 6. cap. 7. And be it also enacted by the authoritie aforesaid, that all faggots hereafter to be made and put to sale, shall conteine in compasse besides the knot of the bond foure and twenty inches of Assize, and euery faggot sticke or bend within the said bond to conteine in length full thrée foot of assize or more, excepting only one stick or bend to be of one foot long, to stop or harden the binding thereof. Anno 43. Eliz. cap. 14.

Fugitiues ouer the Sea.

BE it enacted, that all and euery person & persons, of what estate, degrée, or condition they be, being the naturall borne subiects of, or in this Realme of England, or other dominions, being vnder the obeysance of the Queene her heires or successors, or being frée Denizens of this Realme, the which at any time sithence the first day of the Raigne of our Soueraigne Lady the Quéene, (whome Almighty God long preserue) hath passed, or hereafter during her Maiesties life, shall passe out of this Realme of England, or of Ireland, or any other the dominions of the same, at any place whatsoeuer, into any the Realmes, Dominions, or Countries, of any forrein Prince, Potentate or Gouernour, by whatsoeuer name or names they be called or knowne, without the speciall licence of our said Soueraigne L. by writing vnder the great seale of England, Priuy Seale,

or

or priuy Signet: That then euery such person or persons which hath departed, or hereafter shall so depart out of this Realm, or the realme of Ireland or any the dominions of the same, without such licence as is aforesaid, and shall not returne into the same Realme of England and there yéld and render his or their bodies to the custodie and ward of the Sherife of the County where such person or persons shall so arriue, or to some of the most honorable priuy Counsell of our said Soueraigne Lady within the space of 6. Months, next after proclamation made by our said soueraigne Lady the Q. vnder the great Seale of England, for the returne and yeelding of the body of such person or persons, so as is aforesaid departing without licence: shall forfeit and lose to our said Soueraigne Lady the Quéene, the whole profits, (See 14. Eliz cap. 6. after 2.) of all their manors, lands, tenements, and hereditaments, during their liues, whereof they were seised of any estate of frehold or inheritance, in their owne right, or in the right of their wiues: And also shall forfeit vnto the same our Soueraign Lady the Quéene, her heires and successors for euer, all their goods and Cattels whatsoeuer. And that all and euery the Benefices, Prebends, and other ecclesiastical promotions and dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending, in departing the Realme as is aforesaid, and not returning and yélding their bodies in forme aboue limitted, shall be vtterly void to all intents and purposes, as though the Incumbent were dead. And that the Patron and Donor of euery such benefice, Prebend, spirituall promotion and dignity, shall and may lawfully present to the same, or giue the same in such maner and forme, as if the said Incumbent were dead. And be it further enacted by the authoritie aforesaid, that al and euery person & persons being naturall borne subiects as is aforesaid, and also al and euery Denizen and Denizens, which at any time sithence the first day of the reigne of our said soueraigne La. the Q. haue departed, or hereafter during her Maiesties life shall depart out of this Realme, or the Realme of Ireland, or any the Dominions of the same, by licence of our said Soueraigne Lady, vnder any the seales aforesaid, into any forreine Realmes, Countries or Dominions, being not vnder the obeysance of her Highnesse, and shall not return into this realme, & there yéld his or their bodies, as is aboue declared within the space of fiue monthes, next after the expiring of the time appointed, by or in such licence for his abode in such forrein realme, dominions & countries, if their licence shal expire hereafter, but if their licéce be expired already, then within eight months after the end of this Session of Parliament, if he or they shall be at their owne liberty, or not restrained or compelled against their will, not to depart out of, or from such forreine Realme, Dominion, or Countrie, or not further licenced as is aforesaid, for a further terme: That then all & euery such person & persons, shal forfeit & lose to our said Soueraigne Lady the Quéene, during their liues, the whole profits of al the manors, lands, tenements, and hereditaments, whereof they shal be seised, of any estate, of frehold or inheritáce in their owne right, or in the right of their wife or wiues, & also all their goods & Cattels whatsoeuer. And ỳ the Benefices, Prebends, and other ecclesiasticall promotiõs & dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending, shall be vtterly void to all intents and purposes, as though the Incumbent were dead, and that the Patrons and Donors of euery such Benefice, Prebend, spirituall promotion and dignity, shall and may lawfully present to the same, or giue the same, as if the Incumbent were dead. And forasmuch as diuers of the said persons, after they haue determined to passe out of this Realm, or the realm of Ireland, or the Dominions of any of the same, without Licence, or hauing licence, determine not to returne into the same according to their licence: doe most commonly by couin & fraud, make, cause or suffer to be made and had, Recoueries, Estates, Grants, Leases, & other conueiances of their manors, lands, tenements, and hereditaments: And also do by couin and fraud make gifts and grants, and other deuises of their goods and Cattels, to the intent and vpon priuy confidence, that the profits of the same may be imployed and bestowed, in such forme and to such secret purposes and vses, as they doe or shall limit and appoint, and be agréed vpon: Be it therefore &c. that all and euery such estates, grants, leases, gifts, deuises & conueyances whatsoeuer, and euery of them, being found by office to be made and had by fraud or couin, as is aforesaid, shall be as touching such interest, as by this Act is appointed to our Soueraigne Lady the Quéenes Highnes now being, her heires and Successors, as is aforesaid, and as against the same our soueraign Lady the Queene, for and concerning the same interest vtterly void and of none effect, or validity in the law. And that our said Soueraigne Lady the Quéene, shal haue and inioy the same so couenously conueied, as if the party so offending were therof actually seised or possessed: such Recoueries, Estates, Leases, Grants, or conueyances, suffered, had or made, or any law, Statute, vsage, custome, or any other thing to the contrary notwithstanding. And it further enacted by the authority aforesaid, that the Lord Chancellor of England, or the kéeper of the great seale for the time being, shal haue full power and authority during the Quéns Maiesties life by vertue of this Act, without other warrant to make and award out vnder the great Seale of England, Commissions from time to time to such person and persons as by the wisdome and discretion of the said Lord Chancellor, or Kéeper of the great Seale, shall be named and appointed to inquire by the oathes of twelue lawfull men at the least, what person or persons haue departed out of this Realme, or other the Dominions of the same, without licence, or by licence, and not returned into the same, and yélded their bodies in such manner and forme as is aboue declared, and what manors, lands, tenements, hereditaments, goods and cattels, they or any of them were seised or possessed of, at any time within the space of two yeres next before their said departing, or after, and what estates

Freehold
Wiues goods
Benefice
Void
Patrons
Ireland
Fraud
Recoueries
Leases
Grants
Fraudulent gifts
Goods
Void
L. Chancelor
L. Keeper
Great seale
Commissiõs
Inquirie
Without Licence
With licéce
Lands
Goods
2 yeares

estates or conueyances, they or any of them haue made, and when, and whether the same were made vpon couin as is aboue expressed, and what person and persons beene the Tertetenants of the same mannors, lands, tenements, and hereditaments, or occuppyers and possessors, or takers & receiuors of the profits of the same, and of the saide goods and cattels, and by what title they hold and possesse the same, and to whose or what vse or vses, and of the yearely rents and values thereof: The which Inquisition thereupon taken, shal be made in writing indented betweene such of the Commissioners as shall execute the same, interchangeably sealed with their seales, & the Seales of the Jurors, by whome the same Inquisition shall be found. And that the same part so sealed by the Jurors, shall be deliuered vnto the said Commissioners, and the other part thereof sealed by the Commissioners, shall bee deliuered and remaine with the Foreman of the Jury, by whome the same inquisition shall be found. And that the Commissioners within the space of two months next after such inquisition found and sealed, shall certifie and deliuer the same Commission, with the counterpaine of the same, sealed by the Jurors as is aforesaid, into the court of the Eschequer of our said Soueraigne Lady the Quéene, there to remaine of Record. (See 14. Eliz. ca. 6. after 2.) And be it &c. that all and euery the said matters and things being truly found by any the said Commissioners by inquisition, as is aforesaid shal be good and auaileable in the law, to all intents and purposes, vntill the same shall be vndone by lawful trauerse, which the party grieued shall haue at his will and pleasure. And that the Barons of the said Eschequer shall and may thereupon from time to time, take such order for the true answering of the rents, reuenues, issues, and profits of the said mannors, lands, tenements, hereditaments, goods and cattels, to the vse of our said Soueraigne Lady the Queene, as vnto them & the said Court of the Eschequer, shall seeme most expedient. (See 14. Eliz. ca. 6. after 2.) And be it &c. that if any person or persons, to whome any estate, graunt, lease, or other conueiance is, or hereafter shall be made or had, by any such person or persons, which haue departed or hereafter shall, in forme aforesaid, depart into any forreine Realme, Country, or Dominion, by or without licence, as is aforesaid, of any their mannors, lands, tenements, hereditaments, goods, or cattels, doe not within the space of three monthes next after proclamation made in the name of our soueraigne Lady the Quéene vnder the great seale of England, within any Country where the same mannors, lands, tenements, and hereditaments, shall lie, truely declare vpon their othes, either before the said Commissioners, or before the Barons of the Eschequer, or some of them, to what vse and intent such estates, grants and conueiances were made, according vnto the very truth, without any concealement or colour: that then euery such person & persons to whome such estate or conueyance is or shall be made, shall forfeit and lose vnto our said Soueraigne Lady the summe of twenty pound of lawfull money of England, and shall also suffer imprisonment during the pleasure of the same our Soueraigne Lady. And further that the said Commissioners, and so many of them as shall take vpon them the execution of the said Commission, and also the Barons of the Eschequer, after the returne and certificate of the same Commission before them, shall haue full power and authority by vertue of this act, by all such meanes and waies as to them shall seem most expedient, to send for al & euery such person and persons, as shal haue any estate, interest, possession, occupation or medling with the said manors, lands, tenements, goods, or Cattels, or any other: and them and euerie of them to examine vpon their corporall oathes, to open and declare plainely and truely, to what and to whose vse, profit and commodity, they haue or hold the same mannors, lands, tenements, goods, and Cattels, and how and to what and whose vse the rents, reuenues, issues, and profits of the same, béene and hath béene conuerted and imployed, and how long time: and to vse all such other waies, meanes and circumstances, for the knowledge of the truth of the premisses, as to them shall séeme méete and conuenient: and if any person or persons, being sent for to be examined as is aforesaid, shall not appeare at the day and place to them appointed, and hauing no lawfull excuse for the contrarie; Or after appearance shall depart without licence of such as shal haue power to examine them, as is aforesaid, or shal refuse to answer to such Interrogatories, as shall be ministred vnto them touching the premisses, and the circumstances and dependancies of the same: That then euery person and persons aforesaid so offending, shall pay and lose to the Quéene our Soueraigne Lady, such fine and fines for the said contempt, as shall be assessed by such before whome the said examinations should be made, as is aforesaid, for the knowledge of the truth in the premisses. Sauing to euery person and persons, bodies politike and corporate, their heires & successors, other then the said person & persons so departing by licence, or without licence, as is aforesaid, & other the such person & persons to whom any of the said assurances, conueyances or deuises be or shall be made as is aforesaid, and other then all and euery such person & persons which haue or shall haue, or claime any thing, of, in or to any such mannors, lands, tenements, goods and Cattels, by, or from any person or persons, to whome any such assurance, deuise or conueyance shall be made, as is aforesaid, all such rights, titles, interests, possessions, leases, rents, reuersions, remainders, seruices, offices and other profits & commodities, which they or any of them, without fraud or Couin shall haue in the same, before such the departing of any such person or persons, and not returning, as is aforesaid, in as large and ample manner and forme, as if this act had neuer béene had nor made. Prouided alwaies, that this act or anything therein contained, shall not in any wise extend to any knowne Marchant of this realme of Engl. or of the Realm of Ireland, or any the dominions of the same, or to any their known Seruants, Apprentices or Factors: or to any

Couine Tertetenants
Occuppyers
Goods
Rents Inquisition
Indented
Sealed
Jurors
Foreman
Commissioners 2. Months Certifie
Eschequer
Auaileable
Trauers
Barons of the Eschrq. Order Rents
Estate
Without Licence
3. Months
Proclamation Great seale
Declare
Forf.
Impr.
Commissioners
Barons of the Esch.
Examine
Not appeare
Without licence. Refuse to answer
Fine Contempt
Claime
Without fraud
Merchants
Ireland
Seruants

known

knowne maſters of Ships, Mariners, Sailers or Gunners of any Ship, for and concerning his or their departing out of the ſame, without licence into any forreine Realme, countrey or Dominion, for his or their onely trade of Marchandize, ſo that ſuch Merchant or Merchants, ſeruants, Apprentizes, Factors, Maſters of ſhips or Mariners, ſhal not accompt to doe, nor ſhall haue attempted or done any act or thing whatſoeuer contrarie to the duty of his Allegiance, or to the preiudice or perill of our ſaid Soueraigne Lady the Quéene, or the eſtate of this Realme of England or Ireland, or any the Dominions of the ſame, and ſhall returne into this Realme, and there yeld his body vpon Proclamation for his returne, as is aforeſaid: this act or any thing therein contained to the contrary notwithſtanding. Prouided alſo, that if any perſon by reaſon of his blind zeale and cõſcience only depart beyond the Seas without licence as is aforeſaid, or hauing licence, doth for the ſame cauſe onely tarrie there after the time appointed by Proclamatiõ be expired, & do not in ỳ time he is beyond the ſeas, or did not before he departed out of Engl. conſpire, compaſſe, or imagin, or by word, writing, any other open act declare any euil minde to the Q. Maieſty, or her Eſtate, or quiet gouernment of her Maieſties Realme: that then and in ſuch caſe the Lord Chancellor, or the Lord Keeper, vpon petition to be made, ſhall by authority of this Act, without any other warrant, limit, & appoint the maintenance and education of his deſolate wife & Children or any of them, and allot vnto them one reaſonable portion of the reuenues of the lands of ſuch fugitiue perſon, not vnder the fourth part, nor aboue a third part of the value of ſuch lands as by this Act ſhal be forfeited to her Maieſty, to be taken of them during the naturall life and abſence of the ſaid fugitiue perſon, ſo that the ſaid perſon, before his departure ſhall not haue made otherwiſe ſufficient conueyance and prouiſion for them, by the reaſonable iudgement of the ſaid Lord Chancellor, or the Lord Keeper of the great Seale. Prouided alſo, that if any perſon offending contrary to this ſtatute aboueſaid, ſhal at any time after that by this act he hath forfeited the profits of his mannors, lands, tenements, or hereditaments as is aforeſaid, repent him of his offence & vndutifull doing, will acknowledge the great grace of God, returne againe into England, yéld himſelfe to the Shirife of the ſhire as is aforeſaid, or to any one of the Quéenes Maieſties Priuy Councell, acknowledging his fault, ſubmitting himſelfe to the Quéenes Maieſties obeiſance, and fully reconcile himſelfe to the true Religion eſtabliſhed by order of law within this realme, declaring that his reconciliation vnto the Biſhop of the Dioces, and ſhewing the ſame openly by comming to the diuine ſeruice, by order of this Realme appointed, and receiuing the holy Communion: That then after one whole yeare expired, euery ſuch perſon bringing to the Lord Chancellor or Keeper of the great Seale, a certificate from the Biſhop of the Dioceſſe, and the Curate of his Pariſh, of his true and vnfeined reconciliation ſhall be reſtored to all his lands, and the profits thereof, which before was forfeited by vertue of this act, frõ thenceforth to be due, and them to repoſſede from thenceforth in as ample manner as they had neuer béene forfeited, Prouide alwaies that this act, or any thing in the ſame conteined, ſhall in no maner wiſe extend, or to be déemed or taken hereafter to extend to the Right Honorable Lady Jane, Dutches of Feria, now being in Spaine, Daughter to ſir William Dormer Knight, nor vnto the Lady Jane Dormer Widow, Grandmother vnto the ſaid Dutches; any thing in this Act to the contrary in any wiſe not withſtanding. Prouided alſo, that this Act, or any thing therein conteined, ſhall not continue or be in force or ſtrength any longer then during the naturall life of the Quéenes moſt excellent Maieſtie. Prouided alſo and be it further enacted by the authority aforeſaid, that if it fortune any Noble man being a Peere of this Realme, at any time hereafter to depart this Realme, whoſe departure ſhall not be contrary to the lawes and Statutes of this Realue: That then no ſuch nobleman, ſo departing ſhall incurre any paines or forfeitures prouided by this act, vnleſſe ſuch Noble man be commanded by the Letters of our ſoueraigne Lady the Quéene, vnder her Graces priuy ſeale or Signet, to make his returne and repaire into this Realme, and after ſuch warning doe not repaire into this Realme, according to the tenour of the ſame Letters, within the ſpace of 8. Months next after the deliuery of ſuch letters of our ſaid ſoueraigne Lady the Quéene, vnto any ſuch noble man, as is aboue mentioned, or if ſuch letters ſhall not be to him deliuered, ſo as he may well returne within eight Monthes after the ſending thereof, then vnleſſe ſuch Noble man ſhall not returne within other eight Months, next after Proclamation to be made, as is aboue appointed, any thing before in this act contained or expreſſed to the contrary notwithſtanding. Prouided alſo, that if any Nobleman being a Peere of this Realme, which at any time hereafter ſhal fortune to depart out of the realm in ſuch ſort, as by the Lawes of this realme he may, and who hath not any time before his departure, nor ſhall at any time during his abode out of this Realme, practiſe or deuiſe any matter or thing againſt the royall perſon of our ſaid Soueraigne Lady the Quéene, or the quiet eſtate of this Realme, nor any other her Highnes Dominions, being vnder her obeiſance, doe returne into this Realme and doe yéld himſelfe to two of her Maieſties priuy Councell, acknowledging his offence done contrary to this Act: that then euery ſuch Nobleman ſhall from thenceforth be reſtored to all the rents, reuenues, iſſues & profits of all his lands tenements, and hereditaments, which frõ thenceforth ſhould or might grow due vnto our ſaid Soueraigne Lady the Quéene by reaſon of this Act: And that then and from thenceforth the Quéenes Highneſſe title, in and to the rents, reuenues, iſſues, and profits of all and ſinguler his lands, tenements and hereditaments by vertue onely of Act, ſhall ceaſe, end, and determine: any thing in this Act contained to the contrary not-

Dutches of Feria

L. Dormer

M. life

P. of the Realme

M. Letters Priuy Seal Returne

8. Months for return Proclamation

Peer of the Realme Depart

Deuiſe no vnlawfull practiſes

Returne Yeeld

Reſtored

M. title

Ceaſe

notwithſtanding. Anno 13. Elizabeth cap. 3.

2 Whereas in the ſtatute againſt fugitiues departing out of this Realme made in the laſt Parliament (s.13.Eliz.cap.3.before 1.) amongſt other things it is ordained, ỹ the offendors againſt that Statute ſhal forfeit & loſe to our Soueraigne Lady the Quéene, the whole profits of all their mannors, lands, tenements and hereditaments, during their liues: Sithence which time ſome doubt and queſtion vpon the ſaid words hath riſen, and béene moued. Whether her Maieſty, her heires and ſucceſſors, may let & ſet the ſame lands, or make grants by copies of Court roll thereof, & vſuall Woodſales, or elſe ſhall onely take the ordinary profits as they ariſe, as veſturam terræ, and not otherwiſe: And whereas in the ſaid eſtatute, one branch or clauſe is contained for the making void of fraudulent conueiances by the ſaid fugitiues, of their lands, & goods, made to the intent & vpon priuy confidence, that the profits may be imployed as they ſhould limit and agrée, vpon the words of which clauſe, ſome doubt and queſtion hath alſo riſen, and béene moued, whether the conueiance (to the intent aforeſaid) made by ſuch fugitiues as depart out of the Realme, hauing licence and do not returne into this Realme, according to their licence and intent of the ſaid ſtatute, ſhall be within the prouiſion of the ſaid eſtatute, vnleſſe their determination of not returning, according to their licence, be proued to be before the making of the ſaid fraudulent conueyance, as a thing materiall before the making of the ſaid conueyance, or whether the ſame determination of not returning according to the ſaid licence, be not ſo materiall, but that the ſame ſhall by the ſubſequent act (that is to ſay) by the not returning of the ſame party, according to the ſaid licence, be ſufficiently proued without any further matter. For auoiding of which doubts, it be declared and explaned, and ordained by authority of this Parliament, that during ſo long time as her maieſty, her heires or ſucceſſors, ſhall be intituled to haue the ſaid profits by vertue of the ſaid eſtatute, ſhe and they may let and ſet, and make grants by copie of Court roll, and vſuall Woodſales and other things, to all intents & purpoſes, as a tenant pur terme dauter vie, lawfully may do. And further, that the ſaid determination, which is but a ſecret thought of the fugitiue, whatſoeuer his words or ſpéech be, is not material, but that the act and déed ſubſequent, viz. the not returning of euery ſuch fugitiue, according to his licence, and not hauing ſuch let or excuſe, as by the ſaid Statute is allowed (without any further matter) was, is, and ſhall be taken and deemed a ſufficient proofe of the precedent determination of the ſame party not to return, according to his licence: any thing to the contrary hereof in any wiſe notwithſtanding. And be it &c. that all ſuch rents, reuenues, iſſues, profits, and other things as already be commen or growen, or hereafter ſhal come or grow to the Quéenes Maieſtie, for any the cauſes of forfeiture mentioned or expreſſed in the ſaid former act and Statute, or declared by this act, ſhal be anſwered yearely vnto the Quéens Maieſty in the Court of Exchequer, and ſhall be in the order, ſuruey and rule of the ſame Court. And that the Treaſorer, Chancellor, & Barons of the ſaid court, or the more part of them for the time being, whereof the Treaſorer or Chancelor to be to one, ſhall & may do, and cauſe to be done, all and euery ſuch act and thing, as they ſhall thinke meet and conuenient to be had, made, or done, for the demiſing cuſtodie, receiuing, ordering, and better anſwering to her Maieſties commodity and profit, of all ſuch rents, reuenues, iſſues, profits, and other things as now be common or growen, or hereafter ſhall come or grow to her Maieſty, for any the cauſes of forfeiture aforeſaid, according to the true meaning of the ſaid former act, and of this preſent Statute of explanation and declaration. Prouided alwaies, and be it further enacted by the authority aforeſaid, that all lands, tenements, rents, reuerſions, ſeruices and leaſes, being at this time parcell of the poſſeſſions of the Duchy of Lancaſter, or deriued out of the ſame, whereunto, or to the profits whereof, the Quéenes Maieſty, her heires and ſucceſſors in any wiſe is, or hereafter ſhal be intituled, either by authority of the ſaid former eſtatut of fugitiues, or by this eſtatute, ſhal be from henceforth within the ſurucy, demiſing and order of the court of the ſaid Duchie of Lancaſter, in ſuch maner and form as other the premiſſes be aſſigned or appointed by authority of this act, or by the ſaid former act to be in the ſurucy, demiſing and order of the ſaid Court of Eſchequer, and that the tranſcript of all Offices and Inquiſitions, concerning the premiſſes to be within the ſurucy demiſing and order of the Duchie of Lancaſter, and ſhal be certified and recorded in the ſaid Court of the Duchie of Lancaſter: any thing either in the ſaid former Act, or in this act to the contrary notwithſtanding. An. 14.Eliz.cap.6.

Paſt. Quéene

Copyhold

Wood

Lease Copy

Woodſals

Expoſition

Not returning

Rents Profits

Exchequer

Treaſurer Chancellor

By Paſt.

Lands

Duchy of Lancaſter

Surney Court of Duchie

Tranſcript Offices

Fuſtians.

NO Iron Inſtruments, nor any other vntrue ſubtill meane or ſlight, be from henceforth vſed vpon any fuſtian within this Realme, but onely by the broad ſhere, vpon forfeiture of twenty ſhillings, to be leuied for euery default of euery ſuch perſon or perſons hereafter offending and vſing any ſuch deceiueable inſtruments or ſleights, as afore is ſaid: the one halfe of the ſaid forfeitures to be to the king our Soueraigne Lord, and the other half to him or them ỹ will ſue for the ſame forfeitures by action of debt, bill, plaint or information, in any of the kings Courts of record, where the ſame may be determined after the courſe of the Common Law, and that the defendant in ſuch behalf in no wiſe be admitted to wage his law, nor that any protection or eſſoine be in the ſame allowable. And ouer this, be it &c. that the Maior and Wardens of Sheremen of the City of London for the time being, haue authority to enter and Search the workemanſhip of all manner perſons occupying the broad Shere, as well fuſtians as cloth, and the execution of this preſent act to be aſwell of Denizens, as of Forreines and Strangers. Ann.11. H.7.cap.27.Norwich 4.

Iron Inſtrument

Shere Forf.

Bolts

Actions debt

Wage Law

Maior, Wardens London Search

Denizens Forreines

2 Be it enacted, that from henceforth it ſhall and may be lawfull, to and for the ſaid Lord Maior of the Citie of London, or his ſufficient deputy, and to and for the Maiſter and Wardens of the ſaid myſterie of Clothworkers of London, or ſuch diſcreet perſons, as the ſaid Maiſter and Wardens of the ſaid myſterie of Clothworkers for the time being, ſhall from time to time appoint, to enter and make ſearch, as the ſaid Maior of London, and Wardens of Shereemen might haue done together by the Act in the ſaid eleuenth yeare of K. Henry the ſeuenth, cap. 27. vpon pain that the perſon or perſons, which ſhall make reſiſtance herein, ſhall forfeit for euery ſuch reſiſtance twenty ſhilling of lawfull money of England. The one half to her Maieſty, and the other halfe to him or them that wil ſue for the ſame, by actiõ of debt, bil, plaint or information, in any of the Quenes Court of Record, where the ſame may be determined, after the courſe of the Common law. And that the defendãt in ſuch caſe in no wiſe be admitted to wage his law. Nor that any protection, or eſſoine be in the ſame allowable. Anno 39. Eliz. cap. 13.

Gages.

ANno 1. H. 6. cap. 5. An Act was made for redemption of Jewels, & ſuch things as Henry the fift had laid to gage.

Gaugings.

THe Statutes thereupon made (as it is ſaide) be holden, kept and put in due execution. And moreouer we declare, and of the aſſent aforeſaid will & grant, that aſwell all manner Veſſels of ſweet wines of the Rhine, and of other wine, as other veſſels of Vinegar, oile, hony, and of all other licours gaugeable, which frõ henceforth ſhal come within this Realme of England, or within our Lands of Wales and Ireland, ſhall be well and lawfully gauged, by our gaugers thereto aſſigned, or their deputies. And if any ſet debate or diſturbance and wil not ſuffer the wines or other licours aforeſaid to be gauged, he ſhall incurre the paine ordained by the ſaid other ſtatuts. And in the ſame maner the gaugers ſhall incur the pain comprized in the ſame ſtatutes, if default be from henceforth found in them, or in their deputies in this behalfe. Anno 4. R. 2. cap. 1.

2 The peny which is called the gauge peny, ſhall not be paide to the gauger, nor to any other in his name, till hee or his Deputies haue gauged the Wines, and then hee to take and receiue his penny for the ſame in gre, without more increaſe or aduantage for that to claime. And alſo that hee or his Deputy be readie to doe his Office of the gauges in all places, when hee to that by the party ſhall bee required, and that to be obſerued through all the Realme of England, vpon the paine comprized in the Statute made in the ſeuen and twentieth yere of the noble king Edward the third, of the gauging ofred wine, and white wine, duely to be executed. Anno 23. H. 6. cap. 16.

3 Where beere & ale are nold very commonly vttered, ſold, and put to ſale, by the Beerebrewers, and Alebrewers, as well within the Citie of London, as elſewhere within the Realme of England, in Buts, Pipes, Puncheons, Hogſheads, Tierces, and ſuch other veſſels, brought from beyond the Seas, which were neuer lawfully gauged for that purpoſe within this Realme, to the great loſſe, aſwell of the Queenes Highneſſe, as of her Subiects: Be it &c. That no Brewer ſhall after the end of forty daies next after the end of this ſeſſion of this preſent Parliam. ſell, vtter or put to ſale, any Beere or Ale in any ſuch veſſell or veſſels, within the Citie of London, or ſuburbs of the ſame or in any other place or places within two miles compaſſe without ỳ ſame ſuburbs, before the ſame ſhal be lawfully gauged, and the true content of euery ſuch veſſell ſet downe vpon the ſame by the gallon, appointed and allowed for Beere and Ale according to the ſtanderd, by the Maiſter & Wardens of the Art or Myſterie of Freemen of the Cowpers of the city of Lon. or their deputie or deputies, nor ſhall (after the time before limited) ſel, vtter, or put to ſale any beer or ale, in any ſuch veſſell or veſſels, in any other place or places within the Realme of England & Wales, before the ſame ſhall be lawfully gauged, and the true content of euery ſuch veſſell ſet downe vpon the ſame by the gallon aforeſaid, according to the ſtanderd, by ſuch by the ſtatute in that behalfe made in the xxiij. yere of the raigne of the late King of famous memory King Henry the eight (ſupra 2.) are to haue the gauging of Barrels, Kilderkins and Firkins, made for Beere or Ale, to be put in, in ſuch other place and places within the Realme of Engl. & Wales, vpon paine to forfeit al & euery ſuch veſſel & veſſels wherin any beere or ale ſhall be vttered, ſold or put to ſale, contrary to the true meaning hereof. And alſo al the beere or ale, which ſhal be at ỳ time of ſuch vttering, ſelling or putting to ſale therein contained, to him or them that will ſeiſe the ſame, & vpon paine alſo to forfeit for euerie ſuch veſſell wherein beere or ale ſhal be ſo vttered, ſold, or put to ſale ten ſhillings, the one moity of which forfeitures ſhall be to the Queenes Maieſtie her heires and ſucceſſors, and the other moity to him that wil ſue for the ſame, by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoine, protection, wager of law, or iniunction ſhall be admitted or allowed for the defendant. And that there ſhall be taken for the gauging of euery ſuch veſſell, within the citie of London, and ſuburbs of the ſame, and in all and euery place and places within two miles compaſſe without ỳ ſaine ſuburbs, by the maiſter & wardens of the art or myſtery of freemen of the Cowpers of the citie of Lond. for euery butt, one peny, for euery pipe, one peny, for euery punchion, one halfe peny, for euery hogſhead, one halfe penny, and for euery Tierce, one halfe penny, and for euery other veſſell which ſhall at any time (after ỳ time before erpreſſed) be brought into this realme, from any the parts beyond Seas, wherein Beere or Ale ſhall be vttered, ſold, or put to ſale, within the ſaid Citie or

Put to ſale. Ale Beere

Maiſter and Wardens

Paine

London Suburbs

Two miles compaſſe

Cowpers

Suburbs, or any other place or places within two miles compaſſe without the ſame ſuburbs, after like rates and no more, and that there ſhall be taken for the gauging of euery ſuch veſſell or veſſels, in all and euery other place and places within the Realme of England and Wales, by ſuch perſon & perſons, as by the ſaid Statute made in the ſaid ij and twentieth yeare of the raigne of King Henry the eight, are appointed for gauging thereof, after ſuch like rates as are herein before appointed to be taken for gauging within the Citie of London & Suburbs of the ſame, and in other places within two miles compaſſe without the ſame ſuburbs. And it is further enacted by the authority aforeſaid that this Act ſhall extend to all and euerie perſon and perſons, which ſhall vſe or occupy the myſtery of brewing, aſwell Engliſh borne as Strangers: and that it ſhall be lawfull to all and euery perſon and perſons, which ſhall haue authority by vertue of this Act, to gauge any veſſel or veſſels by this act, meant or intended to be gauged, to retaine euery veſſell, which ſhall be gauged, according to the true meaning of this act, vntill the money which ſhall be due for the gauging thereof, ſhall be truly ſatiſfied and paid. Prouided alwaies, and be it further enacted by the authority aforeſaid, ỹ the maſter & Wardens of Cowpers aforeſaid, or their ſufficient deputy or deputies, within the ſpace of eight and forty houres next after any reaſonable requeſt to them or any of them made, ſhall come to any brewer or brewers houſe, or other place in the ſaid citie of London, & ſuburbs thereof, or .y. miles diſtance of the ſame, whereas their caſke ſhall be, and there with al reaſonable expedition ſhal gauge and marke the ſame caſkes and euery of them, vpon paine for euery default, to forfeit and loſe to the party, by or for whome ſuch requeſt as aforeſaide ſhall be made, the ſumme of twenty ſhillings of lawfull money of England, to be had and recouered by the ſaid party againſt the corporation of the Cowpers aforeſaid, by action of debt, in any of her Maieſties Courts of Record at Weſtminſter, or elſewhere: in which action no eſſoine, protection or wager of law, ſhall be admitted or allowed. Prouided alſo, that if any Scottiſhman, or any ſtranger, ſhal bring from Scotland, or from beyond the ſeas to the ſaid Brewers, or any of them, any manner of forreine caſke, and ſhal require to haue beere put into the ſame, and will tranſport the ſame beere from hence either into Scotland, or ouer the ſeas, there to be drunke: that then in euery ſuch caſe, it ſhall and may be lawfull to and for the ſaid brewers, or any of them, to fill all ſuch caſks with beere, at ſuch rate & reckoning, as he and his Merchant can agree, without hauing the ſaid caſke, or any of them gauged or marked as is aforeſaid, without incurring any penalty therfore: this act or any thing therin cõtained to the contrarie thereof in any wiſe notwithſtanding. This act to continue to the end of the next Seſſion of the next Parliament. Anno 31. Eliz. cap. 8. And 35. Eliz. cap. 7. This Act is continued to the end of the parliament next enſuing. And Anno 39. Eliz. cap. 18. This Act of 31. Eliz. is continued vntill the end of the next Parliament. And in Anno 43. Eli. this Act is continued vntill the firſt Seſſion of the next Parliament. And Anno 1. Iac. cap. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

Brewing Stranger

Retaine

Requeſt.

Gauge caſks. Fol.

Stranger

Forreine caſks

Ducties

Giggemilles.

NO maner of perſon or perſons, after the firſt day of May next comming, ſhall vſe or occupy any of the ſaid Giggemils, for the working of any woollen cloth or clothes, made or to be made, within this Realme, vpon pain of forfeiture for euery cloth ſo wrought in, or by any of the ſaid mils called Giggemilles fiue pound, the one moity &c. to the king, the other moity to him that will ſue &c. wherein &c. Anno 5. Ed. 6. cap. 22.

Woollen cloth Fol.

Mills

Girdlers.

ANno 15. R. 2. cap. 11. An Act was made that Girdlers might garniſh Girdles with white mettall. But it is repealed by 1. Iac. cap. 25.

Gloceſter.

ANno 33. H. 8. cap. 35. An act was made concerning conduits in Gloceſter. See before in prærogativa Regis, of the Cuſtome of Gloceſter for forfeiture.

Gold, Siluer, and Goldſmiths.

NO Goldſmith of England, nor none other within the kings Dominions, ſhall from henceforth gild, or cauſe to be gilded no manner of Veſſel, Jewell, or any other thing of gold or ſiluer, except it be of the very beſt allay, and ſiluer of the ſterling allay, or better, at the pleaſure of him to whome the gold belongeth, & that none gild worſe ſiluer then ſterling. And that he ſuffer no maner of veſſell of gold or ſiluer to depart out of his hands, vntill it be aſſayed by the Wardens of the craft. And further that it be marked with the Libards head. And that they worke no worſe gold, then of the touch of Paris. And that the Wardens of the craft ſhall goe from ſhop to ſhop among the Goldſmiths, to aſſay if there gold be of the touch, that is ſpoken of before. And if they finde any other then of the touch aforeſaid, the gold ſhall be forfeit to the King. And that none ſhall make rings, croſſes nor locks. And that none ſhal ſet any ſtone in gold, except it be naturall. And that grauers or cutters, of ſtones & of ſeales, ſhall giue to each their weight of ſiluer (as neere as they can) vpon their fidelity. And the Jewels of baſe gold which they haue in their hands, they ſhal vtter as faſt as they can. And from henceforth if they buy any of the ſame worke, they ſhall buy it for to work vpon, and not to ſel again. And that all the good townes of Engl. where any Goldſmiths be dwelling, ſhall bee ordered according to this eſtatute, as they of London be. And that one ſhall come from euery good Towne for al the reſidue that be dwelling in the ſame vnto London, for to be aſcertained of their touch. And if any

Gold

Beſt allay

Sterling allay

Marke

Paris touch

Fol.

Lawes

Goldſmiths

London

ny Goldſmith be attainted hereafter, becauſe that he hath done otherwiſe then before is ordained, hee ſhall be puniſhed by impriſonment, and make fine at the kings pleaſure. And notwithſtanding all theſe things before mentioned, or any point of them, both the King and his Councell, and all they that were preſent at the making of this ordinance, will and intend, that the right of Prerogatiue of his Crowne ſhall be ſaued to him in all things. Articuli ſuper Chartas, An. 28. Ed. 1. ca. 20

2 All merchants priuy & Stranges, may ſafely carrie and bring within our ſaid Realme & lands, plate of ſiluer, and billets of gold, and all other maner gold, and all money of gold and ſiluer, to our bullion, or to our eſchanges, which we ſhall do ordaine at our ſaid Staples and elſewhere, taking their money of our coine of gold and ſiluer conuenable to the value. And if any will take good money of gold and ſiluer of other coin then of ours in paiment, he ſhall take the ſame without impeachment, ſo that none be thereunto compelled, if hee will not take it of his good will. Prouided alwaies that no money haue common courſe without our ſaid Realme, and lands, but the monie of gold and ſiluer of our coine. And that none carry out of our ſaid Realme and lands, the old ſterling, nor other money, but our new money of gold and ſiluer, except the Merchant Strangers, that bring to our ſaid Realme and lands any manner of money, and there will imploy his money within our Realme & lands, whome we will that they may recarrie into their country all this money, or aſmuch as ſhal remain therof not imployed, without impeachment: ſo alwaies that good and lawfull ſearch be therof made in the Ports and places where any arriuall is. And that all the money that euerie Merchant ſtranger, ſhall bring within our ſaid Realme and lands, ſhalbe put in writing by the ſearchers, to the intent that no Merchant ſhall carrie more beyond the ſea, then he brought into the ſame Realme, and lands. Prouided alwaies, that no Miniſter nor other, by colour of ſuch ſearch, ſhall make impeachment or diſturbance to any Merchant ſtranger, to grieue him vnduely. And that all the falſe money that may be found by ſearch, or in other maner eſpied within the ſame our Realme and lands, in deceit of our good money, ſhall be forfeited to vs according to the ordinances another time made. An. 27. Ed. 3. cap. 14.

3 Goldſmiths as well in London as elſewhere within the Realme, ſhall make all manner of veſſell and other worke of ſiluer, well and lawfully of the allay of good ſterling. And euery maſter Goldſmith, ſhall haue a marke by himſelfe, and the ſame marke ſhall be knowne by them which ſhall be aſſigned by the king to ſuruey their worke and allay. And that the ſaid Goldſmiths ſet not their marke vpon their worke, til the ſaid ſurueiors haue made their allay, as ſhall be ordained by the king and his councell, and after the allay made, the ſurueyors ſhall ſet their marke, and afterward the goldſmith his marke, for which he will anſwere. And that no Goldſmith take for veſſell white and full for the weight of a pound, that is to ſay, of the price of two markes of Paris weight, but eightéene pence as they doe at Paris. And that no goldſmith making white veſſell, ſhall meddle with gilding: nor they that do gild, ſhall not meddle to make white veſſel. And they which ſhal be ſo aſſigned in euery towne ſhall make their ſearches as oftentimes as ſhal be ordained. And for ỳ that ſhal be in the default of the goldſmiths, they ſhall incurre the pain of forfeiture to the king the value of the mettall which ſhall bee found in default. Anno 37. Ed. 3. cap. 7.

Gilding

Fault Forf.

4 No artificer nor other man whatſoeuer he be, from henceforth ſhal gild nor ſiluer any ſuch locks, rings, beads, candleſticks, harneis for girdles, chalices, hilts, nor pomels of ſwords, powder bores, nor couers for cups, wade of copper or latten, vpon paine to forfeit to the K. C. s. at euery time that hee ſhall be found guilty, & to make gree to the party grieued for his damages: but that (chalices alwaies excepted) the ſaid artificers may worke, or do to be wrought ornaments for the church of copper & latten, & the ſame gild or ſiluer, ſo that alwais in the fot, or in ſome other part of euery ſuch ornament ſo to be made, the copper & the latten ſhall be plaine, to the intent that a man may ſée whereof the thing is made, for to eſchue the deceit afore-ſaid. Ann. 5. H. 4 cap. 13.

Artificer Gild

Copper Latten Forf.

Church Ornaments

5 That all the Goldſmiths of Engl. ſhall gild no ſiluer wares, then of the alay of the Engliſh ſterling, and that they take for the pound of Troy gilt but 46. s. 8. d. at the moſt, & of greater weight & leſſe according to the quantity & rate of the ſame ſumme. And that which ſhall be by them gilt from henceforth, be of a reaſonable price & not exceſſiue: & if any Goldſmith do contrary to the ſtatute, he ſhall forfeit to the king the value of the thing ſo ſold. An. 2. H. 5. cap. 4. Stat. 2.

Gild ſiluer English Sterling Troy Weight

Forf.

6 None from henceforth ſhall gild any ſheaths nor mettall, but ſiluer & the ornaments of the holy Church, nor ſhall ſiluer no mettall but knights ſpurres, and all the apparell that appertaineth to a Baron, and aboue that eſtate, vpon paine of forfeiture to the King ten times ſomuch as the thing ſo gilt is of value, and ſhall haue alſo one yeres impriſonment. And the Juſtices of Peace, ſhall haue power to inquire thereof, & that to determine. And he that will ſue for the king in this part, ſhall haue the third part of the ſaid pecuniar paine. Prouided that this laſt ordinance ſhall begin to hold place at the feaſt of Eaſter next coming. Anno 8. H. 5. cap. 3.

Gild

Spurres Forf.

Impriſ Juſt. of P.

7 For the increaſe of white mony, that no man of what eſtate or condition that he be, within this Realme, ſhall buy or ſell no ſiluer in plate, piece, nor in maſſe, being as good of allay as the ſterling, aboue thirty ſhillings the pound of Troy, ouer the faſhion, vpon the paine of forfeiture of the double value of as much as he buieth or ſelleth, contrarie to this ordinance. And that the one halfe be forfeit to the kings vſe, & the other halfe to the vſe of him that will ſue and proue the ſame forfeiture. Prouided alwaies that they which go to the coine, haue & take of the Maſters of the ſame coine, according as is lawfully contained in the Indentures, therof made betweene the King and him. And alſo

White money

Siluer plate

Forf.

Poitrit

Mint. maſter.

the Maister of the said Mint for the time being, may take and deliuer, as is contained in the said Indentures, without taking more for the ease and profit of the common people. An. 2. H. 6. cap. 13.

London — 8 No Goldsmith nor worker of Siluer within the Citie of London, sell no workemanship of Siluer, vnlesse it be as fine as the Sterling, except the same need souder in the making, which shall be allowed according as the souder is necessary to bee wrought in the same. And that no Goldsmith nor Ieweller, nor none that worketh harneis of siluer, shall set any of the same to sell within the City, before it be touched with the touch, and also with a Marke or signe of the workeman of the same, vpon paine of forfeiture of the double as is aforesaid. And that the marke and signe of euery Goldsmith be knowne to the wardens of the craft. And if it may be found, that the said keeper of the Touch, touch any such Harneis with the Leopards head, except it be as fine in allay as the sterling: that then the keeper of the touch for euery thing so proued, not as good in allay as the said sterling, shall forfeit the double value to the king, and to the party, as is aboue recited. And also it is likewise ordained in the city of York, Newcastle vpon Tine, Lincolne, Norwich, Bristow, Salisbury and Couentry, that euerie of them shall haue diuers touches, according to the ordinance of the Maiors, Bailifes or Gouernours of the same townes. And that no Goldsmith, nor other worker of siluer, nor keeper of the said touches, within the same townes shall set to sale nor touch any siluer in other manner then is ordeined before within the city of London, vpon paine of the said forfeiture. And moreouer, that no Goldsmith nor other worker of Siluer within the Realm of Engl. where no touch is ordained, as afore is said, shall worke any siluer, except it be as fine in allay, as the sterling (See after 12. that sterling is now eleuen ounces two penny weight,) and that the Goldsmith or worker of the same, siluer, set vpon the same his mark or sign before he set it to sale. And if it bee found, that it is not as fine as the sterling, that then the worker of the same shall forfeit the double valure, in manner and forme, as before is recited within the city of London. And the Iustices of Peace, Maiors, and Bailifes, and all other hauing power of Iustices of Peace, shall heare, inquire and determine by bill, plaint, or in other manner all that doe contrary to the said ordinances, and thereof doe make due execution by their discretiõ. Prouided alwaies y if the matter of the Mint that now is, or which for the time shall be, offend or haue offended in his Office of the said Mint: that then hee be corrected and iustified, according to the forme of the said Indentures. Anno 2. H. 6. cap. 14.

Sterling — Souder — Touched — Marke Fork. — Keeper of Touch — Fork. — Yorke — Maiors Bailifes — London ☞ — Marke — Fork. — Iust. of P. Maior Bailife Dier & ter. — Execution ✠ Mint master. Offend

9 That no finor of Gold & siluer, nor parter of the same by fire or water, from henceforth allay no fine siluer nor gold, nor none sell in any otherwise, ne to any person or persons, but only to officers of Mints, changes, & Goldsmiths within this realm, for the augmentation & amending of coine, & plate, as is aforesaid. And that the Makers of Mints, changers & Goldsmiths, for all such fine Golde or siluer cõming to them, to answere y value, as it is worth, according as it is now, & hath bẽn of ancit time accustomed after the rate of fineneſſe: Ne that no finor nor finors, parter or parters, sel to no person, neither to one ne to other, any maner of siluer in masse molten and allaied, vpon paine of forfeiture of the same: The king thereof to haue the one halfe, and the finder that can proue, and will sue it in the kings Exchequer the other halfe. And if any finor or finors, parter or parters of Gold and Siluer, either by fire or water, allay or sell any fine siluer or gold otherwise then is ordained in this last act, he or they to lose the value of the same gold or siluer so allayed or sold: the K. thereof to haue the one halfe, & the finder y can proue it, & wil sue it in the K. Escheq. the other halfe. Also all such fine siluer as shal be parted & fined, as is aforesaid, that it bee made so fine, that it may be two penny weight of allay in a pound weight, & yet it be as good as sterling, and rather better then worse. And that euery finor put his seuerall marke vpon such fine siluer, to beare witnes to the same to be true, as is aforesaid, vpon the paine of the value found contrary to be forfeit: The king thereof to haue the one half, and the finder that can proue it, & wil sue in the Eschequer the other halfe. And that no Goldsmiths within this Realme, melt, or allay any siluer, to, ne for any workes, of other intent, but only for making of amels of diuers workes of Goldsmithry, And for amending of plate, to make it as good as sterling or better, for the common weale of this realm. Nor y they sell nor fine siluer, nor other siluer allaied molten into masse, to any persõ or persõs whatsoeuer they be, nor one goldsmith to another. This ordinãce to be kept by y Goldsmithes in euery point vpon paine of forfeiture of the same siluer or value thereof. The king thereof to haue the one halfe, and the finder that can proue it, & will sue it in the K. Eschequer the other halfe. Also it is ordeined by the same authority, that all Letters P. and grants of Offices belongiug or appertaining to the Mint of our soueraigne Lord the K. exercised in the same with fees and wages thereto belonging be from henceforth void and of none effect. Ann. 4. H. 7. cap. 2.

Gold finor — Allay Well — Mint masters. — Sell — Siluer & barre Fort. Worke — Alley — Fort. Worke — Two pe. wt barre — Fine Marke — Fort. Worke — Amels — Fine Barre — Fort. Worke — Letters Office Mint — Gold — Bay Exch. Worke Strange — Gold or Plate — Bullion Fort.

10 No person dwelling or inhabiting within this Realme from the said feast of the Purification (s. Anno 1490.) pay or deliuer wittingly by way of Exchange, or otherwise, to any Merchant or other person, borne out of the K. obeysance for any Merchandize or wares, or in any otherwise, any maner peeces of gold coined in this Realme, or any other Realme, nor any plate, vessels, masse, bullion, ne Iewels of gold, wrought, or vnwrought vpon paine to forfeit and lose the double summe or double value of all such money of gold coyned, plate, vessell, masse, bullion, or Iewels of gold or Siluer, paid, deliuered, exchanged, contrary to this Act: The one halfe of the same forfeitures to the king our Soueraigne Lord, and the other halfe to any of his Subiects that will seise it, & sue for any such paiment, deliuerance, or exchange, made or to be made contrary to this Act. And that it be lawfull to the kings Subiects in this cause, to sue

Gold

for

for the ſaid forfeiture, by action of debt, by writ at the Common law, by bill or plaint, after the cuſtome of the Citie, Port, or Towne where it ſhall happen any forfeiture to fall and be, or by information to be made in the kings Exchequer, & that no protection or eſſoines be allowable in any ſuch action nor information. Anno 5. H. 7. cap. 23.

11 An. 17. Ed. 4. cap. An act was made to endure for ſeuen yeares, againſt Goldſmiths, and ſelling of gold and ſiluer.

A No Goldſmith from the twentieth day of April next comming, ſhall worke, ſell, exchange, or cauſe to be wrought, ſold, or exchãged, any plate, or other goldſmiths wares of gold, leſſe in finenes then that of twenty and two carrots, and that they vſe no ſolder, amell, nor other ſtuffings whatſoeuer, in any of their workes more then is neceſſary for the finiſhing of the ſame, and that they take not aboue the rate of twelue pence for the ounce of gold (beſides the faſhion) more then the buyer ſhal or may be alloweb for the ſame, at the Queenes exchange or Mint, vpon paine to forfeit the value of the thing ſold or exchanged: & that from the ſaid twentieth day of April, no Goldſmith ſhal make, ſell, or exchange, in any place within this Realme, any plate of Goldſmiths wares of Siluer, leſſe in finenette then that of ſeuen ounces two penny weight, nor take aboue the rate of twelue pence for euery pound weight of Plate or wares of Siluer, beſides the faſhion, more then the buyer ſhall or may bee alloweb for the ſame, at the Queenes Exchange or Mint, nor put to ſale, exchange, or ſell any Plate or Goldſmiths worke of Siluer, before hee hath ſet his owne marke to ſo much thereof, as conueniently may beare the ſame; vpon paine to forfeite the value of the thing ſo ſold or exchanged. And if any Goldſmith ſhall make any Goldſmiths worke or plate and the ſame after the ſaid twentieth day of April ſhall be touched, marked and alloweb for good by the Wardens or Maſters of that Myſtery, and in the ſame there ſhall be found any falſhood or decete: Then the Wardens and Corporation of that myſterie for the time being, ſhall forfeit and pay the value of the thing ſo exchanged or ſold: The one moity of all which forfeitures ſhall be to the vſe of the Queenes Maieſtie, and the other moity to the vſe of ſuch party grieued, and ſuſteining loſſe thereby, as will ſue for the ſame in any Court of Record, by action, bill, plaint, information, or otherwiſe, wherein no eſſoine, protection, or wager of law ſhall be admitted for the defendant. Anno 18. Elizab. cap. 15.

Graunts.

ANno 21. Rich. 2. It was enacted, that Graunts made by certaine attainted perſons, attainted of Treaſon, ſhould bee voide. But this Parliament was repealed by Anno 1. H. 4. cap. 3.

2 Where the right Noble and famous King of full worthy memory, King Henry the eight, father to our moſt dread, and now naturall Soueraigne Liege Lord, ſithence the fourth day of February, in the ſeuen and twentieth yeare of his late raigne, and alſo the kings moſt excellent Maieſtie, by their ſeuerall Letters Patents, haue giuen, graunted, bargained, ſold, and exchanged, to and with diuers and ſundry the ſubiects of this Realme, bodies politike and corporate in fee ſimple, fee taile, for terme of life, or yeres, diuers honours, caſtles, Mannors, Lands, tenements, & other hereditaments, & offices; After, & ſince which graunts, bargaines, ſales, and exchanges, diuers of the ſaid Patentees, their heires and ſucceſſors, or aſſignes haue bargained, ſold, giuen, exchanged, or deuiſed diuers particuler parts, parcels or poſitions of the ſaid honours, caſtles, manors, lands, tenements, hereditaments, and offices, or other things thereunto appertaining or belonging to other perſon or perſons, bodies politique or corporate: that is to ſay, to ſome of them in fee ſimple, to ſome other in fee taile, for terme of life or yeres, or otherwiſe: And after that the ſame Patentees for conſideration them moouing, haue ſurrendred and giuen vp their ſaid Let. Patents vnto the Chantery, or otherwiſe, the ſame Letters Patents haue come to, ſuited by attainder, loſt, cancelled, inbeſilled, or by other waies or meanes haue come to the hands of the K. Maieſtie his late father, and thereupon oftentimes the inrolement of the ſame, hath bene made voide and fruſtrate, ſometime in part, and ſometime in the whole, by reaſon whereof ſuch perſons, bodies politike or Corporate, as haue had intereſt or title, in, or to the ſame Caſtles, manors, or particular poſitions or parcels of the ſame, ſo to them giuen and graunted, haue bene in times paſt, and in time to come are likely to be diſherited, or in danger of loſſe of their intereſt, in, or to the ſame, to their no little hinderance and peril. For remedie whereof, Be it &c. that all & euery perſon or perſons, bodies politike or corporate, which lawfully ſhall or may claime, by force of any Patent or Patents, made ſithence the ſaid 19. day of February, or hereafter to be made by the Kings Maieſtie his heires or ſucceſſors Kings of this Realme, or by any of them, and all other that now haue, or hereafter ſhal happen to haue any good or lawfull eſtate, right, title, rent, profit, intereſt, or poſſeſſion, of, in, to, or out of any honors, manors, lands, tenements, hereditaments, or offices, or of other things, to any of the premiſſes appertaining or belonging, or to any part, parcell, or member of them, or any of them, by, from, or vnder any ſuch Patentee or Patentees, or any of them, or by, from or vnder the heires, ſucceſſors, or aſſigns of them, or any of them, or by, from or vnder the eſtate of any others, which had, haue, or hereafter ſhall haue, the eſtate, title or intereſt of any ſuch Patentee or Patentees or by any other meanes, vnder the date of ſuch Letters Pat. ſhall and may at all times hereafter in any of the kings Courts, his heires or ſucceſſors, and elſewhere, by vertue of this preſent Act, make, & conuey vnto

Letters P.

Fee ſimple
Fee taile
Life
Yeares

Sales
Exchanges
Patentees
Sold

Patentees

Surrendred
Loſt.

Claims

Right

themselues title by way of declaration, plaint, auowrie, title, barre, or otherwise, as well against the K. Highnes, his heires and successors and euery of them, as against any other person or persons, vnto the said honours, Castles, Manors, lands, Tenements, Offices, and other the premisses, or any part or parcell of the same vnto them, or any their predecessors, or auncestors, or others, whose estate they haue in the same, by, from, or vnder the said Patentes, or any of them, or the heirs, auncestors, or assigns of any of them, or otherwise, vnder the date of the said Letters Patents, comprised and contained in any exemplification or constat thereof made, or to be made by the shewing forth of the said exemplification or constat of the roll, or of somuch thereof, as shall serue for the matters in variance, vnder the great seale of England. And the same exemplification or constat of the said inrolment, so as is aforesaid pleaded and shewed, shal be of like and the same force and effect, to all intents and constructions in the law, as the said first Letters Patents were and should be of, if the same were or should be pleaded or shewed. Anno 3. Ed. 6. cap. 4.

Exemplification

Force and effect

3 Be it enacted and declared, that all and euery Patentes and Patentees, their heires, successors, executors, & assignes, and all and euery other person or persons, hauing by or from them, or any of them, or vnder their title, any estate or interest of, in, or to any lands, tenements, or hereditaments, or any other thing whatsoeuer, to such Patentee or Patentees heretofore graunted by any Letters Patents, either of the most famous Princes king Henry the eight, king Edward the first, Queene Mary, king Philip and Queene Mary, or by any of them, or by the Quenes most excellent Maiesty that now is, at any time sithence the fourth day of February, in the seuen and twentieth yere of the raign of the said late king Henry the eight, or else by the Quenes Maiestie that now is, her Heires and Successors, or at any time hereafter to be graunted, shall and may at all times hereafter in any of the Quenes Highnesse Courts, her heires or Successors, and elsewhere, by the authority of this present act, make and conuey, and bee allowed and suffered to make and conuey, to, and for him, them, and euery of themselues, such claime or title, by way of declaration, plaint, auowrie, barre, replication, or other pleading whatsoeuer, aswell against the Quenes Highnesse, her heires and successors, and euery of them, as against all and euery other person or persons whatsoeuer, for or concerning the lands, tenements, hereditaments, or other things whatsoeuer, specified, or contained in any such Letters Patents, or, for, or concerning any part or parcell thereof, by shewing forth any exemplification or constat vnder the great seale of England, of the inrolement of the same letters Patents, or of so much thereof, as shall and may serue, to, or for such title, claime, or matter, the same Letters P then being & remaining in force, not lawfully surrendred, nor cancelled, for, or concerning so much and such part and parcell of such lands, tenements, hereditaments, or other thing whereunto such title or claime shall be made, as if the same Letters P. selfe were pleaded & shewed forth, any law, vsage, or other thing whatsoeuer to the contrary notwithstanding. An. 13. Eliz. cap. 6.

Patentees Heires

Letters P.

Conuey.

Title Plaint

Inrolement

Greenewich.

ANno 37. H. 8. cap. 11. An act is made for all the Owners of the Parishes there, to be contributary to the charges of reparations of those Parishes.

Halyfax.

ANno 18. Eliz. There was an Act made concerning the Parish church of Halyfax. But this statute is not in print.

Hats and caps.

ANno 23. Ed. 4. ca. 5. An act was made to endure for fiue yeres, against thicking of hats and caps by mills. And after An. 7. Ed. 6. ca. 8. this Act was reuiued for fiue yeres. But it is repealed by An. 1. Iac. cap. 25.

2 An. 5. H. 7. ca. 9. An act was made for prices of Hats and Caps. But it is repealed by 3. H. 8. ca. 15. The same Statute 3. H. 8. ca. 15. both appoint how Hats & Caps shall be made. But it is repealed by Anno 1. Iac. cap. 25.

3 An. 23. H. 8. ca. 9. An act was made limiting the price of Hats & Caps, brought from beyond the seas. But it is repealed by Anno 1. Iac. cap. 25.

4 An. 1. Mar. Parl. 1. ca. 11. An act was made for the sale of Hats and Caps made beyond the Seas. But it is repealed by An. 1. Iac. ca. 25.

5 Be it enacted &c. that no person by him or her selfe, or by any other, shall after the feast of the Natiuity of S. Iohn Bap. next comming, make, or worke any felt or hat, or or with any forreine wooll or stuffe, vnlesse such person shall first haue been Apprentice, or couenant seruant to such mystery of felt or hat making, by the space of 7. yeres at the least, vpon paine to forfeit all such hats or felts, as he shall make, or cause to be made while he worketh contrary to the forme of this act, & 10 l. in money for euery month that he shall so continue. And be it further enacted by the authority aforesaid, that from the 1. day of April next comming, no person whatsoeuer shall make, sell, or cause to be made or sold, any cap or other thing of felt, but onely hats, nor shal make, sell, or cause to be made or sold, any cap of any cloth not knit. And that no person after the said 1. day of April, shal die, or cause to bee died black, any cap with bark or swarfe, but onely with coperas & gall, or with woad and Madder. And for the setting of many poore and impotent persons to worke, & for better making of Caps, ỹ no persons after the said first day of April, shall thick, or full in any Mill, or cause to be thicked or fulled in any mil any cap, vntill such time as the same cap be first well scoured, and closed vpon the bank, and halfe thicked at the least in the fottstock. And that no man vnder the degree of a Knight, or of a Lords sonne

some shall after the said 1. day of April, weare any hat or vpper Cap of Welnet, or couered with Welnet, on paine to forfeit for euery hat, cap, or other thing to be made, died, thicked, fulled, sold, or wrought contrary to the meaning of this Act ten shillings, whereof the one moity shall be to the Queenes maiesty, her heyres and successors, the other moity to such person then vsing the feate of cap-making, as will sue for the same, in any Court of Record, wherein no essoine, &c. for the Defendant shall be admitted or allowed. And for the better and true making of Caps or Hats within this Realme, Be it enacted by the authoritie aforesaid, That it shall be lawfull to the Master and Wardens of the company of Haberdashers within the City of London, and to their successors for the time being, calling to them one of the company of the Cappers, and an other of the makers of Hats, as often as neede shall require, within the said City, or within three miles of the same, to search all and all maner of Cappers, and makers of Hats, and the offenders & defaults by them found, to correct and punish by fines, and otherwise, as in like cases they doe other offenders and defaults within the said Company. And that it shalbe lawfull for all Maiors, Bailifes, and other head Officers in all other Cities and Townes corporate, to do the like. Prouided alway, and be it enacted by the authoritie aforesaid, That euery Hat maker, that now is a maker or worker of Hattes, and being a housholder, apprentice, couenant seruant, or tournyman, shall, or may during such persons naturall life, continue making of hats & felts, albeit that such person were not bounden apprentice to the same Art by the space of seuen yeares. And be it enacted, that no maner of worker of hats shall take or receiue any apprentices, contrarie to the true meaning of this Act: that is to say, aboue two apprentices at one time, nor those for any lesse time then seuen yeares at the least, on paine to suffer for euery apprentice to be taken or receiued against the forme of this Act, one moneths imprisonment in the common Gaole, without baile or mainprise. And that euery taking and receiuing of apprentice, contrary to this Act, shalbe void. And also such person so taking or receiuing, shalbe from thenceforth disabled to haue any more apprentices then one at one time. Prouided alwayes, that nothing in this Act shall extend to charge any person allowed to be a Felt maker, or Hatmaker, with any paine or forfeiture for setting or vsing his or their owne children to the making or working of felts or hats in his or their owne houses. Prouided that this Act shall not extend to any making of hats with worsted yarne, in the city of Norwich. Anñ 8. Eli. cap. 11.

6 Anno 13. Eliz. cap. 19. A statute is made for making of Cappes. But it is repealed in Anñ 39. Eli. cap. 18.

7 Be it enacted &c. That from and after forty dayes next insuing the end of this present Session of Parliament, the moity or one halfe part of all and euery the forfeitures and penalties, contained in the Act made 8. Eli. cap. 11. for the true making of Hats and Caps that shal arise or grow due, after them end of the said 11. dayes, and also the moitie or one halfe part of all and euery the forfeitures and penalties hereafter limited and appointed in and by this present Act, shal be to our soueraigne Lord the kings maiesty, his heyres and successors, and the other moity, or halfe part thereof, to such person or persons, as will sue for the same by Action of debt, bill, plaint, or information, to be commenced, or brought, or prosecuted in any Court of Record, wherein no essoine, protection, or wager of Lawe shalbe admitted or aloined for the Defendant. And be it &c. That no person or persons, from and after the said forty dayes, shall make or cause to be made any felt or hat, of, or with any wooll or stuffe whatsoeuer, vnlesse he or they shall haue first serued as apprentices in the foresaide Trade or Art of Felt-making, during the space of vij. yeares at the least. Neither shall they retaine and set to worke in the said Art, any other person or persons, then iournymen, that haue lawfully serued in that Art, and apprentices lawfully bound in the said Trade or Art, nor aboue the number of two apprentices at one time, nor those by any lesse terme then seuen yeares, vpon paine to forfeit fiue pounds for euery moneth that he shal continue offending contrary to the true meaning of this Act, to be recouered to the vses, and in maner aforesaid. And be it &c. That no person or persons, from and after the said forty daies shall retaine or set on worke in the saide Art of Hat or Felt making, any person or persons borne out of his Maiesties realms and dominions of England, Scotland and Ireland, vpon paine to forfeit fiue pounds for euery moneth, wherein such person or persons shall so offend contrarie to the meaning of this Act, and to be recouered to the vses, and in manner and forme aforesaid. Prouided alwayes, that nothing in this Act, or in the said former Act contained, shall extend to charge any person or persons, lawfully exercising the said Art, with any paine or forfeiture, for setting or vsing his or their owne naturall sonne or sonnes, to the making or working of hats or felts, in his or their owne house or houses, so as euerie such sonne or sonnes be bound by indenture of Apprentice-hood, for the terme of vij. yeares at the least, which terme shall not be to expire, before he shalbe of the full age of two and twenty yeares (any thing aboue said to the contrarie notwithstanding.) Prouided alwayes, and be it enacted &c. That euery felt maker that now is, and by the space of one yeare last past before the beginning of this present Parliament, was a maker or worker of felts, and being an housholder, and all such as now are Apprentices, Couenant seruant, or iourneyman, in the same Art or Mystery of Felt-making, so as the same Apprentice serue the residue of seuen yeares at the least, shall or may during such persons naturall life, continue making of hats and felts, albeit the same person were not bound Apprentice to the same Art for the space of seuen yeares; Any thing in this Act or elsewhere to the contrary notwithstanding. Anñ 1. Iac. cap. 17

Forfeitures

Apprentice 7. Yeares

Iournymen

Two apprentices 7 Yeares Fork.

Strangers Fork.

Feltmakers sonnes

Feltmakers at the making of this Act.

Hauens

Hauens and Riuers.

Salmon Nets

WHereas it is contained in the Statute of Westm.1.cap.48. (which see before Fishers 1.) that young Salmons shall not be taken by nets, nor by other engines, at Mill dammes, from the middes of April, till the Natiuitie of S. Iohn Baptist, vpon a certaine paine limited in the same statute: It is accorded and assented, that the said statute be firmely holden and kept: Ioyning to the same, that young salmons shall not be taken during the said time, at mill dammes, nor in other places, vpon the same paine. And that no Fisher nor gaskman, nor none other, of what estate or condition that he be, shal from henceforth put in the waters of Thames, Humber, Ouse, Trent, nor no other waters of the Realme, by the said time, nor in any other time of the yeare, any nets called stalkers, nor other nettes nor engines whatsoeuer they be, by the which the fry or the breed of the salmons, lampries, or any other fish may in any wise be taken or destroyed, vpon the paine aforesaid. And also, whereas it is contained in the same Statute, that al the waters in the which salmons be taken within the realme, shal be put in defence, as to the taking of salmons, from the Natiuitie of our Ladie, vntill Saint Martines day: It is ordained and assented, That the waters of Lonwire, Merle, Ribbill, and all other waters in the County of Lancaster be put in defence, as to the taking of salmons from Michaelmas day to the Purification of our Lady, and in no other time of the yeare, for cause that salmons be not seasonable in the said waters in time aforesaid. And in the parts where such riuers be, there shall be assigned and sworne good and sufficient Conseruators of this Statute, as it is ordained in the said Statute of Westminster. And that they shall punish the offenders after the paine contained in the same Statute, without any fauour thereof to be shewed. Anno 13.R. 2.cap.19.

Mill dams

Fishers

Thames

Nets

Frie

Lancashire

Conserua-tor

Punish

2 Forasmuch as the two former Statutes of Westminst.2.cap.48. and of 13.Rich.2. cap.19. haue not beene duely put in execution for default of good conseruators of them: It is accorded &c. that the Iustices of the Peace of all the Counties of England, shall be Conseruators of the said Statutes in the Counties where they be Iustices. And that they and euery of them at all times when they may attend, shall survey the offences and defaults attempted against the Statutes aforesaid. And also shall survey and search all the weares in such riuers, that they shall not be very strait, for the destruction of such frie and brood, but of a reasonable widenesse, after the old assise vsed or accustomed. And that the same Iustices, or any of them, which shall finde default or misprision against the statuts aforesaid, shall make true punishment of the, which be found in default, after the content of the same statutes. And that the same Iustices shall put good and sufficient vnderconseruators of the same Statutes vnder them, which shalbe sworne to like surueying, search, and punishment, without any fauour therof to be shewed. And moreouer, that the same Iustices in their Sessions, shall inquire as well of their office, as at the information of the vnderconseruators aforesaid, of all trespasses, misprisions, and defaults, made against any of the points aforesaid, and shall cause them which be therof indicted, to come before them. And if they be therof conuict, they shall haue imprisonment, and make fine after the discretion of the same Iustices. And if the same be at the informatiō of any of the vnderconseruators aforesaid, the same vnderconseruator shall haue the halfe of the same fine. And forasmuch as it is graunted to the Citizens of London by the kings progenitors, that they may remoue and take all the weares in the waters of Thames and Medway, and that they shall haue the punishments therof pertaining the King: Our said soueraigne Lord the King in this present Parliament, by the assent aforesaid, hath graunted, that the Maior or Warden of London for the time being, shall haue the conseruation of the Statutes aforesaid: And shall make therof due execution and like punishment, as afore is ordained of the Iustices of the peace, in the said waters of Thames, from the bridge of Stanes to London, and from thence ouer the same water, and in the said water of Medway, as farre as it is graunted to the said Citizens, as afore is said. Anno 17.Rich.2.cap.9. See before Fishers 16. the new Statute of this matter. ✻

Punish

Iust. of P.

Surpey

Weares

Frie

Punish

Iust. of P. Deputies

Sessions

Trespas

Indict

Conuict Imprisonment Fine

Moitie

London

Weares Thames

Maior

From Stanes to London Medway

3 The standing of Nets and Engines, called Trinkes, and all other maner Nets, which be and were wont to be fastened and hanged continually day and night by a certaine time in the yeare, to great postes, boates, and ankers ouerthwart the riuer of Thames, and other riuers of the Realme, which standing is a cause and an occasion of a great and much destruction of the brood or frie of fish, and disturbance of the common passage of vessels, as be the Weares, Ridels, or any other engins, be wholly defended for euer. And that euery person that setteth or fasteneth them from henceforth to such postes, boates and ankers, or like thing, continually to stand as afore is said, and be duely thereof by the course of the Law conuict, he shall forfeit to ỳ King 100.s. at euery time that he is so proued in default. Prouided allwayes, That it shall be lawfull to the possessors of the said Trinkes, if they be of assise, to fish with them in all seasonable times, drawing and conueying them by hand as other fishers doe with other Nets, and not fastening or tacking the said Nets to the postes, boates, and ankers, continually to stand, as afore is said: Sauing allwayes to euery of the Kings liege people, their right, title, and inheritance in their fishing in ỳ said water. Añ 2.H.6.cap.15. ✻

Nets

Frie

Weares

Trinkes

Comit. Fol.

4 The Chauncello^r of England shall haue power to graunt such Commission at all times needfull, to such indifferent persons dwelling thereabout, which thereto best can and may intend, to inquire, redresse, and amend all the defaults being in the said water, as well by diuers trenches made out of the said water, as of all other maner stankes, ridels, weares, or mills, being or made to the annoyance of the passage of boats in the said water, according

Chancello^r Commiss

Trenches

cording to the purport and tenor of the Statutes in this case prouided and ordained. Anno 3.H.6. cap.5.

5 Anno 9. Henr.6. capit. 9. An Act was made to indure for three yeares, concerning the cleansing of the Riuer of Lee, going from Ware to Thames of shelues, that boats might passe in that riuer.

6 Where the Maior of the City of London for the time being is Conseruator, hauing the conseruation of the Water and Riuer of Thames, from the bridge of Staines, vnto the water of Yendall and Medway: It is so that within few yeares, by tempest of weather and great aboundance of Waters in the said riuer of Thames, diuers breaches, issues, and creeks haue béene and growne out of the said Riuer of Thames, and by the same diuers pastures, meadowes, and grounds of diuers persons béne drowned and ouerflowen, in which breaches, issues, and creekes, and ground drowned, the frie and brood of fish for the most part resteth, and in the same places the said frie and brood in great multitudes bin daily taken by the said fishery, with vnlawfull engines and nets, for baite of eeles and and cods, and also for feeding of their hogges, to the vtter destruction of the said frie and brood, without a remedie the rather be prouided. The King &c. hath ordained, established and enacted, That the Maior of London, and his successors Maiors for the time being, haue the conseruation and rule, and like authoritie in euery of the said breaches, issues and creekes, and grounds so drowned and ouerflowen, as farre as the water ebbeth and floweth, as touching the punition for vsing vnlawfull nets, and other vnlawfull engines in fishing, like as he and his predecessors haue had, or hath in the same water & Riuer of Thames, within the lands afore rehearsed, and to do all like correction and punishment there, concerning the reformation and redresse of vnlawfull nets and engines, as hée and his predecessors haue vsed and owe to vse in the said riuer of Thames. Prouided alway, that the Maior of London or his successors Maiors for the time being, haue not the conseruation, ne rule, ne authority in any of the said breaches, issues, creekes, and grounds so drowned and ouerflowen within the Kings ground, or being within franchises of any person spirituall and temporall, as touching the punition for vsing vnlawful engins in fishing, or to doe any correction or punishment there, concerning the reformation and redresse of vnlawfull nets and engines, as the said Maior and his predecessors haue vsed and owe to vse in the said riuer of Thames. Anno 4.H.7.cap.15.

7 Anno 6.H.8. cap. 17. An Act was made for the cleansing and amending of the riuer at Canterbury, from Chart to Fordich.

8 Anno 23.H.8. cap. 18. An Act was made, concerning the amending of the Riuers of Ouse and Humber, and for the pulling downe and auoyding of fishgarthes, piles, stakes, and other things set in the said riuers.

9 Anno 23.H.8.cap.8. and anno 27.H.8.cap. 23. be two seuerall Acts made of one effect, for the preseruation of certaine Hauens and Portes of Plimmoth, Dertmouth, Kingmouth, Falmouth, and Fowet, and other Ports in Deuon and Cornwall, and that none should labour in tinne workes, neare the fresh riuers of these hauens, and that they that labour in tin worke, should so doe, that stones & grauell should not come into these hauens, vpon a forfeiture. And if any were sued or troubled in the Stannerie for executing this Act, those suites should be voide, and if hée were imprisoned by the Stannery, hée should be discharged by a Justice of Peace: Hauing the Liberties of the Stannerie. Plimmouth. Tinworke. Stannery Iust. of P.

10 Anno 27.Hen.8.cap.18. An Act is made, for the preseruation of the Riuer of Thames of London, against them that annoy the streame, making of shelues, digging or casting things in the Riuer, or carrying away of timber, or other things from the Bankes, vpon forfeiture of fiue pounds: The one halfe &c. And an order appointed for the taking of balast there, and that it shall be lawfull to take away any thing from the shelues there &c. Thames. Fork. Mottie. Balast.

11 Anno 31.H.8. cap.4. An Act is made concerning the amending of the riuer of Exe, and the citie of Exceter, and that the Mayors and Officers of Exceter may plucke downe and breake weares, rockes, sands, grauell, and other lets in the said riuer, and in other places conuenient, and to doe all other things necessarie where the vessels may haue recourse in that riuer to the Citie, paying twentie yeares purchase for the digging, or else money to be assessed, as is expressed in the Act, at the election of the owner of the ground, vpon a forfeiture, & paying to the occupiers for their hurts &c. with diuers matters at large for this matter. Exe. Maior Officers.

12 No person or persons after the first day of August next comming, doe cast, or vnlade out of any manner of Ship, Crayer, or any other vessell, being within any Hauen, Roade, Channell, or Riuer, flowing or running to any Port Towne, or to any Citie, Borough, or Towne within this Realme, or any other the Kings dominions, any manner of balast, rubbish, grauell, or any other worake or filth, but onely vpon the land vpon the full sea marke, vpon paine that euery person and persons offending this Act, to lose and forfeit for euery time so offending fiue pounds: The one half to the King our Soueraigne Lord, and the other halfe thereof to such person or persons as will sue for the same, by bill, &c. in which Action &c. Anno 34.H.8.cap.9. Balast. Fork. Mottie.

13 Anno 27.Elizab. An Act was made for the maintenaunce of the Piere or Cob of Lyme Regis in the county of Dorset. But it is not printed. And Anno 35.Eliz.cap.7. This Act is continued during ten yeares next insuing, and so from thenceforth to the end of the next Parliament then next insuing. And by 1.Iac.capit.25. it is continued and to stand in force for the space of seuen yeares next insuing the first day of that Parliament: And from thence to the end of the first Session of the next Parliament.

14 It shall be lawfull to and for the Maior and

Plimmouth and Comminaltie of Plimmouth, and to their ſucceſſours at all times after the feaſt of Eaſter nowe next comming, to dig and mine a ditch, or trench, containing in breadth betweene ſixe or ſeuen foot ouer in all places, through and ouer al the lands and grounds lying betweene the ſaid Towne of Plimmouth, and any part of the ſaid riuer of Mewe, alias Meuy, and to digge, mine, breake, banke, and caſt vp all and all manner of rockes, ſtones, grauell, ſand, & all other lets, in any places or ground, for the conuenient or neceſſarie conueying of the ſame riuer to the ſaid Towne. And further, from time to time to doe reparation, and make weares, bankes, and all other things neceſſary, whereby the ſaid riuer may be brought & continue vnto the ſaide Towne, without let, deniall, veration, or trouble of the Lord or Lords, owner or owners of the ſame ground, or of any other perſon or perſons by ſuite in the Law, or otherwiſe, vpon paine of twenty l. for euery time that they, or any of them do attempt the contrary thereof: the one halfe thereof to be to our ſaid ſouereigne Lady, and the other halfe to the ſaid Maior and Comminaltie, and their ſucceſſors, to be recouered by action of debt, bill, plaint, or information, wherein the party defendant ſhall not wage his Lawe, nor in the ſaid action, actions or ſuites, any eſſoine, licence, or protection ſhall be allowed. The ſaid Maior and Comminaltie giuing and paying to the Lord or Lords, owner or owners of the ſoile where ſuch things ſhalbe made or done, in recompence and ſatisfaction, of and for the Land or Ground ſo to be digged, or mined, for the full and abſolute purchaſe of the ſame, to them and their ſucceſſors, ſo much money, as by the two Juſtices of Aſſiſe of the Countie of Deuon for the time being, ſhall be adiudged, ordained and determined: And alſo giuing and paying to the tenants, farmers, & occupiers of ſuch land or ground for ſuch hurts or loſſes as they or any of them ſhall haue or ſuſtaine by the ſame, as much as ſhall be aſſeſſed, adiudged, and determined by the ſaide two Juſtices of Aſſiſes: the ſame recompence and ſatisfaction as well concerning the Lord or Lords of the Land, as the tenants, farmers, and occupiers of the ſame, to be payd by the ſaid Maior and Comminalty of the ſaid Borough for the time being, or their ſucceſſours, within the ſpace of ſixe weekes, next after the rating, aſſeſſing, and determining of the ſame, vnleſſe the ſaid Maior and Comminaltie, and their ſucceſſors, can otherwiſe compound and agree with the Lords, tenants, farmers, and Occupiers of ſuch land and ground, or with anie of them. And in caſe it happen, the Maior and Comminaltie of the ſaid Borough, to make default of payment of the ſaid recompence and ſatisfaction, and reſiſt to pay the ſame, as is before rehearſed: that then the lord, lords, owner, owners, tenants, farmers, and occupiers of ſuch land or ground, that is agreeued therewith, & to whom the recompence and ſatisfaction ought to be paied, ſhall and may lawfully commence, affirme, and take his or their Action of Debt by the courſe of the Common law, againſt the Maior and Comminaltie of the ſaid borough for the time being, and their ſucceſſors, for recouerie of the ſame in any Court of this Realme, at the will and pleaſure of the partie grieued, and like Proces thereupon to be had, as in Action of Debt at the Common Law, grounded vpon the Contract or Specialtie, hath vſed to beene had, in which no Wager of Law, Eſſoine, or Protection ſhall be allowed. Prouided alwayes, and it is further enacted by this preſent Parliament, and by the authoritie of the ſame, That the ſaid water ſhall not be conueyed through the Houſe, Garden, or Orchard of any perſon or perſons, or through any part thereof, without compoſition to be firſt had with the owners and occupiers of the ſayd Houſes, Gardens, and Orchards. Prouided alwayes, That this Act, nor any thing therein contained, ſhall not extend to giue libertie, as aforeſaid, to bring the ſaid water, or any part thereof, out of his auncient courſe, to, or for any intent or purpoſe mentioned in this Act, vnleſſe euery ſuch perſon or perſons as are owners of any Mill or Milles, ſituate and ſtanding vpon or neere the ſaid Riuer of Mew, alias Meuie, ſhall be firſt compounded withall, as aforeſaid, if the ſayd Milles ſhall by the bringing of the ſayd water, or any part thereof vnto the ſaid Towne of Plimmouth be impaired or hindered. Anno 27. Eliz. cap. 20.

Weares

For.

Purchaſe

Juſtices

Debt

Dwelling

Mills

15 Foraſmuch as the Hauen of Orford in the Countie of Suffolke is greatly ſhoulded and decayed, by the abuſe of certaine Stalboates and vnlawfull Nets, ſet as well in the ſaid Hauen, as alſo in a place called the Gull, being a branch of the ſaid Hauen, whereby the great deſtruction of the ſtie of Fiſh there enſueth, by reaſon of the ſmalneſſe of the Maſkes of ſuch Nets as they vſe, and alſo the ſaid Hauen and Gull, by the continuall ſtanding of the ſaid Stalboates, and vſing of the ſaid Nets, the courſe of the Tides being thereby hindered, ſo that the ſaid hauen & gull, with ſand, ſoile, ſulſe, and pibble ſtones, are become of much leſſe depth, then heretofore they haue beene, to the great perill of ſhips and veſſels vſing that harborough, and likely to be much more perillous, or elſe ſhelfed vp, and ſo the vſe of the hauen and gull to be vtterly loſt, if ſpeedy remedy be not herein prouided: Be it therefore enacted by our Soueraigne Lady the Queenes Maieſty, the Lords ſpirituall and temporall, and with the aſſent of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, that from the firſt day of Auguſt now next inſuing, it ſhall not be lawfull to any maner of perſon or perſons whatſoeuer, to ſet any net or nets with anie boat or boats, called a Stallboat, or other boat or veſſell whatſoeuer within the entry or mouth of the ſaid Hauen, or in the ſaid gull, except the maſke or ſhale of euery ſuch net thorowout the whole net, dos containe two inches and a halfe at the leaſt in wideneſſe from knot to knot, vpon paine to forfeit for euery time that any net or nets ſo ſet or placed in the ſaide Hauen or Gull, not being of the maſke or ſhale aforeſaid, the ſumme of fiue pounds of lawfull Engliſh money, together with the Net or Nettes ſo ſet, or the value thereof: The one moitie

Stallboat

Maſke

forf.

moitie whereof ſhall be to the Quéenes maieſtie, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame in any of her Maieſties Courts of Record at Weſtminſter, and not elſewhere, by action, bil, plaint or information, wherein no eſſoine, protection, or wager of Lawe ſhall be admitted or allowed. Anno 27. Elizab. cap. 21.

16 It ſhall and may be lawfull to the Maior and Citizens of the Citie of Chicheſter, their ſucceſſours and aſſignes, at any time or times hereafter, to aſſigne, appoint, limit, and lay out, ſuch, and ſo much conuenient and neceſſarie portions and quãtities of ground for the making of a new trẽch or channell, from ſuch place of the hauen of the ſaid City, vnto the ſuburbs thereof, betweene the Dell key there, and a place called Fiſhborne, and of ſuch length and breadth throughout, as to them, their deputies and workemen ſhall ſeeme moſt meete, conuenient, and neceſſary for the ſame, and in ſuch place and places, as they ſhall find to be moſt apt, meete, and fitteſt for that purpoſe. And that it ſhall and may be lawfull for them the ſaid Maior and citizens, their ſucceſſors and aſſigns, and their workmen, at all time and times at their pleaſures, to haue, take, vſe, and imploy to the purpoſe aforeſaid, the ſaid portions and quantities of grounds ſo by them, their deputies, or workemen to be aſſigned, appointed, limited, and laied out, as is aforeſaid, in, and by all the length and breadth that the ſaid new cut, trench, or channell ſhall paſſe betweene the ſaid Dell key, and the ſaid place called Fiſhborne, as ſhalbe ſufficient and requiſite for the paſſing and conueying of the water along the ſaid channell, vnto the Suburbes of the Citie aforeſaid, and alſo fiftie or three ſcore foote in breadth, on each ſide of the ſaid new cutte, trench, or channell, by all the length of the ſame: So alwayes that they doe not in anie one place take in breadth both in Channell and in Ground on both ſides the water in the ſaid new Channell for the purpoſe aforeſaide, aboue the breadth of two hundreth foote in the whole, which ſpace and breadth of ground is thought very needfull and requiſite to be had, vſed and occupied for the ſaid new Channell or Cut, and for the bankes and wals thereof on both ſides, as well for the apt and conuenient placing, laying, carriage, remouing and beſtowing of ſuch earth, grauell, mud, and other ſoyle as ſhall be caſt out of the ſaid channell or trench, into places moſt fit and conuenient for the more ſtrength of ỹ ſame banks and walls, and better ſafetie of the land on either ſide, againſt ſuch inundations of water as may happen. And alſo that all the Quéenes Maieſties people may with eaſe freely on foot or horſebacke paſſe and repaſſe to and from, betweene the ſaid Citie of Chicheſter and the old Hauen aforeſaid, vpon the ſaid bankes or wals. And alſo that thereby the Lightermen and Boatmen, if need be, may vpon the ſame ground, without offending any other, draw their Lighters or Boats from place to place along the ſaid new Channell againſt the tyde or ſtreame, as ſometime being laden they ſhalbe conſtrained ſo to doe. And alſo that it may be likewiſe enacted, That the Maior and Citizens of the ſaid Citie of Chicheſter, and their ſucceſſors for euer, ſhall haue, hold, poſſeſſe & enioy all the ſaid ground ſo by them, their deputies or workmen limited, aſſigned, appointed, and layed out as is aforeſaid, for the purpoſe aboue mentioned, in length and in breadth all along the ſaid new trench or channell, as well for the ſaid new trench or channell as alſo for the bankes, walles, and ground on both ſides thereof, meete, neceſſarie, and conuenient for the Quéens ſubiects and people to paſſe, for ſuch compoſition, ſummes of money, or other recompence, as they the ſaid Maior and citizens their ſucceſſors or aſſignes, ſhall compound and agree with the lords, owners and occupiers of the ſaid ſoile and ground. And that it may be further enacted, That the Maior and Citizens of the ſaid Citie of Chicheſter, their ſucceſſors and aſſignes for euer ſhall and may haue, hold, poſſeſſe, vſe, enioy, continue and execute all ſuch iuriſdiction, power, rule, gouernement, authority and correction of all the ſaid new cutte, trench or channell, and of the ground and bankes on both ſides on the ſame, in manner and forme aforeſaid, to be aſſigned, limited and appointed and laied out, and all royalties, liberties, franchiſes, priuiledges, cuſtomes, fiſhing, fowling, lighterage, and all other profites, commodities, caſualties and aduantages whatſoeuer, as well of the ſame ground & ſoile as of the water in the ſaide new cut, trench or channell, and of either or anie of them, in as large, ample and beneficiall maner, to all intents, conſtructions and purpoſes, as they the ſaid Maior and Citizens of the Citie aforeſaid, moſt lawfully doe, or any of their predeceſſors at any time heretofore haue lawfully done, or of right may, ſhould and ought to haue had, holden, vſed, inioyed, and executed any iuriſdiction, power, rule, gouernement, correction, realties, liberties, franchiſes, priuiledges, cuſtomes, fiſhings, fowlings, lighterage, and all other profites, commodities and aduantages within the ſaid city of Chicheſter, and the liberties thereof, and in, and by, and through the ſeuerall Ports and Hauens of Vndering and Portſmouth, and in, and by all the creekes, members, and liberties of them or any of them, according to the antient cuſtomes, had, vſed and enioyed by the ſaid Maior and citizens of the ſaid citie of Chicheſter, and their predeceſſors within the ſaide Citie, and according to the forme and effect of ſundry Charters and Grants vnto them the ſaid Maior and citizens made and graunted by the Quéens moſt noble Progenitours, and by her Highneſſe confirmed, or by any of thoſe wayes or meanes. And that it may be alſo enacted, that it ſhall and may be lawfull to and for the ſaid Maior and citizens of the citie aforeſaid, their deputies or workemen, to enter into any manner of lands neare adioyning to the ſaid new cut, trench, or channell, lying within halfe a mile of the ſaid new cut, trench or chanel, ther to view what brooks, waters, ſtreams, & ſprings are in the ſaid lands, which brookes, waters, ſtreames and ſprings may fitly, neceſſarily, and commodiouſly be brought or conueyed by dike or trench vnto the ſaid new Cutte, Trench, and

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Channell, to encreaſe the force of the freſh water in the ſaid trench or channell, for the better maintaining, continuing, cleanſing and ſcowring of the ſaid new cut, trench or channel. Vpon which view by them made, if any brookes, waters, ſtreames, and ſprings be found in any of the land aforeſaid, lying within halfe a mile of the ſaide new Cutte, Trench, or Channel, which will fitly, neceſſarily, and commodiouſly ſerue for the worke and purpoſe aboue mentioned: that it ſhall and may be likewiſe lawfull for the ſaid Maior and Citizens, their deputies or workemen, to limit, aſſigne, appoint and lay out in any of the ſaid lands where ſuch Brooks, Waters, Streames or Springs ſhall be, ſuch and ſo much conuenient portion and portions, quantitie and quantities of lands, and in ſuch conuenient place and places in the ſaid lands, as ſhall bee thought apteſt and fitteſt for the conueiaunce of the ſaid brooks, waters, ſtreames and ſprings, vnto the new Cut, Trench or Channell aforeſaid, as they the ſaide Maior and Citizens, their Deputies or workemen ſhall thinke good for that purpoſe. And that it may alſo be enacted, That after the ſaid portion or portions, quantitie and quantities of land, in the ſeuerall grounds aforeſaide, ſo by the ſaide Maior and Citizens, their deputies or workemen in forme aforeſaid, and for the purpoſe laſt before mentioned, ſhalbe aſſigned, limited, appointed and laied out, that it ſhall and may alſo be lawfull to the ſaid Maior and citizens, their deputies and workmen, to make Dikes, Trenches, or other neceſſary cõueiances in the ſaid lands for the paſſing and conueying of the ſaid brookes, ſtreames, waters and ſprings, from place to place through all the ſaid lands, vnto the new Cut, Trench or Channel aforeſaid: And alſo to haue libertie from time to time to enter into the lands aforeſaide, after the Dikes or Trenches ſhall be there made, (if need ſo require) to repaire, amend, maintaine, cleanſe, ſcowre, and keepe the ſame Ditches and Trenches there made, for the conueiaunce and paſſage of the ſaid Brookes, Waters, Streames and Springs, vnto the new Cut, Trench or Channell aforeſaid, without the let, trouble or deniall of the lords, owners, or occupiers of the ſame landes: The ſaide Maior and citizens, their ſucceſſors and aſſignes, compounding and agreeing with the Lords, Owners and occupiers of the ſame lands, for all ſuch ground as they ſhal vſe and employ, in, and about the ſaid Dikes and Trenches; and yeelding alſo and paying vnto them ſuch ſatisfaction and recompence for the ſame lands with the loſſes, hinderances and damnages which they and euery of them ſhal ſuſtaine thereby, as ſhall be concluded and agreed for betweene the ſaid Lords, Owners and Occuppyers of the ſame lands, and the ſaid Maior and Citizens: And that it may likewiſe be enacted, That the Maior and Citizens of the ſaide Citie of Chicheſter, their ſucceſſours, Deputies or workemen, ſhal not by vertue of this Acte, haue, take, vſe or imploy anie mans ground or land, to anie the purpoſes, or vſes afore mentioned, vntill they haue compounded with the Lordes, Owners and Occuppyers of the ſame ground for the ſame: Prouided alwayes, That if anie Lord, Owner or Occupier of any ſuch ground or lands, needefull or requiſite to be vſed or employed, to, or for the purpoſes aforeſaide, ſhal refuſe ſuch ſumme or ſummes of money or other compoſition for his or their title, intereſt, or eſtate, of, and in the ſaide landes as ſhall be to him or them offered or tendered by the ſaid Maior and Citizens, their ſucceſſours or aſſignes, for and in recompence thereof: That then it ſhal and may be lawful to and for the ſaid Lord Chauncellour of England, or Lord Keeper of the great Seale for the time being, by his diſcretion, at the ſuit and petition of the Maior and citizens of the ſaide city of Chicheſter, to appoint and authorize by commiſſion vnder the great Seale of England twelue Commiſſioners, whereof foure to be Aldermen or other diſcreet citizens of the ſaid city of Chicheſter, inhabiting within the ſaid citie, and the other eight to be Noblemen or Gentlemen being in the Commiſſion of Peace in the ſaid county of Suſſex, inhabiting within the ſaid county, which twelue Commiſſioners or fiue of them, whereof two to be of the ſaid Aldermen or citizens of the ſaid citie of Chicheſter, and the other foure to be of the ſaid Noblemen or Gentlemen, by vertue of this Act and of the ſaid commiſſion, ſhall haue full power and lawfull authority by their diſcretion to name, aſſigne, appoint, and determine what ſummes of money, yearely rent, or other recompence the Lordes, Owners and Occupiers of all, or any of the landes or grounds to be limited, aſſigned, appointed and layed out for the purpoſes aforeſaid or any of them, their heyres or aſſignes ſhall haue, take and accept of the ſaid Maior and citizens and their ſucceſſors in full ſatisfaction of and for the ſame land and ground, or of and for anie other hinderance, damage, loſſe, decay or indempnitie that they the ſaid Lords, Owners and Occupiers or any of them, their heires, or aſſignes ſhall or may haue or ſuſtaine by reaſon of the premiſſes, ſo the ſame be ſet downe in Writing indented vnder their hands and Seales, whereof the one partie to be deliuered to the ſaid Lords, Owners and Occupiers of the ſaid lands and grounds, their heyres and aſſignes, and the other part thereof to the Maior of the ſaid Citie for the time being within one month next after the ſame ſhall be ſo ſet downe in writing: And that ſuch Lordes, owners and occupiers, their heires and aſſignes ſhall or may haue their remedy and recouery, of, and for ſuch money, yerely rent, or other recompence, againſt the Maior and citizens of the ſaide city of Chicheſter, and their ſucceſſours and others, by Action of Debt, diſtreſſe or otherwiſe, as for ſuch like things in caſes at the common Law is vſed, & like proces and proceeding to be therein, as in other like Caſes at the Common Law is vſed. And be it further enacted, that the Maior and citizens of the ſaid city of Chicheſter, and their ſucceſſours ſhall make and maintaine at their coſts and charges, the hedges, banks, walls and fences requiſite and neceſſary betweene the grounds ſo by them to be taken to the vſe aboue ſaid, and the grounds of other Owners, and alſo conuenient Bridges and wayes for the paſſage of

Brookes Springs

Trenches

Compoſitiõ

L. Chancellor

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the Quéenes liege people and their carriages. Prouided also, and be it further enacted by the authoritie aforesaid, That no person or persons shall lade or vnlade any goods, wares, or marchandise in the said new Cut, Trench or Channell, but at such lading and vnlading place, Wharfe, or Key, as shall be made for that purpose at or neere the end of the said new Cut, Trench or Channell, next the said Citie of Chichester aforesaid, vpon paine to forfeit for euery Tunne weight which shall be so laden or vnladen in any other place in the said new Cut, Trench or Channell, twentie shillings, and so after the rate: which said forfeitures shall be to the Mayor and Citizens of the said Citie, and their successors, to the vse aforesaid, the same to be recouered by the said Mayor and Citizens, and their successors, by action of Debt in any Court of Record: in which Action, no Essoine, Protection, or Wager of Law shall be allowed. And that goods, wares and marchandise shall or may be laden or vnladen at the said lading and vnlading place, Wharfe, or Key so to be made at or neere the end of the said new Cut, Trench, or Channell next to the said Citie of Chichester, as safely and lawfully, to all intents and purposes, as the same might haue beene laden or vnladen at the aforesaid old Pire or Key, before the making of this Act. Prouided alwayes, That if the said Commissioners, or six of them, as aforesaid, shall name, assigne, appoint, or determine any summe or summes of money, other then by payment of yearely rent to be giuen or payed by the said Mayor and Citizens, or their successors, to the Lords, owners, and occupyers of the same land or ground to be limited, assigned, appointed, and layed out for the purposes aforesaid, or any of them, that then before such time as the said Mayor and Citizens, or their successors, shall haue, take, vse or imploy the said land or ground, or any part thereof to the purposes or vses before mentioned, the said Mayor and Citizens, or their successors, shall pay or satisfie, or cause to be payed or satisfied the sayd summe or summes of money to the said Lords, owners and occupyers, their executors or assignes, so that the said Lords, owners and occupyers, or any of them require and demaund the same at the dwelling house of the Mayor of the aforesaid Citie of Chichester for the time being. Prouided also, That this present Act, or any thing therein contained, shall not in any wise be auaileable, extend, or giue any libertie to the said Mayor and Citizens, and their successors, or any of them, to haue or take any the lands, tenements, or hereditaments, or any Liberties, Franchises, Realties, Priuiledges, Iurisdictions, Rights, Customes, or duties of the right Honourable Charles Lord Howard, Baron of Effingham, Lord Chamberlaine of her Maiesties most Honourable household, and of the most noble Order of the Garter Knight, his heires or assignes, of, or in the Manor of Appledram in the Countie of Sussex aforesaid, or any part or parcell thereof, or thereunto belonging or appertaining, or otherwise howsoeuer, without the speciall assent and agreement of the said Lord Howard, his heires or assignes, first had & obtained in writing vnder his or their hand and seale. Anno 27. Eliz. cap. 22.

17 Anno 3. Iacob. cap. 18. There was an Act made, for the bringing of a fresh Streame of running water, of the breadth of tenne foot, to the North parts of the Citie of London, from the Springs of Chawdwell and Amwell in the Countie of Hertford. And Anno 4. Iacob. cap. 12. an Act was made, for explanation of the said Statute of 3. Iacob. whereby it is lawfull for the Mayor and Comminaltie, and Citizens of the said Citie of London, to conuey the same Streame in a Trunke or Vault of Bricke or Stone.

18 Anno 3. Iacob. cap. 20. An Act was made for the clearing of the passage by water on the Riuer of Thames, from London to the Citie of Oxford, and from thence into some part of the Counties of Oxon, Berkes, Wiltes, and Glocester.

Hawkes and Hawking.

EVery person which findeth Fawcon, Tercelet, Laner or Laneret, or other Fawcon that is lost of their Lord, shall forthwith bring the same to the Shirife of the Countie. And that the Shirife make Proclamation in all the good Townes in the Countie, that he hath such a Hawke in his custodie. And if the Lord which lost the same, or any of his meny, commeth to challenge him, and proueth reasonably, that the same is his Lords, let him pay for the costs, and haue the Fawcon. And if none come within foure moneths to challenge him, that then the Shirife haue the Fawcon, making grée to him that did take him, if he be a simple man, and if he be a Gentleman, and of estate to haue the Fawcon, that then the Shirife redeliuer him the Fawcon, taking of him reasonable costs for the time that he had him in his custodie. And if any man take such Fawcon, and the same conceale from the Lord, whose it was, or from his Fawconer, or whosoeuer taketh him from the Lord, and thereof be attainted, shall haue imprisonment of two yeares, and yéld to the Lord the price of the Fawcon so concealed and carried away, if he haue whereof, and if not, he shall the longer abide in prison. Anno 34. Ed. 3. cap. 22. See here 2. ✲

Finding of Hawkes. Shirife. Proclamation. Costs. 4. moneths. Gentleman. Redeliuer. Conceale. Attainted Imprisonment.

2 Forasmuch as notwithstanding the Statute 34. Ed. 3. cap. 22. (before 1.) the offendors doubt but little to offend in that behalfe, Be it ordeined &c. That if any steale any Hawke, and the same carrie away, not doing the ordinance aforesaid, it shall be done of him as a théefe that stealeth a horse or other thing. Añ 37. Ed. 3. cap. 19. ✲

Steale. Felony.

Hereford.

ANno 2. & 3. Ph. & Ma. cap. 14. it is enacted, That the Deane & Chapter of Hereford, may reedifie foure Milles, where foure Milles were destroyed, or neere thereunto, and to haue the waters,

Milles

Filhings, Pathes, and Weares, as they had beſore to the foure Willes.

Hereſie.

IN Añ 25.H.8. cap.14. An Act was made intituled, An act for the punilhment of Hereſie. And by this Statute, the Statute of 2.H.4.cap.15. was repealed.

2 In Añ 31.H.8.cap.14. a Statute was made for the punilhment of Heretikes commonly called the Act of ſix Articles, but it was repealed by 1. Ed.6. cap.12.

3 In Añ 34.H.8.cap.1. An Act was made for the punilhment of Heretikes, and prohibiting of certaine perſons to preach or teach, or to reade Scripture in Engliſh, and againſt ill bookes, but it was repealed by 1.Ed.6. cap.12.

4 In Añ 35.H.8.cap.5. An Act was made concerning the qualification of the Act of ſix Articles, but this Act of 35.H.8. was repealed by 1. Ed. 6. cap.12. Sir articles

5 In Añ 1.Ed.6. cap.12. there were repealed, and from thenceforth made void by general words, all Statutes concerning doctrine or matters of Religion. But 1.& 2. Ph. & Ma. cap.6. the Statutes made Añ 5.R.2. cap.5. And Añ 2.H.4. cap.15. and Añ 3.H.5. cap.7. were reuiued, and afterward repealed by Añ 1.Eliz cap.1.

Hexamſhire.

THe ſaid territorie, franchiſe and libertie of Heram and Heramſhire, with the liberties of the ſame, may be, is, and ſhall be from henceforth taken to be within, and part, parcell and member of the ſaid Countie of Northumberland. And that as well the Plees of the Crowne, as alſo all ſuites betwixt partie and partie, may proceed & haue their due end and tryall within the ſaid County of Northumberland, by and before the Shirife and Coroners of the ſaid Shire, and alſo before the Juſtices of Peace, Juſtices of Gaole deliuerie, Juſtices of Aſſiſe, Niſi prius, Oyer and Terminer, and other officers, and each & euery of them, as the caſe ſhall require, and take effects, as any of the like haue bin or ought to be, which haue happened or ſhall hereafter happen within the ſaid County of Northumberland, and that from henceforth the Shirife and other Officers of the Countie of Northumberland for the time being may haue full power and authoritie to execute his or their office, and all proceſſe to him or them directed within Heram and Heramſhire, and liberties of the ſame, in as ample & large manner as he or they may, ſhould or ought to doe within any other part of the ſaid Countie of Northumberland: any Graunt, Priuiledge, Cuſtome, Vſage, Libertie, or any thing elſe whatſoeuer heretofore made, claymed, vſed, had, put in vre or execution, or enioyned to the contrarie notwithſtanding: ſauing to the Baylife of the Liberties, or other Officers of the ſaid Towne of Heram & Heramſhire, or the liberties thereof, all liberties & priuiledges for executing of Proces, returne of writs, and otherwiſe, as they or any of them of right ought to haue before the making of this Act. Anno 14. Eliz. cap.13.

Northumberland Plees of the Crowne

Sherife Coroners Juſt. of P.

Sherife

Proces

Bailife

Returne of writs

Highwayes.

ANno 14.H.8. cap. 6. An Act was made, authorizing George Gilford to lay out a new high way in his Manor of Hampſted in Cumbroke in the Weld of Kent, and to take in, ſeuer, and haue the old high way there. And that any perſon within the Weld of Kent may make of his owne land, by the ouerſight and aſſent of two Juſtices of Peace, and twelue men of that Hundred, and other Hundreds adioyning, a new way more commodious, and to haue and to enioy the old way in ſeueraltie &c. And that they ſhall make Certificate into the Chancerie within three months after, of the length and bredth &c. And after Añ 26.H.8. cap.7. it is enacted, That the ſaid Act of 14.H.8. ſhall extend to all places conuenient in Suſſex, where the wayes be noyous. Kent Juſt. of P.

2 In Añ 37.H.8. cap.3. Is an Act for the amending of the Highwayes, beſides Cheſter, called Huntington lane. Huntington lane

3 In Añ 1.M.2.Parl. cap.3. Is an Act made to endure for ſix yeres, for the repairing of a cauſey betwixt Briſtow & Gloceſter, with diuers deuiſes at large concerning that matter.

4 For the amending of Highwayes, being now very noyſome and tedious to trauell in, and dangerous to all paſſengers and Carriers, Bee it &c. That the Conſtable and Churchwardens of euery Pariſh within this Realme ſhall yearely vpon Tueſday or Wedneſday in Eaſter weeke call together a number of the parochians, and ſhall then elect and chuſe two honeſt perſons of the Pariſh to be Surueyors and Orderers for one yere of the works, for amending of the Highwayes in their Pariſh, leading to any Market Towne: the which perſons ſhall haue authoritie, by vertue hereof, to order and direct the perſons and cariages that ſhall be appointed for thoſe works by their diſcretions, and the ſaid perſons ſo named ſhall take vpon them the execution of the ſaid offices, vpon paine euery of them making default to forfeit xx. s. And the ſaid Conſtable and Churchwardens ſhall then alſo name and appoint foure dayes for the amending of the ſaid wayes, before the Feaſt of the Natiuitie of S. John Baptiſt then next following: And ſhall openly in the Church the next Sunday after Eaſter giue knowledge of the ſame iiij. dayes, and vpon the ſaid dayes the parochians ſhall endeuor themſelues to the amending of the ſaid Highwayes, and ſhall be chargeable thereunto as followeth: that is to ſay, euery perſon for euery plough land in tyllage or paſture that hee or they ſhall occupie in the ſame Pariſh, and euery other perſon keeping there a draught or plough, ſhall find and ſend, at euery day and place to be appointed for the amending of the wayes in the Pariſh, as is aforeſaid, one Waine or Cart, furniſhed after y^e cuſtome of the Countrey with Oxen, Horſes, or other cattell, & all other neceſſaries, meet to carrie things con-

Conſtable Churchwardens Eaſter weeke

Chuſe

Surueyors

Orderers

Appoint 4. dayes

Parish

Plough land

Find

Cart

conuenient for that purpose, and also two able men with the same, vpon paine of euery draught making default tenne shillings: And euery other householder, and also euery cottager and labourer of that Parish able to labour, and being no hired seruant by the yeare, shall by themselues, or one sufficient labourer for euery of them, vpon euery of the said foure dayes, worke and trauell in the amendment of the said Highwayes, vpon paine of euery person making default to lose for euery day twelue pence. And if the carriages of the Parish, or any of them, shall not be thought needfull by the Supervisors to be occupied vpon any the sayd dayes: That then euery such person that should haue sent any such carriage, shall send to the said worke for euery carriage so spared, two able men, there to labour for that day, vpon paine to lose for euery man not so sent to the said worke xij. d. And euery person and carriage aboue said shall haue and bring with them such shouels, spades, pikes, mattocks, and other toles and instruments, as they do make their owne ditches and fences withall, and such as be necessarie for their said worke. And all the said persons and carriages shall doe and keepe their workes, as they shall be appointed by the said Supervisors, or one of them, eight houres of euery of the said dayes, vnlesse they shall be otherwise licenced by the said Supervisors, or one of them. And be it enacted by authoritie aforesaid, That the Steward and Stewards of euery Leet or Lawday, shall therein haue full power and authoritie to enquire by the oathes of the suiters of all and euerie the offences that shall bee committed within the Leet or Lawday against any point & article of this Statute, and to assesse such reasonable fines and amerciaments for the same, as shall be thought meet by the same Steward. And in default of such inquirie or presentment, the Justices of Peace of euery place or Countie shall haue authoritie to enquire of the same offences which shall be committed within the limits of their Commission, at euery their Quarter Sessions, and to assesse such fines therefore, as they or two of them, whereof one to be of the Quorum, shall thinke meet. And the Steward of euery Leet & Lawday shall make Estreats indented of all the fines, forfeitures, and amerciaments, for the defaults presented before him, and shall deliuer the one part thereof sealed and assigned by him to the Baylife or high Constable of euery Hundred, Rape, Lath, or Wapentake, wherein the defaults shall be presented, and the other halfe to the Constable and Churchwardens of the Parish wherein the defaults were made, the same to be yearely deliuered within sir weekes after the said Feast of S. Michael the Archangell. And the Clerke of the Peace shall make the like Estreats indented of the fines, forfeitures & amerciaments, for the defaults presented before the Justices of Peace, and shall seale, subscribe, and deliuer the same in like sort as is aforesaid: the which Estreats and euery of them shall be a sufficient warrant to the said Baylife or chiefe Constable, to leuie ỹ said amerciaments, fines and forfeitures by way of distresse. And if no sufficient distresse can be found by the said Baylife or head Constable, or if the said offendor shall obstinately refuse to pay the said amerciament, fine or forfeiture, and doe not pay the same within twentie dayes after lawfull demaund of the same by the said Officer: that then euerie such person to forfeit the double summe that hee should before haue payed. And be it further enacted, That euery of the said Baylifes & head Constables shall at the least once euery yeare, betwixt the first day of March & the last day of April make a true accompt and payment of all such summes of money to the Constable and Churchwardens of euery parish wherein the offences were committed, or two of them, as he shall haue collected vpon euery of the aforesaid Estreats, vpon paine to forfeit for euery time he shall so doe fortie shillings. And be it further enacted &c. That all fines, amerciaments and forfeitures which shall be due for any offence against the puruiew of this Estatute, shall be to the Churchwardens of euery Parish wherein the offences shall be committed, to be bestowed on the Highwayes in the said Parishes. And the said Churchwardens shall haue authoritie to call the said Baylifes and head Constable to accompt before the Justices of Peace, or two of thē, whereof the one to be of the Quorum, by Bill, Information, or otherwise: the which Justices shall haue authoritie to take the said accompt, and to commit the said Baylife or head Constable to prison, there to remaine vntill he shall pay all such arrerages as shall be adiudged by the said Justices. And euerie of the said Baylifes & head Constables vpon their accompts shall haue allowed for euery pound hee shall collect and pay viij. d. for his owne paines, and xij. d. for the fees of the Clerke of the Peace, or Steward of the Leet, for the Estreats indented of euery seuerall Parish that they shall deliuer, as aforesaid, and the successors of euery Churchwardens shall haue the like action of Accompt against their predecessors, as is before appointed against the Baylifes. This Act to continue for seuen yeares, next after the beginning of this Parliament, and to the end of the next Parliament then next following. Anno 2. & 3. Ph. and Ma. cap. 8. and so it expired. But it is reuiued by 5. Eliz. cap. 13. with some alterations, as it followeth here 5. and 6.

Refuse

Forf.

Baylifes Head Constable

Accompt

Constable Churchwardens

Forf.

Amerciament

Accompt Iust. of P.

Imprison.

Allowance viij. d.

Clerke of the Peace

Steward of Leet

5 Because the time of the continuance of the Statute (2. and 3. Phil. and Ma. before 4.) is now expired, and yet the said Statute is very beneficiall, and most necessarie to be continued for the ease and Commonwealth of this land, Be it enacted &c. That the said Statute, and euery Article and Branch of the same, shall from henceforth be, stand, and continue in full force, effect, and strength, for and during the terme of twentie yeares next following, from and after the beginning of this present Parliament, and after the expiration of the said twentie yeares, to the end of the Parliament then next after the end of the said twentie yeares, to be holden and kept. And forasmuch as the said Statute made in the second and third yeares of King Philip and Quéene Marie, in diuers parts of this Realme serueth

not to so good purpose and effect, as it may be made, for that such substance and matter as is most fit and conuenient for the reparation of the said High wayes cannot be lawfully had, and fetched and taken out of the seuerall grounds and soyle thereunto nigh or adioyning, being no great losse or detriment to the owners of the same seuerall grounds and soyle, whereby the amendement of the sayd wayes is little increased, or else of very small and slender continuance, to the great and continuall charge of the poore people inhabiting thereabouts: For reformation whereof, and that the reparations of the said Highwayes may hereafter in good due manner well & sufficiently be made, Be it &c. That from henceforth it shall and may be lawfull to all and singular Superuisor and Superuisors, and orderers of the worke for the time being, for the amendement of the said High wayes, thereunto elected and appointed, according to the Statute made in the second and third yeare of King Philip and Quéene Marie (before 4.) for the better reparation and amendment of the Highwayes within their seuerall Parishes & Limits where they shall be so made Superuisors (if it shall be so to them thought necessarie) to take and carrie away of the rubbish or smallest broken stones of any quarrie or quarries, lying or being within the Parish where they shall be Superuisors without licence, controlment or impeachment of the owners or owner, so much as by their discretions shall be deemed & iudged necessarie to the amendment of the said wayes: And that for default of any quarrie or quarries, not being within their said Parish or Limits, or in default of rubbish not to be found in any such quarrie or quarries, it shall and may be lawfull to euery such Superuisor or Superuisors, for the vse aforesaid, in the seuerall grounds of any person or persons, being within the Parish and Limits where they shall be Superuisors, and nigh adioyning to the way or wayes wherein such reparations shall be thought necessarie to be made, and wherein grauell, sand, or sinder is like to be found, to digge or cause to be digged for grauell, sand, or sinder, and likewise to gather stones, lying vpon any lands or grounds within the Parish, and meet to be vsed to such seruice and purpose, and thereof to take & carrie away so much, as by discretion of the said Superuisors shall be thought necessarie to be imployed in the amendement of the sayd Highwayes. Prouided alwayes, That it shall not be lawfull to any such Superuisor or Superuisors, by vertue of this Act, to cause any rubbish to be digged out of any Quarrie or Quarries, but onely shall extend to such rubbish as shall be found there readie digged by the owner or owners of the sayd Quarrie or Quarries, or otherwise, by his or their licence and commaundement: Nor shall not extend to giue authoritie to any Superuisor or Superuisors to digge or cause to bee digged any grauell, sand, or sinder in the House, Garden, Orchard, or Wedow of any person or persons: Nor that it shall bee lawfull by this Act to any such Superuisor or Superuisors to cause any more pits to bee digged for grauell in any seuerall and inclosed ground then one onely, and that the same pit or hole so digged for grauell, as is aforesaid, shall not by any way be in breadth or length aboue tenne yards at the most. And that euery such Superuisor as shall cause any such pit to be made and digged for grauell, sand or sinder, as is aforesaid, shall within one moneth next after any such digging of pit made, cause the same to be filled & stopped vp with earth, at the costes and charges of the Parishioners, vpon paine to forfeit to the owner and owners of the soyle, wherein any such pit shall be made and digged, for euery default fiue Markes, to be recouered by Action of Debt, as in other like cases of Debt hath béene accustomed. And forasmuch as the Highwayes in sundry places of this Realme be full of continuall Springs and Water courses, by continuall increase and sinking whereof into the ground, the said wayes are not only very déepe and dangerous, but also for the most part impossible to be amended and repaired in any good and sufficient manner, without some further remedie prouided for the same: Be it therefore enacted, that from henceforth euery such Superuisor and Superuisors, as is aforesaid, shall by force of this Act, within the Parish or Limits where he or they shal be Superuisors, haue full power and authoritie to turne any such Water course, or Spring of water, being in any of the said Highwayes, into any ditch or ditches, of the seuerall ground or soyle of any person or persons whatsoeuer, next adioyning to the said wayes in such manner and forme, as by the discretions of the sayd Superuisors should be thought méetest and most conuenient. And be it further enacted &c. That the hayes, fences, ditches, or hedges next adioyning on either side to any high or common fairing way, shal from time to time be diked, scoured, repaired, and kept low, and all trées and bushes growing in the high wayes, cut downe by the owner or owners of the ground or soyle which shall be inclosed with the said hayes, fences, dikes, or hedges aforesaid, whereby the sayd wayes may bee open, and the people haue more readie and easie passage in the same. And bee it enacted, That from henceforth there shall be yearely six dayes, during the time and force of this Statute, obserued, vsed and imployed in reparation and amendement of the said High wayes, in like manner and forme, as the sayd foure dayes were limited and appointed to be obserued and kept by the said Statute made in the said second and third yeares of King Philip and Quéene Marie. And be it further enacted by the authoritie aforesaid, That from henceforth all and singular such Superuisor or Superuisors for the time being within one moneth next after default or offence made, done, or committed by any person or persons, contrarie to the prouision, purport, and true meaning of the sayd Statute made in the second and third yeares of King Philip and Quéene Marie, or contrarie to the prouision, purport, and true meaning of this present Act, shall present euery such default or offence to the next Iustice of Peace for the time being, vpon paine to forfeit for euery such default

Superuisors
Carry stones Quarrie
Without licence
Generall grounds
Grauell Sand Digge Gather stones
Quarrie Readie digged
House Garden Orchard Wedow
Dike
Scoured Trees Bushes
6. dayes
Repaired
Default
Present the next Iustice the Peace

or

or offence in such sort not by them presented, forty shillings. And that euery such Iustice of Peace to whom any such default or offence shal be presented as is aforesaid, shall certifie the same presentment so to him made at the next generall Sessions within the said Countie then next after to be holden, vpon paine to forfeit for not certifying of euery such presentment of euery such default or offence, as is aforesaid, fiue pounds. And that the Iustices of Peace of euery Countie, where the said defaults or offences shall be committed, shall immediatly haue authoritie to inquire of any such default or offence committed within the limits of their Commission, at euery their Quarter Sessions, and to assesse such fines for the same, as they or two of thē, whereof one to be of the Quorum, shall thinke meet. And be it further enacted by the authoritie aforesaid, That euery Iustice of Peace shall haue authoritie by this Statute, vpon his owne proper knowledge in the open generall Sessions, to make presentment of any high way, not well and sufficiently repaired and amended, or of any other default or offence committed or done within the Countie and limits of his Commission, contrarie to the prouision and intent of this Statute, or the said Statute made in the second and third yeares of King Philip and Quéene Marie. And that euery such presentment made by any such Iustice of Peace vpon his owne knowledge, as is aforesaid, shall be as good and of the same force, strength, and effect in the Law, as if the same had béene presented, found, and adiudged by the oath of twelue men. And that for euery such default so presented, as is aforesaid, the Iustices of the Peace of the said Countie shall immediatly, at the said generall Sessions, haue authoritie to assesse such fines, as to them, or two of them, whereof the one to be of the Quorum, shall be thought meet: Sauing to euerie person or persons that shall be touched by any such presentment, to haue his or their lawfull trauers to the same presentment, as they might haue vpon any Indictment of Trespasse, or Forcible entrie, by the Lawes of this Realme, before the making of this Statute. And that all such fines, forfeitures and amerciaments to be assessed by the said Iustices of Peace at their generall Sessions, in any the cases aforesaid, shall be estreated by the Clerke of the Peace of the said Countie, and shalbe leuied in such manner and forme, and imployed to such vses & intents, as in the said Statute made in the second and third yere of King Philip and Quéene Marie is limited and appointed: this Act to continue for twentie yeares next after the beginning of this present Parliament, and from thence vntill the end of the Parliament then next to be holden. Añ 5. Eliz. cap. 13. See here following 6. more. Añ 27. Eliz. cap. 11. this Act is continued till the end of the next Parliament, and Añ 29. Eliz. cap. 5. it is made perpetuall.

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generall sessions
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Iust. of P.
Iustice
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One Iustice of Peace
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Iust. of P.
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Trauers
Estreat
Clerk of P.
Continue

6 Where in the Parliament holden at Westminster in the second & third yeares of the raignes of King Philip and Quéene Marie (before 4.) an Act was made and ordained for the amending and repairing of the Highwayes. And whereas there is one other Act made in the fift yeare of our Soueraigne Ladie the Quéene that now is (before 5.) for the better amendement of the Highwayes, wherein some doubts and defects haue béene: For explanation whereof, and better prouision hereafter to be made for amendement of Highwayes, Be it explaned and enacted &c. That euery person or persons (except such as shall dwell in the Citie of London) that shall be assessed to the payment of any Subsidie to her Maiestie to fiue pounds in goods, or forty shillings in land or aboue, during all such time as he shall stand so assessed and not altered, and being none of the parties chargeable for the amendement of Highwayes, by any former Law, but as a Cottager, shall finde two able men yearely to labour in the Highwayes, at such dayes and times, as by the said seuerall Statutes are limited and appointed. And euery other that hereafter shall occupie a Plough land in tyllage and pasture, lying and being in seuerall Parishes, shall be chargeable to the making of the wayes within the Parish where he dwelleth, as farre forth, and in such manner and forme, as any person hauing a Plough land in any one Parish, is or ought to be chargeable, by reason of the said former Statutes, or either of them. And that euery person and persons occupying and keeping in his or their hands or possession, seuerall or diuers Plough lands, as aforesaid in seuerall or diuers Townes, shall bee charged to find in each Towne or Parish (where the Plough lands being in his occupying doe lye) one Cart, Wayne, Tumbrell, Dungpot, or Court Sleads, Carres, or Dragges, furnished for the amendement & repairing of the Highwayes within the seuerall Parishes where the said Plough lands doe lye, in such manner and forme, as if he or they were a Parishioner dwelling within the Parishes where the same seuerall Plough lands doe lye. And be it further enacted by the authoritie aforesaid, That all and euery person & persons that shall not repaire, ditch, or scoure any hayes, fences, ditches, or hedges, adioyning to any Highway, or common fairing way, or shall not cut downe or keepe low all Trées and Bushes growing in or nert adioyning to any the said wayes, according to the true intent and meaning of the aboue recited Act, made in the fift yeare of the Quéenes Maiesties raigne that now is, for euery offence committed therein, contrarie to the true intent thereof, shall forfeit and lose for euery default tenne shillings. And that all and euery person and persons that shall occupie any lands adioyning to the said grounds, so adioyning to any such Highway, or common fairing way, where any ditching or scouring should or ought to be, as is aforesaid, shall from time to time, as need shall require, ditch and scoure in his and their ground so adioyning, whereby the water conueyed from the said Highway, or common fairing way, ouer the ground nert adioyning, may haue passage ouer the sayd ground so nert adioyning to the ground, vpon paine of forfeiture for euery time so offending, or euery Rod not so ditched and scoured vj. s. And for the better keeping of the Highwayes, passa-

Explanatiō
London
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Two men
One plough land
Diuers parishes
Diuers plough lands
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Default
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Scoure
Water
Forf.
Forf.

ble for her Maiesties people, Be it enacted &c. That no person or persons hauing any ground by
Leale lease or otherwise, adioyning to any high way, or common fairing way, leading to anie Market towne, shall cast or scowre any ditch, and throw or lay the soile thereof into the high way, and suffer
Annoyance it to lye there by the space of six moneths, to the annoyance of the said high way, or common fairing
Fine. way, vpon pain of forfeiture for euery load of soile so cast into the high way, or common fairing way, in ditching or scowring, twelue pence. And where any heretofore haue been so cast into the high way, or common fairing way, that there is a banke betweene the said way and the ditch, it shall be law-
Surueyors full for the surueyors and workmen, by the Lawes and Statutes of this Realme appointed for the a-
Slewces mendment of the said wayes, to make slewces or other deuices, by their discretions, to conuey the water out of the said way into the ditch: any Law, right, interest, custome or vsage to the contrarie notwithstanding. And that all and euery penaltie, summe or summes of money, forfeited for any cause within this Statute, shall be leuied in euerie
Surueyors Parish by the Surueyors of the wayes within
Distreine that Parish for the time being, by distresse and sale of distresse, in manner and forme, as fines or amerciaments in Leetes haue been vsed. And the
Money mony so leuied to be imployed vpon the high way, or common fairing way, where the offence was committed. And if the Surueyors shall not or
Refuse will not leuie and imploy the same within one yere after the offence so committed: That then the said
Constables Churchwardens summe or summes, forfeiture or forfeitures, shall be leuied in forme aforesaid by the Constables or Churchwardens of the Towne or Parish where the worke ought to be done in the high way (as aforesaid) and that he or they so leuying any of the said penalties or forfeitures, shall make and yeld such account, appointed in the before recited Statutes, or either of them. And be it further enacted by the authoritie aforesaid, That all and euerie Iustices of Assises, Iustices of Oyer and
Iustices Iust. of P. terminer, Iustices of the Peace in their Sessions,
Stewards Oyer & ter. and Stewards of Leetes and Lawdayes, in their Leetes and Lawdayes, shall heare and determine all and euerie offence, matter, and cause that shall growe, come, or rise by reason of this Statute.
Kings Ferrey Sheppey And where the Ferrie or passage called the Kings Ferrie within the Isle of Sheppey in the Countie of Kent, before the making of the Statute of High waies, was vsually repaired and maintained time out of memorie of man, at the charges of all the inhabitants and land occuppers within the whole Isle, by taration & sessement, at one Court and Lawday, time out of mind, yearely holden on the Munday next after the Feast of Pentecost, at Kinsborow within the sayd Isle, in the name of the Quenes Maiestie and her Progenitors, onely for the maintenance of the same Ferrie: Bee it therefore enacted, That the sayd Court shall be duely kept, in such manner and forme, as hath beene heretofore accustomed, and that it
Iurie shal and may be lawfull to and for the Iurie impanelled and sworne at the same Court, for the time beeing, by their discretions reasonably to assesse
Taxe and taxe themselues and all other the inhabitants and Land-occupiers of the said Isle indifferently, according to the rate of the Land in euery mans occupying, towards the maintenance of the saide Ferry and Passage, and the wayes belonging and leading to the same, so as no acre of fresh Marsh
Marsh and vpland be taxed aboue the rate of a peny in one yeare, nor of euery tenne acres of salt Marsh aboue the rate of a peny in one yeare. And that all and euery thing, profit, benefit, and commoditie, which heretofore hath beene giuen by any person or persons whatsoeuer, towards the maintenance of the said Passage or Ferrie, shall be had and leuied to the maintenaunce of the saide Passage or Ferrie.
Ferrie Warden And that the Ferrie-Warden for the time being, shall haue full power and authoritie to leuie, recouer and receiue the same, and the taxes and assessements of euery person and persons by way of di-
Estreats stresse, vpon the Estreates made out by the Steward of the said Court, as all Amerciaments are vsed to be leuied that are extreated out of other the Quenes Maiesties Leetes and Lawdayes: And that the said Ferrie-Warden, shall bestow the money so leuied, vpon the repairing and maintenance of the said Ferrie, Passage and Waies, and there-
Account of shall giue account, as they haue beene accustomed, to the Steward of the saide Court and Ha-
mage, there to bee sworne at the next Law-day following, and all arrerages in his hands remaining, shall deliuer ouer to the nert Ferrie Warden,
Arrerages on paine to forfeit the double of the said arrerages, to be leuied as other paines and amerciaments in the Court aforesaid assessed, and to be imployed to the maintenaunce of the saide Passage or Ferrie.
Iust. of P. Kent And forasmuch as the vsuall High way leading from the Market towne called Middleton to the said Ferrie, is presently in such decay, that neither man nor beast without great daunger is able to passe, whatsoeuer necessitie should sodainely happen for men to repayre into or out of the said Isle, and the Parish where the same lieth is not able to repayre the same: Be it therefore further enacted, That it shall be lawfull from hencefoth yearely during the space of tenne yeares, for three Iustices of the Peace, whereof one to be of the Quorum, next inhabiting to the said Towne of Middleton within the said Countie of Kent, reasonably to assesse and taxe all and euery land-occupiers, dwelling out of the said Isle, and within foure miles distant from the saide Ferrie, as to their discretion shall seeme conuenient, not exceeding the summe of one penie, vpon euerie acre of fresh Marsh and Vp-land in one yeare, and vpon euery tenne acres of salt Marsh one penie in one yeare, and to assigne and appoint such person and persons as they shall thinke meete, for the collecting and imploying of the same vpon the Highwayes. And that it shall be lawfull for the said three Iustices for the time being, yearely during the saide tenne yeares, to take account and
Account reckoning of the sayde person or persons, touching or concerning the sayd Money, so to be leuied or imployed. An 18. Eliz. cap. 10.

7 Whereas

7 Whereas in the Parliament holden in the eighteenth yeare of the Quéenes Maieſties raigne that now is, there was one verie neceſſarie and profitable Law then made, for the repairing and maintaining of the Ferrie and paſſage called the Kings Ferrie within the Iſle of Sheppey in the Countie of Kent, and for the vſuall highway leading from the Market Towne called Middleton to the ſayd Ferrie: In and by which Act or Statute for the repairing & amending of the ſaid highway leading from Middleton to the ſaid Ferrie being in great decay, it is amongſt other things enacted, That it ſhould be lawfull from thenceforth yearely during the ſpace of tenne yeares, for three Juſtices of the Peace, whereof one to be of the Quorum, next inhabiting to the ſaid Towne of Middleton, within the ſaid Countie of Kent, reaſonably to aſſeſſe and taxe all and euerie land occupiers dwelling out of the ſaid Iſle, and within iij. miles diſtant from the ſaid Ferrie, as to their diſcretions ſhould ſéeme conuenient, not exceeding the ſumme of one penie vpon euerie acre of freſh marſh and vpland in one yeare, and vpon euerie tenne acres of ſalt marſh one penie in one yeare. And foraſmuch as vpō the letter of the ſame by any ſome doubt and queſtion hath riſen, Whether the ſaid Juſtices could ſeſſe any but ſuch as be land occupiers & dwelling out of the ſaid Iſle, and within foure miles diſtant of the ſaid Ferrie: And that thereby the taxations by them to be made by the letter of the ſaid Law, will not ſuffice to repaire the ſaid decayed wayes, for that the land & grounds lying out of the ſaid Iſle, and within foure miles diſtant from the ſaid Ferrie, are for the moſt part occupied by ſuch perſons as be inhabiting without the compaſſe of the ſaid foure miles, by reaſon whereof the ſaid highwayes remaine ſtill vnrepaired and not amended, and are growne into further decay then at the time of the making of the ſaid ſtatute they were, to the great daunger and anoyance of the Quéenes Maieſties ſubiects, paſſing by and through the ſame: For the better explanation of the ſaid Statute, and for the redreſſe of the ſaid wayes, Be it now enacted by the Quéene our Soueraigne Ladie, the Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That yearely from henceforth for euer, betweene the Feaſt of Eaſter and the Feaſt of Pentecoſt, it ſhall and may be lawfull to and for ſix, fiue, foure, or three Juſtices of the peace, whereof one to be of the Quorum, inhabiting within eight miles of the ſaid Towne of Middleton within the ſaid Countie of Kent, to aſſeſſe and taxe vpon all and euerie the lands and grounds lying and being without the ſaid Iſle, and within foure miles diſtant from the ſaid Ferrie, ſuch aſſeſſements and taxations, for, and towards the repairing and amending of the ſaid highway, as to them ſhall ſéeme reaſonable, notwithſtanding that the owners or occupiers of the ſame lands or grounds bee dwelling without the compaſſe of the ſaid foure miles, ſo that the ſame aſſeſſements and taxations exceed not aboue one penie for euerie acre of freſh marſh and vpland for one yeare, and not aboue one penie for euerie tenne acres of ſalt marſh for one yeare: The ſayd former Act or any article, branch, or thing therein contained to the contrarie thereof notwithſtanding. And that the ſaid taxations and aſſeſſements ſhall be leuied and imployed for and towards the repairing of the ſaid highway, by ſuch perſon and perſons dwelling out of the ſaid Iſle, within foure miles of the ſaid Ferrie, as by the Juſtices that ſhall aſſeſſe and taxe the ſame, ſhall be limited and appointed, and the ſame perſon and perſons ſo to be appointed, to haue like power and authoritie for the leuying thereof by diſtreſſe, in ſuch manner and forme as is limited to the ſaid Ferrie Warden by the ſaid recited Statute, for the leuying and gathering of aſſeſſements within the ſaid Iſle. And the ſaid perſon and perſons ſo to bee appointed to account and to deliuer the arrerages thereof (if any happen to be) to the ſaid Juſtices, at ſuch time and place as by them ſhal be appointed. Anno 27. Eliz. cap. 26. Ferrie Warden

8 Whereas one Act of Parliament made in the ſeuen and twentieth yeare of the raigne of our Soueraigne Ladie the Quéens Maieſtie that now is, in one Act then made, intituled, An Act for preſeruation of Timber, in the Wildes of the Counties of Suſſex, Surrey, and Kent, and for the amendment of highwayes decayed by carriage to and from yron mills there, ſome remedie is prouided for the impairing and ſpoyling of highwayes, by the carriage of coales, mine, and yron, to and from the yron workes within ſome part of the ſayd Counties of Surrey and Kent, and prouiſion for the amending of highwayes decayed in the Countie of Suſſex, by the ſaid meanes is left out, and alſo the ſayd Act hath not taken the ſame good effect for the amendment of highwayes within the ſayd Counties of Surrey and Kent, as hath béene expected: Be it therefore enacted by our Soueraigne Ladie the Quéenes Maieſtie, the Lords Spirituall and Temporall, and the Commons of this preſent Parliament aſſembled, and by the authoritie of the ſame, That ſo much of the ſaid Act of Parliament, made in the ſeuen and twentieth yeare of the Quéenes Maieſties raigne, as ſhall concerne the amendment of highwayes, in the ſaid Counties of Surrey and Kent, ſhall from henceforth be repealed. And be it further enacted by the authoritie aforeſaid, That the occupiers of all manner of yron workes whatſoeuer, as owners or farmers of the ſame by any eſtate of inheritance, for life, liues, or for terme of yeare or yeares, or at will, which ſhall at any time hereafter carrie, or cauſe to be carried, any Coales, Myne, or Yron, to or for any their Yron workes, betweene the twelfth day of October, and the firſt day of May in any yeare, ſhall for euerie three loads of Coale, or Myne, as alſo for euerie tunne of Yron, which ſhall be carried by any manner of waine or cart, betweene the ſaid twelfth day of October, and the firſt day of May, by the ſpace of one mile, thorow any highwayes within the ſaid Wildes of Suſſex, Surrey, Kent, or any of them, ſhall pay or cauſe to be paid vnto the Juſtice of peace dwelling nére vnto the

places

places in the ſaid Countie where the highwayes ſhall be moſt annoyed, or his aſſignée, the ſumme of three ſhillings, the ſame to be leuied, after default of paiment thereof, by ſuch Iuſtice of Peace or aſſignée by way of diſtreſſe, of any of the goods and chattels remaining in the ſaid Countie, of ſuch perſon as ſo ſhould haue payed ſuch ſumme. And bee it further enacted by the authoritie aforeſaid, That euerie perſon & perſons, occupier of Yron workes as aforeſaid, which ſhall at any time hereafter carrie, or cauſe to be carried, any Coales, Mine, or Yron, to or for any their Yron workes, betweene the firſt day of May, and the twelfth day of October, in any yeare, for euerie thirtie loads of Coales and Mine, or either of them, and for euerie tenne tunnes of Yron, to be carried as aforeſaid, one load of ſinder, grauell, ſtone, or chalke, meet for the repairing and amending of the ſaid highwayes as aforeſaid, to be laid and imployed in ſuch place and places of the highwaies, as any Iuſtice of the peace of any the Counties aforeſaid, dwelling neere vnto the places where the highwayes within the limits aforeſaid ſhall be moſt annoyed, by any of the meanes aforeſaid, according to the greater & more preſent neceſſitie, ſhall be appointed and aſſigned, or elſe pay or cauſe to be payed, for and in allowance of euerie cart load, in manner and forme aforeſaid, to haue beene ſo carried and layed, three ſhillings, within eight dayes after the demaund thereof, at any ſuch Yron worke made, to or from which Yron worke any ſuch carriage ſhall be, to the hand of the ſaid Iuſtice of peace or his aſſignes, the ſame to be leuied after default of paiment vpon the demaund thereof from time to time, by way of diſtreſſe: And if ſuch Iuſtice of peace by reaſon of abſence, or other occaſion, doe not or ſhall not within fortie dayes next after the ſaid firſt day of May, yearely aſſigne and appoint, where and in what place of the highwayes, the ſaid ſinder, grauell, ſtone, or chalke to be carried as aforeſaid, or where or how the money thereof due, or ſo payed, ſhall be imployed and beſtowed: That then the ſame ſinder, grauell, ſtone, or chalke, ſhall be layed and imployed by ſuch perſon or perſons, as by this Act are to carrie and lay the ſame, or cauſe the ſame to be carried and layed, in ſuch place and places of the highwayes, as the Surueyors within the Pariſh for the time being, where the highwayes ſhalbe moſt annoyed as aforeſaid, ſhal aſſigne or appoint, or in default therof, pay to the ſaid Surueyors for euery ſuch load due & vncaried, ij.s. in maner & form aforeſaid, vpon paine of forfeiture of x.s. for euery load of ſinder, grauell, ſtone, or chalke, not carried, layed, and imployed in the highwayes, or three ſhillings vnpaied, as aforeſaid, to be forfeited & payed by the perſon and perſons, which by this Act ought to carrie and lay, or cauſe to be carried and layed, the ſinder, grauell, ſtone, or chalke, or therefore to haue paied as is aforeſaid, after due conuiction and preſentment therof had before the Iuſtices of Oier and terminer, or Iuſtices of peace, in any of their open Seſſion or Seſſions, to be holden before them or any of them: All which ſumme and ſummes of money to be forfeited, by reaſon of this Act, for, or in default of carriage and laying of the ſaid ſinder, grauell, ſtone, or chalke, or paiment thereof as aforeſaid, ſhall be likewiſe beſtowed and imployed vpon the amendment and repairing of the highwayes, at & by the diſcretion of any ſuch Iuſtice of peace, as ſhall dwell and be reſident next vnto the place and places, being moſt annoyed by the carriages aforeſaid, the ſame to be leuied by way of diſtreſſe, by any Conſtable, Tithingman, Headborough, or other Officer thereunto to be aſſigned, by warrant made in open Seſſions by any Clerke of the peace of the Countie, where any offence or offences aforeſaid ſhall be committed, or by any two Iuſtices of the peace, whereof one to be of the Quorum, which were preſent at the Seſſions, wherein the ſaid conuiction, of or for any the offences aforeſaid ſhall be had: And if no ſufficient diſtreſſe can be found by the officer appointed to leuie the ſame, or if the ſaid offendor doe not pay the ſame within twentie daies after a lawfull demaund of the ſame, by the ſaid Officer to be appointed for the leuying thereof, as aforeſaid, that then euerie perſon ſo denying or refuſing, and not paying the ſame forfeiture within twentie dayes aforeſaid, to forfeit the double ſumme he ſhould before haue paied, to be leuied by ſuch wayes and meanes, as to any two of the Iuſtices of the Peace of the ſame Countie, where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt meet, the ſame forfeiture to be likewiſe imployed, vpon the amendment of the highwayes, as the other forfeitures ſhould haue been, if the ſame had beene leuied, according to the true intent and meaning of this Statute. And be it further enacted by the authority aforeſaid, That the Surueyor and Surueyors, from time to time, for the time being, within the Pariſh where the highwayes ſhall be moſt annoyed, vpon default of the ſaid Iuſtices as aforeſaid, within twentie dayes after ſuch default of the Iuſtices of peace as aforeſaid, ſhall aſſigne or appoint where and in what place of the highwayes, the ſaid ſinder, grauell, ſtone, or chalke, or the forfeiture of the money to be beſtowed, ſhall be carried and layed as aforeſaid, and vpon paine of forfeiture of euerie ſuch Surueyor or Surueyors for euerie ſuch default fortie ſhillings. And the ſaid Surueyors ſhall make demaund according to the limitation of this preſent Act, of all and euerie ſuch forfeiture and ſummes of money limited to be paid in default of ſuch carriages as aforeſaid, vpon paine to forfeit for euerie ſuch default fortie ſhillings. And ſhall alſo make preſentment of euerie ſuch default of carriage, or paiment, contrarie to the tenor of this preſent Act, at the next Quarter Seſſion to be holden for the ſaid Countie, where ſuch default of carriage and paiment ſhall be, vpon paine to forfeit for euerie ſuch default of preſentment as aforeſaid, fortie ſhillings. The one moitie of all which forfeiture and forfeitures, to be to the Queenes Maieſtie, the other moitie to ſuch perſon or perſons as will ſue for the ſame, by action, bill, plaint, or information, in any of her Maieſties Courts of Record, where no wager of law, eſſoine, or protection ſhall be allowed. An. 39. Eliz. cap. 19.

9 Anno 3. Iac. cap. 19. An Act was made, for repairing of the highway frō Monſuch to Talworth in the Parithes of Ewell and Long Ditton in the Countie of Surrey, leading to Kingſton vpon Thames in the ſaid Countie.

Holy dayes and faſting dayes.

AN. 2. E. 6. cap. 19. An Act was made prohibiting fleſh to be eaten on fiſh dayes. But ſee now a greater penaltie ſet downe, An. 5. Eliz. ca. 5. after Ships 13.

2 An. 5. E. 6. cap. 3. Be appointed which dayes ſhould be kept holy daies, and which faſting dayes. And after An. 1. M. 1. Parliam. cap. 2. this Act was repealed. But that Act of 1. Mar. is repealed by An. 1. Iac. cap. 25.

Homage and Fealtie.

WHen a Freeman ſhall doe homage to his Lord of whom he holdeth in chiefe, he ſhall hold his hands together betweene the hands of his Lord, and ſhall ſay thus: I become your man from this day forth, for life, for member, and for worldly honour, and ſhall owe you my faith for the lands that I hold of you: Sauing the faith that I owe vnto our Soueraigne Lord the King, and to mine other Lords. When a free man ſhall doe fealtie to his Lord, he ſhall hold his right hand vpon a booke, and ſhall ſay thus: Heare you my Lord R. that I P. ſhall be to you both faithfull and true, and ſhall owe my fidelitie vnto you for the land that I hold of you, and lawfully ſhall doe ſuch cuſtomes and ſeruices, as my duetie is to you, at the termes aſſigned: So helpe me God and all Saints. When a villeine ſhall doe fealtie vnto his Lord, he ſhal hold his right hand ouer the booke, and ſhall ſay thus: Heare you my Lord A. that I. B. from this day forth, vnto you ſhall be true and faithfull, and ſhall owe you my fealtie for the land that I hold of you in villenage, and ſhall be iuſtified by you in bodie and goods: So helpe me God and all his Saints. An. 17. E. 2.

Honors.

AN. 27. H. 8. cap. 18. An Act was made for the erection of foure Honors: that is to ſay, Weſtminſter, Kingſton vpon Hull, S. Oſithes & Donington, and that the King had power to erect as many Honors as he would, and to anner lands to euerie of them, and that the freeholders and copiholders hold as they did before.

2 An. 33. H. 8. cap. 37. An Act is made making the Manor of Ampthil, and diuers lands to be to the Honor of Ampthil, with diuers articles concerning that matter, and the lands appointed to the ſuruey of the Court of Augmentation.

3 An. 33. H. 8 cap. 38. An Act is made, making the Manor of Graſton, with diuers lands annexed to the ſame, to be the Honor of Ampthill, with diuers articles concerning that matter, & the lands appointed to the ſuruey of the Court of Augmentation, except the lands belonging to the Duchie of Lancaſter, with certaine prouiſions for ſauing of Offices, and authorities to the Iuſtices, Wardens, Stewards, Lieutenants, and Clerkes of the Swanimotes, and certaine orders for Woods and Woodſales, and for paying and allowing of fees and wages, and fewell, and reparations, and bronſe, &c. Swanimote Woods Fewell

4 Anno 31. H. 8. cap. 5. An Act was made, making the Manor of Hampton Court an Honor, and a chace made thereunto, and diuers lands limited to be in the chace, and the chace to haue the libertie and preheminences of auncient forests, chaces, and warrens, and the offendors therein of the Lawes and ordinances of forests chaces, and warrens, to be punished as other offendors be in other forests, chaſes, and warrens. And the tenants, freeholders, and copiholders, to enioy their liberties and profits, and to fence their ground while it is ſowed with corne, and the freeholders to deduct yearely the third part of their rents, and the copiholders to pay halfe their fines, and the ſuites, ſeruices, cuſtomes, and rents of the tenements not to be changed, and diuers other clauſes concerning theſe matters. Hampton Court Freeholders Copiholders

Hops.

BE it enacted &c. That if any Forreiner, Stranger, native Engliſh man, Denizen, Marchants, or any other perſon or perſons whoſoeuer, doe at any time or times from or after the feaſt of Saint Michael the Archangell next comming after the end of this preſent Seſſion of Parliament, bring or cauſe to be brought into this realme of England out from any other forreine Realme or Dominions from beyond the Seas, any Hops being deceitfully or corruptly vncleane, corrupt, or mixt with any powder, duſt, droſſe, ſand, or any other ſoyle whatſoeuer, that euerie perſon ſo offending therein, contrarie to this Act, ſhall forfeit the ſame Hoppes ſo brought into this Realme. And be it further enacted &c. That if any Brewer of Beere or Ale, or any other perſon which ſhall buy the ſame Hoppes ſo brought from beyond the Seas, or growing within this Realme, and ſhall imploy and ſpend the ſame about the making, or brewing of Beere or Ale to be ſold, being vncleane, corrupt, or mixt with any powder, duſt, droſſe, ſand, or any other ſoyle whatſoeuer, Euerie perſon ſo offending therein, contrarie to the intent of this Act, ſhall in like ſort forfeit for the ſame offence the value of thoſe Hoppes ſo bought, employed, or ſpent in brewing: The one moitie of all which forfeitures ſhall be to our Soueraigne Lord the King, his heires and ſucceſſors, the other moitie thereof to him or them that will ſeize the ſame, or ſue for the ſame by Bill, Plaint, Information, or Action of Debt, in any of the Kings Courts of Record: In which no Eſſoine, Protection, or Wager of Law ſhalbe allowed, &c. This Act to continue to the end of the firſt Seſſion of the next Parliament. An. 1. Iac. cap. 18. Hops Corrupt Forf. Brewer Beere Ale Forf.

Hor-

Horners.

ANno 4. E. 4. ca. 8. An Act is made concerning the Horners of London, to haue the choyce of hornes within foure and twentie miles of London, and for search of hornes in certaine places with forfeiture. See the Statute. But this Act is repealed by 1. Iac. cap. 25. but it is for the greatest part reuiued againe with some additions thereunto, as appeareth here 2.

2 In all humble manner shewen and beseechen your most excellent Maiestie, the Wardens and men of occupation of Horners of the Citie of London, That whereas in the Parliament holden at Westminster in the fourth yeare of the raigne of King Edward the fourth, grieuous complaint was made by men of the Occupation of Horners, being infranchised in the Citie of London, how that the people of strange lands hath come into this land, & into diuers parts therof, and hath bought by the hands of their Hostes and Guides, the great and chiefe stuffe of English Hornes vnwrought, of Tanners and Butchers, and carrie the same ouer the Sea, and there imploy the same in diuers workes, to the great dammage of this Land, and to the finall preiudice of a great number of men, being of the Occupation of Horners, It pleased the Kings Maiestie, by the aduice and assent of the Lords Spirituall and Temporall in that Parliament assembled, and at the request of the Commons of the same, and by the authoritie of the same Parliament, to ordaine, establish, and enact, That from the Feast of Easter, which then should be in the yeare of our Lord God, one thousand foure hundreth fiftie fiue, that no stranger nor Alien, by himselfe, or by any other, should buy any English Hornes vnwrought, of any Tanners, Butchers, or of any other persons, gathered or growing within the said Citie, and foure and twentie miles on euerie side of the said Citie next adioyning: And that no Englishman nor other person, should sell any English Hornes vnwrought, to any Strangers, or cause them to be sent ouer the sea, so that the said Horners would buy the sayd Hornes at like price, as they were at the time of the making of the said Act, vpon paine of forfeiture of all such Hornes so bought, sold, or sent: And that the Wardens of the said Mysterie for the time being, by the sayd authoritie, should haue full power to search all manner of Ware pertaining to their Mysterie, wrought or to bee wrought, in all places within the sayd Citie of London, and foure and twentie miles on euerie side next adioyning to the same Citie, and within the Faires of Sturbridge and Elie, in whose hands they might bee found: And if they by their search find any such Ware or Stuffe in any place within the said Citie of London, and foure and twentie miles next adioyning to the same Citie, or within the Faires of Sturbridge and Elie, in whose hands soeuer they bee to sell, that was defectiue and insufficient, it should be lawfull to them to take the same Ware and Stuffe, and bring it before the Maior of the sayd Citie of London, the Maior or Bailifes of the aforesayd Faires for the time being, and the same there being proued defectiue, to be forfeit, the one halfe thereof to the Soueraigne Lord the King, and the other halfe to the said Wardens, to be ordered at their pleasure. In which sayd Act it is prouided, That after that men of the sayd Occupation within this Land haue taken out and chosen such and as many Hornes as should bee needful to their Occupation, That then it should bee lawfull to them all and euerie of them, and other persons of this Realme of England, to sell and deliuer all the Hornes refused, which be not able to be occupied in their Mysterie, to any Stranger or other person, to send or carrie beyond the Sea, or elsewhere as should please them: The which Act, in the Parliament holden at Westminster in the first yeare of your Highnesse raigne, was wholly repealed and made voyd. Forasmuch as since the repealing of the said Act, Strangers and Aliens by the hands of diuers of their Factors, Seruants, and Dealers for them, haue and doe (as before the making of the said Statute of Edward the fourth they did, that is) daily buy vp, and procure vnto themselues the great, and chiefe Stuffe of English Hornes vnwrought, of Tanners, and Butchers, and otherwise, and doe daily conuey and carrie them beyond the Seas, and there make them into diuers workes, whereby many Householders of your Maiesties Subiects that liued, and maintained their families, and payed Subsidies, and other dueties to your Highnesse, by the benefit of their labour in working the said Horns, hauing no other trade, or meanes, by labour to maintaine & keepe themselues, their wiues & children, the Companie being greatly increased, & the Stuffe altogether in a manner transported, occasioneth such a decrease of the Ware, as hereby the Companie is growne so poore and decayed, as in short time, if remedie be not prouided, they and theirs shall be vtterly vndone: And also by the repealing of the said Act, the Wardens of the said Horners of the said Citie of London, are disabled to search the Wares belonging to their said Craft, as well within the sayd Citie, as in other places in the said Act mentioned, And haue lost their gouernement in their Companie, Therefore pleaseth it your Highnesse, that it may be enacted &c. That the sayd Act, and euerie part and point thereof (Except power of Search within the Faires of Sturbridge and Elie, and except the limitation of such prices for Hornes as they were to be had for, at the making of the sayd Act) shall bee reuiued, and be of like force, power and vertue from henceforth, as if the same had not beene repealed. And be it further enacted &c. That no person or persons whatsoeuer, shall sell any English Horns vnwrough to any Stranger, or send any English Hornes vnwrought, ouer the Sea, contrarie to the true meaning of the said Act, vpon paine of forfeiture of double the value of the Hornes by him or them so sold or sent, The same forfeiture

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to be recouered by him or them that will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Maieſties Courts of Record, The one moitie thereof to be to the Kings Maieſty his heires and ſucceſſors, And the other moitie to him or them that will ſue for the ſame: In which ſuit no Protection, Priuiledge, or Wager of Law to be admitted for the defendant. An. 7. Iac. ca. 14.

Horſebread.

FOraſmuch as by occaſiõ of the Statutes 13. R. 2. cap. 8. and 4. H. 4. cap. 25. (which ſee in Victuals 8. & 10.) by which no Inholder could make any horſebread, diuers incõueniences haue hapned to trauellers with horſes: Be it &c. That frõ henceforth it may & ſhalbe lawfull for euerie Hoſteler, or Inholder, dwelling in any Towne or Village, being a thorow faire or a Common paſſage within this Realme, and being no Citie, Towne Corporate, or Market Towne, wherein any common Baker exerciſing the occupation of Baking, and hath bene apprentice at the ſaid occupation by the ſpace of ſeuen yeares, is dwelling: to make within his houſe horſebread, ſufficient, lawfull, and of due aſſize, according as the price of grain and corne that now is, and hereafter ſhall be from time to time: Any thing or things mentioned in the ſayd Acts or Statutes of King Richard the ſecond, or Henrie the fourth, to the contrarie notwithſtanding. And be it &c. That if the horſebread which any of the ſaid Hoſtelers or Inholders hereafter ſhall make, bee not ſufficient, lawfull, and of due aſſize, according to the price of graines and corne, as is aboueſaid: Then the Juſtices of the Peace in euerie Shire, Libertie, or Franchiſe within this Realme, ſhall haue full power and authoritie to inquire, heare and determine the ſaid defaults and offences of the ſaid Hoſtelers and Inholders, hereafter to be committed againſt the forme of this preſent Statute, and to ſeſſe ſuch fines, and make like Proces thereupon, as they commonly vſe to doe vpon preſentments of Treſpaſſe againſt the Peace. And that alſo likewiſe the Sheriffs in their Turnes, and Stewards in their Leets and Lawdayes, ſhall haue full power and authoritie, to inquire and determine euery ſuch default and offence of Hoſtelers, againſt the forme of this preſent Statute, hereafter to bee committed within the limits of their Iuriſdictions. Anno 32. H. 8. cap. 41.

Horſes, Mares, and Cattell.

NOne from henceforth ſhall take no ſuch horſe nor beaſt in ſuch manner, (that is to ride in haſtie meſſages or buſineſſe, &c.) againſt the agreement of them to whom they be. And if any that doe, and haue no ſufficient ſigne nor authoritie of the King, hee ſhall be taken and impriſoned, till hee hath made due agreement to the partie. Anno 20. R. 2. cap. 5.

2 From henceforth no manner of perſon ne perſons, carrie or conuey any horſe out of this Land, without the Kings Licence, vpon paine of forfeiture of the ſame, or any mare, aboue the value of vj. s. viij. d. without the Kings ſpeciall licence, vpon the ſaid paine of forfeiture of the ſame mare, the owner thereof or his deputie receiuing for the ſame mare vj. s. viij. d. at the time of the ſeiſure, vpon the ſaid forfeiture, or elſe it to bee no forfeit, and at the time of the ſeiſure of the ſaid mare or mares, they ſhal be praiſed by the head Officers of the Towne where any ſuch mare is taken, and there openly to be ſold to the beſt price, and the halfe deale of the ouer price of her, being aboue vj. s. viij. d. to be to the King, and the other halfe to him that ſo ſeiſeth, and the Kings part thereof to bee deliuered to the Cuſtomer of the ſaid Port. And that no manner perſon or perſons, hereafter carrie or conuey any mare or mares out of this Land, except euerie of the ſaid mares ſo carried be of the age of three yeares at the leaſt, and not ouer the price of vj. s. viij. d. paying to the King for euerie of them not aboue the value of vj. s. viij. d. ſo to be caried or conueyed in the ſame Port, ſuch cuſtoms as hath bene for mares before vſed. And for euery mare of more value hereafter by the Kings licence, after the forme aforeſaid, conueyed or carried beyond the Sea, the owner thereof or his deputie, aſſigne, or ſeruant, ſhall pay vj. s. viij. d. for the cuſtome of the ſame before it bee ſhipped, vnder the paine of forfeiture of euerie mare ſo ſhipped, ere they be cuſtomed. And ouer that bee it enacted, That if any perſon at the Port, will giue for any of the mares ſo to be carried vj. s. that it be lawfull to him ſo giuing & paying the ſaid ſeuen ſhillings, to take ẏ ſaid mare, if ſhe be not afore taken by the Kings Officer, nor the Kings licence, bee not in that behalf aforeſaid for the ſame mare to be caried, obtained. Prouided alway, That it ſhall bee lawfull to euerie perſon or perſons, being Denizens, hereafter to carrie horſe beyond the Sea (the kings licence in that behalfe not obtained) for their own vſe, not intending at the time of the ſhipping of the ſame, nor then fully purpoſed to ſell him, and that intent to be knowne by the oath of him that ſhall ſo ſhip the ſame horſe, taken before the Cuſtomer, or Searcher of the ſame Port, this Act notwithſtanding. An. 11. H. 7. ca. 3.

3 No maner of perſon or perſons from henceforth ſhall carrie or conuey any horſe, gelding, mare or colt out of this Realme or Wales, or Marches of the ſame, into any parts beyond the Sea: nor from henceforth carrie or conuey any Oxen, Steeres, Bullockes, Calues, Kine, or Sheepe, out of this Realme or Wales, or the Marches of the ſame, into any of the ſaid parts beyond the Sea, without the Kings ſpeciall licence, vnder his great Seale of England, vpon paine of forfeiture for euerie poll ſo conueyed contrarie to this Act, fortie ſhillings, nor that any perſon or perſons ſhal from hencefoorth bring any ſuch horſe, geldings, mares, colts, oxen, ſteeres, bullocks, calues, kine, or ſheep, to any Hauen, Port, or Creek within this realme, or Wales, or the Marches thereof to be carried ouer the Sea out of this Realme, without the Kings ſpeciall licence: vpon paine of forfeiture of euerie

Licence
Forf
Mare
Praiſed
Cuſtomer
Cuſtome
Denizens
Horſe
Countie
Wales
Beyond ſea
Oxen
Sheepe
Licence
Forf.
Hauen
Forf.

euerie ſuch horſe, mare, oxen, and other cattels aforeſaid, ſo brought vnto any ſuch Hauen, Port, or Creeke, to be conueyed out of this Realme into the parts of beyond the Sea, as is aforeſaid. Prouided alwayes, That it ſhall be lawful to euerie the Kings ſubiects, which for reaſonable cauſes ſhall intend to paſſe and repaſſe into, and out of this Realme, into any the parts of beyond the Sea, to

Carrie ouer ſea to ride vpon

haue, take, & carrie with them out of this Realme, horſes, or geldings, for their only occupation, commoditie and eaſe, in ſuch their iourneyes, and not to the intent to ſell the ſame in any the parts beyond the Sea: and that intent to be iudged by the

Oath

oath of ſuch the ſaid ſubiects, that ſhall ſo doe ſhip ſuch horſe or geldings, which oath ſhall bee taken before the Cuſtomers, or any their ſufficient deputies, or Searcher of the ſame Port, where it ſhall be ſhipped, before the ſhipping thereof. Prouided alſo, That this Act, nor any thing therein contained, be in any wiſe hurtfull or preiudiciall to ſuch perſons as ſhall conuey Oxen, Sheep, or other cattell, to the ſaid towne of Calice, and Marches of

Calice

Victuall

the ſame, for the onely victualling of the ſaid towne and Marches: So that alwayes euerie ſuch perſon and perſons be bound before the Cuſtomer, or

Bonnd Cuſtomer

their lawfull Deputies of the Port, Hauen, or Creeke, where ſuch cattell ſhall be ſhipped, by Ob-

Obligation

ligation to the Kings vſe, in as great ſumme, as the value of the cattell ſo to be conueyed ouer, ſhall amount vnto, according to the diſcretion of the ſame Cuſtomer, that he ſhall not onely conuey the ſaid cattell to the ſaid towne or Marches, there to be ſold, or otherwiſe there to be diſtributed and ſpent, for the victualling onely of the ſame, but alſo to bring or ſend to the ſaid Cuſtomer, a ſuffici-

Certificate

ent Certificate, within foure monethes next after the date of the ſaid Obligation: the ſame Certificat to be ſealed and ſubſcribed with the hands of two of

K. Counſell

the Kings Counſell of the ſaid Towne or Marches, and by the Cuſtomer or his Deputie of the ſayd Towne, that the ſaid cattels haue bene truely brought without fraud, and deliuered to ſome of the Kings Officers or Subiects, inhabiting and

Calice

abiding in the ſayd Towne of Calice or Marches, there to be ſpent for the onely victualling aforeſaid. And after that ſuch Cuſtomer hath receiued ſuch Certificate made, ſealed, and ſubſcribed in due

Cancell the Obligation Forf.

forme, as is aforeſaid, he to cancell the ſame Obligation, vpon paine of forfeiture of the ſumme of the ſaid Obligation, and after to bring or ſend the ſame Obligation ſo cancelled with the Certificate thereunto annexed, or elſe for lacke of ſuch due Certificate ſo to bee made, the ſaid Cuſtomer to bring or ſend the ſaid Obligation vncancelled into

Exchequer

the Kings Exchequer at the time of the making

Account

of his or their account for the yeare next after the time limited in the ſayd Obligation: there to remaine vntill true knowledge be had, whether the ſayd cattell and euerie part thereof, haue bene duely brought without fraud to the ſaid Towne or Marches, for victualling of the ſame, as is afore-

Certifie

ſaid, ſo as for lacke of ſuch Certificate not made according to the condition of the ſayd Obligation,

Proces

Proces may be made in the ſaid Exchequer for the recouerie of the penaltie in the ſaid Obligation to the Kings vſe, according to reaſon. And if any Cuſtomer, Searcher, or Comptroller of any Port, Hauen, or Creeke, within this Realme, ſuffer any ſuch cattels to be ſhipped in the ſame before ſuch Obligation had, as is aforeſaid: or if any Cuſtomer faile in bringing or ſending into the Kings Exchequer, at his or their account the ſayd Obligation by him to bee taken with the Certificate (if any to him be brought) in forme aboueſaid: that then euerie ſuch Cuſtomer, Searcher, and Comptroller, ſuffering any ſuch cattell to be conueyed ouer the Sea contrarie to this Act, ſhall loſe and forfeit like ſummes, as the partie ſo ſhipping or conueying the ſame cattell ſhall doe by vertue of this preſent Act, and for default of any ſuch Obligation and Certificate, according to the tenor and effect of this Act, euerie ſuch Cuſtomer ſhall loſe and forfeit ten pounds. And be it further enacted by the authoritie aforeſaid, That it ſhall not bee lawfull to any perſon to carrie or conuey any ſuch cattell, brought out of this Realme, to the ſayd Towne of Calice or Marches, out of the ſayd Towne and Marches of the ſame, vpon paine of forfeiture for euerie poll ſo brought out of the ſayd Towne and Marches, fortie ſhillings. The one halfe of which forfeitures and penalties (except the ſummes of money contained in ſuch Obligations) to bee to the King our Soueraigne Lord, and the other halfe to the partie that ſhall ſue for the ſame, &c. wherein &c. And if any plees bee pleaded in any ſuch action or ſuit, not triable in the Realme, nor within any ſuch place where the Kings Writ doth runne, then by the authoritie of this Act euerie ſuch plee (if any iſſue be taken of the ſame) ſhall bee tried by the verdict of twelue men, in the Shire or place where any ſuch action or ſuit ſhall be commenced, any thing to the contrarie hereof notwithſtanding. Prouided that it may be lawfull to the Kings Counſellors of the ſayd Towne and Marches of Calice, to conuey out of this Realme to the ſame Towne and Marches, ſuch Horſes, Geldings, & Mares, for their owne vſes, as they ſhall thinke expedient, not intending at the ſhipping of them to put them afterward to ſale, whereby they ſhould be conueyed out of the Kings ſayd Towne and Marches, and that intent to be iudged by the oath of them that ſhall ſhip ſuch Horſes, Geldings, and Mares, to bee taken before the Cuſtomer or Searcher, or any their Deputies of the ſame Port, Hauen, or Creeke where it ſhall be ſhipped. And that other Horſemen of the ſayd Towne and Marches, that is to ſay, men of Armes, Speares on horſebacke, Archers on horſebacke, and Scouters may carrie and conuey out of the Realme, ſuch Horſes and Geldings, as any of them comming into this Realme, ſhall haue brought with them, or leaping ſuch Horſes or Geldings, as they ſhall bring into this Realme, or comming hither within this Realme without any Horſe or Gelding, may liberally carrie and take with them to the ſayd Towne of Calice and Marches, other Horſes and Geldings of the breeding of this Realme,

for

for their owne vſes, within and without the ſame Towne and Marches: This Act, or any thing therein contained to the contrarie notwithſtanding. Prouided alwayes, That this Act, or any thing therein mentioned, bee not in any wiſe hurtfull or preiudiciall to the Maiſter of the Kings Horſes, now or hereafter to be, for ſuch things and commodities as ſhall and doe concerne his Office: Any thing in this Act to the contrarie notwithſtanding. Prouided alſo, that the Warden of the fiue Ports, now being, or hereafter to bee, may yearely at his pleaſure, giue ſix Horſes or Geldings, and no more within one yeare, at one or diuers times, vpon like paine as is aforeſaid, to any perſon or perſons into ẏ parts beyond the Sea, being in amitie with the Kings Highneſſe or his ſucceſſors: This Act or any thing therein contained notwithſtanding. This Act to continue vnto the laſt day of the next Parliament. Prouided alwayes, That it ſhall bee lawfull to any of the Kings ſubiects to carrie or ſend to any parts of beyond the Seas, any Mares, whereof the price of any one Mare ſo to bee carried, doth not extend to ſix ſhillings eight pence, in like manner as they might doe before the making of this Act: Any thing in this Act to the contrarie notwithſtanding. Anno 22. H. 8. cap. 7. And after Anno 28. H. 8. cap. 6. this Act was continued to the laſt day of the next Parliament. And after Anno 31. H. 8. cap. 7. this Act was continued to the laſt day of the next Parliament. And after 37. H. 8. cap. 23. this Act was continued vnto the laſt day of the next Parliament. And after 7. Ed. 6. cap. 11. this Act was reuiued and continued vnto the laſt day of the next Parliament. And after Anno 1. Mar. 1. Seſſione cap. 13. this Act was continued vnto the laſt day of the next Parliament. And after 1. Mar. 2. Parliament. cap. 12. this Act was continued to the laſt day of the next Parliament. And after Anno 1. & 2. Ph. & Mar. cap. 16. this Act was continued to the laſt day of the next Parliament. And after Anno 2. & 3. P. & Mar. cap. 21. this Act was continued to the laſt day of the next Parliament. And after Anno 4. & 5. P. & M. cap. 9. it was continued vntill the laſt day of the next Parliament.

4 It ſhall bee lawfull to euerie perſon and perſons being the Kings Subiects, and inhabiting in the foreſaid Marches againſt Scotland, to arreſt any Scottiſh men leading or conueying any ſuch Horſe, Gelding, or Mare out of this Realme into the ſayd Realme of Scotland, and that the moitie or one halfe of the price of the ſayd Horſe, Gelding, or Mare, ſhall bee to the vſe of the ſeiſor and arreſtor of the ſame, after due triall of the ſame made, and the other moitie to the Kings Highneſſe. Anno 23. H. 8. cap. 16. See 4. Iac. cap. 1.

5 Euerie perſon and perſons, as well Spirituall as Temporall, of what eſtate, degree, or condition ſoeuer he or they be, which at this time, or at any time hereafter, ſhall haue any Parke or ground incloſed with hedge, ditch, wall, or pale, wherein any Deere is, or hereafter ſhall be vſually kept for game, containing the quantitie of one mile in compaſſe, and is, or ſhall be ſeiſed thereof in fee ſimple, fee taile, or for terme of life, in poſſeſſion to his or their owne profit and behoſe, that euerie ſuch owner of euerie ſuch Parke & ground, being in his owne hand, and euerie Farmer of euerie ſuch Parke and ground being letten to farme from the firſt day of May, that ſhall be in the yere of our Lord God one thouſand fiue hundred thirtie ſeuen, ſhall keep for euerie ſuch Park or ground being incloſed, as is aforeſaid, as long as the ſame Parke or ground incloſed ſhall be vſed and kept with Deere in ẏ ſame for games, two Mares being not ſpayed, apt and able to beare foales, each of them of the altitude or height of thirteene handfuls at the leaſt, to be meaſured from the loweſt part of the hoſe of the foot, vnto the higheſt part of the ſhoulder, euerie handfull to containe foure inches of the Standerd, vpon paine of forfeiture of fortie ſhillings for euery moneth lacking the ſaid Mares contrarie to this Act. And that euerie ſuch owner or farmer of Parke or ground, whereof the compaſſe is foure miles and aboue (vpon paine aforeſayd) ſhall keepe for euerie ſuch Parke foure Mares being not ſpaied, apt and able to beare Foales, of the altitude or height of thirteene handfuls at the leaſt, to bee meaſured as is aforeſaid. Prouided, That if it ſhall happen any of the ſayd Mares by miſchance or caſualtie for to die, that then the Lord, owner or owners of the ſaid Mares (prouiding others of like height and altitude, as is before limited, within three monethes next after the death of the ſame Mares) ſhall not incurre the daunger and penaltie of this Eſtatute, Any thing before rehearſed to the contrarie notwithſtanding. And it is alſo enacted by the authoritie aforeſaid, That the Lords, owners & farmers of all Parkes and grounds incloſed, as is aboue rehearſed, limited and appointed by this Act, to keepe Mares, ſhal not at any time after the ſaid firſt day of May, which ſhall be in the yeare of our Lord God 1537. willingly ſuffer any of the ſaid Mares to be couered or leapt with any ſtoned Horſe, vnder the ſtature of xiiij. handfuls to be meaſured in forme aforerehearſed, vpon paine of forfeiture of xl. s. The one moitie of all which forfeitures ſhall be to the King our Soueraigne Lord, and the other moitie thereof to the partie that will ſue for the ſame in any Court of our Soueraigne Lord the King by action, &c. in which action, &c. Prouided alway, That this Act extend not to charge the Lord, owner or owners of any Parke or ground incloſed, within the Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprick of Durham, nor any of them to keepe any Mares, for any Parke or Parkes, ground or grounds incloſed, as is aforeſaid, lying in the ſaid Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprick of Durham, otherwiſe then they haue or might haue done before the making of this Act. Nor alſo ſhal extend to charge the Lords, owner or owners of any Parke or Parkes, or grounds incloſed, with the finding of any Mares (the herbage of which Parke or Parkes is common to the te-

Fee ſimple. Taile. Owner. Farmer. vj. Mares. Height. Foal. iiij. Miles compaſſe. iiij. Mares. Die. Couered. Stoned horſe. Foal. Mottie. Weſtmerland. Cumberland. Northumberland. Durham.

nants and inhabitants of the Townechippes next adioyning to the ſame Parke or Parkes:) Any thing in this preſent Act made, to the contrarie hereof notwithſtanding. Anno 27. H. 8. cap. 6.

☞ 6 Foraſmuch as the breed of good and ſtrong Horſes, is a great helpe and defence to the Realme, and a great commoditie to the inhabitants thereof, which is now much decayed, by reaſon that little ſtoned Horſes and Nags be ſuffered to paſture in Foreſts &c. and to couer Mares feeding there: Therefore for the increaſe of ſtronger Horſes hereafter, Be it &c. That no Commoner or Commoners within any Foreſt, Chaſe, Moore, Pariſh, Heath, Common or waſt ground, nor any Officer or Officers, of or within any of the ſaid Foreſts or Chaſes, or any other perſon or perſons whatſoeuer he or they be, at any time after the laſt day of March, which ſhall be in the yere of our Lord God one thouſand fiue hundred fortie three, ſhall haue or put to paſture, in, to, or vpon any ſuch ground, Foreſt, Chaſe, Moore, Pariſh, Heath, Common or waſt ground, any ſtoned horſe or horſes, being aboue the age of two yeares, and not being of the altitude and height of fifteene handfuls, to be meaſured from the loweſt part of the hoofe of the foreſoot, vnto the higheſt part of the wither, and euerie handfull to containe foure inches of the ſtandard, to paſture, feed, or be in or vpon any of the ſaid Foreſts, Chaſes, Commons, Moores, Pariſhes, Heaths, or waſt grounds, within any of the Shires and territories of Norfolke, Suffolke, Cambridge, Buckingham, Huntington, Eſſex, Kent, Southhampſhire, Northwiltſhire, Oxford, Barkeſhire, Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Bedford, Warwike, Northamptō, Yorkeſhire, Cheſhire, Staffordſhire, the Countie of the Citie of Yorke, the Towne and Libertie of Glouceſter, the Countie of the Towne of Kingſton vpon Hull, the Countie Palantine of Lancaſter, the Countie of Salop, Leiceſter, Hereford, and Lincolne, or within any of them: nor ſhall put to feed or paſture any ſtoned horſe or horſes, being aboue the ſaid age of two yeares, and not being of the altitude and height of foureteene handfuls, to be meaſured as is aboueſaid, within or vpon any like ground or grounds, as beene aboue written, lying or being within any other Shire of this Realme, nor within any of them, vpon paine of forfeiture of the ſayd horſe or horſes, which ſhall be ſo found in or vpon any ſuch ground, Foreſt, Chaſe, Moore, Pariſh, Heath, Common or waſt ground, at any time after the ſaid laſt day of March which ſhall be in the ſayd yeare of our Lord God one thouſand fiue hundred fortie three, contrarie to the forme of this Eſtatute. And it ſhall be lawfull to euerie perſon and perſons that ſhall find any ſuch horſe or horſes, contrarie to the forme of this Eſtatute, to ſeiſe the ſame in manner and forme following, that is to ſay, the ſaid perſon or perſons ſo finding any horſe or horſes, contrarie to this Act, in any Foreſt, Chaſe, Common, Moore, Pariſh, Heath, or waſt ground, within the ſayd Shires, or other limits aforeſaid, or in any of them, ſhall first goe vnto the Keeper or Keepers of the ſame Foreſt, Chaſe, or to his Deputie or Deputies, or to the Conſtable, Bailife, Headborough, Burſholder or Tithingman of any Townechip next adioyning vnto the ſayd place, where the ſaid horſe or horſes ſhall be, and ſhall commaund or require him or them, or any of them, in the Kings behalfe, to goe with him or them to bring euerie ſuch horſe or horſes, as he or they ſhall thinke to be there feeding or going contrary to this Eſtatute, to the next pound: and there the ſaid horſe or horſes to be meaſured by any of the ſame Officer and Officers, in the preſence of three other honeſt men to be named and appointed by the ſayd Officer, and if it bee ſo found, that the ſame horſe or horſes be contrarie to this Act, that then it ſhall be lawfull to euerie ſuch perſon or perſons, that ſhall ſo challenge and ſeiſe the ſaid horſe or horſes, as before is ſaid, to take and retaine the ſame horſe or horſes, and euerie of them to his owne vſe, as his owne proper goods and cattels for euer, without let, interruption, vexation, ſuit or trouble of the owner or owners of them or any of them, or of any other perſon or perſons. And be it further enacted by the authoritie aboueſayd, That if any of ſayd Keepers, their Deputie or Deputies, Baylifes, Conſtables, Headboroughes, Burſholders or Tithingmen, or any of the ſayd three other honeſt men, which ſhall bee required to be at the meaſuring of the ſaid horſe or horſes, as is aforeſaid, doe refuſe to doe as is aforeſayd, or elſe doe not truely meaſure ſuch Horſe and horſes: That then euerie ſuch Bailife, Keeper, Deputie or Deputies, Conſtable, Headborough, Burſholder and Tithingman, and the ſay three honeſt perſons to be named as is aforeſayd, and euerie of them, not doing, or refuſing to doe his or their duetie in the premiſſes, ſhall forfeit and loſe fortie ſhillings for euerie time ſo refuſing to doe, or not doing, as is aforeſaid: The one halfe thereof to be to the King, and the other halfe therof to the partie that will ſue in any Court of our ſayd Soueraigne Lord the King, by Bill or Plaint of debt, Information or otherwiſe. In which Action or Suit the defendant ſhall not bee admitted to wage his Law, nor any Eſſoine or Protection &c. Prouided alway, That this Act ſhall not extend to any ſtoned Horſe or Horſes, that ſhall happen once in any yeare after the ſayd laſt day of March, to breake, eſcape, or gee out of the ſeuerall paſture or ground, againſt the will and mind of the owner or poſſeſſour of ſuch Horſe or Horſes into any of the ſayd Foreſts, Chaſes, Moores, Pariſhes, Heathes, Commons, or waſt grounds, ſo that the ſayd Horſe or Horſes ſo breaking, eſcaping, and going out, doe not remaine or abide in the ſayd Foreſts, Chaſes, Moores, Pariſhes, Heathes, Commons or waſt grounds, or any of them, by the ſpace of iiij. daies next after ſufficient and open notice and knowledge given at the dwelling houſe of the owner of the ſayd Horſe or Horſes, or after open publication thereof made vpon a Sonday, or other Feſtiuall day, in the Pariſh Church where the owner or poſſeſſor of ſuch Horſe doth dwell.

Commoners Foreſt

Chaſes

Stoned Horſe

xv. handfuls

Norfolke

Two yeres old xiij. Handfuls

Other Shires

Fork.

Finder

Seiſe

Keeper

Conſtable Bailife

Bound

Retaine

Conſtable

Forfeit

Eſcape

Remaine

Foure

Fact

Law

Sonday

And

And be it ꝛc. That all Foreſts, Chaſes, Commons, Moores, Marſhes, Heathes, and waſt grounds, within the Realme of England and Wales, and the Marches of the ſame, and euerie of them, ſhall be viewed at the Feaſt of Saint Michael the Archangell next comming, or within fiftéene daies then next after, and ſo yearely to bée viewed by the Lords, owners or poſſeſſioners of the ſaid Foreſts and Chaſes, or by the Officers of the ſame, and by the Conſtables, Headboroughes, Bailifes, Burſholders and Tithingmen, within whoſe Offices, Precincts and Limits, the Commons, Moores, Marſhes, Heathes, and waſt grounds, being out of Foreſts and Chaſes, be or lye: vpon paine of fortie ſhillings to be forfeited to our Soueraign Lord the King, by euerie of the ſayd Officers, Baylifes, Conſtables, Headboroughes, Burſholders, and Tithingmen, as often and at euery time as the ſayd view ſhall bée omitted or left vndone, or not effectually done within fiftéene dayes after the ſayd Feaſt of Saint Michael the Archangell, as is aforeſayd. And it ſhall alſo bee lawfull to the ſayd Lords, owners and poſſeſſioners of the ſayd Foreſts and Chaſes, by their Officers of the ſame, and to the Conſtables, Baylifes, Headboroughes, Burſholders, and Tithingmen, and euerie of them, within the limits of their Offices, to make like view of the ſayd Foreſts, Chaſes, Commons, Moores, Marſhes, Heathes, and waſt grounds, at any other ſeaſon and time of the yeare, whenſoeuer and as often as they ſhall thinke meet and conuenient. And furthermore bée it enacted, That if in any of the ſayd views there ſhall bée found any mare, Fillie, foale, or gelding, that then ſhall be thought not able, nor like to grow to bée able, to beare foales of reaſonable ſtature, or not able, nor like to grow to bée able to doe profitable labours, by the diſcretions of the viewers aforeſaid, or of the more number of them: Then the ſame viewer or viewers ſhall cauſe the ſame vnprofitable beaſts, and euerie of them, to bée killed: and the bodies of them to bée buried in the ground, or otherwiſe beſtowed, as no noyance thereby ſhall come or grow to the people, there néere inhabiting, or thereſorting. And it is ꝛc. That the Juſtices of Peace in euerie Shire, Riding, and other place, in their Quarter Seſſions, to bée kept and holden, by vertue of the Kings Commiſſion of the Peace to them directed. And all Stewards of Léetes and Lawdayes, in the ſame Léets and Lawdayes, ſhall haue authoritie by this Act, to inquire of all defaults, contempts, omiſſions, and offences, contrarie to the effects aboue written, and euerie of them: And all Preſentments thereof to bee found in any of the ſayd Léetes and Lawdayes: ſhall be certified by the Steward, or deputie Steward, or Court holder of the ſame Léet or Lawday, in the next generall Seſſions of the peace to be holden in the Countie where ſuch Preſentment ſhall bée found or had, or vnto the Cuſtos Rotulorum of the ſame Shire, within fortie dayes next after that Preſentment made: which Juſtices of peace in their Quarter Seſſions of the peace ſhall haue power and authoritie by this Act, to

heare and determine euerie ſuch Preſentment before themſelues found, or in any of the ſayd Léets or Lawdayes, to be preſented and certified, as is aforeſaid, as well by examination as otherwiſe: And if any ſuch Steward, deputie Steward, or Court holder aforeſaid, imbeſil, or conceale any ſuch Preſentment, or doe not certifie the ſame, as is afore written: euerie of them ſo offending, ſhall forfeit and loſe for euerie ſuch offence fortie ſhillings. The one halfe of euerie ſuch forfeiture, and of euerie other the forfeitures afore written, to be to the King, and the other halfe to the perſon or perſons that will ſue for the ſame, before the ſaid Juſtices of Peace, in their ſaid Quarter Seſſions, by Bill or Information, which Juſtices ſhall haue full power and authoritie by vertue of this Act, to heare and determine euerie ſuch offence, as well by examination as otherwiſe, as is before mentioned. And be it further enacted by the authoritie aforeſaid, That no perſon or perſons, after the Feaſt of Saint Michael the Archangell next comming, ſhal haue or put to paſture any horſe, gelding, or mare, infect with ſcabbe or mange, in, or to, or vpon any of the ſayd Foreſts, Chaſes, Moores, Marſhes, Heathes, Commons, waſt grounds, or common fields: vpon paine to forfeit for euerie horſe, gelding, or mare, ſo infect, paſturing in any of the ſayd grounds, tenne ſhillings; Which offence ſhall bée inquirable and preſentable before the Steward in euerie Léet, as other common annoyances bée. And the forfeiture thereof to bée to the Lord of the ſame Léet, where the ſayd offences ſhall be preſented. Prouided Alway, That this Act, or any thing therein contained, ſhall not extend nor be preiudiciall to any perſon or perſons hauing any ſtoned horſe or horſes, vnder the heights and altitudes aboue mentioned, for or concerning the hauing or putting any of the ſayd horſes to feeding, in, or vpon any Common or other waſt grounds, where any mares or fillies be not vſed nor ſuffered to bée fed, paſtured, or kept. Anno 32. H. 8. ca. 13. Some part of this Statute for certaine places in certaine Shires, is repealed and altered by An. 8. Eliz. cap. 8. here after 11.

7 Euerie Archbiſhop and Duke of this Realme, from and after the Feaſt of Saint Michael the Archangell, which ſhall be in the yeare of our Lord God 1544. ſhall haue, find, keepe, ſuſtaine and maintaine, of their owne proper horſes, and at their proper coſts and expences, ſeuen ſtoned trotting horſes for the ſaddle, euerie horſe of the ſame to be in age three yeares and vpward, in height fourteene handfuls, reckoning and accounting to euerie handfull foure inches of the Standerd, to bée meſured from the nether part of the haire of the hoofe, vnto the vpper part of the withers, that is to ſay, the vpper part of the ſhoulders, vpon paine that euerie Archbiſhop and Duke, lacking the number of the ſayd horſes to them aboue limited, after the ſayd Feaſt, by the ſpace of three moneths, ſhall loſe and forfeit for euerie horſe ſo lacking as often as they or any of them ſhall ſo lacke them by the ſaid ſpace of three moneths twentie pounds: The one moitie thereof to the King, and the

Diuerſe ꝛc.

Examination Steward Imbeſill Conceals

Fort.

Moitie

Diuerſe ꝛc.

Examination.

Scabbed horſe

Fort.

Leet

Stoned horſe

Common

No mares

Archbiſhop. Duke

7 Stoned Horſes

Fort.

Moitie

other moitie to such as will sue for the same by bill &c. in which suites &c. And that euerie Marquesse and Earle of this Realme, and also euerie Bishop of this Realme (the yearely value of whose Bishopricks is of the yearely value of a thousand pounds or aboue) shall after the Feast of Saint Michael the Archangell, haue, find, keepe, sustaine and maintaine, of their proper horses, and at their proper charges and expences, fiue stoned trotting horses for the saddles, of the age and height aforesayd, vpon the paine aboue specified, to be lost and recouered to the vse, and in such forme, as is afore remembred. And that euerie other Bishop of this Realme, whose Bishopricke is of the yearely value of a thousand Markes and aboue. And euerie Vicount and Baron, hauing lands, tenements, fees, annuities, or offices, for terme of his life, to the cleere yearely value of a thousand Markes, or aboue, vpon like paine, as is aforesaid, shall after the said Feast of Saint Michael, haue, find, keepe, sustaine and maintaine, three stoned trotting horses for the saddle, of the age and height afore mentioned, vpon the paine aboue specified, to bee lost, forfeit, and recouered, in manner as is aforesaid. And that euerie other Bishop, Vicount, and Baron of this Realme, not afore mentioned, and also euerie Spirituall person, hauing benefices or promotions, to the yearely value of fiue hundred Markes, and euerie Temporall person, hauing lands, tenements, offices, fees, or annuities, for terme of his life, in his owne right, or his wiues, to the yearely value of six hundred Markes, after the said Feast of Saint Michael, shall haue, find, keep, sustaine and maintaine two stoned trotting horses for the saddle, in manner and forme, and vpon the paine afore rehearsed. And that euerie other Spirituall person, being vnder the degree of a Bishop, hauing benefices or promotions, to the cleere yerely value of a hundred pounds or aboue, and not to the yearely value of fiue hundred Markes. And all and euerie other person Temporall, not afore mentioned, whose wife, after the Feast of Saint Michael the Archangell next hereafter mentioned in this Act, shal weare any Gowne of Silke, or whose wife shall weare any French hood, or Bonnet of Veluet, with any habilement, past or edge of gold, pearle, or stone, or any chaine of gold about their neckes, or in their Partlets, or in any apparell of their bodie, shall after the Feast of Saint Michael the Archangell, which shall be in the yeare of our Lord God one thousand fiue hundred fortie fiue, haue, find, keepe, sustaine and maintaine, as is aforesaid, one stoned trotting horse for the saddle, vpon the paine that euerie such Spirituall person, being vnder the degree of a Bishop, hauing lands, tenements, or promotions, to the yearely value of one hundred pounds, and not to the yearely value of fiue hundred Markes, as is aforesaid. And euerie other Temporall person, whose wife after the said Feast of Saint Michael, shall weare any Gowne of Silke, or whose wife shall weare any French hood, or Bonnet of Veluet, with any habilement, past, or edge of gold, pearle, or stone, or any chaine of gold about their neckes, or in their Partlets, or in any apparell of their bodie, shall lose and forfeit for euerie time that any of them shall want or lacke by the space of three moneths one trotting stoned horse of the height and age aforesaid, tenne pounds: The one moitie thereof to the King, and the other to such as will sue for the same in such forme as is afore mentioned. And be it enacted by the authoritie aforesaid, That the Iustices of Assises, and Iustices of Peace, shall haue power and authoritie within the limits of their authoritie, to heare and determine the defaults done contrarie to this Act, as well by Presentment as Information, and to make such Proces vpon any Presentment or Information afore them, as in any other cases of Trespasses and contempts done against the forme of any Statutes, and shall set no lesse fine or paine vpon such persons as shall bee conuict by confession or triall for offending this Act, then is aboue limited. And for the better obseruation of this Act, bee it further ordayned by authoritie aforesayd, That euerie Sherife in any Shire of this Realme, shall doe his diligence and good endeuour, to search and know by vertue of his Office, all defaults done or committed by any person or persons, in lacking of horses, contrarie to this Act, as shall happen within the Shire where hee is Sherife, and shall once in the yeare, that is to say, in the Terme of Saint Michael, certifie the sayd defaults if any bee, into the Kings Exchequer, by writing vnder his Seale, to the intent that Proces may be made against the offendors accordingly. And that euerie such Certificate of the Sherife, shall bee of as good force and effect against the offendors of this Act, as any Information thereof in the sayd Exchequer. And in case any shall be conuict vpon any such Certificates by confession or triall, according to the course of the Law, then the Sherife making such Certificates, shall haue one moitie of the forfeiture, and the Kings Maiestie the other moitie thereof. Prouided alwayes, That no person shall bee impeached, molested, or troubled for any offence done contrarie to this Act, by Bill, Action, Information, Presentment, or Certificates of the Sherife, vnlesse that such Bill, Action, Information, Presentment, or Certificates be made or had, within one yeare next after the offence done contrarie to this Act, any thing in this Act to the contrarie hereof notwithstanding. Prouided alwayes, That this Act nor any thing therein contained, shall extend to any sonnes, and heires apparant of any Duke, Marquesse, Earle, Vicount, or Baron, nor to the sons or heires apparant of any other persons, hauing lands, tenements, or hereditaments, to the yearely value of fiue hundred Markes, or aboue, to bind or compell any such heires apparant, to find or keepe any horses by vertue of this Act, in the life of their fathers, except such sonnes and heires apparant haue lands, tenements, annuities, fees, or offices, to the yearely value of fiue hundred Markes, but that euerie such sonnes and heires apparant (except before excepted) may doe as they did or mought doe afore the making of this Act:

Marquesse
Earle
Bishop
Fiue stoned horses
Bishop
Vicount
Baron
M. Marks
Three stoned horses
500. marks
600. marks
Two stoned horses
Spirituall person
Gowne of Silke
French hood
Habilement
Chaine of gold
One stoned horse
Fol.
Penalty
Iustices
Iust. of P.
Diuers
Proces
Fine
Oyer
Sheriffe
Certific
Defaults
Certific
Sheriffe
Penalty
Conuict
Sheriffe
Penalty
Limitation
yeare
Proces
Kings
600. l.
Heires
500. l.
*

Act: Any thing in this Act to the contrarie thereof notwithſtanding. Prouided alwayes, That if any ſuch ſonne and heire haue lands, tenements, hereditaments, fées, offices, or annuities, for terme of life, in his owne right, or in the right of his wife, to the cléere yearely value of fiue hundred Marks: That then ſuch ſonnes & heires hauing ſuch lands, tenements, hereditaments, fées, offices, or annuities, to the cléere yearely value of fiue hundred Markes, as is aforeſaid, ſhall find, kéepe, ſuſtaine, and maintaine one trotting horſe for the ſaddle, in forme aforeſaid, vpon the paine of twentie pounds to be loſt and forfeit for euerie three monethes that any ſuch ſonne and heire ſhall lacke and want a trotting ſtoned horſe, as is aforeſaid. And be it prouided and enacted by the authoritie aforeſaid, That if the wife of any perſon or perſons weare any Veluet in the lining or other part of her Gowne, other then in the cuffes and purfles of ſuch Gown, or elſe weare any Veluet in her Kirtle, or weare any Petticoat of ſilke: That then the husband of euerie ſuch wife, ſhall find one ſtoned horſe of the ſtature aboue in this Act recited, or ſhall incurre the aboueſaid penaltie & forfeiture of ten pounds to be leuied and recouered, as is afore declared. Prouided alſo, That this Act, nor any thing therein contained, ſhall not extend to charge any perſon or perſons whoſe wife or wiues ſhall weare any of the apparell or things aboue rehearſed, during ỹ time ſuchwife or wiues ſhal be diuorced frõ their husband or husbands, or ſhal willingly abſent her ſelfe from her ſaid husband, and during ſuch abſence ſhal weare any of the apparel or other things afore recited. Prouided alwayes, That heires within age being Wardes, whoſe lands, tenements, and hereditaments, amount to the yearely value of two hundred pounds, ſhall not be compelled by authoritie of this Act, till they come to their full age, to kéepe any horſes, although the wiues of ſuch heires within age, weare any Gowne of ſilke, or any French hood, or Bonnet of Veluet, with any habilement, paſſe, or edge of gold, pearle, or ſtone, or any chaine of gold about their neckes, or in their Partlets, or in any apparell of their bodie: Any thing in this Act to the contrarie notwithſtanding. Prouided alſo, That if all or any the horſes kept by the vertue of this Act, ſhall happen to bée killed, maimed, or loſt, in the ſeruice of the Kings warres: That then in euerie ſuch caſe the owners of ſuch horſe or horſes ſo killed, maimed, periſhed, or loſt in the warres, ſhall haue libertie by the ſpace of two yeares next after ſuch chance of killing, maiming, periſhing, or loſing their horſes, to prouide other horſes in the ſtead and place of the horſes ſo killed, maimed, periſhed, or loſt in the warres, without any daunger, loſſe, or penaltie of this Act: Any thing in this Act to the contrarie therof notwithſtanding. Prouided alſo, That cart horſes or ſumpter horſes ſhal not bée taken, repnted, or reckoned for any ſuch horſes, which any perſon is, or ſhall be bounden to kéepe by vertue of this Act. An. 33. H. 8. ca. 5. This Statute ſeemeth to be repealed by 4. & 5. P. & M. cap. 2. which ſee Armour 8.

8 Foraſmuch as before this time diuers ſubiects haue conueyed as well into Scotland, as into other forreine Realmes, great multitude of horſes, geldings, or mares, whereby the Kings enemies haue bene ſtrengthened, and the good bréed of horſes and mares here decayed: Be it &c. That if any perſon or perſons, after the firſt day of Januarie next comming, doe ſell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vſe of any Scottiſh man, to doe, carrie, giue, exchange, ſell, ſend, conuey, or deliuer into any place beyond the Sea, out of this Realme, or the Dominions of the ſame, any horſe, gelding, or mare, without ſpeciall licence therefore to be obtained of the Kings Highneſſe, or his heires, vnder the great Seale of this Realme, or vnder the priuie Signet, or if any perſon or perſons, after the ſaid firſt day of Januarie, doe ſell, exchange, giue, or deliuer to any Scottiſh man, within this realme of England or Wales, the Towne of Berwicke, or the Marches of the ſame, to the intent to be conueyed into Scotland, any horſe, gelding, or mare, or doe conuey or carrie any horſe, mare, or gelding, into any forrein parts beyond the Sea, without like eſpeciall licence obtained of the Kings Highneſſe, or of his heires, vnder the great Seale or priuie Signet, as is aforeſaid: That then the ſame perſon and perſons ſo offending contrarie to this Act, ſhall loſe and forfeit to our Soueraigne Lord and his heires, the ſame horſe, mare, or gelding, ſo carried and conueyed, and ſhall alſo loſe and forfeit the ſumme of fortie pounds for euerie ſuch horſe, gelding, or mare, ſo to be conueyed and carried in forme aforeſaid, whereof the one moitie to bée to the King, and the other moitie to him or them that will ſue for the ſame, by Information, Action of Debt, or Detinue, in any of the Kings Courts of Record, wherein, &c. And that alſo all and euerie perſon and perſons ſo offending contrarie to this Act, ſhall ſuffer impriſonment by the ſpace of one whole yeare. And bée it further enacted by the authoritie aforeſaid, That it ſhall bée lawfull as well to the Warden and Wardens of the Eaſt, Weſt, and middle Marches for the time being in their Warden Courts, as alſo to all and euerie the Kings Iuſtices of Peace in euerie Shire, as well in England as in Wales, in their Quarter Seſſions, to enquire of all and euerie offence or offences hereafter to be perpetrated, committed or done contrarie to this Act. And that it ſhall be lawfull to all and euerie other perſon and perſons, being the Kings ſubiects, to arreſt, and impriſon euerie Scottiſh man, and all and euerie other perſon or perſons, which ſhall lead or conuey contrarie to the meaning of this Act, any ſuch horſe, gelding, or mare, out of this Realme into the ſaid Realme of Scotland, or into any other forreine place beyond the Sea, other then ſuch perſons as hereafter ſhall haue ſufficient Warrant, by or from the Kings Highneſſe, or his heires, vnder his or their great Seale or priuie Signet, according to the meaning of this Act. Prouided alway, and bée it enacted by the authoritie aforeſayd, That if the King our

Sell. Conuey Scotland. Beyond ſea. Horſe. Licence. Exchange. Scottiſh man. Forf. Moitie. Impriſ. Wardens of Marches. Iuſt. of P. Wales. Q. Seſſions. Arreſt. Impriſ. Scottiſh man. Conuey. Warrant.

Soueraigne Lord, his heires or ſucceſſors, at any time hereafter, vnder his great Seale or priuy Signet, doe giue licence to any perſon or perſons, to carrie or conuey any horſes, mares, or geldings into Scotland, or into any other parts beyond the Sea, or elſe doe giue authoritie or commaundement to any perſon or perſons, by warrant vnder the Kings great Seale, to licence any other perſon or perſons to carrie or conuey any horſes, mares, or geldings into Scotland, or into any parts beyond the Sea: That then it ſhall be lawfull as well to all and ſingular perſon or perſons, hauing ſuch licence vnder the Kings great Seale or priuie Signet, as to all and euerie perſon or perſons, hauing licence in writing vnder the Seale of ſuch perſon or perſons, to whom the king ſhall giue authoritie, power, or commaundement in forme aboueſaid, to licence other perſon or perſons, to carrie or conuey any horſes, mares, or geldings, into Scotland, or into any other parts beyond the Sea, to carrie and conuey ſuch number of horſes, geldings, or mares, or any of them into Scotland, or into any other parts beyond the Sea, as ſhall be mentioned in any ſuch licences, as before ſpecified: Any thing mentioned in this Act to the contrarie in any wiſe notwithſtanding. Prouided alwayes, and be it enacted by the authoritie aforeſaid, That this Act, ne any thing therein contained, ſhall in no wiſe extend to any perſon or perſons, which at any time hereafter ſhall carrie or conuey any horſe, mare, or gelding into Scotland, or into any other forreine parts beyond the Sea, to ſerue the King in his warres, with the ſame horſes, mares, or geldings: Any thing mentioned in this Act to the contrarie in any wiſe notwithſtanding. And to the intent the Kings Maieſtie ſhall not hereafter be deceiued in the number of ſuch horſes, mares, or geldings, which hereafter ſhall be carried and conueyed into Scotland, ne that the parties which hereafter ſhall obtaine any licence by force of this Act, for the carriage or conueyance of any horſes, mares, or geldings to be carried or conueyed into Scotland: Be it therefore enacted by the authoritie aforeſaid, That all and euerie ſuch perſon and perſons, which hereafter ſhall be licenced according to this Act, to carrie or conuey any horſes, mares, or geldings into Scotland, ſhall (before the ſame carriage or conueyance, vpon the paine of forfeiture of the ſayd horſe, mare, or gelding, or the double value thereof, whereof the one moitie to be to the King, and the other moitie to him or them that will ſue for the ſame by ſuch like action, as is before limited in this Act) ſhew his or their ſaid licence to one of the three Wardens of the three Marches of England, to the intent that one of the ſayd Wardens ſhall cauſe the number of the ſaid horſes, mares, or geldings ſo licenced to bee conueyed into Scotland, not onely to bee Kalendred in a Booke to remaine in his owne cuſtodie, but alſo to bee indorſed and written on the backſide of the ſayd Licence, and the ſame indorſement to be ſigned with the hand of the ſayd Warden. Prouided alwayes, That it ſhall be lawfull to euerie of the Kings ſubiects, that ſhall paſſe ouer beyond the Sea, to ſhip and carrie with them horſes or geldings for their onely occupation in their iourneyes, and not to the intent to ſell the ſame beyond the Sea: And that intent to bee iudged by the oath of him or them that ſo will carrie ouer any horſe or gelding: Which oath ſhall be taken before the Cuſtomers or their Deputies, or Searcher of euerie ſuch Port, where the ſame horſe or gelding ſhall bee ſhipped, before the ſhipping thereof. But this laſt Prouiſo is repealed by 5. Elizab. cap. 19. here after 10. Prouided alwayes, That the Wardens of the fiue Ports now being, or that hereafter ſhal be, may yearely at his pleaſure giue ſix horſes or geldings, and no more, within one yeare, at one or diuers times, vpon like paine as is aforeſaid, to any perſon or perſons in the parts beyond the Seas, being in amitie with the Kings Highneſſe, or his ſucceſſors: This Act or any thing therein to the contrarie notwithſtanding. Prouided alſo, That this Act, or any thing therein mentioned, be not in any wiſe hurtfull or preiudiciall to the Maiſter of the Kings horſes, now and hereafter to be, for ſuch things and commodities as ſhall and doe concerne his Office: Any thing in this Act to the contrarie notwithſtanding. Prouided alſo, That it ſhall be lawfull to any the Kings ſubiects to carrie or ſend into any parts beyond the Sea, any mares, whereof the price of any one mare ſo to be carried, doth not exceed ten ſhillings in ſuch like manner, as mares being of the price of ſix ſhillings eight pence beene, or might haue beene conueyed ouer the Seas, before the making of this Act (which ſee here before 2.) any thing in this Act or in any other Act or Acts heretofore made to the contrarie hereof notwithſtanding. Anno 1. Ed. 6. cap. 5. But note, that the ſelling, exchaunging, or deliuering of any Horſe, Gelding, or Mare, into Scotland without licence, is Felonie at this day by 1. Elizabeth. capit. 7. here next following 9.

Licence

Serue Warres

Deceiued

Perſons licenced

Scotland

Foyl.

Shew his licence

Warden of the Marches

Kalender

Indorſed

Horſes to trauell

Intent

Iudged

Oath

Cuſtomers

Wardens ſhall haue

One paire

Maiſter of the Horſe

Mares

5. Shillings

9 Where in the Parliament holden at London the third day of November, in the one and twentieth yeare of the raigne of the late King of moſt worthie memorie King Henrie the eight, and from thence adiorned and prorogued to Weſtminſter, and there continued by diuers prorogations, vntil the 15. day of Januarie, in the 23. yere of the raign of the ſayd late King, amongſt other things (which ſee before in Felony 13.) there was an Act or Statute made, whereby the ſelling, exchanging, or deliuerie of any horſes, geldings, or mares, into Scotland, by any Engliſhman, ſhould be felonie, which Act or Statute is intituled, An Act that no Engliſh man ſhould ſell, exchange, or deliuer to be conueied into Scotland, any horſe, gelding, or mare, without the Kings licence, as by the ſame Act and Statute more at large doth and may appeare. And although the ſame Eſtatute was a verie good and neceſſarie Law for the maintenance of the ſtrength of this Realme, and for the due preſeruation of the ſtate of the ſame, yet the ſaid Statute by certaine Acts of repeale, made as well in the time of the late King Edward the vj. as alſo in the time of Queen Mary,

Horſes Scotland Felonie

Mary, was by certaine generall woꝛdes repealed and made void, by reaſon whereof diuers wicked & euill diſpoſed perſons haue of late time, foꝛ their owne pꝛiuat gaine, conueyed diuers Hoꝛſes, Geldings, and Mares out of this Realme into Scotland, to the great ſtrength and boldening of the Scottiſh, and much to the detriment & hinderance of this Realme: Wheꝛefoꝛe be it enacted &c. That the ſaid Act and Statute made in the ſaid 23. yeare of the raigne of the ſaid late King Henry the eight, and all and euery Bꝛanch, Sentence, Articles, Woꝛds, Matters, and Clauſes therein contained, ſhall from ỹ firſt day of May nexꝛt comming ſtand, remaine, and continue in full foꝛce & ſtrength, to all intents and purpoſes, as fully and as wholly as euer the ſame was at any time heretofoꝛe: any Act oꝛ Statute of repeale, oꝛ any other matter oꝛ cauſe whatſoeuer to the contrarie notwithſtanding. Añ 1. Eliz. cap. 7. But ſee 4. Iac. cap. 1.

10 Where in the Parliament holden at Weſtminſter in the firſt yere of the raigne of ỹ late King Edward the firſt, bꝛother to our Soueraigne Ladie the Queens Maieſtie that now is, amongſt diuers other Statutes there was one Act & Statute made againſt the carrying & conueying of any Hoꝛſes, Geldings, oꝛ Mares out of this Realme (which ſee here before 8.) In which Act amongſt other things there is one Pꝛouiſo oꝛ Bꝛanch containing theſe woꝛdes hereafter following: that is to ſay, Pꝛouided alwayes, That it ſhall be lawfull to euery of the Kings ſubiects that ſhal paſſe ouer beyond the ſea to ſhip and carrie with them Hoꝛſes & Geldings foꝛ their onely occupation in their iourney, and not to the intent to ſell the ſame beyond the ſea, and that intent to be iudged by the oath of him oꝛ them that ſo will carry ouer any Hoꝛſe oꝛ Gelding, which oath ſhall be taken beforꝛe the Cuſtomer oꝛ Searcher, oꝛ their deputies of euery ſuch Poꝛt where the ſame Hoꝛſe oꝛ Gelding ſhall be ſhipped, beforꝛe the ſhipping thereof, as by the ſame Act and Pꝛouiſo it doth & may appeare. And be it &c. That all the ſaid Pꝛouiſo and Bꝛanch beforꝛe rehearſed, mentioned and contained within the ſaid Act and Statute, and euery Article & Sentence contained within the ſaid Pꝛouiſo, ſhall from henceforꝛth be repealed, made void, and of none effect, and that all the reſidue of the ſaid Act and Statute ſhall ſtand, remaine, and be in full ſtrength: any thing herein ſpecified to the contrarie notwithſtanding. Anno 5. Eliz. cap. 19.

11 Foꝛaſmuch as the Mꝛes, Mariſhes, and Fenne grounds of the Shires hereafter mentioned, by reaſon of their rottennelle & wateriſhnelle are not able to bꝛeed, beare, oꝛ bꝛing foꝛth ſuch great bꝛeed of ſtoned Hoꝛſes, as by the Statute of 32. Hen. 8. cap. 13. (before 6.) is exꝛpreſſed, without perill of myꝛing and periſhing of them, and other Hoꝛſes dare not be put foꝛth foꝛ feare of Pꝛomoters, whereby the bꝛeed of Hoꝛſes, Tillage, and Carriage decayeth in thoſe places, Be it enacted &c. That as much of the afoꝛeſaid Eſtatute, made in the two and thirtieth yeare of King Henris the eight (before 6.) oꝛ any part, Bꝛanch, oꝛ Article, oꝛ any parcell thereof, touching oꝛ concerning any the Marſhes and ſeggey Fenne grounds within the ſaid Iſle of Ely, ſituate, lying, and being in the ſaid Countie of Cambꝛidge, together with all other the Marſhes and ſeggey Fenne grounds within the ſaid Shires of Cambꝛidge, Huntington, Noꝛthampton, Lincolne, Noꝛfolke, and Suffolke, ſhall be from henceforth vtterly repealed, fruſtrate, void, and of none effect in the Law: any thing in the ſaid foꝛmer Act exꝛpreſſed to the contrarie notwithſtanding. Neuertheleſſe, be it oꝛdained and enacted by the authoꝛitie of this pꝛeſent Parliament, That no perſon oꝛ perſons whatſoeuer he oꝛ they be, at any time after the laſt day of March nexꝛt comming, ſhall haue oꝛ put to paſture, into, oꝛ vpon any Marſh oꝛ ſeggey Fenne ground, within the ſaid Iſle of Ely, oꝛ into oꝛ vpon any Marſh oꝛ ſeggey Fenne grounds within the ſaid Counties of Cambꝛidge, Huntington, Noꝛthampton, Lincolne, Noꝛfolke, and Suffolke, oꝛ any of them, any ſtoned Hoꝛſe oꝛ Hoꝛſes, being aboue the age of two yeares, and not being of altitude and height thirteene handfuls, to be meaſured from the loweſt part of the hoꝛſe of the foꝛefoꝛt vnto the higher part of the wither, and euery handfull to containe foure ynches of the Standerd, to paſture, feed, oꝛ to be nouriſhed in oꝛ vpon any the ſaid Marſhes oꝛ ſeggey Fenne grounds within the ſaid Iſle and within the ſaid Counties of Cambꝛidge, Huntington, Noꝛthampton, Lincolne, Noꝛfolke, and Suffolke, oꝛ any of them, vpon ſuch and the like paine, as by the ſaid foꝛmer Act is limited and exꝛpreſſed. Anno 8. Eliz. cap. 8.

Cambꝛidge

Repealed

Put to paſture Fenne grounds

Cambꝛidge

Stoned hoꝛſes

Two yeres old

xiij. handfuls

Foꝛf.

Hoſpitals, and Hoſpitallers.

FOꝛ as much as many Hoſpitals within the Realme of England, founded as well by the noble Kings of this ſame Realme, and Loꝛds and Ladies both Spirituall and Tempoꝛall, as by diuers other eſtates, to the honour of God, and of his gloꝛious Mother, in aid and merit of the ſoules of the ſaid Founders, to the which Hoſpitals the ſame Founders haue giuen a great part of their moueable gwds, foꝛ the edifications of the ſame, and a great part of their lands & tenements, therewith to ſuſtaine impotent men & women, Lazars, men out of their wits, and mind, and pwze women with child, and to nouriſh, relieue, and refreſh other pwze people in the ſame, be now foꝛ the moſt part decayed, and the gwds and pꝛofits of the ſame by diuers perſons, as well Spirituall as Tempoꝛall, withdꝛawne and diſpended in another vſe, whereby many men and women haue died in great miſerie foꝛ default of aid, liuing, and ſuccour, to the diſpleaſure of God, and perill of the ſoules of ſuch manner of ſpenders: The King our Soueraigne Loꝛd, conſidering the meritoꝛious and deuout intent of the Founders afoꝛeſaid, and the inſolent gouernances in the ſame, hath by the aduice and aſſent afoꝛeſaid oꝛdained and eſtabliſhed, That as to the Hoſpitals which be of the Patronage and foundation of the King, the Oꝛdinaries, by vertue of the Kings Commiſſions to them di-

Goods

Lands

Pooze people

K. foundation

Oꝛdinarie

Inquire directed, ſhall inquire of the manner & of the ſoundation of the ſaid Hoſpitals, and of the gouernance and eſtate of the ſame, and of all other matters neceſſarie and requiſite in this behalfe. And Certifie the inquiſitions thereof taken, ſhall certifie in the Chancerie Kings Chauncerie. And as to other Hoſpitals which be of another foundation & Patronage then of the King, The Ordinaries ſhall inquire of the manner of the foundation, eſtate, and gouernance of the ſame, and of all other matters and things neceſſarie in this behalfe, & vpon that make thereof correction and reformation, after the Lawes of holy Church, as to them belongeth. Añ 2. H. 5. cap. 1. Stat' 1.

2 Anno 2. H. 6. cap. 2. it was enacted, That the Hoſpitall of S. Leonards in Yorke, might gather thraues, and haue an action for them.

Earle of Leiceſter 3 Be it enacted, That Robert Earle of Leiceſter, his heires, executors or aſſignes, at his or their wils and pleaſures, ſhall haue full power, ſtrength, Erect licence and lawfull authoritie to erect, found, and eſtabliſh one Hoſpitall or Meaſondieu within the ſaid Towne of Warwicke, or elſe within the ſaid Towne of Kenelworth, at his or their choice and election, for the finding, ſuſtentation, and reliefe of poore, needie, and impotent people, to haue a continuance for euer. And that the ſame Hoſpitall or Meaſondieu ſo founded, ſhall be incorporated, and haue a perpetuall ſucceſſion for euer, in fact, deed, and name, of ſuch head members and numbers of poore, needie, and impotent people, as ſhall be appointed, aſſigned, limited or named by the ſaid Earle, his heires, executors or aſſignes, vnder his or their hands and ſeale. And further, that the ſame Hoſpitall or Meaſondieu ſhall be named & called by ſuch name as the ſaid Earle, his heires, executors or aſſignes, ſhall ſo limit, aſſigne, and appoint. And the ſame Hoſpitall or Meaſondieu being ſo incorporated and named, ſhall by the name of the incorporation thereof haue full power, authoritie, Capacitie and lawfull capacitie & abilitie, to purchaſe, take, Purchaſe hold, receiue, enioy, and haue to them and to their ſucceſſors for euer, mannors, lands, tenements, and hereditaments, ſet, lying, and being within any Countie within this Realme of England, ſo 200. l. land that the ſame exceed not the yearely value of two hundred pounds aboue all charges and repriſes, and ſo that the ſame or any part or parcell thereof bee not holden of our Soueraigne Ladie the Queene, her heires and ſucceſſors, immediately Knights ſeruice by Knights ſeruice in chiefe, or elſe by Knights ſeruice, and not in chiefe. And further, that the ſame Hoſpitall or Meaſondieu being ſo incorporated, founded and named, ſhall haue full power and lawfull authoritie, by the true name of the in- Sue corporation thereof, to ſue and to be ſued, implead and to be impleaded, to anſwere and to be anſwered vnto, in all manner of Courts that now are, or hereafter ſhall be within this Realme, as well Temporall as Spirituall, in all manner of ſuits whatſoeuer they be or ſhall be. And that the ſame Hoſpitall or Meaſondieu ſhall haue and enioy Common Seale for euer ſuch a common ſeale, or ſeale, as by the ſayd Earle, his heires, executors, or aſſignes, ſhall be in writing, vnder his or their hand and ſeale, aſſigned, named, or appointed, whereby the head of the ſame incorporation, with the members thereof, ſhall and may ſeale any manner of Inſtrument, touching the ſame incorporation, and the lands, tenements, and other things thereunto belonging, or in any wiſe touching or concerning the ſame. And further ſhall be ruled, gouerned, ordered, directed, and viſited by ſuch perſon and perſons as ſhall be ſo nominated, aſſigned, or appointed thereunto by the ſaid Earle, his heires or aſſignes, according to ſuch Rules, Statutes, and Ordinances as ſhall be ſet forth, made, deuiſed, and eſtabliſhed by the ſaid Earle, or by his heires or aſſignes, in writing vnder his or their hand and ſeale: Any Law, Statute, Cuſtome, Vſage, or other thing whatſoeuer to the contrarie in any wiſe notwithſtanding. Hauing alwayes to all and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euerie of them, all ſuch right, title, clayme, poſſeſſion, intereſt, rents, annuities, ſeruices, commons, leaſes, conditions, offices, fees, actions, intereſts, demaunds, profites, and commodities, which they or any of them ſhall haue, or of right ought to haue, of, in, or to any mannors, lands, tenements, or hereditaments, hereafter to be giuen, limited, or aſſigned vnto the ſaid Hoſpitall or Meaſondieu in fee, in forme aforeſaid (other then to the ſayd Earle, and to his heires, and other then any other perſon or perſons, and their heires, that ſhall bee the giuers or graunters of the ſayd mannors, lands, tenements, and hereditaments, rents, and ſeruices, and other profites, in forme aforeſaid) in as ample, large, and in the ſame manner and forme, as they or any of them ſhall haue and enioy, as if this Statute had neuer beene had or made, or of right ought to haue and enioy the ſame. Anno 13. Elizab. cap. 17.

4 Anno 14. Eliz. was made an Act for the aſſurance of Gifts, Graunts, &c. made and to bee made for the poore in Hoſpitals &c. which is not in print.

5 There were alſo two other Statutes made Anno 18. Eliz. the one concerning an Hoſpitall at Leiceſter, and the other for the Hoſpitall of Saint Croſſe neere Wincheſter, neither of which two Statutes are in print.

6 Anno 27. Eliz. An Act was made for the incorporation of the Hoſpitall of Chriſt in the towne of Sherebourne, in the Biſhoprick of Durham. But this Act is not printed. And at the ſame time one other Act was made, and not printed, for the Hoſpitall of Caſtbridge within the Citie of Canterburie.

7 Whereas at the laſt Seſſion of Parliament (s. 35. Eliz. cap. 4. See Captaines 7.) proviſion was made as well for maymed Souldiers, by collection in euery Parith, as for other poore, (s. 35. Eliz. cap. 7. See Vagabonds 11.) That it ſhould be lawfull for euery perſon, during twentie yeares next after the ſayd Parliament, by

feoffement, Will in writing, or other Aſſurance, to giue and bequeath in fee ſimple, as well to the vſe of the poore, as for the prouiſion, ſuſtentation, or maintenance of any houſe of Correction, or abiding houſes, or of any Stockes or Stores, all or any part of his lands, tenements, or hereditaments: Her moſt excellent Maieſtie vnderſtanding and finding, that the ſaid good Law hath not taken ſuch effect as was intended, by reaſon that no perſon can erect or incorporate any Hoſpitall, houſes of Correction, or abiding places, but her Maieſtie, or by her Highneſſe ſpeciall licence by Letters Patents vnder the great Seale of England in that behalfe to be obtained: Her Maieſtie graciouſly affecting the good ſucceſſe of ſo good and charitable workes, and that without often ſuit vnto her Maieſtie, and with as great eaſe and little charge as may be, is of her princely care, and bleſſed diſpoſition, to and for the reliefe and comfort of maymed Soulders, Mariners, and other poore and impotent people, pleaſed and contented that it be enacted by authoritie of this preſent Parliament. And be it enacted by the authoritie of this preſent Parliament, That all and euery perſon or perſons, ſeiſed of an eſtate in fee ſimple, their heires, executors, or aſſignes, at his or their wils and pleaſures, ſhall haue full power, ſtrength, licence, and lawfull authoritie, at any time during the ſpace of twentie yeares next enſuing, by deed inrolled in the high Court of Chauncerie, to erect, found, and eſtabliſh one, or more Hoſpitals, Meaſons de Dieu, abiding places, or Houſes of Correction, at his or their will and pleaſure, as well for the finding, ſuſtentation, and reliefe of the maymed, poore, needie, or impotent people, as to ſet the poore to worke, to haue continuance for euer, and from time to time to place therein ſuch head and members, and ſuch number of poore, as to him, his heires and aſſignes ſhall ſeeme conuenient: And that the ſame Hoſpitals or Houſes ſo founded, ſhall be incorporated, and haue perpetuall ſucceſſion for euer, in fact, deed, and name, and of ſuch head, members, and numbers of poore, needie, maymed, or impotent people, as ſhall be appointed, aſſigned, limited, or named by the Founder or Founders, his or their heires, executors, or aſſignes, by any ſuch deed inrolled: And that ſuch Hoſpitall, Meaſon de Dieu, abiding place, or Houſe of Correction, and the perſons therein placed, ſhall bee incorporated, named, and called by ſuch name as the ſaid Founder or Founders, his heires, executors, or aſſignes, ſhall ſo limit, aſſigne, and appoint: And the ſame Hoſpitall, Meaſon de Dieu, abiding place, or Houſe of Correction ſo incorporated and named, ſhall be a bodie corporate and politicke, and ſhall by that name of incorporation haue full power, authoritie, and lawfull capacitie and abilitie to purchaſe, take, hold, receiue, enioy, and haue to them, and to their ſucceſſors for euer, as well goods and chattels, as mannors, lands, tenements, and hereditaments, being freehold, of any perſon or perſons whatſoeuer: ſo that the ſame exceed not the yearely value of two hundred pounds, aboue all charges and repriſes, to any one ſuch abiding houſe, Hoſpitall, Meaſon de Dieu, or Houſe of Correction: And ſo as the ſame, or any part thereof, be not holden of our Soueraigne Ladie the Queene, her heires or ſucceſſors, immediately in chiefe, or elſe of our ſaid Soueraigne Ladie the Queene, or any other perſon by Knights ſeruice, without licence, or Writ of Ad quod damnum, or the Statute of Mortmaine, or any other Statute or Law to the contrarie notwithſtanding. And that the ſame Hoſpitall, Meaſon de Dieu, abiding place, or Houſe of Correction, and the perſons ſo being incorporated, founded, and named, ſhall haue full power and lawfull authoritie, by the true name of the incorporation thereof, to ſue, and to be ſued, implead, and to be impleaded, to anſwere, and to be anſwered vnto, in all manner of Courts and places that now are, or hereafter ſhall be, within this Realme, as well Temporall as Spirituall, in all manner of ſuites whatſoeuer, and of what nature and kind ſoeuer ſuch ſuites or actions be, or ſhall be: And that the ſame Hoſpitall, Meaſon de Dieu, abiding houſe, or Houſe of Correction, ſhall haue and enioy for euer ſuch a common ſeale, or ſeales, as by the ſayd Founder or Founders, his or their heires, executors, or aſſignes, ſhall be in writing vnder his or their hand and ſeale, aſſigned, named, or appointed: whereby the ſame Corporation ſhall or may ſeale any manner of Inſtrument touching the ſame incorporation, and the lands, tenements, hereditaments, goods, or other things thereto belonging, or in any wiſe touching or concerning the ſame. And further, ſhall bee ordered, directed, and viſited, placed, or vpon iuſt cauſe diſplaced, by ſuch perſon or perſons, bodies politicke or corporate, their heires, ſucceſſors, or aſſignes, as ſhall be nominated or aſſigned by the Founder or Founders thereof, their heires or aſſignes, according to ſuch Rules, Statutes, and Ordinances, as ſhall be ſet forth, made, deuiſed, or eſtabliſhed by the ſayd Founder or Founders, their heires or aſſignes, in writing vnder his or their hand and ſeale, not being repugnant or contrarie to the Lawes and Statutes of this Realme: any Law, Statute, Cuſtome, Vſage, or other thing whatſoeuer, to the contrarie in any wiſe notwithſtanding. And that it ſhall be lawfull vnto the Founder or Founders, his and their heires or aſſignes, vpon the death or remouing of any head or member of any ſuch Corporation, to place one other in the rome of him that dyeth, or is remoued, ſucceſſiuely for euer. Prouided alwayes, That all Leaſes, Graunts, Conueyance, or Eſtates, to be made by any Corporation ſo to bee founded, as aforeſaid, exceeding the number of one & twentie yeares, and that in poſſeſſion, and whereupon the accuſtomable yearely rent or more, by the greater part of twentie yeares next before the making of ſuch Leaſe, ſhall not be reſerued and yearely payable, ſhall bee void: Sauing to all perſons, bodies politicke and corporate, their

200.l.

Tenure in chiefe

Knights ſeruice

Sue and be ſued

Common ſeale

Viſited Ordered

Election

Leaſes

Aboue xxi. yeare

Accuſtomed rents

Sauing

heires

heires and ſucceſſors (other then the Founders and Giuers, their heires and ſucceſſors) all ſuch right, title, clayme, poſſeſſion, rents, ſeruices, commons, demaunds, intereſt, and profits, which they or any of them ſhall haue, or of right ought to haue, of, in, or to any the lands, tenements, or hereditaments hereafter to be giuen, limited, or aſſigned, in forme aforeſaid, in as ample manner, as if this Statute had neuer bene had or made. Prouided alſo, That this Act, or any thing therein contained, ſhall not extend to enable any perſon or perſons being within age, women couert without their huſbands, or of Nonſane memorie, to make any ſuch Corporation, or to endow the ſame: any thing in this preſent Act to the contrarie thereof in any wiſe notwithſtanding. Prouided alwayes, That no ſuch Hoſpitall, Meaſon de Dieu, abiding place, or Houſe of Correction ſhall be erected, founded, or incorporated by force of this Act, vnleſſe vpon the foundation or erection thereof the ſame be endowed for euer with lands, tenements, or hereditaments, of the cleare yearely value of tenne pounds by the yeare. Prouided alſo, and be it further enacted, That no ſuch Incorporation to be founded by force of this Act ſhall at any time hereafter doe, or ſuffer to be done, any Act or thing, whereby, or by meanes whereof, any of the lands, tenements, hereditaments, ſtocke, goods, or chattels of ſuch Incorporation, or any eſtate, intereſt, poſſeſſion, or propertie, of, or in the ſame, or any of them, ſhall be veſted or tranſferred, in, or to any other whatſoeuer, contrarie to the true meaning of this Act: And that ſuch conſtruction ſhall be made vpon this Act, as ſhall be moſt beneficiall and auaileable for the maintenance of the poore, and for repreſſing and auoiding of all acts and deuiſes to be inuented, or put in vre, contrarie to the true meaning of this Act. Anno 39. Eliz. cap. 5.

Enfant Feme couert

F. F.

8 Anno 39. Eliz. cap. 6. a Statute was made for to reforme deceits vſed touching things giuen to charitable vſes, which was repealed Anno 43. Eliz. cap. 9. By which Statute, yet ſo much of the ſaid Act as concerneth execution of Orders, Iudgements, and Decrées heretofore made by Commiſſioners, aſſigned by vertue of the ſaid Act, and examination, hearing, and determining of the ſaid Orders, Iudgements, and Decrées, by ſuch Commiſſioners heretofore made, ſhall ſtand and remaine in force onely, as for and concerning ſuch Iudgements and Decrées, as heretofore haue béene made by vertue of the ſame Act, and of Commiſſions thereupon awarded.

Repealed

Stand in force

9 Whereas Lands, Tenements, Rents, Annuities, Profites, Hereditaments, Goods, Chattels, Money, and ſtockes of Money, haue béene heretofore giuen, limited, appointed, and aſſigned, as well by the Quéenes moſt excellent Maieſtie, and her moſt noble Progenitors, as by ſundry other well diſpoſed perſons, ſome for releife of aged, impotent, and poore people, ſome for maintenance of ſicke and maymed Souldiers and Mariners, Schooles of Learning, frée Schooles, and Schollers in Vniuerſities, ſome for repaire of Bridges, Ports, Hauens, Cauſeways, Churches, Sea bankes, and Highwayes, ſome for education and preferment of Orphans, ſome for, or towards releife, ſtocke, or maintenance for Houſes of Correction, ſome for Marriages of poore Maides, ſome for ſupportation, ayde, and helpe of young Trades men, Handycrafts men, and perſons decayed, and others for releife or redemption of Priſoners, or Captiues, and for ayd or eaſe of any poore Inhabitants, concerning payment of Fifteenes, ſetting out of Souldiers, and other Tares, which lands, tenements, rents, annuities, profites, hereditaments, goods, chattels, money, and ſtockes of money, neuertheleſſe haue not béene imployed according to the charitable intent of the Giuers and Founders thereof, by reaſon of frauds, breaches of truſt, and negligence in thoſe that ſhould pay, deliuer, and imploy the ſame: For redreſſe and remedie whereof, be it enacted by authoritie of this preſent Parliament, That it ſhall and may be lawfull to and for the Lord Chauncelor, or Keéper of the great Seale of England for the time being, and for the Chauncelor of the Duchie of Lancaſter for the time being, for lands within the Countie Palantine of Lancaſter, from time to time, to award Commiſſions vnder the great Seale of England, or the Seale of the Countie Palantine, as the caſe ſhall require, into all or any part or parts of this Realme, reſpectiuely according to their ſeuerall iuriſdictions, as aforeſaid, to the Biſhop of euery ſeuerall Dioceſſe, and his Chauncelor, in caſe there ſhall be any Biſhop of that Dioceſſe, at the time of awarding of the ſame Commiſſions, and to other perſons of good and ſound behauiour, authorizing them thereby, or any foure, or more of them, to inquire as well by the oathes of twelue lawfull men, or more of the Countie, as by all other good and lawfull wayes and meanes, of all and ſingular ſuch gifts, limitations, aſſignements, and appointments aforeſaid, and of the abuſes, breaches of truſts, negligences, miſimployments, not imploying, concealing, defrauding, miſconuerting, or miſgouernment of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or ſtockes of money, heretofore giuen, limited, appointed, or aſſigned, or which hereafter ſhall be giuen, limited, appointed, or aſſigned, to, or for any the charitable and godly vſes before rehearſed. And after the ſayd Commiſſioners, or any foure or more of them, vpon calling the parties intereſſed in any ſuch lands, tenements, rents, annuities, profites, hereditaments, goods, chattels, money, and ſtockes of money, ſhall make inquirie by the oathes of twelue men, or more, of the ſaid Countie, whereunto the ſaid parties intereſſed ſhall and may haue and take their lawfull challenge and challenges, and vpon ſuch inquirie, hearing, and examining thereof, ſet downe ſuch Orders, Iudgements, and Decrées, as the ſaid lands, tenements, rents, annuities, profits, goods, chattels, money, and ſtockes of money, may be onely

and

any faithfully imployed, to, and for ſuch of the charitable vſes and intents before rehearſed, reſpectiuely for which they were giuen, limited, aſſigned, or appointed, by the Donors and Founders thereof: Which Orders, Iudgements, and Decrees, not being contrarie or repugnant to the Orders, Statutes, or Decrees of the Donors or Founders, ſhall by the authoritie of this preſent parliament ſtand firme and good, according to the true and purport thereof, and ſhall be executed accordingly, vntill the ſame ſhall be vndone or altered by the Lord Chancelor of England, or Lord Keper of the great Seale of England, or the Chancelor of the Countie Palantine of Lancaſter, reſpectiuely within their ſeuerall Iuriſdictions, vpon complaint by any partie grieued to be made to them. Prouided alwayes, That neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any lands, tenements, rents, annuities, profites, goods, chattels, money, or ſtockes of money: giuen, limited, appointed, or aſſigned, or which ſhall be giuen, limited, appointed, or aſſigned to any College, Hall, or Houſe of Learning within the Vniuerſities of Oxford or Cambridge, or to the Colledges of Weſtminſter, Eaton, or Winchester, or any of them, or to any Cathedrall or Collegiate Church within this Realme. And prouided alſo, That neither this Act, nor any thing therein, ſhall extend to any Citie or Towne corporate, or to any the lands or tenements giuen to the vſes aforeſaid, within any ſuch Citie or Towne corporate, where there is a ſpeciall Gouernour or Gouernours, appointed to gouerne or direct ſuch lands, tenements, or things diſpoſed to any the vſes aforeſaid, neither to any College, Hoſpitall, or Free Schole, which haue ſpeciall Viſitors, or Gouernors, or Ouerſeers, appointed them by their Founders. Prouided alſo, and be it enacted by the authoritie aforeſaid, That neither this Act, nor any thing therein contained, ſhall be any way preiudiciall or hurtfull to the Iuriſdiction of the Ordinarie, or power of the Ordinarie, but that he may lawfully in euery cauſe execute and performe the ſame, as though this Act had neuer beene had or made. Prouided alſo, and be it enacted, That no perſon or perſons that hath, or ſhall haue any the ſaid lands, tenements, rents, annuities, profites, hereditaments, goods, chattels, money, or ſtockes of money in his hands or poſſeſſion, or doth or ſhall pretend title thereunto, ſhall be named a Commiſſioner, or a Iuror, for any the cauſes aforeſaid, or being named, ſhall execute or ſerue in the ſame. And prouided alſo, That no perſon or perſons, which hath purchaſed or obtained, or ſhall purchaſe or obtaine vpon valuable conſideration of money, or land, any eſtate or intereſt, of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods, or chattels, that haue beene or ſhall be giuen, limited, or appointed to any the charitable vſes abone mentioned, without fraud or couin, hauing no notice of the ſame charitable vſe, ſhall not be impeached by any Decrees or Orders of Commiſſioners aboue mentioned, for or concerning the ſame his eſtate or intereſt. And yet neuertheleſſe be it enacted, That the ſaid Commiſſioners, or any foure, or more of them, ſhall and may make Decrees and Orders for recompence to be made by any perſon or perſons, who being put in truſt, or hauing notice of the charitable vſes aboue mentioned, hath or ſhall breake the ſame truſt, or defraud the ſame vſes, by any Conueyance, Gift, Graunt, Leaſe, Demiſe, Releaſe, or Conueiſion whatſoeuer, and againſt the heires, executors, and adminiſtrators of him, them, or any of them, hauing Aſſets in Law or equitie, ſo farre as the ſame Aſſets will extend. Prouided alwayes, That this Act ſhall not extend to giue power or authoritie to any Commiſſioners before mentioned, to make any Orders, Iudgements, or Decrees, for, or concerning any manors, lands, tenements, or other hereditaments, aſſured, conueyed, graunted, or come vnto the Queenes Maieſtie, to the late King Henry the eight, King Edward the ſixt, or Queene Marie, by Act of Parliament, Surrender, Exchange, Relinquiſhment, Eſcheat, Attainder, Conueyance, or otherwiſe. And yet neuertheleſſe be it enacted, That if any ſuch manors, lands, tenements, or hereditaments, or any of them, or any eſtate, rent, or profit thereof, or out of the ſame, or any part thereof, haue or hath beene giuen, graunted, limited, appointed, or aſſigned to or for any the charitable vſes before expreſſed, at any time ſithence the beginning of her Maieſties raigne: That then the ſayd Commiſſioners, or any foure, or more of them, ſhall and may, as concerning the ſame lands, tenements, hereditaments, eſtate, rent, or profit ſo giuen, limited, appointed, or aſſigned, proceed to inquire, and to make Orders, Iudgements, and Decrees, according to the purport and meaning of this Act, as before is mentioned: the ſaid laſt mentioned Prouiſo notwithſtanding. And be it further enacted, That all Orders, Iudgements, and Decrees of the ſaid Commiſſioners, or of any foure or more of them, ſhall bee certified vnder the Seales of the ſaid Commiſſioners, or any foure or more of them, either into the Court of Chancerie of England, or into the Court of the Chancerie within the Countie Palantine of Lancaſter, as the caſe ſhall require reſpectiuely, according to their ſeuerall Iuriſdictions, within ſuch conuenient time as ſhall be limited in the ſayd Commiſſions. And that the ſaid Lord Chancelor, or Lord Keper, and the ſaid Chancelor of the Duchie, ſhall and may within their ſaid ſeuerall Iuriſdictions take ſuch order for the due execution of all or any of the ſaid Iudgements, Decrees, and Orders, as to either of them ſhall ſeeme fit and conuenient. And that if after any ſuch Certificate or Certificates made, any perſon or perſons ſhall find themſelues grieued with any of the ſaid Orders, Iudgements, or Decrees: that then it ſhall and may be lawfull to and for them, or any of them, to complaine in that behalfe vnto the ſaid Lord Chancelor, or Lord Keper, or to the Chancelor of the ſaid Duchie of Lancaſter, according to their ſeuerall Iuriſdictions, for re-

redreſſe therein. And that vpon ſuch complaint, the ſaid Lord Chauncelor, or Lord Keper, or the ſaid Chauncelor of the Duchie, may accoꝛding to their ſaid ſeuerall Juriſdictions, by ſuch courſe, as to their wiſedomes ſhall ſeeme meeteſt, the circumſtances of the caſe conſidered, proceed to the examination, hearing, and determining thereof, and vpon hearing thereof, ſhall and may adnull, diminiſh, alter, or inlarge the ſaid Orders, Judgements, and Decrées of the ſaid Commiſſioners, or any foure or more of them, as to either of them in their ſaid ſeuerall Juriſdictions ſhall be thought to ſtand with equitie and good conſcience, accoꝛding to the true intent and meaning of the Donors and Founders thereof, and ſhall and may tare and award good coſtes of ſuit by their diſcretions, againſt ſuch perſons as they ſhall find to complaine vnto them, without iuſt and ſufficient cauſe of the Orders, Judgements, and Decrées before mentioned. Anno 43. Eliz. cap. 4.

Hounſloe heath.

ANno 37. H. 8. cap. 2. An Act was made for the partition of Hounſloe heath, wherein is appointed certaine parcels to certaine perſons for Copyhold lands, and that thoſe parcels ſhall be ſet as Copyhold lands, by Leaſe for one and twentie yeares. Leaſe

Hull.

ANno 27. H. 8. cap. 3. An Act was made for taking away the Cuſtomes and Tolles taken by the Mayor and Communaltie of the Towne of Hull, which they toke for Fiſh brought into that Towne. But this Act in Anno 33. H. 8. cap. 33. was from thenceforth made void. And it is there further enacted, That from henceforth it ſhall be lawfull to the Mayors and Burgeſſes of the Kings ſaid Towne vpon Hull, and their ſucceſſors, Mayors and Burgeſſes of the ſame, and all other Officers and Miniſters there, for the time being, from time to time, at all times hereafter, to receiue, haue, and take of all and euery the inhabitants and Fiſhermen of the ſayd Counties of Suffolke and Norfolke, and of all other places to the ſayd Towne of Hull, for ſuch Herring, Sprats, Saltfiſh, and for all other victuals, by them or any of them hereafter to bee brought to be ſold vnto the Kings ſaid Towne of Hull, ſuch ſummes of money as hereafter followeth: that is to ſay, for euery Laſt of Herrings of euery perſon priuiledged xx. d. for the Laſt. And for euery hundred of Salt fiſh iiij. d. And for euery Laſt of Sprats viij. d. And of euery perſon not priuiledged, for euery Laſt of Herring ij. s. iiij. d. And for euery hundred of Salt fiſh iiij. d. And for euery Laſt of Sprats viij. d. as afore the ſayd Act made in the 27. yeare of the raigne of our ſaid Soueraigne Lord the King, the ſayd Mayor and Burgeſſes haue vſed and accuſtomed to take: any thing expreſſed or contained in the ſaid Act to the contrarie notwithſtanding. Prouided alwayes, and be it &c. That this Act, or any thing therein contained or expreſſed, ſhall not extend, nor in any wiſe be hurtfull or preiudiciall to charge or inherate any Citie, Borough, or Towne within this Realme, or the inhabitants of the ſame, or any of them, for any more, other cuſtome, impoſition, or payment, or otherwiſe then they, or any of them of right were charged or chargeable, before the making of the ſaid Act and Statute, made in the ſaid ſeuen and twentieth yeare: any thing expreſſed or contained in this preſent Act, to the contrarie in any wiſe notwithſtanding. Anno 33. Henr. 8. cap. 33. Cuſtomes Tolles Mayors Fiſh Toll Herring Salt fiſh Sprats

Hundreds.

THat Bailiwikes and Hundreds of the kings, nor of other great Lordes of the land, be not let to farme at ouer great ſummes, whereby the people may be ouercharged by making contribution to ſuch farmes. Articuli ſuper Chartas. Anno 28. Ed. 1. cap. 14. Farme

Hunters and Hunting.

FOraſmuch as diuers Artificers, labourers, ſeruants, and groomes keepe greyhounds, and other dogges, and on the Holy daies when good people be at Church, they hunt in other mens parkes, warrens, and conigers, and vnder ſuch colour at times make aſſemblies, conuentions, and conſpiracies to riſe and diſobey their allegeance: it is ordained, that no maner of Artificer, Labourer, or other Lay man, which hath not lands or tenements to the value of fortie ſhillings by yeare: Nor no Prieſt, nor other Clerke, if he be not aduanced to the value of tenne pounds by yeare, ſhall haue or keepe from henceforth any greyhound, hownd, nor other dogge for to hunt: Nor they ſhall not vſe ferrets, haies, nets, harepipes, nor cordes, nor other ingines, for to take or deſtroy Deere, Hares, nor Conies, nor other Gentlemans game, vpon paine of one yeares impriſonment. And that the Juſtices of Peace haue power to inquire, and ſhall inquire of the offenders in this behalfe, and punish them by the paine aforeſaid. Anno 13. Ric. 2. cap. 13. Artific. Dist. Greyh. Ferret. Nets Iuriſd. Juſt. of Peace Puniſh

2 Foraſmuch as both red deere and fallow hath beene greatly and chiefly deſtroyed with nets called Deere-haies and Bucke-ſtalles, ſtalking with beaſts, to the deſtruction of Foreſts, Chaſes, and Parks: Be it &c. that no perſon ſpirituall or temporall, hauing no parke, chaſe, nor forreſt of their own, keep, or cauſe to be kept, any nets called deere hayes, or buckeſtalls, by the ſpace of a moneth next after proclamation of this Act made, vpon paine to forfeit for euerie moneth that he or they keepe, or cauſe to be kept the ſame nets, hayes, or buckſtals, tenne pounds. And that no perſon from henceforth ſtalk, nor cauſe any other perſon to ſtalk, with any bush or beaſts, to any deer being in any park, chaſe, forreſt, or without, (but if it be within his owne ground, chaſe, forreſt, or parke) without licence of Forf. Stalk Licence

of the Owner, Master of the game, or keper of the same ground, chase, forrest, or parke, vpon paine of forfeiture for euery time that he or they so stalke tenne pounds. And furthermore, That no person or persons without his owne ground, slay, take, or cause to be taken by meane of craft or engine, anie Herons, without it be with Hawking, or with a long bowe, vpon paine of forfeiture for euery heron taken or slaine, six shillings and eight pence. And that no person or persons without his or their own ground, take anie young Herons out of the nest, without licence of the Owner of the ground where the said nest is, vpon paine of forfeiture of euerie Heron so taken out of the nest, ten shillings. And that euery man that will, may and shall be admitted to sue for any of the said forfeitures, by Action of debt, and like proceese to be had and made therein, as in other Actions of debt at the making of this Act: And that the Defendant be not admitted to wage nor to doe his Lawe in any such Action, nor any essoine, nor protection to be allowed for the defendant in the same. And that two Justices of Peace in their Sessions, shall haue authoritie to call before them, any person suspected of the premisses, and to their discretions to examine them in the premisses. And if by their examination the parties so examined be found in default, or contrarie to the premisses: then the person so found in default, to be committed to prison, till he haue found suretie for the paiment of the same forfeitures to the King. And that those Justices that so examin them shall haue the tenth part of euery such forfeiture for their labour in that behalfe. Anno 19. Henr. 7. cap. 11.

3 Forasmuch as the game of hunting of Hares, wherein the King and his Nobles haue heretofore taken their disport, is now almost vtterly destroyed by the excessiue killing of them, with tracing of them in the snow: Be it &c. That no person or persons, of what estate, degree, or condition they be, from henceforth trace, destroy, and kill, no Hare in the snow with any dogge, bitch, or otherwise. And that the Justices of peace, within euery shire, at euery Sessions of the Peace, and Stewards of Leetes, shall haue full power and authoritie to inquire of such offenders, and after such inquisitions found, the said Justices of Peace, and Stewards of Leetes, for euery Hare so killed, shall assesse vpon euerie such offender, sixe shillings and eight pence, to be forfeited to our saide soueraigne Lord, that shall be so found by the Justices of peace in their Sessions. And the forfeiture found in euery Leete to be to the Lord of the Leete. Anno 14. H. 8. cap. 10.

4 Be it enacted &c. That if any person or persons, after the feast of Saint James the Apostle next ensuing, shall in the night time, or by day, wrongfully or vnlawfully breake or enter into any Parke vnpaled, or any other seuerall grounds inclosed with Wall, Pale, or Hedge, and vsed or kept for the keping, breeding, and cherishing of any Deere or Conies, and wrongfully or vnlawfully shall hunt, driue, or chase out, or take, kill, or slay any Deere or Conies, within any such impaled Parke, or closed ground with Pale, Wall, or other Inclosure, as aforesaid, against the will, minde, or pleasure of the Owners, Occupiers or Possessioners of the same, not hauing lawfull title or authoritie so to doe, and thereof shall be lawfully conuicted at the Suite of our Soueraigne Lord the King, his heires or successours, or the partie grieued, shall suffer imprisonment of his or their bodies by the space of three months: and also shall yeelde and pay to the party grieued his treble damages and costs, to be assessed and rated by the Justices before whom hee or they shall be conuicted, after the said three Moneths expired, and shall find sufficient Sureties for his and their good Abearing against the King, his Heyres and Successours, and all his liege people for the space of seuen yeares after, or else shall remaine and continue still in prison without Baile or Mainprise, vntill such time as hee or they so offending, shall finde sufficient Sureties during the saide time and space of seuen yeares. And be it likewise enacted &c. That the Justices of Oyer and Terminer, Justices of Assise in their Circuites, and Justices of the Peace and Gaole Deliuery in their Sessions, shall by vertue hereof haue power and authority to enquire, heare, and determine all and singular the saide Offences, by Examination of the Offendors, and to make and award Procesle thereupon, as well vpon Indictments taken before them, as by Bill of Complaint, Information, or any other Action: in which Suite or Action no Essoine, Wager of Lawe, or Protection shall be allowed. And be it &c. That it shall and may be lawfull to the party grieued to sue and take his further remedy against all and euerie such Offendor and Offendors, for his losse and damages, and to recouer the treble value of the same in that behalfe, as well before the Justices of Oyer and Terminer, Justices of Assise in their Circuites, and Justices of the Peace and Gaole Deliuery in their Sessions, or elsewhere in any other the Kings majesties Courtes of Record at Westminster. And that vpon true satisfaction of the saide treble damages to the partie grieued, or vpon the Confession or Acknowledgement thereof by the said partie offending, before the Justices in open Sessions holden for the County, wherein the same offence shall be committed, it shall be at the libertie of the saide party grieued, to whom the said offence is committed, to release at his pleasure the Suretieship of the good Behauiour, at any time within the saide seuen yeares, or before: Any thing in this present Act before mentioned or declared to the contrarie notwithstanding. And be it also further Enacted &c. That if any person or persons not hauing any Manors, Landes, Tenements, or Hereditaments, of the clears yeerely value of fortie pounds, or not worth in goodes or chattelles the summe of two hundred Pounds, shall vse anie Gunne, Bowe, or Crosse-bowe to kill anie Deere or Conies, or shall keepe anie Buckstall or Engine, Hayes, Gatenettes, Pursenettes, Ferrettes, or Conie Dogges, Except such Person or Persons as shall haue anie

Imprison

Treble damages Costs

Good abearing.

vtl. Peares

Baile denied

Ju. of Oier and Term. Iust of Ass. Just. of P. and gaole deliuery

Sue

Satisfaction Confession

Release

xl. li per annum.

200 pounds Goods

Gunne Bowe Crosse-bow

Buckestall Hayes Gatenets &c.

Ground inclosed

ground impar̄ked with pale, or inclosed with wall or hedge, as aforesaid, vsed for the keeping, breeding, or cherishing of any Deere or Conies, the encrease of which saide Conies shall amount to the cleere yearely value of forty shillings to be letten at the least, or Keepers, or Warreners in their parks, warrens, or grounds, belonging to their charge, That then any person having lands, tenements, or hereditaments of the cleere yearely value of one

Keepers Warreners

100 li. per annum.

hundred pounds in fee Simple, fee Taile, or for Life, in his owne right, or in the right of his wife, may take from the person or possession of such Malefactor or Malefactors, and to his owne vse for euer keepe such gunnes, bowes, crosse-bowes, bucke stalles, or engine, hayes, gatenets, purslenettes, forrets, and cony dogges. And be it &c. That if anie person or persons, at any time hereafter, shall fortune to be bound before anie the Justices before mentioned, to the King, his heyres or successours, for his or their good Abearing for seuen yeares, according to the tenor of this Act, and the same party or parties so bound, shall afterward within the said seuen yeares come before the Justices of the Peare of the said County, where the said Offence was committed, or some of them, in open Quarter Sessions, and there in the said Sessions confesse and acknowledge his or their saide Offence or Offences, and that he or they is or are for the same, and satisfie the party or parties grieued, according to the tenor of this Act, that then the same Justices, before whom the said confession shall be so made, shall and may haue power and authoritie by vertue of this Act, in the same open Sessions, or in any other Sessions afterwards to be holden before the said Justices in the said county, within the said terme of seuen yeares, if it shall seeme good to their discretions, to discharge the said Recognizance and Bond so taken, and also the said party and parties so bound: This Act, or any thing therein contained, to the contrarie thereof notwithstanding.

Malefactors

Take

Bound

Confesse Offence

Discharge Recognisance Bond

Prouided alwayes, That this Act, or any thing therein contained, doe not extend to any Parke or inclosed Ground, hereafter to be made and vsed for Deere or Conies, without the Graunt or Licence of our soueraigne Lord the King, his heyres or successours. Prouided alwayes &c. That this Act, nor any thing therein contained, shall extend to any offence or offences concerning the Hunting, Chasing, or killing of Deere or Conies, which shall be done or committed in the day time, but onely to such offences as shall be hereafter done or committed in the night time onely: Any thing in this Act contained to the contrary thereof in any wise notwithstanding. Anno 3. Iacobi capitulo decimotertio.

Park hereafter made

Licence of the King

Night time only

¶ Whereas question and doubt hath growen and risen, vpon the Exposition of a Statute made in the second Session of this present Parliament, Intituled, An Act against Vnlawfull Hunting and stealing of Deere and Conies (before &c.) for that in the body of the said Act, all vnlawfull hunting, driuing, or chasing out, or taking, killing, or slaying any Deere, or Conies, within anie the Parkes, places or grounds, in the saide Statute mentioned, against the will, minde, or pleasure of the Owners, Occupiers, or Possessioners of the same, (as well by day as by night) is prohibited and made Penall in such manner and forme, as in, and by the saide Statute, it doth and may more plainly appeare, And yet by a Prouiso in the said Statute contained, it is enacted, That the saide Act, nor anie thing therein contained, should extend to any Offence or Offences, concerning the Hunting, Chasing, or killing of Deere or Conies, which should be done or committed in the day time, but onely to such Offences, as should be then after done or committed in the night time onely: Anie thing in the said Act contained to the contrary notwithstanding. For the Explanation of which doubt and question, and for that it is found by experience, That Malefactors of that kinde, haue bene much encouraged to Chase, Hunt, Kill and Destroy Deere in the day time, by colour of the saide Prouiso, whereby many Deere, as well in the Parkes of our Soueraigne Lord the King, as of many his Highnesse louing Subiects haue bene, and are still like to be, vnlawfully and riotously Chased, Hunted, and Destroyed by many idle, lose and disorderly persons: Be it &c. That from and after the Feast of Saint James the Apostle next insuing, so much of the saide Prouiso in the said Statute contained, as concerneth the Hunting, Chasing out, or killing of Deere onely, shall be repealed, frustrated and made voyde: any thing in the saide Prouiso of the saide Act contained, to the contrary thereof in any wise notwithstanding. And whereas it was by the said former Statute, amongst other things enacted, That if any person or persons, did, or should wrongfully or vnlawfully hunt, chase, or driue out, or take, kill, or slay anie Deere within anie Parke, or other place in the saide Statute mentioned, against the will, minde, or pleasure of the Owners, Occupiers, or Possessioners of the same, that then euery such person so offending, should satisfie and pay vnto the party grieued, his treble damages, in such manner and forme, as in the said Statute is mentioned: By reason of the vncertainties whereof, few or no Offenders haue bene discouraged in their saide huntings, driuings, chasings out, taking, killing or slaying of Deere. For remedy whereof, Be it &c. That if anie person or persons, from and after the feast of Saint James the Apostle, next comming after the end of this present Session of Parliament, shall willingly commit any the Offences in the saide Statute mentioned, concerning the vnlawfull chasing out, hunting, driuing, taking, killing, or slaying of Deere in anie Parke, or Inclosed ground, which now is, or hereafter shall be made and vsed for Deere, against the will, minde or pleasure of the owners, occupiers, possessioners, or keepers of the same: that then al and euery such person and persons so offending, shall for euery such Offence, pay and satisfie to the partie grieued, the summe of tenne pounds of currant money of England, or else treble damages and costs, at the Election of the

the party grieued: The same to be recouered in such manner and forme, as in and by the said Statute is limited and appointed for the recouerie, taxing or assessing of the said treble damages. Any thing in the said Statute, or in this present Act contained to the contrary notwithstanding. This Lawe to continue vntill the end of the first Session of the next Parliament. Anno 7. Iac. cap. 13.

Husbandry and Tillage.

The King desireth to redresse the great inconueniences that grow by the wasting of townes, in turning tillage to pasture, whereby idlenesse increaseth, husbandry decayeth, Churches decay, and the defence of the Realme is feebled and impaired, hath ordained, That no person of what estate, degree, or condition that he be, that hath any house or houses, that at any time within three yeares passed, hath been, or that now is, or that hereafter shall be letten to farme with xx. acres of land at least, or more, lying in tillage and husbandry, that the owner or owners of euerie such house or houses and land, be bound to keep, sustaine, and maintain houses and buildings vpon the said ground and land, conuenient and necessary for maintaining and vpholding of the said Tillage and Husbandry. And if any such Owner or Owners of any such house or houses, and land, take, keepe, and occupy any such house or houses, and land, in his or their owne hands, that the said owner or owners by the said authoritie, be bound in like wise, to keepe and maintaine houses and buildings vpon the saide ground and land, conuenient and necessary for the maintaining and vpholding of the said Tillage and Husbandry. And if any man doe contrary to the premisses, or any of them, that then it be lawfull to the King (if any such landes or houses be holden of him immediately) or to the Lords of the fees (if any such lands be holden of them immediately) to receiue yearely halfe the value of the issues and profits of any such lands, whereof the house or houses be not so maintained and sustained: And the same halfe deale of the issues and profites, to haue, hold, and keepe to his or their owne vse, without anie thing therefore to be payed or giuen, to such time as the same house or houses be sufficiently builded or repayred againe. And that no manner of freehold be in the King, ne in any such Lord or Lords by the taking of any such profites, of, or in any such lands, in no manner of forme, but onely the King and the said Lord or Lords haue power to take, receiue, and haue the said issues and profites, as is aboue said: And therefore the King, or the said Lord or Lords, to haue power to distraine for the same issues and profits, to be had and perceiued by them, in forme aboue said, by authority of this present act, Anno 4. H. 7. cap. 19. See this Statute confirmed here 3. and 7. and in certaine partes of it also explained, and repealed here 9. but for suites then depending.

2 For the auoyding of letting downe of townes, Be it &c. That all such townes, villages, boroughs, and hamlets, tything houses, and other habitations, in any parish or parishes within this realme, whereof the more part, the first day of this present Parliament, was or were vsed and occupied to tillage & husbandry by the owner and owners thereof, for their singular profit, auaile, and lucre, wilfully, sithen the said first day, be, or hereafter shall be suffered, or caused to fall downe any decay, whereby the husbandry of the said townes, villages, boroughs, hamlets, tything houses, and other inhabitations, and parishes within this Realme, beene, or hereafter shall be decayed and turned from the said vse and occupation of husbandry and tillage into pasture, shall be by the said owner or owners, their heires, successours, or assignes, or other for them, within one yeare (next after such wilfull decay) redified and made againe meete and conuenient for people to dwell and inhabite in the same, and to haue, vse, and therein to exercise husbandry and tillage, as at the said first day of this present Parliament, or sithence, was there vsed, occupied, and had, after the maner and vsage of the countrey, where the saide land lieth, at the costs and charges of the same owner or owners, their heires, successors, or assignes. And if sithence the first day of this present Parliament, any lands, which at the same first day or sithen were commonly vsed in tillage, beene inclosed, or from hencefoorth shall be inclosed, be turned onely to pasture, whereby any house of husbandry within this Realme, is, or shall be hereafter decayed: that then all such lands shall be by the same owner or owners, their heires, successors or assignes, or other for them, within one yeare next insuing the same decay, put in tillage and exercised, vsed, and occupied in husbandry and tillage, as they were the same first day of this present Parliament, or any time sithen, and after the manner and vsage of the country where such land lieth. And if any person or persons do contrary to the premisses, or any of them: that then it be lawfull to the King (if any such lands or houses beene holden of him immediately) after office or inquisition founden thereof, conprehending the same matter of Record, or to the Lordes of the fees (if any such lands or houses beene holden of them immediatly) without office or inquisition thereof had, to receiue yearely halfe the value of the issues and profits of any such lands, whereof the house or houses of husbandry be not so maintained and sustained, and the same halfe deale of the issues and profits, to haue, hold, and keepe, to his or their owne vse, without any thing thereof to be payed or giuen, to such time as the same house or houses be sufficiently redified, builded, or repaired againe, for the exercising and occupying of husbandry. And immediatly after that, as well the interest and title giuen by this Act, to our soueraigne Lord the King, as to the Lordes of the fee, to cease, and no longer to indure. And that it shall be lawfull to the owner or owners of such lands, house or houses, holde immediatly of our said soueraigne lord the King, to haue and enioy the same, and to take the issues & profites thereof, as if no such office or inquisition had neuer bin had ne made. And that no maner of freehold be in the King, ne in any such Lord or Lords, by ver-

Decay

Redified

Inclosers

King

Office found

Lords of the fees

Ceas

Freehold

tue of this act, or taking of any such profits, of, or in any such land, in no maner and forme, but only the King and the saide Lord or Lords haue power to take, receiue, and haue the said issues and profites thereof, as is aboue said, and therefore the King, or the saide Lord or Lords to haue power to distreine for the same issues and profits to be had and perceiued by them, in forme aboue said, by authoritie of this present Act. Be it &c. that if any of the said lords or lords immediatly doe not execute the premisses, according to the tenor of this Act: That then the Lords immediate aboue them, within halfe a yeare next after that, to haue, receiue, and take the moity of the issues and profits thereof, in like manner and forme, as is aforesaid, of the said lordes immediate, and so euery Lord or Lords from one to another, to haue like time and aduantage, of, and in the premisses, as in the same Act is contained. Prouided alway, that this Act extend not, nor be preiudiciall or hurtfull to any Parke or Parkes for Deere, made, or to be made, or to any Marsh or Marshes, for walling and inclosing, or for any lands contained in the same within this realme. This Act to continue and indure for euer. Anñ 7. H. 8. cap. 1. See hereafter 3. and 7. more, where also this Statute is confirmed, and in some points explaned.

Distreine

Lords immediate

Halfe yeare

Parke

Marsh

3 Forasmuch as the good Statute of 4. H. 7. ca. 19. (before 1.) hath taken little effect, but in such lands as be immediatly holden of the King, partly by the negligence of other lords, and partly by reason of the little benefite that is therein giuen vnto them: Be it &c. That the King and his heires and successours, from and after the feast of Saint Michael the archangell, which shalbe in the yeere of our Lord God 1538. shall take and haue the moitie of all issues, reuenues, rents and profites, comming and growing of all and singuler meases, lands, and tenements, now and then remaining inclosed, decayed, or conuerted from tillage into pasture, contrary to the tenor and true meaning of the said Act, made in the said fourth yeare of King Henrie the seuenth, being at this present day found already by office and verdict of twelue men, or which hereafter at any time by like Office and Verdict shall be found, of whomsoeuer they be holden, which haue beene decayed and conuerted from tillage into pasture, fiue three yeres next before the foresaid fourth yeere of the reigne of the said noble king H. the seuenth, vntill such time as the Owners of the saide meases, lands and tenements, shall haue builded and reedified againe, in, and vpon conuenient places of the said meases, landes, and tenements, for euery fifty acres, forty acres, or thirty acres of land, one sufficient tenement, meete for an honest man to dwell in, and also vntill such time, as the same owners haue conuerted, or caused all the said lands so misused to be conuerted from pasture into tillage againe, according to the nature of the soile, and course of husbandrie vsed in the country where any such lands do lie, and according to the true intent and meaning of the saide Act. Prouided alwayes, and be it &c. That if any Owner of landes and tenements, at any time after the last day of April, in the yeare of our Lord God one thousand fiue hundred thirty and six, decay any house of husbandry, hauing twenty acres of arable land at the least thereunto lying in tillage, or conuert the same land into pasture, contrary to the true intent and meaning of the said Act, then if the Lord of whom any such houses or lands by them holden immediatly, doe not take the benefite of the said Act, concerning taking of the moitie of the profites of that same house and lands so misused, as is aboue rehearsed, within one yeere next after the saide decay, or within one yeare next after the conuerting of the said land from tillage into pasture: the Kings Highnesse in default of the said Lordes immediate, shall and may from and after any office found thereof, haue and take the one moity of all the issues, reuenues, and profits, comming and growing of the same house and lands so decayed or conuerted from tillage into pasture, vntil such time as the owner of the said house and lands so misused, haue reedified the same house, and conuerted and put the same lands againe into tillage, according to the nature of the soile, and course of Husbandrie vsed in the Countrey there, as is aboue rehearsed. Prouided alway, That the Kings Highnesse shall not haue, claime or challenge any freehold or tenure, in or to any of the premisses, by taking of the moitie of anie such profites, nor that anie Lord of whom any such meases or landes be holden, shall lose ne forfeit any their tenures, seruice, or other their right, of, and in the same, but onelie that his Highnesse, his heyres and successours, shall haue full power by vertue of this present Act, (after the finding alwayes of any Office or Offices) from time to time onely to distreine for payment of the moitie of the yearely issues, reuenues and profits of all such lands and tenements, as be vnto the Kings Highnesse limited and appointed by this Act, according to the true intent and meaning of the same Act; vntill such time as the true intent and purpose of this present Act, shall be duely and truely put in execution in euery behalfe, to all intents, as is before declared. Prouided also, That this Act, nor any thing therein contained, be in any wise preiudiciall or hurtfull to any infant within the age of one and twentie yeares, nor to anie person or persons being out of the Kings Realme, for anie issues and profites to be leuied, perceiued, or taken by vertue of this present Act, as long as they shall be within age, or out of this realme: nor shall extend to any Marsh or Fenne grounds, nor to any manors, lands or tenements, being inclosed at this present daie, within anie Forrest, Parke or Chase wherein be Deere, belonging vnto the Kings Highnesse, or to anie Temporall Lord, Knight or Squire of the realme of England or Wales, so that they haue licence obteined at this present day of the Kings said highnes, or of any his noble Progenitors to imparke the same, and also haue compounded with the Owners thereof, that the same owners be satisfied for the same: any thing in this Act to the contrary notwithstanding. Prouided alwayes, That this present Act extend not, nor be in anie wise hurtfull or preiudiciall to anie Owners of any lands or tenements in any counties

Ward

Office Verdict

Builde

Tenement

Owner

Decayed houses

Lord immediate

One yeare

King

Halfe the issues

Reedify

Freehold

Distreine

Infant

Parke

Forrest

Licence

ties of this Realme of England, but onely vnto all and euery the Counties hereafter specified, that is to say, the counties of Lincolne, Nottingham, Leicester, Warwicke, Rutland, Northampton, Bedford, Buckingham, Oxford, Barkeshire, the Ile of Wight, Worcester, Hereford, and Cambridge. Anno 27. H. 8. ca. 22. See here after 7. E. 6. ca. 2.

And that there shall be yeerely after the feast of the Annunciation of our Lady which shall be in the yeere of our Lord God 1533. as much land or more, put wholly in Tillage, and vsed and sawen according to the custome of the Countries, and nature of the ground, and so shall be continued and vsed for tillage, and so ouer and euer, by the owners, farmers, or occupiers thereof, to euery towne, parish, village and hamlet, within the realme of England and Wales, as was or hath beene put to tillage in any one yeare, and so kept in tillage by the space of three yeares, any time since the first yeare of the reigne of King Henry the eight, vpon paine to forfeit to the King and his heires, for euery acre not put in tillage, vsed and occupied according to the true and effect of this present act, fiue shillings for euery yeare so offending. And for the better execution of this Act, Be it ec. That the King his heires and successours, at his and their will and pleasure, from time to time may direct his and their seuerall commission and commissions, vnder the great seale of England, to such persons as shall please them. And that the same Commissioners or foure of them at the least, shall haue power and authority by vertue of this Act, and of the said Commission, to enquire, search and trie by the oathes of twelue lawfull and indifferent persons or more, in euery hundred, rape or wapentake, such as may dispend yeerly fortie shillings, freehold, what lands and tenements in euery towne, parish, village or hamlet within the limits of their charge, haue (against the forme and effect of this present Act and Statute) at any time or times, since the said first yeare of the reigne of King Henry the eight, beene conuerted and turned from tillage, to pasture, and so lying conuerted and turned from tillage to pasture, and is now, and hereafter so shall be continued and occupied in pasture. And that the said twelue persons or more vpon their oathes, shall make true and lawfull presentment and certificate, as well of all and singuler the premisses, as of the names or surnames of the owners, farmers and occupiers of the same in Writing vnder their Seales, to the said Commissioners, at such day, time and place, as shall be limited to them by the said Commissioners. And that the said Commissioners, after such presentment thereof had and made, shall cause the same presentments to be ingrossed in Parchment, indented and sealed with their Seales, whereof the one part thereof shall be deliuered to the Foreman of the Jury, and the other part thereof shall be certified in the Kings Court of Chauncerie within two moneths after such Presentment so had and made. And that from thenceforth the said Presentments with conuenient speede, shall be certified and treated out, and sent from the said Court of Chauncerie, into the Court of the Eschequer, there to remaine of record, among the Kings maiesties Records of the same court of Eschequer, to the intent that this Statute shall be the more diligently and indifferently put in execution, according to the true meaning thereof. And be it ec. that such Commissioners as shall hereafter be authorized by vertue of the Kings Commission, to put this Act in execution, shall before such time as he or they shall sit vpon the same Commission, take a corporall Oath before the Lord Chauncellour of England, or the Lord Keeper of the Great Seale for the time being, or before such other person or persons as shall haue authoritie from the Lord Chancellour of England, or the Keeper of the Great Seale, for the time being, by Dedimus potestatem, to receiue and take his or their oathes truely, faithfully, indifferently, and iustly, according to the vttermost of his or their wits, learnings and cunnings, to indeuor themselues for and to the true execution of this Statute, and of all and euerie thing conteined in the same for the better maintenance of tillage, and increase of corne to be had, according to the true meaning of this Act. And be it further enacted ec. That the said Commissioners, or two of them at the least, shall haue authoritie and power, to direct their Precept to the Sheriffe of the County, being within the limits of their Commission, to warne such, and as many honest men of his Bailiwicke, as is aforesaid, by whom the truth may best be knowne, to inquire, and true Presentments make of all and euery the premisses, and to set such reasonable fines, issues, and amerciaments, vpon such persons, as shall make default of their apparaunce, or making their apparances shall neglect to doe their duties, in and about the execution of the premisses, as to the same Commissioners, or foure of them, shall be by their discretions thought meete and conuenient, so that the same fine or amerciament for any one default, exceede not the summe of twenty shillings. And that the same Fines, Issues, and Amerciaments so by them tared and set, shall be yearely well and truely estreated, into the saide Court of Eschequer, and there to be leuied to the Kings vse, as other Fines and Amerciaments, haue beene there accustomed and vsed there to be leuied. Prouided alwayes ec. That the putting of anie lands or tenements hereafter, from pasture to tillage, according to the forme and effect of this Act, shall not in anie wise extend to be anie cause of breach or forfeiture of any bond, couenant, paimet, or condition, made, or hereafter to be made between any person or persons which in any wise is or shall be repugnant or contrariant to this Act. Prouided alwayes ec. That this Act, ne anie thing therein contained, shall not in any wise extend to any land conuerted, or to be conuerted into Pasture, that shall be kept without fraud or couin only for the maintenance of the houses and hospitality of any person or persons, nor to any land that commonly or vsually hath lien to pasture by the space of xl. yeeres last past, nor to any waste grounds or heaths, nor to any common downes, fens, moores, or Marshes, which haue not beene commonly

Commissioners

Oath L. Chancellor

Dedimus potestatem

Precept Sheriffe

Inquiries

Fines

Amerce

Eschequer

Breach of couenant

Pasture for houshold

Forty yeres Waste grounds

Marshes

and vsually, for the most part sowen or put in tillage, within forty yeares last past, nor to any land now being lawful Warren or now vsed and kept for Conies, nor to any ground stubbed or woone from wood, bushes, broome or furze into the kind of pasture: nor to any land now inclosed in any park commonly vsed with deere, and that without fraud or couine hath beene vsed for any parke within fifty yeares last before this present Session of the Parliament: nor to any salt marshes, nor to any marshes that commonly within tenne yeares hath beene once surrounded or ouerflowen with water, nor to any ground inclosed by the licence of our soueraigne Lord the King, or any of his noble Progenitors, nor to any orchard, garden, pole, or pondyard, nor to any meadow ground, yearely mowen, or to be mowen for hay, nor to any land set, or to be set with saffron, or with hoppes, nor to any land sowen or to be sowen with hempe, flaxe, woad or madder, nor to any land without fraud or couine sowen or to be sowen with acornes, or set, or to be set with wood, during such time as the same shall be vsed or put to the vses and intents before specified. Prouided also, That this Act nor any thing therein contained, shall in any wise extend or be preiudiciall or hurtful to any person or persons, which at any time or times hereafter, shall conuert any arable land to pasture, in any parish, towne, village, hamlet, or other place or places of this realme, for the which such person or persons haue already or within one yere after the feast of Easter next comming, or within one yere next after any such inquisition hereafter to be found, after such conuerting of arable ground into pasture, hath or shal turne, or conuert to tillage and arable ground, as much pasture ground, or leaze, within the same parish, towne, village or hamlet, or within anie of them, where any such Land so hath beene or hereafter shal be conuerted from tillage to pasture, and doe suffer the same land so turned from pasture to tillage, so to continue in tillage, and be arable without turning the same to pasture againe, so long as the lands turned to pasture as is aforesaid, shalbe vsed in pasture: any thing in this present act contained, to the cõtrary hereof notwithstanding. And it is &c. That aswell all Commissioners, Justices of Assise, Justices of Oier and Determiner, as Justices of the peace in their sessions, and none other, shal haue ful power and authority to inquire of the premisses, and shal certifie all presentments that shall be had before them, into the Court of Chauncerie, and from thence to be certified in conuenient time into the Kings Court of the Eschequer, and that the partie grieued, if hee will, may haue and tend his trauerse, according to the Lawes of this Realme in the same Court, whether the said lands or tenements so founden by any inquisition, be holden of the King immediately, or not. Prouided also, and be it &c. That this Act, nor any thing therein contained, shal or may in any wise extend, to giue any authority to any sherife, or vndersherife, or any other officer, baylife or minister to infringe, breake or enter into any libertie or liberties, for the execution of any precept, or other Procesle which shall be hereafter to him or them awarded by authority and vertue of this Act, otherwise then he or they might haue done before the making of the same: Any thing here contained, to the contrary in any wise notwithstanding. Prouided also &c. That if any person or persons offending this Act, be at any time hereafter impeached or sued by force of this Act, for any offence or offences, committed or done, or to be committed or done, contrary to this Act: that then the party offending so sued, shall not be impeached by the King, or by any other for the same offence, by vertue of any Law, Act or Acts, Statute or Statutes heretofore had or made, for the reformation of any the Articles, or branches contained in this Act. Anie thing in this Act, or any other Act or Acts, had or made to the cõtrarie in any wise notwithstanding. Prouided also &c. that this Act, or any thing therein contained, shall not extend to charge any person or persons, with any penalty or forfeiture, for, or concerning any offence done or to be done, contrary to the tenor of this Act, vnlesse he or they so offending, be sued, or impeached for the same within three yeares next after the same offence be found by inquisition, as is aforesaid. This Act to indure for ten yeares, and from thence vnto the end of the next Parliament. Anno 5. Edw. 6. capit. 21. But this Statute is repealed by 5. Elizab. capit. here after 7.

5. The said Act (S. of Anno 4. H. 7. capit. 16. before 1.) and euerie branch therein, shall be from henceforth put in due execution, and remaine and continue in force for euermore. And whereas the prouision in the said Act doth only extend to house or houses, having twenty acres of land at the least, or more, lying in tillage and husbandrie: vpon the interpretation of which wordes, some doubt hath risen. Be it &c. That the saide Statute (S. of Anno 4. Henr. 7. capit. 19. before 1.) and the penaltie and purueyance of the same, shall from henceforth extend to houses to be decayed, that haue or hereafter shal haue twenty acres of ground or more, to them lying or belonging, whether the same, or any part thereof be, hath bene, or shall be vsed or put in tillage or not, the said twenty acres to be accounted and measured after the quantitie, rate and measure of the Statute or Ordinance called the Statute, Treatise or Ordinance De terris mensurandis, and not otherwise: any vsage or custome, or other thing whatsoeuer to the contrary thereof notwithstanding. And for a further prouision for reedifying of houses decayed, restoring of pasture into tillage, and for increase of corne: Be it &c. That the Kings and Quenes Highnelle, and the heires and successours of the M. maiesty shall and may at all times hereafter, as often as to them shal seeme needful & conuenient, award their Highnelle commission or commissions vnder the Great Seale of England, to be directed to such persons, as to them shall seeme meete, able and conuenient whereof three at the least shall be of the Quorum, authorising them thereby, or foure of them at the least, whereof two to be of the Quorum, to execute and see executed this present

Act

Warren Conies

Stubbed ground Parke

Salt marshes

Licence

Orchard Meadow

Saffron Hoppes Hemp Flaxe Woad Madder Acornes Wood

Conuert arable to pasture.

From pasture to tillage.

Commissioners Justices Just. of P. Inquiry

Chancery

Eschequer

Sherife

Baylife

Penalty

3 Penry

Act, according to the true intent, effect & meaning of the same: The which Commissioners or foure of them at the least, whereof two to be of the Quorum, by vertus of the said Commission, and of this present act, shall haue full power and authoritie to inquire, heare and determin by the othes of twelue men, or by information, or other lawfull waies or meanes, vsed in other cases in any of the king and Quenes Highnesse ordinarie Courts of Record, all and singuler defaults & offences committed or done since the feast of S. George the Martyr in the twentieth yeare of the raigne of the late king of famous memory king Henry the eight, or hereafter to be committed or done, aswell contrary to the tenour and effect of the said former act, as contrary to one other Act made in this Parliament, holden in the seuenth yeare of the raigne of the said late K. Henry the eight (scrap. 1. before 2.) intituled, An Act to auoid letting downe of Townes. And also to enquire, heare, order and determine by the said waies and meanes, all grounds whatsoeuer, conuerted from Tillage to pasture, sithence the saide feast of saint George the Martyr in the said twentieth yere of the said raigne of the said K. Henry the eight, or hereafter to be conuerted from tillage to pasture, and also of all ground in or neere any corn field newly vsed or employed, sithence ỳ said feast, or hereafter newly to be vsed, imployed or conuerted to the keeping of Conies, not being lawfull Warren, and whereby any Corne of any person or persons, other then the owners of the same Conies sithence the said feast hath been, or hereafter shal be decayed, destroied, or consumed. And the said commissioners, or foure of them, whereof two to be of the Quorum, shall and may take order and direction for the reformation of such offences, decayes, & defaults in maner and forme following: that is to say: They or foure of them at the least, whereof two to be of the Quorum, shall and may binde by Recognisance, in good summes of money, to be knowleged to the vse and behoofe of our Soueraigne Lord the king, and Soueraigne Lady the Quene, her heires and successors, (which Recognisance by this Act, they shal be enabled to take) the person or persons first offending & guilty in any of the foresaid decayes or defaults, & then being or continuing owner in fee simple, fee taile, for terme of life, for term of yeres, or by copy of court rol, in possession, or in reuersion or remainder, after any estate or estates for terme of yeares, or for terme of life, of such decayed house or houses and ground thereunto lying, or ten acres parcell thereof, or of such ground conuerted from Tillage to pasture, or of such ground which is or shall be vsed or imployed to the keeping of Conies, as is aforesaid, or any of them, in such summes of money, as to such Commissioners shall seeme reasonable for the reedifying of such decayed houses, and for the conuerting of such ground so conuerted from tillage to pasture, into tillage againe, and for the diminishing and destroying of Conies, within such conuenient time, and in such maner and forme, as to the same Commissioners or foure of them, whereof two to be of the Quorum, shall seeme meete and conuenient, and by their discretion shall be set, limited, and appointed. And if the Offendor or offendors do dwell in any other Shire, or cannot bee gotten to be bound by Recognisance, before the said Commissioners, as is aforesaid; that then the said commissioners, or foure of them, whereof two to bee of the Quorum, shall take such other order for reedifying of the houses and conuerting the ground into Tillage, and destroying of Conies according to this statute, as shall be thought meete by their discretions: And shall cause the same their order to bee entred of Record within one month after their said order made, and shall within the same month deliuer or cause to be deliuered the copie of their said order, signed and sealed by them, or foure of them, to the Tenant, Farmer or seruant, keeping, residing or inhabiting the ground or place, for which the order shall be made: to the intent the same may be deliuered ouer, or declared to the said owner or owners, that shall or ought to be charged by, or with the same. And if the place in which any such decayed house or houses hath beene or shall be situate, shal be found in the hands of any person or persons other then such person, or persons, as first did suffer or make the said decay, then the said Commissioners, or foure of them, whereof two to be of the Quorum, shall and may order and enioine all and euery person and persons, hauing the immediate and present inheritance of the said grounds, and places, wherein any of the aforesaid decayes shall be found, as is aforesaid, to reedifie and build againe the said decayed house, either in the said place where it was decayed, or neer vnto the same within the same town, parish, or Hamlet, within such time and in such sort, as to the said Commissioners, or foure of them whereof two to be of the Quorum, shall seeme reasonable and conuenient: And shall further Assesse and Tare al and euery person and persons, hauing any particuler estate in the said grounds, belonging to any such house decayed, for terme of life, yeares, or by Copie of Court roll, to be contributory towards the said reedification and building in such summe or summes of money, to be paied, to the aforesaid person, hauing the immediate and present inheritance, and being ordered and enioyned to reedifie the same, as to the same Commissioners or foure of them, whereof two to be of the Quorum, shall seeme meete and reasonable, hauing respect and regard to the seuerall estate & termes of all and euery the said particuler Tenants, and to the commodities, profits and emoluments therto seuerally and respectiuely belonging, and also hauing respect to such couenants, graunts, agreements and conditions as bee, or shall be conteined in any lawfull writing made, concerning the estate of any of the persons to be charged for the said reedification, or for the contribution of any thing towards the same Freehold, Estate, Remainder, or reuersion as is aforesaid, according to their seuerall Interests, Estates, commodities and profits. And be it enacted by the authority aforesaid, that all and euery person and persons, bodies politike and corporate, that shall haue any estate or interest

Record

Decayed houses

Reedifie

Tare

Couenant

rest in any of the said houses, places or grounds wherein any of the aforesaid decaies shall be committed & found or presented, as is aforesaid, from or by any person or persons so ordered & enioyned, as is aforesaid: shal be charged & chargeable, according to his or their estate or estates, commodities or profits in ỹ same, in like sort & maner as he or they from whom, or by whom the same estate or estates shalbe by any meanes derived, or conueyed, should or ought to haue been by force of the said comandement and iniunction. And also that the person or persons, that shall be appointed or charged by the said orders and Iniunctions, or by this statute to reedifie any of the decayed houses beforesaid, & to haue any contribution, rate or summe of money or other thing of any others, towards the same, shall and may by vertue hereof, haue an action of debt for the same, against the party or parties, appointed to pay the same, and against their heires, Executors, or Assignes, in any of the king and Quenes Maiesties ordinarie Courts of Record, or shall sue for the same, by information before the said Commissioners, or foure of them, whereof two to be of the Quorum: In which sute no iniunction, wager of Law, protection, nor essoine shall be allowed for the defendant. And if any party or parties, that should or ought to pay or giue any sum of money, or other thing in contribution, as aforesaid, shall vpon a reasonable request thereof to be made, wilfully refuse or delay to pay, or giue the same: That then the Plaintife vpon his sute, to haue and recouer treble dammages against the said defendant. And further be it &c. that if the said ground or grounds, so conuerted from tillage to pasture, or vsed or imployed to the keeping of Conies, to the destruction of corne, as is aboue said, shall be found in the hãds or possessions of any person or persons, other then such as did conuert the said ground from Tillage to pasture, or vse or unploy the said ground with Conies, as is aforesaid, that then the said Commissioners or foure of them, whereof two to be of the Quorum, shall and may order and enioyne the occuppers of the said Ground or Grounds so conuerted from Tillage to pasture, or so vsed or imployed to the keeping of Conies, as is aforesaid, to turne the same againe into Tillage, or to destroy or diminish the said Conies kept vpon the same ground, within such time, and vpon such paines, as by them shall be limitted and appointed. And be it &c. that euery such order and iniunction aboue mentioned, shall be entred of Record, and the copy thereof written in parchment, and signed and sealed by the said Commissioners, or foure of them, whereof two of them to be of the Quorum, and deliuered to the occuppyer or occupiers of the ground and places, wherein any of the aforesaid offences, decaies or defaults shall be found, as is aforesaide, to the intent the same may be deliuered ouer, or declared to all such other persons, as shall or ought to be bounden or charged by the same. And further be it &c. that the said commissioners, or foure of them, whereof two of them to be of the Quorum. shall and may haue power & authority by force of the said Commission and of this Act, to commit & cause euery person refusing to be bound by recognisance, as is aforesaid, and euery of the said particuler tenants refusing to declare to the said Commissioners or foure of them, whereof two to be of the Quorum, how long or what his said particuler Estate is, to prison into the next Goale in the said County, there to remaine without baile or mainprise, vntill he shall be bound in Recognisance, as is aforesaid, or shew, or declare his or their particuler estate or estates in the premisses to the saide Commissioners, or foure of them, whereof two to be of the Quorum, as is aforesaid. And be it &c. that the Shirife & all other Ministers within the Counties, where such Session shall be appointed, shall be attendant vpon the said Commissioners, and shall returne before them all such processe and precepts as they shall haue in commandement to doe, and be obedient vnto them, as they are bound to bee to the Justices of Peace, or of Oier and determiner, at all times and places, for the execution of the said Commissions and of this Act. And the same Commissioners or foure of them, whereof two to be Quorum, shal haue power and authority to inquire, heare and determine as is aforesaid, of for, and vpon all forfeitures, Recognisances, and breaches of orders, and iniunctions, that shall be taken, knowledged, or made before the said Commissioners or foure of them, & to assesse such fines and amerciaments, as to them shal seeme meet and conuenient, vpon the Shirife, and other Officers and persons whatsoeuer, making default, and for contempts, and other misdemeanors before them: And shall haue authority to reforme all impanels to be returned before them, as the Justices of Peace may doe. And further be it &c. that euery of the Commissioners shall haue for euery day he shall sit to execute his Commission ten shillings, and to the Clerke that shall serue and write al processe and other Records, before the said commissioners for euery day he shall attend vpon the said Commissioners three shillings & 4. pence, the same to be paied by the Shirife or Clerke of the Court, of the fines, forfeitures, & amerciaments, that shal arise or be sessed for any matter or default before the said Commissioners, and the Shirife to be allowed vpon his account for the same: so that the same be noted and specified in the estreate, signed by the said Commissioners or foure of them, whereof two to be of the Quorum. Prouided alwaies and be it enacted, &c. that the said Commissioners or any of them, by vertue of this act, shall not haue power or authority, to doe any thing touching the offences or defaults aforesaid, contrary to the ordinance or purueyance of any estatute heretofore made, or to the exclusion or taking away of any benefit or liberty, permitted or saued to any manner of person by any prouision, in any of the said statutes, contrary to the effect of any licence heretofore granted by the king and Quenes highnesse, or any of the ancestors or predecessors of the Quenes Highnesse, so that the same licence be shewed to them or foure of them vnder seale, before conuiction of the offence, or defaults aforesaid:

Action of debt

Retule

Treble dammages

Conies

Record

Re said

Inquir. Recognisance

Shirife

Proces

Inquire Oier

Amers Sheriffs

Reforme Impanels

Commissioners 4. every day

Clerke 3. pens Sheets

Licence shewed

any

any thing aforesaid to the contrary thereof in any wise notwithstanding. And forasmuch as it is like to be, that some houses having twenty acres of ground or more, to them lying or belonging, be decayed without any willing default in the, that had the inheritance or possession therof, as by fire, breaches and surrounding of waters, or by destruction of enemies or Rebels, or of such as had particuler estates therein, without impeachment of wast, or by such other like meanes or waies: And that they who by the ordinance aforesaid, should reedifie the same, are of such pouerty that they cannot by all intendment reedifie or build vp all the same houses again. And forasmuch also as some perchance haue erected and builded vp new houses in some other places vpon the same lands lying to the said houses, or vpon some other land neere therunto, in lieu and place of the house decayed, which are as available to the common Wealth, as the newe reedifying of the decayed houses in the old places should be, in which cases equity requireth they should not be punished for the said decay. And for asmuch as it is like to be that some ground conuerted from tillage into pasture, is diuided into diuers small parcels remaining and being in diuers and seuerall mens hands, so that any one part will not be sufficient to keepe any Plough vpon: and for that some grounds haue beene tilled for destroying of Mosse, Bulhes, Broomes, Furzes, Heath, and not onely to be continued in Tillage, and such like: and that also some Demeanes in the absence of the owners haue beene diuided to sundry occuppyers, who haue tilled the same not being commonly vsed to tillage before the said feast of Saint George: and for that diuers other particuler causes, may fortune to bee, which the generall purueyance of this Statute cannot remedy, without greater hurt then good to be done by the same: And for that also that in some places of this realme, it is not necessary the purueyance of this Statute to extend and to be fully executed, but in some places, and vpon some occasions or causes, it may more conueniently be spared then put in vre, and is therefore necessary to refer such thing, with all other circumstances to the discretions of the Commissioners, who may more perfectly vnderstand the same: Be it therfore ordained and enacted by the authority of this present Parliament, that the said Commissioners or foure of them at the least, whereof two to be of the Quorum, shall and may consider the said cases, and such other like, & vse their discretions in tempering and qualifying of the said generall purueyance of this or any of the aforesaid former Statutes, and in ordering of the said cases, and such other like, and to omit the execution and penalty of this act, and of the other former acts accordingly, as to the wisdomes and discretions, of them or foure of them, at the least, whereof two to be of the Quorum, shall be thought most necessarie: This act or the aforesaid former acts in any wise notwithstanding. And shall haue power and authority to cancell Recognisances taken before them, and not appearing to them forfeited, if it shall seeme to them, or foure of them, whereof two to be of the Quorum, meete and conuenient. And it is further ordered and enacted &c. that whereas any ground by meanes of this Act, shall fortune hereafter to be conuerted from pasture into Tillage, according to the intent of this act, which ground is chargeable with any rent reserued, since the time that the same ground was conuerted from Tillage to Pasture, & which was reserued and made the greater, in consideration that the same was so conuerted from Tillage into Pasture, or stored with Conies, that all such rents, if they be greater then ẏ ground turned into Tillage, or the ground by reason of ẏ destruction of the Conies is worth, shall be abated and apportioned by the said Commissioners or foure of them, whereof we will two of them to be of the Quorum, according to their discretions, if they shall thinke the same so meete. Prouided alwaies and be it enacted by the authority aforesaid, that the retaining or nonpaiment of any such part or portions of any rents, that shall be abated or deducted by the Commissioners, as is aforesaid, shall be no breach or forfeiture of any bond, penalty, couenant, grant or condition, to be contained in any Inuenture, Bond Obligatory, or other writing, agreement or promise whatsoeuer to the contrary notwithstanding. And be it further enacted by authority aforesaid, that the said Commissioners, or foure of them, whereof two of them to be of the Quorum, shall haue power, and authority by vertue hereof to make and direct forth precepts, and Processe, aswell to the Shirife of the County, as to all other Freeholders and persons that ought to attend or appeare before the said Commissioners, for the tryall, answering or proouing of any offence against this Statute, or against any of the aforesaid former Statutes, to appeare before them at any day, and time that the said Commissioners or iiij. of them, whereof two to be of the Quorum, shall limit or appoint, vpon the appearance of the said persons, to giue day ouer from time to time, as they shall thinke meete. And be it further enacted &c. that if any such person or persons as presently haue, or hereafter shall haue any houses builded or reedified, or to be reedified, or any grounds to be conuerted to tillage, according to the tenour and effect of this Statute, or of any of the aforesaid statutes: That then the said person or persons, their heires or assignes, shall within three yeares next after the end of this Session of Parliament, demise or let to farme the houses already builded or reedified with the twenty Acres of ground, which before time did appertaine or lie to the same or tenne Acres parcell thereof, if there be now no more of the same lands in their hands, that hath the houses builded or reedified, or ought to reedifie the same, or with somuch other lands, lying conuenient for the said houses: and shall demise and let to farme the houses hereafter to be reedified within two yeares after the same shall be so reedified with the twenty Acres of land, or the ten Acres parcell thereof, or the like number of acres, as is aforesaid. And if any of the said houses and lands shall not be demised or letten to farme as is aforesaid: that then the said Commissioners, or foure of them at the least,

Pasture to tillage Rent

Conies

Abate rent

No forf. by detaining of rent.

Shirife Processe

Appeare

3. yeares

Let to farme

House and land.

Demise

leaſt, whereof two to be of the Quorum, ſhall haue powe͛ & authoꝛity by vertue of this Act to demiſe and let the ſaid houſe and lands, to any perſon oꝛ perſons, hauing no other farme oꝛ tenements within the ſame Pariſh, noꝛ hauing any action oꝛ ſuit at that Parliament againſt the Owner, and

7. Yeres

requiring the ſame, foꝛ ſeuen yeres at the moſt, foꝛ ſuch reaſonable rent, and vpon ſuch reaſonable conuenants, as the ſaid Commiſſioners ſhall thinke meet foꝛ both parties: So that they take good aſſurance foꝛ the paiment of the rents, and perfoꝛming of the Couenants, to the owner of the ſame, as they ſhall thinke conuenient: vpon which leaſe the Owners of the houſe and lands ſo letten, their executoꝛs and Aſſignes, and euerie of them foꝛ the time being, and alſo euery ſuch Leaſe their Executoꝛs and aſſignes, and euery of them, ſhal haue ſuch

Actions

remedy and actions the one againſt the other, as they ſhould oꝛ might haue had, if they themſelues had onely beene priuie and parties of the ſaid Leaſes. And be it enacted by the authoꝛity afoꝛeſaide, that if any perſon oꝛ perſons ſhall be condemned oꝛ charged, with, oꝛ foꝛ any offence, that hee oꝛ they ought not to be charged withall by this act, oꝛ by any of the afoꝛeſaid foꝛmer Statutes: that then the ſaid partie and parties, ſhall and may haue his oꝛ their Trauerſe and remedy thereof in the Starre-chamber, befoꝛe the Councell there. And be it &c. that this Eſtatute ſhall at the pleaſures of the K. and Quenes Mateſty her heires and ſucceſſoꝛs, be put in execution, either by Commiſſioners to be appointed, accoꝛding to the tenoꝛ of this act, oꝛ elſe by Commiſſioners to be appointed by their Maieſties foꝛ the execution of certaine ſtatutes thereof made in this ſeſſion of this preſent parliament. Pꝛouided alwaies &c. that this act noꝛ any thing therin contained, ſhall extend to any Houſe oꝛ building, made oꝛ to be made by any Tenants in Dower, oꝛ other particular tenant, without the aſſent of him oꝛ them in reuerſion oꝛ remainder of eſtate of inheritance, vnleſſe the ſame houſe oꝛ building be oꝛ ſhal be made and erected, accoꝛding to the intent and purview of this eſtatute: any thing in this ſtatute to the contrary notwithſtanding. And be it &c. that if any perſon oꝛ perſons ſhall be conuicted oꝛ cõdemned, of, oꝛ foꝛ any offence oꝛ foꝛfeiture of any recogniſance, oꝛ other matter contained and ſpecified in this act, vpon any inforꝛmation at the ſute of any partie oꝛ parties, that then the one Moitie of all ſuch foꝛfeitures and ſummes of money, as ſhall be due foꝛ the offence oꝛ foꝛfeiture contained in the inforꝛmation ſhall be to the party oꝛ parties, that ſhall exhibit any pꝛoſecute the ſame: any thing in this act, oꝛ in any of the afoꝛeſaid acts to the contrary notwithſtanding. And be it further enacted &c. that the ſaid Commiſſioners, oꝛ foure of them at the leaſt, whereof two of them to be of the

Iuroll

Quorum, ſhall inroll, oꝛ cauſe to be inrolled of Recoꝛd, all ſuch oꝛders, pꝛouiſions, paines, penalties, foꝛfeitures, fines, amerciaments, condemnations, and conuiations, as ſhall be had, made, ſet, tared, loſt oꝛ foꝛfeited, by reaſon oꝛ occaſion of any matter oꝛ thing contained in this Act, oꝛ in any of the afoꝛeſaid foꝛmer Acts: And the ſame Recoꝛds to be wel obſerued and kept, in ſuch foꝛt and oꝛder, as the ſaid Commiſſioners, oꝛ foure of them, whereof two of them to be of the Quorum, ſhall thinke meet and conuenient. And be it further enacted &c. that the ſaid Commiſſioners oꝛ foure of them at the leaſt, ſhall by vertue hereof haue authoꝛity to make oꝛ cauſe to be made, pꝛocelle foꝛ the leuying of all ſuch amerciaments, fines, ſummes of money, and foꝛfeitures, that ſhall be due & to be paide, by reaſon of any pꝛeſentment, iudgement, recogniſance, oꝛder, iniunction, aſſeſſement, default, oꝛ other matter whatſoeuer had, made, giuen oꝛ done, accoꝛding to the purpoꝛt and intent of this eſtatute, as Iuſtices of Peace, may doe foꝛ any fines oꝛ foꝛfeitures befoꝛe them. And the ſaid Commiſſioners, oꝛ foure of them, whereof two to be of the Quorum, ſhall yearely at the feaſt of Saint Michaell the Archangell, make oꝛ cauſe to be made Eſtreates endented, of all ſuch foꝛfeitures, penalties, fines, amerciaments, and ſummes of money, as ſhall be due in the yeare next befoꝛe the ſaid feaſt, vpon the foꝛfeiture of any recogniſate, oꝛ foꝛ any of the cauſes oꝛ offences aboueſaid, the ſame Eſtreates to be ſubſcribed and ſealed by the ſaid Commiſſioners oꝛ foure of them, whereof two to be of the Quorum the one part thereof to be ſent into the Court of Exchequer at Weſtminſter, within foꝛty daies after Michaelmas, and the other part thereof to be deliuered to the Shiriſe of the Shire, which ſhall be a ſufficient Warrant to him and his Deputy, to leuy the ſame in ſuch foꝛt as he ought oꝛ may leuy the ſummes contained in the Eſtreates, to the ſhiriſes directed foꝛth of the Court of the Exchequer, & the Shiriſe to diſcharge therewith his accompt. And be it &c. that if any offendoꝛ ſhall once be condemned, and pay his fine oꝛ foꝛfeiture, foꝛ any of the offence afoꝛeſaid, in any Court, befoꝛe any Iuſtices oꝛ Commiſſioner, hauing authoꝛity foꝛ that purpoſe: that then the ſaid offendoꝛ oꝛ offendoꝛs ſhall not eſſsones be charged againe foꝛ the offence being paſſed, but ſhall and may pleade his foꝛmer paiment in barre thereof. And be it further enacted, &c. that the Clerke oꝛ Clerkes that ſhall write the matters & recoꝛds befoꝛe the ſaid Commiſſioners, ſhall take foꝛ the entrie of plees and other his doings, ſuch fees and none other, as ſhall be appointed by the ſaid commiſſioners oꝛ foure of them whereof two to be of the Quorum, & written on a Table that ſhall be fixed openly in the place the ſeſſion ſhall be kept: vpon paine that the ſame Clerk ſo offending ſhall loſe and foꝛfeit to the party grieued, treble the value of that which was ſo taken, & he oꝛ they that ſhall imbeſill any Recogniſance oꝛ Recoꝛd, ſhall foꝛ euery ſuch offence loſe and foꝛfeit fiue pound, and be committed to pꝛiſon vntill he ſhall pay the ſaid ſum of fiue pound, and alſo make ſuch other recompence and ſatisfaction, as the ſaid Commiſſioners, oꝛ foure of them, whereof two to be of the Quorum, ſhall thinke conuenient. Pꝛouided alwaies, and be it &c. That this act noꝛ any thing therein contained, ſhall extend to charge any perſon oꝛ perſons that ſhall keepe any ground in Paſture, foꝛ the keeping of his oꝛ their owne Hoꝛſes, Kine, and other Cattell, foꝛ the only victuall

Houſe Tenant in Dower.

Moitie

Demise

Yeres

Actions

Offence

Trauerſe Starre-chamber

Iuroll

Eſtreates

Exchequer

Shiriſe

Fees

Table

Fol. 3 Damages

Indict. Recog. Fol. Impriſ.

Satisfact.

Paſture for Houſhold

victuall to be spent in his or their house or houses. And be it ꝛc. that this act nor any thing therein contained, shall in any wise extend to recedifie any chiefe Mansion, place, nor any other houses or building, but such as shall be meete and conuenient for the Farmors, or Tenants of any other Farmes holders or Tenants for the maintenance of the grounds that be or shall be assigned or laied to be occupyed with the said houses builded or to be builded according to the intent of this Estatute, by the discretion of the said Commissioners, or foure of them, whereof two be of the Quorum: Nor shall shall extend to conuert to Tillage any ground not exceeding 5. acres, which is or shall be vsed and inclosed for any Garden, Orchard, Hoppyard, Rapesede, or for Conies; or the onely prouision of any mans house, and to be spent in the same, and not being hurtfull to the Corne of any person or persons, other then the owners of the said Conies, so that the said Garden, Orchard, Hoppyard or Conis garth, shall lie adioyning or nigh within one mile to the dwelling house of the owner thereof: Nor shall extend to conuert any ground to Tillage, which is or shall be left vntilled and not sowen with corne by reason of the euill scelle, barrennelle, or barrennelle of the same, vntill such time as the said ground shall be apt & meet for tillage, and to beare Corne againe, as by the said Commissioners, or foure of them, whereof two to be of the Quorum shall be thought conuenient. This Statute or any other Statute to the contrary notwithstanding. And be it ꝛc. that if any person or persons at any time after the Session of this present Parliament, shall conuert or turne to pasture any ground now being arable, and kept vsed commonly in Tillage, by the space of twenty yeares last past before the Session of this present Parliament, and shall not care and breake vp to Tillage, as much of the ground now being pasture within the said Lordship or Parish, where the said ground so conuerted doth lie, within one yeare next after any such conuersion, & shall not keep the same newe sowen ground continually in Tillage after any such conuersion, vnlesse that for barrennesse thereof, he or they shall conuert the same to pasture, vpon the like order of eating so much other ground being pasture within the said Lordship, where such conuersion shall be made, shall lose & forfeit for euery acre conuerted into pasture contrary to the forme of this act, yearly tne shillings. The one halfe thereof to the King and his heires, & the other to him or them that will sue for the same by bill, plaint, ꝛc. wherein ꝛc. This act to endure to the last day of the next Parliament. Anno 2. & 3. Ph. & M. cap. 2. This Act was continued 4. & 5. Ph. & M. cap. 9. And Anno 1. Eliz. ca. 5. to the end of the next Parliament: But see here the note next following.

6 The two Statutes (2. and 4. before) are repealed by the Statute now following. And yet see a Proviso in the last end of this next Statute hereof, whether so much of the said two Statutes is left in force, as so biddeth concerning of Tillage to Pasture, in such cases where the same is not forbidden by this Statute following, here 7.

7 For asmuch as the Statute 4. H. 7. cap. 19. (before 1.) and one other Statute made 7. H. 8. ca. 1. (before 2.) and the Statute made 27. H. 8. ca. 22 (before 3.) are very good and profitable lawes for the common wealth: It is therefore ordained ꝛc. that the said acts and euery of them, & euery branch and Article in the same, and euery of them contained, shall from henceforth be put in due execution & remaine & continue in force for euer more. And also where by an Act made in the 7. and twentieth yeare of the Raigne of our said late Soueraigne Lord King Henry the eight, whereby diuers and sundrie Religious houses of Monkes, Chanons, and Nunnes, which might not dispend in Lands, tenements, and hereditaments aboue the clere yearely value of 200. pound, were giuen to the said late king Henry the eight his heires and successors for euer: (which see Monasteries 9.) It is amongst other things enacted and ordained, that all and singuler persons, & bodies politike and corporate to whome the said late king Henry the eight, his heires & successors, after the making of ỳ same Act, should giue, grant, let, or demise any site or precinct with the houses thereupon builded, together with the Demeanes of any Monasteries, Priories, or other Religious houses that should be dissolued or giuen to the said late King Henry the viij. by that Act, and the Heires & Successors, or Assignes of euery such person, bodies politike or corporate, should keepe, or cause to be kept an honest & continuall house and houshold in the same site or precinct, and should occupie, or cause to be occupied yearely as much of the Demeanes in ploughing and Tillage of Husbandrie: that is to say, asmuch of the said demeanes which then were commonly vsed to be kept in Tillage by the Gouernours, Abbots, or Priors of the saide Houses, Monasteries, or Priories, or by their Farmer or Farmers occupying the same, within the time of twenty yeares next before that act, vpon paine to forfeit to the kings highnesse for euery Moneth so offending, fiue pound thirteene shillings foure pence, to be recouered to his vse, in any of his Courts of Recors. And ouer that, by the same Statute it is enacted that all Justices of peace in euery shire where any such offences should be committed and done contrary to the true meaning and intent of that act or Statute, should in euery quarter & generall Sessions within the limits of their Commission, inquire of the premisses, and should haue full power and authority to heare and determine the same, and to take and assesse no lesse fine for euery of the said offences, then is before limited for the said offences; and Estreates thereof to be made and certified into the Kings Exchequer, according and at such time and forme, as other Estreates of fines, issues, and amerciaments be made by the same Justices, as by the same act more at large doth appeare: Which part of the said act, concerning keeping of house & houshold in the said site and precincts, & occupying of such Demeanes of the same in Tillage, as is aforesaid, then was and yet is thought very benificiall to the Common wealth, and most needfull to be put in due execution: Be it therefore

Religious houses

200. pound

Grant

Demeanes

Houshold

Plough

20 Yeares Fort. 6 pound 13. shillings 4. pence

Just. of P.

Generall Session Inquire Diet & ter.

Fines

Estreats

Exchequer

enacted

enacted by the authority aforesaid, that the said branches and Articles of the said Statute last abone mentioned, made in the said seuen and twentieth yeare of our said late Soueraigne Lord king Henry the eight, and euery penalty and thing touching the same, be also from hencefoorth put in due execution, and shall remaine and continue in their full force and vertue, according to the good intent & meaning of ỳ same last recited statute: any thing in this present act to be hereafter contained to the contrary notwithstanding. And for asmuch as there hath beene sithence the making of this said Statute, certaine other lawes and statutes made in the time of our late Soueraigne Lord king Edward the first (which see before 4.) and in the time of our late Soueraigne king Philip and Quéene Mary (which see before 5.) for the reedifying of decayed houses of husbandry, and for the increase of Tillage, which being in some parts thereof vnperfect, and in some places too milde and gentle, haue not brought to the decayed state of Tillage, & of houses of Husbandrie, ỳ long looked for remedie, which was then hoped for: Be it therefore enacted by the authority aforesaid, that the said lawes & statutes made in the times of the said late K. Ed. the first, and king Philip and Quéene Mary touching and concerning the decay of houses of husbandry, and for the increase of Tillage, and euery article and thing in them, and euery of them contained, shall be from henceforth repealed and made void to all intents and purposes. And be it &c. that from and after the feast of the Annuntiation of our Lady, which shall be in the yere of our Lord God, 1564. all such lands and grounds, or so much in quantitie as in any towne, Hamlet, Lordship, place knowne, or Parish within the Realme of England or Wales, haue beene eared, ploughed, and put in Tillage in any one yeare, and so kept in Tillage by the space of foure yeares, any time sithence the feast of Saint George the Martyr, in the twentieth yeare of the Raigne of king Henry the eight (other then the said demeanes of the said late Monasteries, Priories, and Religious Houses, giuen as is aboue rehearsed, to the saide late King Henry the eight, in the said seuen & twentieth yeare of his raigne) shall be eared, plowed, vsed and kept in Tillage, or caused to be eared, plowed, vsed, and kept in Tillage for euer, according to the nature of the soile and custome of the Countrie, by the occupier or occupyers thereof, without fraud or collusion; vpon paine that euery offendor contrary to this act, shall lose and forfeit yerely, for euery acre, x. shillings, which forfeiture shall goe and be in manner and forme following: that is to say, to such person or persons as be next in reuersion or remainder thereof, for terme of life liues, or in taile, their executors or administrators. And that by the authoritie of this act, it shall bee lawfull for him or them to leuy the same penalty and forfeiture of ten shillings, for euery acre by distresse, and to iustifie or make their auowries or cognisances for the same, in such manner & forme, as any person or persons may doe for rents reserued vpon estate or estates made for terme of yeres, of any land or tenements: or otherwise shall and may sue for the same penalty & forfeiture by action of debt, bill, plaint, or information in any Court of Record, of the Quéene our Soueraigne Lady, her heires or successors, wherein no wager of law, essoine or protection shall be allowed or admitted for the party defendant. And if they or any of them doe not distreine, or otherwise claime or demaund the said penalty and forfeiture by any the waies or meanes aforesaid, within the space of one whole yeare next after the offence done, in forme aboue said, and pursue for the same with effect, without fraude or couin, and do not recouer (and might haue recouered the same) with such speede, as may be by the due order of the law: That then after such default, it shall be lawfull for him or them to whom the reuersion or remainder of the fee simple of the said land shall appertaine, their executors or administrators, to distrein, auow, or make cognisance and iustifie, or otherwise to sue for the said forfeiture & paines, in forme aforesaid, at any time within one yere next ensuing any such default. And in his or their default the said penalty or forfeiture, to goe and be to the immediate Lord or Lords of the fee or fees, of whome the said lands beene holden, to be recouered in maner and forme aforesaid, so that he or they doe take and sue for his or their remedy therein, within one yeare next insuing any such default, in maner and forme aforesaid. And in his and their default the said penalty and forfeiture to goe and be to the Quenes Highnesse, her heires and successors, to be recouered by any of the meanes or remedies aforesaid, at any time or times, at her or their wils and pleasures, or otherwise to any other person or persons, that will sue as well for the Maiestie, her heires and successors, as for him or themselues, for the same paines and forfeitures, vpon which sute, the one moitie shall be and goe to the Quenes Maiestie, her heires or successors, and the other to him or them that will sue for the same, by action of debt, bill, plaint, or information in any of the Quenes Courts of Record, wherein no essoine, protection, or wager of law shall be admitted or allowed for the party defendant. And be it &c. That if any person or persons being an occupier and owner of any such lands and grounds as is aforesaid, of any estate of inheritance, shall offend against the forme of this act: That then the said penalty and forfeiture shall go and be to the next immediate Lord or Lords of the fee or fees thereof, his or their executors or administrators, to be recouered by such waies and meanes as before is limited and appointed, so that he or they do pursue and take their remedy for the same, in forme aforesaid, within one yeare next after such offence committed. And if any such occupyer and owner shall be a Copyholder or customary tenant, that then the said penalty or forfeiture to goe and be to the Lord or Lords of the mano^r of whome the same Copy or Customarie tenements been holden, their executors or administrators, so that he or they doe pursue and take their remedie for the same, in such manner and forme, and within the time before limited. And euery such default of the said

Decay of houses of Husbandry

Repealed

Lands

4. yeares

Diuerse Religious houses

Forf.

Distresse

Ow

Do not claime

Dur yere

Default Tenant in remainder

Distrein

Dur yere

Immediate Lord

Duke

Dur yere

Fee. Immediate Lord

Dur yere

Copyholder

said Lord or Lords of the fee or fees, and of the Lord or Lords of the said mano^r or manors as is afore said: The said penalties and forfeitures to go and be to the Queens Maiesty, her heires and successors, or to such other person or persons as will sue for the same, as wel for the Queene her heires or successors, as for him & themselues in such maner and forme, as before is declared: In euerie which suit no essoine, protection or wager of law shall be admitted or allowed for the party defendant. (See here (8. following) this Statute in part repealed.) Prouided alwaies that this act or any thing therein conteined, shal not be preiudicial, ne shal extend to charge any person or persons that hath or shall turne any ground from Tillage to Pasture, and shall keepe such ground in Pasture, whole and not conuerted to tillage, for the onely maintenance and keeping of his or their owne horses, geldings, mares, or draught Oxen, or for the maintenance or keeping of kine or other cattel, for the only victuals to be spent in his or their own houses, so y^t the same person or persons hath or shall not haue in his or their possession, occupation or disposition, other sufficient pasture ground for that purpose, within fiue miles of his or their mansion house. Prouided also, that no person or persons that shall commonly feede and sell yearely Beeues or Muttons to a greater number then he or they shal yerely spend in victuall, in his or their owne Mansion house or houses or that shall be a common fatter of Beeues or Muttons, or any of them, as a common Grasier, or Shepemaster, to be commonly sold in Markets and faires, or to the common Butchers, shall not be taken, expounded, or understood to be such person or persons, as by this prouiso last afore mentioned, may kepe any ground or pasture whole and not conuerted to tillage, for the maintenance and keeping of kine or other cattell, for the onely victuall to be spent in their owne houses, but beene and shall be excepted out of the same Prouiso: Any thing in the same Prouiso contained to the contrary notwithstanding. Prouided also &c. that this act, or any thing therein contained, shall not extend vnto any lawfull Parke or Parkes, or auncient Warrens now vsed with Deere or Conies, or to any Parke or Parkes heretofore lawfully vsed as Parkes, and being now disparked, or to any other grounds that heretofore haue beene by any her Highnesse Progenitors, or hereafter shall fortune to be made Parke or Warrens by licence of our Soueraigne Lady the Queene her heires and successors, with sufficient clause of dispensation for conuerting of tillage into pasture and beene or shall be laid, bestowed and imploied to maintenance & keeping of Deere or Conies, without fraud or couin, and not to the finding or keeping of any other cattell or beasts, but onely milch kine for him or themselues, or his or their keeper of such Parke or Warren, for the prouision of his or their house or houses, or for keeping of his or their Horses, Geldings, Mares, Colts, or Swine: Ne shall extend to any waste grounds, Commons, Heathes, Downes, Fens, Moores, commonly vsed as Common: Ne to any heathes, Fens, Moores, Marshes, being now vsed in seueralty, & not commonly vsed to be sowen & put in Tillage since the said feast of Saint George, in the said twentieth yeare of the Raigne of King Henry the eight. Nor to any fresh Marshes being surrounded with water, within the space of fiue yeares, next before the first day of this present Parliament: Nor to any Orchard, Garden, Pole or Pondyard: Nor to any ground set or sowen with Saffron, Hoppes, Garlike, Onions, Flaxe, Woad or Madder, or being without fraud or guile sowen with Acornes, or set with any kinde of young Woods: Nor to any Wood grounds which be not stubbed, or wherein the Wood hath beene felled, or hereafter shall be felled, and the rootes and stubs thereof yet remaining vndigged vp: Nor any Meadowes or other grounds, without fraud or couin accustomably vsed to be mowen for Hay once in the yeare at least, during such time as all and euerie the same shall be vsed or put to the vses and intents before specified: any thing in this act contained to the contrary notwithstanding. And where in the said first prouiso it is mentioned, that this act or any thing therein contained, shall not extend to be preiudiciall to any person or persons for keeping of any ground in Pasture or Meadow for the only maintenance or keeping of his or their owne Horses, Mares, Geldings or Draught Oxen, or for the maintenance or keeping of kine or other Cattell, for the onely prouision or victualling of his or their Mansion or dwelling house or houses: Be it declared and enacted by authority aforesaid, that if it shall fortune any such person or persons to be absent & not resident at or vpō his or their vsual mansion or dwelling house or houses, with his family or houshold, for & by occasiō of seruice or attendance to be done by any such person or persons, by the expresse commandement of the Q. Maiesty, her heires or successors, within the realm or without, or else hauing y^e or iij. māsion or dwelling houses, & shal be resident & dwelling with his family, but at one of them, or shall be within age: That then during & for the time of such seruice, attendance, minority & absence, & one yere next after from any his said dwelling houses, or during & for the time that he or they shall be resident & dwelling with his family, but at or vpon one of them, shall & may kep such grounds in pasture or meadow, belōging or vsually occupied with any of the said y^e or iij. houses, & with no mo, nor others in his or their own hands or occupation, or let it out to any other person or persons, without incurring of any danger or forfeiture by vertue of this act, so y^t the same person or persons shal & do kep the same mansion & dwelling house or houses vnletten, & in good & sufficient reparations, and mete and conuenient for him or them to repaire and resort vnto at all times, for his or their dwelling and abode: any thing in the said Prouiso, or in any part of this act to the contrary thereof in any wise notwithstanding. Prouided alwaies that the repeale of any act, or Statute, now repealed by this present act, nor any other matter or thing therein contained,

Fresh marsh

Orchard
Garden
Saffron
Hoppes

Acornes
Wood
Grounds

Meadowes

Horses
Draught
Oxen

For householde.

Seruice

Mansion house

Mansion house

Repaire

Hute

Exchequer Court

Information

Remaine in force

Houses let to farme Twenty acres

Arable

Measure

Expolition

Twenty acres

L. Chancellor L. Keeper

shall in any wise extend, or be interpreted, iudged or expounded, to hinder, hurt, or take away any suit, information, or informations, exhibited and now depending in the Quenes Maiesties Court Eschequer, or in any other Court of Record, for, or in any wise concerning the decay of any houses or tenements of Husbandrie, or for conuerting of any lands or tenements from Tillage to Pasture, contrary to the forme and effect of any Statute or Statutes heretofore made: But that all and euery such suites and informations shall stand, remaine, and be of as good force and effect in the lawe to all intents, constructions and purposes, as the same and euery of them were before the making of this Act. And that the saide Acts and Statutes, now by this present Act repealed, shall for and in respect onely of the saide informations and sutes, and euery of them so now depending, stand, remaine, and be in such like force and effect, as they and euerie of them were before the making of this Act: any thing herein contained to the contrarie hereof notwithstanding. And whereas some doubt and question hath heretofore risen and beene moued vpon certaine words contained in the said Statute, made in the said fourth yeare of the raigne of our late King Henry the seuenth, that is to say, vpon these words: House or houses letten to farme, with twenty acres of land at the least, or more, lying in Tillage and Husbandrie, whether the same twenty acres of land or more, should be accounted & taken to be all arable land, & wholy put in Tillage or not, and also what quantity and measure euery acre should be of, and conteine: For a plaine and perfect declaration and interpretation whereof, Be it enacted, and declared by the authority of this present Parliament, that the said Statute is and shall be expounded and taken to extend to house or houses that now haue or hath, or at any time heretofore, sithen the first yeare of the raigne of the said late King Henry the seuenth haue or hath had, or that hereafter shall haue twenty acres of ground to the same house or houses lying or belonging, or with the same commonly occupied or vsed, although the same ground hath not beene, is, or shall be all wholly vsed as arable Land, and put in Tillage, but onely some part thereof, and that the content of euerie acre shal be taken and rated after the rate and measure limitted and appointed in the ordinance or treatise De terris mensurandis (which see hereafter in Weights 5. and 6.) Any ambiguity, doubt, or thing whatsoeuer to the contrary thereof notwithstanding. Prouided alwaies, &c. that if any person or persons hath, or at any time hereafter shall sustaine any penalty, forfeiture, or losse, for, or by reason of any offence committed or done contrary to the tenour or effect of this Act, or any other of the Acts before recited and confirmed: that then he or they shall not be essoynes sued, vexed, or impeached for the same offence: any thing in this act, or in any other of the acts aforesaid had or made to the contrary thereof notwithstanding. And be it enacted, that the Lord Chancelor or L. Keeper of the great seale of England for the time being, shall haue ful power and authority by vertue of this act, from time to time to award and direct a Commission or commissions vnder the great seale of England into euery shire or County within this realm and Wales, to such persons as by his wisdome and discretion shall be thought most meet and conuenient, authorising them or foure of them at the least, by vertue thereof, and of this act, to enquire and search out within euery towne, Village, Parish, & Hamlet within their Commission, by the othes of fiue lawful indifferent persons, or otherwise, according to their good discretions of the offences committed or done against this Statute, or any other the statutes before mentioned, and by this act confirmed, & whether any person or persons to whom any penalty and forfeiture is giuen, limitted or appointed by the same, or any of them, haue taken the benefit or aduantage of the said forfeitures & pains or not, according to the same lawes and Statutes. And that within three mōths next after euery such inquiry & search, the said Commissioners or foure of them at the least, shal make certificate thereof, & of their doings, by ỹ vertue of the said Cōmission, vnder their hands & seales, into the High Court of Chauncery, vpon paine of forfeiture of euery such Commissioner xx. pound sterling to the Queenes Maiestie her heires & successors. And that the same Commissioners, or two of them at the least, shall haue authority & power by vertue of this act, to direct their precepts to the shirifes of the County, being within the limits of their commission, to warn as many honest men of his Bailiwike as the saide Commissioners shall appoint, by whome the truth in the premisses may be best knowne, to enquire & true presentment make of al & euery offences commited or done contrary to ỹ said acts, or any of thē, & to set such reasonable fines & amerciaments vpon such persons as shal make default of their apparances, or making their apparances shall neglect to do their duties in & about the execution of the premisses, as to the same Cōmissioners or foure of them shall be by their discretions thought meet and conuenient, so that the same fines or amerciaments, for any one default exceed not the sum of twenty shillings. And that the same fines and amerciaments so by them taxed and set, shall be yearely well and truely estreated into the Court of Eschequer, and there to be leuied to the vse of our Soueraigne Lady the Quene her heires and successors, as other fines and amerciaments haue beene there accustomed and vsed to be leuied. And that if the Shirife to whome such precept shall be awarded, shall be remisse or negligent in serching the precept, and returning of the same, at the time and place appointed and prefixed in the same precept, that then the said Commissioners or foure of them, shall for euerie such default, assesse and taxe vpon the said Shirife x.l. and shal estreat the same into the said Court of Eschequer, to be leuied to the Quenes Maiesties vse, her heires and successors, as is aforesaid. Prouided alwaies, that it shall not be lawfull to any Shirife, Undershirife, or Shirifes Deputy, to infringe or enter into any

any Liberties or Franchises, for the execution of any such precept, but also shall make his Mandatum to the Bailife of the Franchise or Liberty for the executing and seruing of the same. And that the Bailife of euery such Franchise and Liberty, shall serue and execute the said precept according to the tenour thereof, in such like manner & forme as the Shirif should or ought to haue done, if it had bin within his Bailiwike, vpon paine of forfeiture of v.l. to be estreated & leuied, as is aforesaid. Prouided also &c. that putting of any lands or tenements hereafter from Pasture to tillage, according to the tenour and effect of this act, shall not in any wise extend to be any cause of breach or forfeiture of any bond, couenant, paiment or condition made, or hereafter to be made betweene any person or persons, bodies politike or corporate, which in any wise is or shall be repugnant or contrary to this act Prouided alwaies that this act, or any thing therein conteined, shall not extend to giue any benefit, aduantage, or liberty to any person or persons, which at any time sithence the said feast of Saint George the martyr, haue conuerted or imployed or hereafter shall conuert or imploy any more ground to the keeping of Conies, not being lawful warren then fiue acres at the most, and the same to be with in one mile of his dwelling house, and also not noisome or hurtfull to the Corne of any person or persons, other then of the owner of the same ground, so that he or they put and keepe in Tillage asmuch or as many acres of his owne proper ground lying within the said Manor, Lordship or parish, as the said conigrey shall conteine aboue the said number of fiue Acres, that hath not heretofore been liable to be continued in Tillage by force of any law or statute: any thing in this act before mentioned, to the contrary hereof notwithstanding. And where also by the said statute of Henrie the seuenth the meaning of the makers thereof appeareth to be, that euery house of husbandrie, hauing twenty acres of land or more belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, the same twenty acres or more should not be severed or diuided from the said house or houses, but should be demised, occupied or vsed together, for the better maintenance of euery such house or houses & of tillage and husbandrie: Be it therefore enacted, that no person or persons whatsoeuer, hauing, or that hereafter shal haue any house or houses of husbandrie, with twenty acres of land belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, shall from & after the first day of this present Parliament, sever or diuide the said twentie acres of Land or more, nor any part therof, from any of the said house or houses, vnlesse the same be kept in tillage or otherwise for the profit of husbandry, according to the nature of the ground, or according to the custome of the manors where the same land shall so be, vpon the paines & forfeitures conteined in the said statute of Henry the seuenth, to be taken in such forme, as by the same statute appeareth, except he or they shall lay and assigne to the said house or houses, or to any other house or houses, being within the same parish or Lordship, or within two miles of the said houses, being bound to be maintained and vpholden by the forme of the said statute of King Henry the 7. asmuch other land within the same parish or Lordship, within two miles, as is aboue said, for and in lieu of such, or somuch of the former land, as ought to haue continued by force of the said statute with the former house, and cannot conueniently be returned to the said former house. And be it &c. that if any such house or houses of Husbandrie and land be diuided or severed the one from the other by reason of any lease or leases, for terme of life, liues, or for terme of yeares, made or granted before the first day of this present Parliament: ỳ then whensoeuer the said lease or leases shal end or determin, by any maner of means, so as ỳ same house or houses & lands thereunto belonging, shal be discharged of all such leases: the same house and houses & lands so demised, shall not afterwards be severed or diuided the one from the other, but shall goe, be kept, & occupied together at all times after, according to the declaration before mentioned, vpon the paines and forfeitures last before specified, and to be taken also as in the said statute is mentioned: Except by returning or reuniting of the same land to the said house, there shall or may growe any manifest decay of any other houses newly edified, or of any other farmes that hath beene by meanes of distribution or seuerance of the land or lands, or any part thereof, made or assigned to be seuerall tenements or holds. And where the said Statute made in the said seuenth yere of the raigne of the said King Henrie the eight, among other things in the same it is enacted, that if sithence the first day of the same Parliament, any lands which at the same first day, or sithence the same first day were commonly vsed in Tillage, were inclosed, or from thenceforth should be inclosed and turned onely to pasture, whereby any house of Husbandrie then was, or hereafter should be decaied, that then all such lands should be by the owner and owners thereof, their heires successors, or assigns, or other for them, within one yeare next ensuing the same decay, put in Tillage, and exercised, vsed, and occupied in husbandrie and Tillage, as they were the first day of the same parliament, or at any time sithence, and after the maner & vsage of the coûtrey where such lands do lie, as by the said act more plainely may appeare. And for asmuch as vpon the said part of the said statute diuers doubts and questions haue beene moued heretofore: Be it therefore enacted and declared by authority aforesaid, that if at any time sithence the making of the said act, & before the said feast of S. George, in the said twentieth yere of the Raigne of the said late King Henry the eight, any lands belonging to any such house of husbandrie, as is aforesaid, haue beene turned from tillage to pasture, by any person or persons: that then the same lands or so much other lands being within the same parish, Lordship or Manor, that heretofore was not liable or bound by any Law or Statute, to be kept in Tillage, shall be turned againe into Tillage, within one yeare next after the Session of this present parliament, and kept in tillage for euer, accor-

Other land

Lease

Decay of other houses

Inclosed

Tillage to pasture

Within one yeare

ding to the custome of the country, & nature of the soile, whether the said house wherunto the saide lands did belong, be decaied or no, or whether the same lands were inclosed or not inclosed, or whether some part thereof and not the whole, were kept in Tillage, or not, vpon the paines conteined in the same statute made in the said seuenth yeare of the raigne of the said late King Henry the eight. Prouided, that if any person or persons whatsoeuer, hauing any Pasture, Heath, waste or Barren ground, which hath not beene heretofore commonly vsed to be ared or tilled for Corne, and yet neuertheless the same person or persons, to the intent to better and amend the said ground, and not to vse the same for Tillage, haue or hath at any time heretofore turned or put the same into Tillage, or at any time hereafter shall turne or put the same into Tillage, and hath or shall kéepe the same ground for that cause onely in Tillage, by the space of foure yeares together: that this Act, or any thing therein contained, shall not compell any such person or persons to continue or put in Tillage the said Pasture, Heath, barren or waste ground so ared: any thing before expressed in this Act, to the contrarie thereof notwithstanding. Prouided alwaies, that this act or any prouision, clause or Article therein contained shall not be vnderstood or expounded to extend, or be in any wise preiudiciall to those parts or portions of grounds, wherein any Oze of leade, Tinne, Iron or coales, commonly called stonecoale, Seacoale, or Wodecoale haue bin, are, or hereafter shal be vsually gotten, by meanes whereof the same grounds cannot conueniently be put and kept in Tillage: This Act, or any other law, vsage or custome to the contrary in any wise notwithstanding. Prouided also, that this Act, nor any thing therein contained, shall extend to compell any person or persons to put in Tillage any Lands or grounds within any forrest or chase (except the forrest of Snowden in Northwales) otherwise then before the making of this Statute, he or they ought, or were bound to doe: This Act to endure to the end of the next Session of Parliament. Prouided alway, that this Statute or any thing therein contained, shall not extend to cõpel any inhabitant of ỳ counties of Northumberland, Westmerland or Cumberland, to rẽdifie, maintain, or to kéepe in manrance any house or ground that shal be ouerthrowen burned, destroied, wasted or decaied by enemies, or by any occasion of Warres or invasions, during the warres, or within foure yeres after the conclusion of peace next following such ouerthrowing, burning, destruction or wasting: any thing in this present act to the cõtrary notwithstanding. And for asmuch as this act shal continue but to ỳ end of the next sessiõ or Parliament: Be it therefore enacted, &c. ỳ no person or persons shal frõ henceforth conuert from tillage to pasture, any groũd which was in tillage the 1. day of this Parliament, other then such as they might lawfully haue cõuerted from tillage to pasture, before the making of this Act: any thing cõtained in this act to the contrary notwithstanding. Añ 5. Eliz. ca. 2. This was discontinued 8. Eliz. & 13. Eliz. cap. 25. reuiued, & continued to the end of the next Parliament, & 14. Eli. cap. 11. this statute of 5. Eliz. was continued vnto the end of the next Parliament. And Anno 27. Eliz. ca. 11. this Act was continued to the end of the next parliament, with this prouiso, viz. That no person or persons shall be sued, vexed or troubled for any offence or offences cõtrarie to the statute or statutes for tillage, vnlesse the information, action, or suit be or shall be brought for the punishment of such offence or offences within two yeares next after the suit or action, or title of action or suit, shal be deuolued or accrued to the person or persons that shall so sue or informe against the offendor or offendors: And that euery information vpon any the Statutes of Tillage to be exhibited for the Q. Maiestie, her heires and successors onely, shall be brought within fiue yeares after the action, or information accrued to her highnesse, her heires or successors. Anno 27. Eliz. cap. 11. and 29. Elizab. cap. 9. the said Statute of 5. Eliz. cap. 2. & prouiso 27. Eliz. cap. 11. were continued to the end of the next Parliament. And Anno 31. Eliz. cap. 10. the same statute & prouiso were continued to the end of the next Parliament. And An. 35. Eli. ca. 7. the same statute and prouiso are continued to the end of the Parliament next insuing with this prouiso next following.

Pasture Waste grounds Barren grounds

Tillage

Foure yeres

Leade Tinne Iron Coale

Forrest Forrest of Snowden

Northum. Westmerl. Cumberl.

Decaied by enemies Warres 4. Yeares

8 Prouided alwaies, & be it also enacted by the authoritie aforesaid, that all and euery such branch and branches of the said statute made for the maintenance & increase of Tillage, (here 7.) as concerne the aring, plowing, vsing, & kéeping in tillage for euer of such lãds or groũds, or somuch in quãtity as before the making of ỳ statute had bẽn ared or plowed, & put in tillage, in any one yeare, & so kept in tillage by the space of iiij. yeares at any time sithence the feast of S. George the Martyr, in the 20. yere of K. Henry the eight, & euerie matter, clause, article, prouision, penalty, and forfeiture in the said Statute concerning the same, shall so farre forth onely as they concerne the same, from hence forth be repealed, cease, and be vtterly voide, any thing in the said Statute, or in this present act to the contrary notwithstanding. Anno 35. Eliz. ca. 7. See after 9 & 10.

9 Be it ẽt. that an act made in the iiij. yere of K. Hen. the 7. (before 1.) intituled, an act against pulling downe & destruction of houses & townes, and all other acts heretofore made touching the decaies of houses of Husbandry, for so much of euerie of them, as doe concerne the decay or reedifying of any Townes, Villages or houses of Husbandrie, or laying or continuing any quantity of land to the same, shall be from henceforth vtterly repealed, sauing only for all such offences, whereof and for the which there was 24. Octob. Ann. 39. Eliz. any action, bill, sute, plaint, or information commenced or depending in her Maiesties Court of Starrchãber, or any other her maiesties courts at Westminster. And ỳ euery house ỳ now hath or heretofore had xx. acres of arable land, meadow, and pasture, or more thereunto belonging, & so occupied or

or letten to Farme, by the space of three yeares together, at any time sithence the beginning of Her Maiesties reigne that now is, and which is not or hath not beene the castle or dwelling house of any Nobleman or Gentleman, nor the chiefe Mansion house of any Manor, is, and shall be adiudged a house of husbandry for euer, And that all acres spoken of in this Statute, shal be adiudged acres according to the Statute or ordinance de terris mensurandis. Weight and Measures 7. And if any person or persons, bodies politike or corporate, at any time since the beginning of her said maiesties raign and before seuen yeares now last past, haue decaied or wasted, or willingly suffered to be decayed or wasted any such houses of Husbandrie, That in euery such case the offendor in that behalfe shal erect build or repaire, vpon some conuenient part of the sites where the decaies were or bene, or of the lands to any such houses, heretofore belonging, the one halfe in number of such houses so decaied or wasted, if the offendor now hath or hereafter by the expiration, surrender, forfeiture, or other determination of such Leases, or Estates as are now in Esse, shall or may haue in his or their own vse or occupation so much of the lands, which belonged to the same houses or any of them, as will suffice to lay thereof forty acres of arable land, meadow, and pasture to euery of the same houses to be erected, builded or repaired: And shall then also put to euerie of the same houses, forty acres of the same Lands at the least, being arable land, meadow and pasture, conuenient and fit to be vsed and occupied with ỹ same houses: And if the offendor now hath not, nor hereafter by the expiration, surrender, forfeiture or determination of any such Leases or Estates, as are now in esse, shal not or may not haue so much of the said lands, then the offendor to erect, builde, or repaire so many of the same houses before by this Act intended to be erected, builded, or repaired, as the same offendor can of the same lands then in his or their owne vse and occupation, put thereunto forty acres of arable Land, Meadow and pasture: and in such case also the same offendor shall put to euery such house so erected, builded, or repaired, forty acres of the same Land at the least, being arable land, meadow and pasture, which shall be fit and conuenient to be vsed and occupyed with the same: And if any the same decaied houses and sites, & the landes thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or hands as aforesaid of any as heire, executor, administrator, or successor to the offendor, or otherwise as assignee, by the immediate and free gift of the offendor as aforesaid. That in euery such case, such heire, executor, administrator, successor, or assignee, vpon the sites or some other conuenient part of the same Lands so growen or come vnto him or them. And for and in respect of so much of the same Lands as is not before satisfied, by erecting, building, or repairing of Houses of Husbandrie, and supplying of the same with lands according to the true intent of this act in that behalfe, shall erect, build, or repaire such and so many houses of Husbandrie in such maner & with like additions of lands thereunto, as ỹ offendor proportionably should haue done in the like case by the true meaning of this Act. And if any of the same waskings or decayings haue happened within vij. yeres now last past, ỹ offendors in that behalfe hauing now, or which hereafter by the expiratiõ, surrender, forfeiture or other determinatiõ of such leases or estats as are now in Esse, shal or may haue in his or their own vse or occupation, so much of ỹ same site or lands, which belonged to the same house so decaied or wasted, or any of them, as can supply euerie of the same houses, which had before belonging vnto it vnder forty acres, with twenty acres of arable land, meadowe, and Pasture: and euerie such of the same houses, which before had forty acres or aboue belonging to it, with forty Acres of arable land, meadowe and Pasture, shall erect, build, or repaire vpon some cõuenient part of ỹ sites or lands that belonged to the same houses or any of them, the whole number of the houses so decaied or wasted: And for euery such of the same houses of Husbandry as heretofore had vnder forty acres of arable Land, Meadowe and Pasture belonging to it, shall put to the houses of Husbandrie so to be erected, builded, or repaired of the Lands, which such offendor hath or shall haue as aforesaid, twenty acres at the least of arable Land, Meadowe, and Pasture fit and conuenient to be vsed and occupyed therewith: And for euery such of the same houses of Husbandry so wasted or decaied as aforesaid, as had belonging to it 40. acres of arable land, Meadow, & Pasture, or more, shall put to euery of the same houses so to be erected, builded, or repaired of the same lands which such offendor hath, or shal haue, as aforesaid, forty acres at the least of arable land, meadow, and pasture, fit and conuenient to be vsed and occupied therwith. And if the same Offendor haue not, or shall not haue as aforesaid, so much of the Lands belonging to any of the same houses as may therewith performe that which is aforesaid, then the same offender shal erect, build, or repaire so many onely of the same houses of Husbandry as he can, with the same Lands in the vse and occupation, as aforesaid, of such offendor, supply the same houses with such quantity of arable land, meadow, and pasture, as before in this Article is mentioned to be put to the same, & shall put to euerie of the same houses of the same arable Land, Meadow, and Pasture accordingly. And if the same decaied or wasted sites, or houses and Lands thereunto heretofore belonging, or any part thereof be in or do come to the possession or occupation, as aforesaid, of any as heire, executor, Administrator, or successor, to the said Offendor last before mentioned, or otherwise as Assignee, by the immediate and free gift of the same Offendor. That in euery such case, such heire, executor, Administrator, successor, or Assignee, vpon some conuenient part of the same site or Lands, so growen or come to him or them: And for and in respect of so much of the same site and Lands, as is not before satisfied by erecting, building or repayring of Houses of Husbandrie,

within 7. yeares

and supplying the same with lands, according to the true intent of this act in that behalfe, shall erect, build or repaire such and so many houses of Husbandrie, and with like addition of lands thereunto as the offendor proportionably should haue done in like case by the true meaning of this Act. And that all such as haue or shall haue any the houses of Husbandry decayed or wasted as is aforesaid, at any time since the beginning of her said Maiesties Raigne, or the lands thereunto belonging, or any part thereof, by, from, or vnder the Offendor, for money or other consideration, or otherwise by any other title then vnder the Offendor, that in euery such case, such so hauing such sites or houses so decayed or wasted as aforesaid, and the lands which did thereunto belong, or any part thereof, and not before erected, builded or repaired with houses of Husbandrie, and supplyed with lands according to the true meaning of this Act, shall for and in respect of the same lands, which he or they so haue proportionably erect, rédifie, and repaire onely the fourth part in number of the like houses of Husbandry, and with such and the like quantity of the same lands to be added to euery of the same houses of Husbandry as is before mentioned for the Offendor, to doe and performe in like cases of decaies made within seuen yeres now last past. And be it also enacted, that euery person, bodie politike and corporate that is to make any erection, building, or repairing of houses, as is aforesaid, shall performe two of the same erections, buildings, or repairings, before the Feast of Pentecost in the yeare of our Lord God, one thousand fiue hundred ninetie nine, if so many be to be done by such party, if not then one where but one is to be done: And who is to performe more then two, shall thencefoorth yearely performe two other of the same, vntill all such erections, rédifyings and repairings bée fully performed, which that party is to doe and performe by the true intent of this Act, & as the same houses, shall from time to time be erected, builded, or repaired, the lands, as is aforesaid, shall be put thereunto, and for such houses as are now standing, the lands in maner as is aforesaid shall be put thereunto before the said feast of Pentecost, in the yeare aforesaid. And be it further enacted that all houses of Husbandrie, which are to be erected, builded, or repaired, by the true intent of this act, And all other houses of Husbandry now standing, shall from time to time for euer by the occuppyers and possessors there- Maintained of be vpholden and maintained in good and conuenient reparations, inhabitable, and tenantable, and as houses of Husbandry in those parts. And that the lands thereto to be put, or now belonging as aforesaid, or asmuch in goodnesse, quantity, and quality, shall be demised with the Lease house by the lessor thereof, whensoeuer the same house shall be demised without any willing default of the lessor in that behalfe. And ý the same Tillage lands shall be vsed and continued in Tillage and Husbandry according to the Statute in that behalfe (s.10.) And where any in reason or good conscience ought to haue contribution from any other towards the charges of any the erections, buildings, or repairings aforesaid. In euery such case, vpon a Bill to be exhibited into the High Court of Chancerie by such party against any decayer, or other that ought to be contributorie to the same, as aforesaid, such contribution shal be giuen, and in such sort leuyed and paied, as by the order of the Court shall in that behalfe be set downe or taken. Prouided alwaies neuertheless and be it enacted, if any house of husbandry now standing, hath or shall haue belonging to it, or letten t herewith aboue the number of three score Acres of arable Land, Meadow, or Pasture in the whole, the ouerplus thereof may from time to time be added to supply, or make vp any other house to be a house of Husbandry of or vnder forty Acres: and that for the more better & commodious occupying of Husbandry of any the lands, meadows, or Pastures which shall be allotted or belonging to any house of husbandry as is aforesaid, it shal be lawfull for any Lord to make exchange with any his tenants, or any tenant or other person with the assent of the Lord to change the one with the other, without incurring any the penalties of this Statute, any thing in this act to the contrarie notwithstanding. Prouided also, that if any person hath erected, or hereafter shall erect, any new like house of Husbandrie where no house of Husbandrie was at any time since the beginning of her Maiesties Raigne, with like lands allotted or to be allotted thereunto as aforesaid, and as conuenient, in lieu or place of any house of Husbandrie heretofore decaied, or hereafter to be decaied, and within two miles thereof: That in euery such case such house so decaied, or to be decaied, is not, nor shall not be repaired, reedified or continued by the true intent of this act, so alwaies that ý same house newly erected, or to be erected, be continued a like house of husbãdry as aforesaid for euer. And if any person or persons which haue built any Mansion house fit for ý dwelling of a Gentlemã or any person of a higher degrée, hath taken into his hands any lands not exceeding the quantity of fiue score acres, or houses not exceeding the number of two houses, conuenient and nédfull to be imploied for mainteinig of necessarie hospitalitie & houseképing in that house, such person for such taking into his hands or decaying such lands or houses shal not be deemed or taken for any offendor by this Statute. Prouided also that this Act, or any thing therein conteined, shall not extent to any parke or inclosed ground for Déere, or any lands or houses therein, the same being at this present chiefly stored with, or imploied to Déere. Prouided also that this Act, or any thing therein conteined, shall not be preiudiciall to any being out of the Realme, or infant, or of non sanæ memoriæ, which before by this act ought to rédifiy, erect, or repaire any house or houses of husbãdry, so ý euery such person shall yerely next after his returne, full age, or being of sanæ memorię, performe therein the intent of this act. And be it enacted by the authority aforesaide, that euerie

tie perſon and perſons, bodies politike, and co-porate, which ſhall offend in any the premiſſes, ſhall for euery houſe that ſhall not be erected, builded, repayred, continued, or maintained in neceſſary reparation, Tenantable, according to the true meaning of this Act, by the ſpace of one yeare forfeit ten pounds, and ſo yearely ten pounds, vntill the ſame ſhalbe ſufficiently erected, builded, continued, or repaired. And for euery acre of land, meadow, or paſture, which ſhall not be layed vnto, or let with ſuch houſes of Husbandry, when the ſame ſhall be demiſed as aforeſaide, ſhall forfeit for euerie yeare hee or they ſhall ſo offend, the ſumme of tenne ſhillings, as long and as often as ſuch acre ſhall not in thoſe reſpects be vſed and ordered according to the intent of this Acte: which Forfeitures ſhalbe diuided into three equall parts, whereof one third part to bee to the Queenes maieſtie, her heires and ſucceſſors, one other part to be to the vſe of the poore within the pariſh where the Offence ſhall be committed, to be deliuered by the order of the Court, in which the ſame ſhall be recouered, to the Churchwardens of the ſame pariſh without any Charge or other Warrant, and the other third part to ſuch as will ſue for the ſame in any Court of Record at Weſtminſter, by Action, Bill, Plaint, or Information, if ante ſuch will ſue, if not, to the Queenes Maieſtie, her heyres, and ſucceſſours, in which ſuite no eſſoine, Protection, or Wager of Lawe ſhall be allowed. And be it further enacted &c. That the Iuſtices of Aſſiſes to be holden within euerie Countie of this Realme, ſhall haue full power and authoritie to inquire of, heare, and determine, all and euerie the ſaid defaults and offences to be committed or done within the Counties where any ſuch Aſſiſes ſhalbe kept, vpon Inquiſition, Indictment, Bill, or Information, to be exhibited before them. Prouided alſo that no Offendor ſhall be impeached or ſued by vertue of this Act, except ſuch ſuite ſhall be brought and commenced within two yeeres of the ſame Offence committed or done, being proſecuted by any, by himſelfe, and her Maieſty, her heires, or ſucceſſors, but in caſe where the ſaid ſuite ſhalbe brought, or proſecuted for her Maieſtie, her heires or ſucceſſors onely, then ſuch ſuite to be brought and commenced within three yeers of the ſame offence done and committed. This Act to indure but to the end of the next Seſſion of Parliament. Anno 39. Eliz. cap. 1. This Statute is continued Anno 43. Eliz. cap. 9. till the end of the firſt Seſſion of the next Parliament. And Anno 1. Iacobi cap. 25. it is further continued vntill the end of the firſt Seſſion of the next Parliament.

10 Be it enacted &c. That whereas any lands or grounds at any time, ſithence the ſeuententh of Nouember, in the firſt yeare of her Maieſties raigne, haue beene conuerted to ſheepe paſtures, or to the fatting or grazing of cattell, the ſame lands hauing beene tillable lands, fields, or grounds, ſuch as haue beene vſed in tillage, or for tillage by the ſpace of twelue yeares together at the leaſt next before ſuch conuerſion, according to the nature of the ſoile, and courſe of Husbandry vſed in that part of the Country, all ſuch lands and grounds, as aforeſaid, ſhall before the firſt day of Maie, which ſhall be in the yeare of our Lord God 1599. be reſtored to tillage, or layed for tillage in ſuch ſort, as the whole ground, according to the nature of that ſoile, and courſe of husbandrie vſed in that part of the Countrey, be within three yeares at the leaſt turned to tillage by the Occupiers and Poſſeſſors thereof, and ſo ſhal be continued for euer. And that all lands and grounds which now are vſed in tillage or for tillage, hauing bin tillable lands, fields, or grounds, ſuch as before the foure and twentieth day of October Anno 39. Elizabethæ, haue beene by the ſpace of twelue yeeres together at the leaſt vſed in tillage or for tillage, according to the nature of the ſoile and courſe of Husbandrie vſed in that part of the Countrey, ſhall not be conuerted to any ſheepe paſture, or to the grazing or fatting of cattell by the Occupiers or Poſſeſſors thereof, but ſhall, according to the nature of that ſoile, & courſe of Husbandrie vſed in that part of the Countrey, continue to be vſed in tillage, or for corne or grain, and not for woad. Prouided neuertheleſſe, That if any perſon or bodie politique or corporate, hath ſince the ſeuententh of Nouember aforeſaid, laied, or hereafter ſhall lay any ground to graze, or hath vſed or ſhall vſe the ſame ground with ſheepe, or any other cattell, which ground hath beene or ſhall be driuen or worne out with tillage only vpon good Husbandrie, and with intent bona fide, without fraud or couine, the ſame ground ſhould recouer heart and ſtrength, and not with intent to continue the ſame otherwiſe in ſheepe paſture, or for fatting or grazing of cattell, that no ſuch perſon or bodie politike or corporate, ſhall be intended for that ground a conuerter, within the meaning of this Law. Prouided alſo, that if any ſuch Occupier or Poſſeſſor of ground, as aforeſaid, hath broke vp, conuerted, or laied forth, or ſhall breake vp, conuert, or lay forth into tillage any other ground not liable to this preſent law, as aforeſaid, and lying within the ſame pariſh, towne, hamlet, or lordſhip, or within two miles of the ſame land formerly tilled, that for ſuch quantitie onely, and for ſo long time as he hath ſo done or continued, or ſhall ſo doe or continue, he ſhall not incurre anie penaltie contained in this Act, but that it ſhall be lawfull for any ſuch Occupier or Poſſeſſor, at his libertie and pleaſure, according to his beſt commoditie and husbandry, to change and alter from time to time ſuch ground put or to be put in tillage, ſo that euery ſuch Occupier doe keepe the ſumme or totall of the quantity or proportion of his grounds lying within the ſame pariſh, towne, hamlet, or Lordſhip, or within two miles of the ſame land formerly tilled in tillage, as is aforeſaid. Prouided alſo, that this Act ſhall not extend to any ground that any perſon, body politike or corporate, hath turned or ſhall turne from tillage to paſture, for the onelie maintenance or keeping of his or their owne horſes, geldings, mares or draught oxen, or the horſes, geldings, or mares of his or their owne family, or others comming to his or their houſe, or for the maintenance or keeping of kine, ſheepe, or other cattell,

1. of May 1599.

Sheepe Paſture Grazing

Woad

Ground Warrant

Other ground

2. Miles

Geldings

Kine Cattell

cattell, for the onely victualles to be spent in his or their houses, or for the needfull and necessary soiling of his or their tillable lands. Prouided neuertheless, that no persons that shall commonly feed, and sell yeerely Beeues and Muttons to a greater number then he or they shall yearely spend in victuall in his or their mansion house or houses, and more then shall grow or be needefull to be culled out, or in respect of the necessary stockes for maintenance of housekeeping, and soyling the tillable lands as aforesaid, or that shalbe a common fatter of Beeues,

Grasier

or Muttons or any of them as a common Grasier or sheepe master, to be commonly sold in markets and faires, or to common Butchers other then in respect of the necessary stockes aforesaid shall be taken, erpsunded or vnderstood to be such person or persons, bodies politique or corporate, as by this prouiso last aboue mentioned, may keep any ground or pasture whole, and not conuerted into tillage for the maintenance and keeping kine, sheepe, or other cattel for the only victuall to be spent in their owne houses, or for the needefull soyling of their tillable lands, but beene and shalbe excepted out of the same prouiso: Any thing in the same Prouiso contained to the contrary notwithstanding. And whereas it is mentioned, That this Act or any thing therein contained, shall not extend to be preiudiciall to any person or persons, bodies politike or corporate, for the keeping of any ground in pasture, for the onely maintenaunce and keeping of his or their horses, mares, geldings, or draught oxen, for the maintenance, and keeping of kine, and other cattell for the only prouision and victualling of his or their mansion or dwelling house or houses, be it declared and enacted by the authority aforesaid, That if it shall fortune any such person or persons, to be absent, and not resident at or vpon his or their vsuall mansion or dwelling house or houses, with his family or houshold, for, & by occasion of seruice or attendance to be done by any such person or persons, by the expresse commaundement of the Queenes Maiestie, her heyres or successours, within the Realme, or

Resident

Two dwelling houses Infant Minority

without, or else hauing two or three mansion or dwelling houses, shall be resident and dwelling with his familie, but at one of them, or shall be within age, that then during, and for the time of such seruice, attendance, minoritie and absence, and one yeare next after, or during, and for the time that hee or they shall be resident or dwelling with his family, but at or vpon one of his dwelling houses, he or they shall and may keep such grounds in pasture, belonging or vsually occupied with any of the said two or three houses, and with no more, or others in his or their own hands or occupation, or let it out to any other person or persons, without incurring of any daunger or forfeiture by vertue of this Act, so that the same person or persons, shall and do keepe the same mansion and dwelling

House vnletten

house or houses vnletten in good sufficient reparations, & meet and conuenient for him or them to repaire and resort vnto at all times, for his and their dwelling and abode: Anie thing in this Act to the contrary thereof notwithstanding. And be it enacted by the authoritie aforesaid, That if any person, or body politike or corporate, shall offend against the premisses, euery such person or body politique or corporate so offending, shall lose and forfeit for euery acre not restored or not continued as is aforesaid, the summe of xx.s. for euery yeare that hee or they so offend. And that the said penalties or forfeitures shalbe diuided into three equall parts, whereof one third part to be to the Queenes Maiestie, her heires and successours, to her and their owne vse, one third part to the Queenes Maiestie, her heyres and successours for reliefe of the poore in the parish where the offence shall be committed, if anie such be, to be deliuered by warrant of the principall Officers in the receipt of the Eschequer, without further warrant from her Maiestie, her heires and successors, and the other third part to such person as will sue for the same in any court of record at Westminster by action of debt, bill, plaint, or information: in which suite no essoine, protection or wager of Law shalbe allowed. And be it further enacted by the authority aforesaid, That the Justices of Assise, or Justices of the Peace in euerie Countie within this realme at the Assises or Quarter or Generall sessions, shal haue ful power and authoritie by vertue of this Act, to inquire, heare and determine all and euery the defaults and offences committed or done contrarie to this Act, within the Countie where any such Assises or Sessions shalbe kept, by inquisition, presentment, inditement, bil or information, or by any of the same waies or means, and vpon the conuiction of the offender by information or suite of any other then hir Maiestie, her heires or successors, to make extracts of one third part of the forfeitures to be levied for the Queens maiestie, her heires and successours, as they vse to doe of other fines, issues and amerciaments growne in the sessions of Peace, and to award execution of the two other third parts, the one for the complainant or informer, and the other to the poore, by the discretion of the Justices of Peace, at the Generall Sessions against the offender, by Fieri Facias, and Capias, as her Maiesties Justices at Westminster may doe and vse to do: And if any such conuiction shall hereafter happen to be at her Maiesties suite onely, that then the forfeitures to be extracted and levied for her Maiestie, her heires and successors to the vses aforesaide. And it is also further enacted, That if anie Person shall hereafter be punished by vertue of this Act, for any thing mentioned in this Act, that then the same person shall not otherwise be vexed, troubled, sued, or put to any paine or punishment for the thing, wherefore hee or they shall haue been so punished. Prouided also that no Offenders, shalbe impeached or sued by vertue of this Act, except such suite shal be brought and commenced within two yeeres of the same offence committed or done, in case where the saide Suite shall be brought and prosecuted in name of any Informer. And in case the same suite shall be brought and prosecuted in her Maiesties name, or in the name of her heirs or successors, then such suite to be brought and commenced, within three yeares of the offence done and committed. Prouided also, no land compellable to be put in tillage by vertue of this act, shal

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be deemed or adiudged a breach or forfeiture of anie couenant, bond, or condition, betweene any persons whatsoeuer. Neither that any person that shall be cõpelled to put & conuert any lands into tillage by vertue of this Act, shal therefore incurre any penaltie or preiudice collaterall, or other, whether it be of augmentation of rent, giuing of any recompence or consideration, or the like, but shalbe in Law discharged of euery such limitation, couenant, condition or agreement. Prouided neuertheless, that this Act shall not extend to any Pasture, Heath, Downes, Waste or barren Ground, which hath not heretofore beene commonly vsed to be eared or tilled for corne, and which is not meet and strong enough to be continued still in tillage, according to the nature of the Soile, and custome of the Country, nor to any Commons, Fennes, Moores, Mosses, nor to any Marshes being vsually ouerflowen with water, at any time of the yeare, nor to any Marshes or Grounds recouered and inned, and which are or shall be so kept & continued by charge of Bankes, nor to any Parke, or Parkes, Warren or Warrens, nor to anie inclosed Grounds now vsed with Deere, or Conies, or which hereafter by licence from her Maiestie, her heires or successors, with sufficient clause of dispensation mentioning this Act, shall be principally bestowed and imployed to the maintenance of deere and conies, without fraud or couine, nor to any meadowes, nor to any wood grounds, nor to any orchard, garden, pole, or pondyard, nor to any grounds set or sowen with saffron, hoppes, garlike, Onions, or other such garden rootes meet for victuall, nor to any plot of soile, whereupon any house or tenement habitable is erected, and the curtillages, yards, and backesides thereof, nor to any Ground occupied or let with any tenement, being vnder the quantitie of x. acres, as long as such tenements shall be continued, not decayed, nor to any grounds wherein any Mare, Lead, Tinne, Iron, Coale, commonly called Sea-coale, Stone-coale, or Moore-coale is commonly got, all which to be intended, during such time onely, as all and euery the Grounds aforesaid, shalbe vsed and put to the vses and intents aboue specified, any thing in this Act to the contrary notwithstanding. Prouided alwayes, that this last Prouiso shall not giue any benefit, aduantage, or libertie to anie person or persons, which hath conuerted or imployed, or hereafter shall conuert or imploy any more Ground to the keeping of conies, not being lawfull Warren, then tenne acres at the most, & the same to be within one mile of his dwelling house. Prouided also, That this Act shall not extend to any counties within this realme of England, but such onely as shall be hereafter specified, that is to say, the Counties of Northampton, Leicester, Warwicke, Buckingham, Bedford, Oxford, Berkeshire, the Ile of Wight, Glouc'ster, Worcester, Nottingham, Hamptshire, Wiltshire, Somerset, Dorset, Darby, Rutland, Lincolne, Hereford, Cambridge, Huntington, Yorke, Monmouth in South Wales, and the Bishopprickes of Durham, and Northumberland, and the Cathedrall of all Cities and Corporations, lying, situate, and being within the Counties aforesaid, or confining to the same, and the Cyttie of the Cittie of Yorke. Prouided alwayes, That neither this Act, nor any thing therein contained, shal extend to any ground now conuerted from tillage to meadow or pasture, lying within two miles of the great road way, called Watling streete, leading from the Towne of Dunstable in the Countie of Bedford, towards Westchester, so that the same Ground be not aboue fiue miles from the Parish church of Dunstable, nor within two miles thereof. This Act to indure to the end of the next session of Parliament. Anno 39. Eliab. capit. 2. This Statute is continued. Anno 43. Eliz. ca. 9. till the end of the first Session of the next parliament, with this prouiso. That this Act shall not extend to any lands lying within the Countie of Northumberland. And Anno 1. Iacobi capit. 25. the Act of 39. Elizab. together with such Explanations and Prouisions as thereunto are added by the said Statute of 43. Elizab. is continued vntill the end of the first Session of the next Parliament. Dunstable

11 Anno 4. Iacobi capit. 11. An Act was made for the better prouision of Meadow and Pasture, for necessary maintenance of Husbandry and Tillage in the Mannors, Lordships, and Parishes of Warden, alias, Awarden, Bodenham, Wellington, Sutton Saint Michaell, Sutton Saint Nicholas, Wurton vpon Lugge, and the Parish of Pipe in the County of Hereford, with diuers prouisions concerning that matter.

12 Whereas the Sea-sand by long triall and experience hath been found to be very profitable for the bettering of Land, and especially for the encrease of Corne and Tillage, within the Counties of Deuon and Cornewall, where the most part of the Inhabitants haue not commonly vsed anie other Worth, for the bettering of their arable grounds and pastures: Notwithstanding, diuerse hauing Lands adioyning to the Sea coasts there, haue of late interrupted the Bargemen, and such others as haue vsed at their free wils and pleasures, to fetch the said Sea-sand, to take the same vnder the full Sea-marke, as they haue heretofore vsed to doe, vnlesse they make Composition with them at such rates, as they themselues set downe, though they haue very small or no damage or losse thereby, to the great decay and hinderaunce of Husbandrie and Tillage, within the said Counties: Be it &c. That it shall and may be lawfull, to and for all persons whatsoeuer, resiant and dwelling within the said Counties of Deuon and Cornewall, to fetch and take Sea-sand at all places, vnder the full Sea marke, where the same is or shall be cast by the Sea for the bettering of their Land, and for the increase of Corne or Tillage, at their willes and pleasures. And that it shall and may be also lawfull, to and for all Bargemen and Boatemen, and all other carriers of Sea-sand of the said Counties, that shall fetch or take the sand as aforesaid, to land and cast out of their Boates and Barges, such Sand, as they shall so fetch or take at such places, as Sand hath, at any time within the space of fifty yeres last past, beene vsed by such Bargemen and Boatmen, to be landed

landed and cast: And also to fetch and carrie the same, by and through such wayes, as now be, and by the space of twentie yeares last past, haue beene vsed for the carrying and fetching thereof, paying for the taking, casting out, and landing of euerie Barge load, Boate load, or Sacke of the said sand, vpon the grounds of any man, such Dueties, as heretofore within the said time of fiftie yeares haue been vsed and accustomed to be payed for the same, and for passage by and through the said wayes, such Dueties as haue vsually beene payed by the saide space of twentie yeares, and in such manner and forme, as the same within the said seuerall times, haue respectiuely beene vsed and accustomed to be payed. And in such places where certaine vsuall Dueties haue not beene payed, but vncertaine Compositions haue from time to time beene made by agreement with the Owners of the Soile there, to yelde such reasonable Compositions, as by agreement with the said Owners, shall from time to time be made. This Act to continue vntill the end of the first Session of the next Parliament. An 7. Iac. cap. 18.

Idemptitate nominis.

Eschеators

FOr the great mischieses which often haue happened, and daily doe come, of that the Eschеators, Sheriffes, and other the Kings Ministers doe seise the lands, goods, and cattels of many, surmising that they be outlawed, where they be not outlawed, because that they beare such names, as those which be outlawed, for default of good declaration of the surname: It is ordained, That if any complaine him in such case, he shall haue a Writ of Idemptitate nominis, in the maner as hath beene vsed in the times past. And if any mans landes, goods or cattels be seised in such case by Eschеator,

Suretie

Sheriffe, or other minister, he shall finde suretie before the minister which hath the warrant to seise, to answer to the King of the value of such lands, goods and cattels, in case that he may not discharge him, without taking any thing of the party. And if such

Attainted

Minister do not the same, and thereof be attainted, the partie shall haue suite against such Minister,

Double damages

and recouer his double damages, and neuertheless he shall be greeuously amerced towards the King. Anno 37. Ed. 3. cap. 2.

Amerce

2 A Writ of Idemptitate nominis, may be graunted and giuen, good and maintenable for the executors, of euery testator, as well of the same effect, as the same Action of Idemptitate nominis, was maintenable before this Parliament for anie person himselfe, which was or might haue beene molested or greeued, by cause or colour of anie such outlagary. And this ordinance haue relation and force by authoritie aforesaid, for the executors of euery testator, as well of euery outlagarie pronounced in anie person at any time before this Parliament, as of al maner of outlagaries to be pronounced in any person in time to come. Anno 9. Hen. 6. cap. 4.

Ieofaile.

IF any verdict of twelue men, or more, shall be hereafter giuen in any action, suite, bill, plaint, or demaund, in any Court of Record, the Iudgement thereupon shall not be staied or reuersed, by reason of any default in forme, or lacke of forme, touching false Latine, or variance from the Register, or other defaults, in forme, in any Writ Originall or Iudiciall count, declaration, plaint, bill, suite or demaund, or for want of any Writ Originall or Iudiciall, or by reason of any vnperfect or insufficient returne of any Sheriffe, or other Officer, or for want of any warrant of Atturney, or by reason of any manner of default in processe, vpon or after any aide prier or voucher, nor any such Record or Iudgement after verdict to be giuen hereafter, shal be reuersed for any the defects or causes aforesaide: Any law, statute or vsage to the contrary notwithstanding. Prouided alwayes, and be it further enacted by the authoritie aforesaid, That this Act or any thing therein contained, shal not extend to anie Writ, Declaration or suite of Appeale of felonie or murder, nor to any indictment or presentment of felony, murder, treason or other matter, nor to any processe vpon any of them, nor to any writ, bill, action or information, vpon any popular or penall statute: Any thing aforesaid to the contrary notwithstanding. Prouided also, and be it &c. That all Atturneys in anie Suite or Action, in anie Court of Record, shall deliuer in the warrant of Atturneys in such action or suite, wherein they be named Atturneis to be entred or filed of record, in such manner and forme as heretofore by the Lawe or Statutes in that behalfe made, they should or ought to haue done, vpon paine to forfeit x. pounds for euery such offence: the one moitie thereof to be to the Queens Maiestie, her heires and successors, and the other moitie to such Officer or Officers, to whom, or in whose office the same warrant should be deliuered, entred or filed, and to suffer imprisonment by the discretion of the Iustices of the Court for the time being, where any such default shal fortune to be hap or made: the saide tenne pounds to be reconered by action of debt, bill, or information: In which no essoine, or protection &c. shalbe allowed. An 18. Eli. cap. 14.

Isle of Wight.

NO maner of person, of what estate, degree or condition he is or shall be, take anie seuerall farmes moe then one, of any number, lands and tenements, portions or tithes, within the saide Isle of Wight: whereof the farme of them altogether shall exceed the summe of tenne markes yearely. And if any seuerall leases afore this time haue beene made to anie person or persons, of diuerse sundrie farme holds, ouer the said yearely value of ten markes: then the person or persons that now hold the same, to chuse one farme of the said farmeholds at his pleasure: so that the farme of them so chosen, be not aboue the yeerely value of ten markes, to hold after the forme of his lease, and the remnant (from the feast of S. Michael the archangel, which shall

shall be in the yeere of our Lord 1490. to cease and be vtterly void. And the Occupier and Farmer of them from thence to be discharged against his lessor of the rent reserued vpon the same Leases. And if any person doe hereafter the contrarie of this Act, that then the lessee, in that behalfe to forfeit to the King for euery such taking tenne pounds. Prouided alwaies, that they which haue payed any fines, or made any building, or done great reparation vpon any such Farme, and be put from the said farme by reason of this Act, shall be recompenced for such building or reparation, as right and good conscience requires: That recompence to be adiudged by the discretion of the Captaine of the saide Isle, for the time being, or his lieutenant of the same in his absence. Anno 4. H. 7. ca. 16.

Incontinencie of Priests.

IT shalbe lawful to al Archbishops and Bishops, and other Ordinaries hauing Episcopall Iurisdiction, to punish and chastice such priests & clerks, and religious mē being within the bounds of their Iurisdictions, as shalbe conuicted afore them by examination and other lawfull proffe requisite by the Law of the Church, of aduoutrie, fornication and incest, or any other fleshly incontinencie, by committing them to ward and prison, there to abide for such time, as shall be thought to their discretions conuenient for the qualitie and quantitie of their trespalle. And that none of the said Archbishops and Bishops, and other Ordinaries aforesaid, be thereof chargeable, of, to, or vpon any action of false or wrongful imprisonment: but that they be vtterly thereof discharged in any of the cases aforesaid by vertue of this Act. Anno 1. H. 7. cap. 4.

2 Anno 31. H. 8. cap. 14. It was enacted, that if a Priest did carnally vse a woman, to whom he had beene married, or contracted, or only kept company, or familiarity with her, it should be felonie in him and the woman; and that if any Priest kept a concubine, as by paying for her board, maintaining her with money, array, or other gifts or meanes, to the euill example of other persons, he should forfeit all his goods, cattels and spirituall promotions, and be in prison. And the second offence thereof should be felonie, and the woman to haue like punishment. But these clauses were repealed by 32. H. 8. cap. 10. And there it is enacted, That if anie such offender, as is aboue written, hereafter shall happen to be duely conuicted or attainted, by the Lawes mentioned in the foresaid Act, or of, or vpon any the crimes or offences afore written: that then euery such offender so being conuicted or attainted, shall from henceforth vpon his first conuiction or attainder, onely forfeit and lose to the King all his goods, cattels and debts. And if the same offender at the time of that his first conuiction or attainder, haue any moe benefices or Ecclesiasticall dignities or promotions then one: then the same offender so conuicted or attainted, shall forfeit and lose for terme of his life, all issues, reuenues and profits of all his said benefices or other Ecclesiasticall dignities or promotions, except one of the same benefices or other Ecclesiasticall dignities or promotions. And if it shall fortune anie such Offender or Offenders, at any time after the saide first conuiction or attainder, to commit, doe or perpetrate, any of the saide Offences before rehearsed, and be thereof eftsones duely conuicted or attainted by the Lawes aforesaid: That then euerie such offender shall only lose and forfeit to the king, all his goods, cattels and debts, and also during his life all the issues and profits of all his lands, Ecclesiasticall dignities, benefices, offices, and promotions, to be had, leuied, perceiued and taken to the kings vse. And if it shall fortune any such Offender or Offenders, at any time after his said second conuiction or attainder, to commit, doe, or perpetrate any of the Offences before written, and be also thereof duely conuicted or attainted by the Lawes aforesaid: That then euery such Offender shall onely forfeit and lose to the king all his goods, cattels and debts, and also during his life all the issues and profites of all his lands and tenements, and of all his Ecclesiasticall dignities, benefices, offices, and promotions, to be had, leuied, perceiued, and taken to the kings vse, and also shall further haue and suffer continuall imprisonment of his bodie during his life. And euerie woman being sole and vnmarried, with whom any Priest shall so offend in any of the Offences aboue written, shall forfeit for their first conuiction or attainder, of, or vpon any the crimes or offences aforesaid, all her goods, cattels & debts. And for her second conuiction or attainder, of, or vpon any the crimes or offices aforesaid, all her goods, cattels & debts, and also the one half of all the issues, reuenues and profits of all her lands, tenements & hereditaments by all the terme of her life. And for her third conuiction or attainder, of, or vpon anie the crimes or offences aforesaid, she shall forfeit all her goods, cattels and debts, and also during her life, all the issues, and profites of all her lands and tenements, and also shall further suffer imprisonment of her bodie, by all the terme of her life. And if the woman with whom any priest shal so offend, in any the Offences aboue saide, be married: That then for euerie such conuiction or attainder, of, or vpon anie the crimes or offences aforesaid, shall haue and suffer imprisonment of her bodie, by all the terme of her life, at the kings will and pleasure: Any thing contained in the said former Act, to the contrarie of the saine penalties, in this Act mentioned, in any wise notwithstanding. Sauing to all and singuler person and persons, bodies politike and corporate, their heires, successors and assignes, and to the heires, successors and assignes of euery of them (other then such persons that shall hereafter fortune to offend, contrary to the tenor of this Act) all such right, title, interest, possession, entrie, action, condition, rents, remainders, reuersions, annuities fees, commons, leases, liberties, and commodities, which they or anie of them haue, shall, or ought to haue, at the time of any such Offence committed or done, by any of the said offenders, contrary to the tenor of this Act, in as large and ample manner and forme, to all intents, constructions and purposes, as if this Act had neuer

Second offence

Forf.

Third offence

Forf.

Imprison.

Woman

Forf.

Second offence

Third offence

Imprison.

Married woman

Bodies politike

borne

beene had ne made: any thing in this Act contained to the contrarie notwithstanding. Ann 32.H. 8.cap.10. Quæreif this Statute be repealed by 1. & 2 Ph. & Ma.cap.8. by the generall words that repealed all Statutes made against the Popes Supremacie.

Quære

Incumbents.

The said Statutes (that is to say Anno 25.Ed. 3. pro Clero ca. 3. which is in Aduowson 5.) be firmely holden and kept. And moreouer, our soueraigne lord the King, for the reuerence of God and holy Church, will and graunteth, that if he present to any benefice that is full of any Incumbent, that the presentée of the King shall not be receiued by the Ordinarie to such benefice till the King hath recouered his presentment, by processe of the Lawe in his owne Court, and if any presentée of the king be otherwise receiued, and the Incumbent put out, without due processe as afore is said, the said Incumbent shall beginne his Suite within a yeare after the induction of the Kings presentée at the least. Anno 13.Rich.2.ca.1.

Presentee

Incumbent

Proces

2 As it was ordained by the Statute made in the fiue and twentieth yeare of K.Edward, grandfather to our soueraigne Lord the King, that if the King make collation or presentment to any Benefice in anothers right, that the title whereupon he grounded him, should be well examined that it be true: and at whatsoeuer time before iudgement giuen, the title be found by good information, vntrue and vniust, the collation or presentment thereof made, shal be repealed and adnulled. And moreouer, in a statute made afterward in the time of king Richard, it was ordained and established, That if the King present to any Benefice, that is full of any incumbent, that the Kings presentée shal not be receiued by the Ordinary, till the K. hath recouered his presentment, by processe of the Law in his owne court, and if any presentée of the K. be otherwise receiued, and the incumbent ont without due Processe, as is aforesaid, the same incumbent shall commence his suite within a yeare after the induction of the Kings presentée. Our soueraigne lord the King considering the great mischiefe of the Incumbent in this behalfe, hath ordained and established, by the assent aforesaid, that if any such incumbent be out of his benefice, without due processe, in the manner aforesaid, that the said incumbent so put without Processe, may be at large, and sue for his remedy by the said statute, and beginne his suit in this case at what time shall please him within the yeare, or after at his will, and that as well for the time past, as for the time to come, notwithstanding the terme so limited by the said Statute. Anno 4. H.4.cap.22.

Collation

Examine title

Kings presentee

Recouer by processe

Incumbent Suite

Indicauit.

For asmuch also, as plees in Court Spirituall, haue heretofore had many times vnreasonable delayes, by reason that our Writ that is called Indicauit, was many times brought before the Iudges of such matters at the beginning of such suits, and thereupon our chiefe Iustice could not proceed lawfully, nor in due manner to award a Writ of Consultation, vpon such manner of proceeding. It is agreed, that such a Writ of Indicauit shall not be granted from henceforth to any man, before the suite hanging in the Spirituall court betweene the parties be recorded: And that our Chancellor be certified thereupon, by the sight of the Libell. Anno 34.Ed.1.

Plees

Consultation

Chancellor

Indictments.

For asmuch also as Sheriffs, fayning many times certaine persons to be indicted before them in their Turns of felonie and other trespasses, do take diuers persons that are not culpable, nor fully indicted, and imprison them, to the intent that they may extort money from them, whereas they were not lawfully indicted by twelue men: It is ordained, that Sheriffes in their Turnes, and in other places, when they are to inquire of Offenders by the Kings precept, or of office, shall cause such inquests to be taken by lawfull men, and by twelue at the least, which shall put their Seales to such Inquisitions, and such as shall be found culpable by such Inquests, they shall take and imprison, as they haue vsed afore-times to do. And if they do imprison other then such as shall be indicted by such Inquest, the parties imprisoned shall haue their Action by a Writ of False Imprisonment against the Sheriffe, as they should haue against any other person that should imprison them without Warrant. And as it is said of Sheriffes, so shall it be obserued against the Bailifes of any Franchise. West.2.capit.13. Ann 13.Ed.1.

Sheriffe

Inquest

Action

False imprisonment

Bailife

2 Sheriffs, and Bailifes of franchises, and all other that take Indictments in their Turnes, or elsewhere, whereas indictments ought to be made, shall take such Indictment by roll indented, whereof the one part shall remaine with the Indictors, and the other part with him that taketh the Inquest: So that the Indictments shall not be imbesiled, as they haue beene in times past: And so that one of the Inquest may shew the one part of the Indenture to the Iustices, when they come to make deliuerance. Anno 1.Ed.3.ca.17.Stat.2.

Sheriffe

Bailife

Imbesiled

Indenture

Iustices

3 After any man is indicted of felonie before the Iustices in their Sessions to heare and determine, it shall be commanded to the Sheriffe, to attach his body by Writ or by Precept, which is called a Capias, and if the Sheriffe returne in the said Writ, or Precept, That the body is not found, another Writ or Precept of Capias shall be incontinently made returnable at three weekes after, and in the same Writ or Precept it shalbe comprised, that the Sheriffe shall doe to be seised his cattels, and safely to keepe them, till the day of the Writ or Precept returned. And if the Sheriffe returne that the body is not found, and the Indictée commeth not, the Exigent shalbe awarded, and the cattels shalbe forfeit, as the Lawes of the realme demaunds. But if he come and yeld him, or be taken by the Sheriffe, or by other minister, before the returne of the se-

Sheriffe

Exigent

Forfeit

cond

Robert Danto Lib 2 Folio

cond Capias, then the goods and cattels shall be saued. Anno 25. Ed. 3. cap. 17.

4 Because that now of late Inquests were taken at Westminster, of persons named to the Justices, without due returne of the Shirife, of which persons some were outlawed before the said Justices of Record, & some fled to Sanctuarie for Treason, and some for Felonie, there to haue refuge, by whom as well many offendors were indicted, as other lawfull liege people of the King, not guiltie, by conspiracie, abetment, and false imagination of other persons, for their speciall aduantage and proper lucre, against the course of ỳ Common Law, vsed and accustomed before this time: Our Soueraigne Lord the King, for the great ease and quietnesse of his people, will and graunteth, That the same Indictment so made, with all the appurtenances to the same, be reuoked, annulled, void, and holden for none for euer. And that from henceforth no Indictment bee made by any such persons, but by Inquests of the Kings lawfull liege people, in the manner as was vsed in time of his noble progenitors, returned by the Shirifes or Baylifes of Franchises, without any denomination to the Shirifes or Baylifes of Franchises before hand made by any person of the names which by him should be impanelled, except it be by the ministers of the said Shirifes, or Baylifes of Franchises, sworne and knowne to make the same, and other ministers to whom it appertaineth to make the same, according to the Law of England. And if any Indictment be made hereafter in any point to the contrarie, that the same Indictment be also void, reuoked, and for euer holden for none. Anno 11. H. 4. cap. 9.

5 Be it enacted &c. That the Justices of Peace of euerie Shire of this Realme, for the time being, may doe to be taken by their discretion an Inquest, whereof euerie man shall haue lands and tenements, to the yearely value of fortie shillings at the least, to inquire of the concealements, or other Inquests taken afore them, and afore other, of such matters and offences as are to be inquired and presented afore Justices of Peace, whereof complaint shall be made by Bill, or by Billes, as well within Franchises as without. And if any such concealement be found of any Inquest, as is afore rehearsed, had or made within the yeare after the same concealement, euery person of the same Inquest to be amerced for the same concealements, by discretion of the same Justices of the Peace, the said amerciaments to bee assessed in plaine Sessions. Añ 3. H. 7. cap. 1.

6 From the Feast of the Natiuitie of our Lord next comming, these wordes: Vi & armis, viz. cum baculis, cultellis, arcubus & sagittis, or such other like, shall not of necessitie be put or comprised in any Inquisition or Indictment, nor that the partie or parties being hereafter indicted of any offence, shall haue or take any aduantage by Writ or Writs of Error, Plee, or otherwise, to annull or auoid any such Inquisition or Indictment, for that the said wordes, Vi & armis, viz. cum baculis, & cultellis, arcubus & sagittis, or any of the same, or like words, shall not be put or comprised in the said Inquisitions or Indictments, but that the same Inquisitions or Indictments, and euerie of them lacking the said words, Vi & armis, viz. baculis, cultellis, arcubus & sagittis, or any of them, shall from henceforth, by the authoritie aforesaid, bee taken, demed, and adiudged to all intents, constructions, and purposes, as effectuall and good in the Law, as the same Inquisitions and Indictments, hauing the said wordes, Vi & armis, viz. baculis, cultellis, arcubus & sagittis, comprised and put in euery of the same Inquisitions and Indictments, were or heretofore haue bin taken, demed, or adiudged: any Law, Vsage, or Custome heretofore had & vsed, to the contrary notwithstanding. Añ 37. H. 8. cap. 8.

Infections.

PRoclamation shall be made as well in the Citie of London, as in other Cities, Borroughes, and Townes, as afore, That noue of what condition soeuer he be, doe to be set or throwne from henceforth any such annoyances, issues, doung, intrailes, nor none other ordure in the ditches, riuers, waters, and other places aforesaid, and if any doe, he shall be called by Writ before the Chauncelor, at his suit that will complaine, and if he be found guiltie, he shall be punished after the discretion of the Chauncelor. Anno 12. R. 2. cap. 13.

Proclamation London
Annoyance
Doung
Riuers
Waters
Writ
Chancelor

Informers.

FOr redressing of diuers disorders in common Informers, and for better execution of penall Lawes: Be it enacted, That euery Informer vpon any penall Statute shall exhibit his suit in proper person, and pursue the same onely by himselfe, or by his Atturney in Court. And that none shall be admitted or receiued to pursue against any person or persons vpon any penall Statute, but by way of Information, or Originall Action, & not otherwise, nor shall haue ne vse any deputie or deputies at all, and that vpon euery such Information which shall be exhibited, a speciall note be made of the verie day, moneth, and yeare, of the exhibiting thereof in any Office, or to any Officer, which lawfully may receiue the same, without any manner of Antedate thereof to bee made. And that the same Information be accounted and taken to be of Record from that time forward, and not before. And be it likewise enacted for the consideration aforesaid, That no Processe be sued out vpon any such Information, vntill the Information be exhibited in forme aforesaid, & that vpon euery such Processe shall be indorced as well the parties name that pursueth the same Processe, as also the Statute vpon which the Information in that behalfe made, is grounded. And that euery Clerke making out Processe contrarie to the tenor and prouision of this Act, shall forfeit and lose fortie shillings for euerie such offence: The one halfe to be to the Queenes Maiestie, her heires

Proper person
Informatiõ Originall action
A note of the day
Processe
Indorce
Statute
Clerke
Forf.
Moitie

and ſucceſſors, and the other halfe to the partie againſt whom any ſuch defeaſaunce proces ſhall be awarded, to be recouered in any Court of Record, by Action of Debt or Information, in which no Eſſoine, Protection, Iniunction, or Wager of Law ſhall be permitted or allowed. And be it further enacted, That no Iurie ſhall be compelled to appeare in any of the Quéenes Maieſties Courts at Weſtminſter, for the tryall of any iſſue in any ſuch ſuit vpō any penall Law, for any offence committed aboue xxx. myles from the Citie of Weſtminſter, except in caſe where the Atturney generall for the time being, for ſome reaſonable cauſe in that behalfe to be ſhewed, ſhall require the ſame to be tryed at the Barre, in any of the Courts of the Quéenes Maieſtie, her heires or ſucceſſors, at Weſtminſter aforeſaid: Which requeſt ſhall be noted on the backſide of the Writ of Diſtringas thereupon awarded, to the end the Shirife or his Baylife may and ſhall ſignifie the ſame to the Iurie, that are in ſuch caſe impanelled. And be it further enacted, That no ſuch Informer or Plaintife ſhall or may compound or agree with any perſon or perſons that ſhall offend, or ſhall be ſurmiſed to offend againſt any penall Statute, for ſuch offence committed or pretended to be committed, but after anſwere made in Court vnto the information or ſuit in that behalfe exhibited, or proſecuted, nor after anſwere, but by the order or conſent of the Court, in which the ſame information or ſuit ſhall be depending, vpon the paines and penalties hereafter in this preſent Act ſet downe and declared. And that if any ſuch Informer or Plaintife, as aforeſaid, ſhall willingly delay ſuit, or ſhall diſcontinue or be nonſuit in the ſame, or ſhall haue the tryall or matter paſſe againſt him therein by verdict or iudgement of Law: That then in euerie ſuch caſe, the ſame Informer or Plaintife ſhall yéeld, ſatiſfie, and pay vnto the partie defendant his coſtes, charges, and damages, to be aſſigned by the Court, in which the ſame ſuit ſhall be attempted: For the recouerie and execution whereof, euerie ſuch defendant ſhall immediately vpon the ſame coſtes, charges, and damages aſſigned, haue his Capias ad ſatisfaciendum, Fieri facias, or Elegit, to bee awarded vnto him out of the ſame Court, in which the ſame ſhall be ſo aſſigned, as is aforeſaid, as in other cauſes of execution. And be it alſo enacted, That if any perſon or perſons (except the Clerkes of the Court, onely for making out of Proceſſe otherwiſe then is aboue appointed) ſhall offend in ſuing out of Proces, making of compoſition, or other miſdemeanour, contrarie to the true intent and meaning of this Statute, or ſhall by colour or pretence of Proces, or without Proces, vpon colour or pretence of any matter of offence, againſt any penall Law, make any compoſition, or take any money, reward, or promiſe of reward, for himſelfe, or to the vſe of any other, without order or conſent of ſome of her Maieſties Courts at Weſtminſter: That then he or they ſo offending, being thereof lawfully conuicted, ſhall ſtand on the Pilloríe in ſome Market Towne, next adioyning where the offence ſhall bee committed, in the open Market time, and there remaine by the ſpace of two houres, and ſhall from and after ſuch conuiction for euer be diſabled to purſue, or be Plaintiſe or Informer in any ſuit or information, vpon any Statute popular or penall, and ſhall alſo for euerie ſuch offence forfeit and loſe tenne pounds of lawfull Engliſh money: The one halfe thereof to the Quéenes Maieſtie, her heires and ſucceſſors, and the other halfe to the partie grieued thereby, to be recouered in any Court of Record, by Action of Debt, or Information, in which no Eſſoine, Protection, Iniunction, or Wager of Law ſhall be permitted or allowed. And the Iuſtices of Oyer and Terminer, Iuſtices of Aſſiſe in their Circuits, and Iuſtices of Peace in their Quarter Seſſions, ſhall haue full power and authoritie to heare and determine all offences to bee committed or done contrarie to the true intent and meaning of this preſent Act. Prouided alwayes, and neuertheleſſe be it enacted, That it ſhall and may be lawfull, to and for any perſon or perſons, grieued by meanes of any manner of Maintenance, Champertie, buying of Titles, or Imbracerie, to purſue vpon any the Statutes prouided and ſet forth againſt Maintenance, Champertie, buying of Titles, or Imbracerie, as he or they might haue done before the making of this Act: any thing in this Act contained to the contrarie in any wiſe notwithſtanding. Prouided alſo, That this Act ſhall not extend to any ſuit alreadie depending, nor ſhall reſtraine any certaine perſon, bodie politike or corporate, to whom, or to whoſe vſe, any forfeiture, penaltie, or ſuit is or ſhall be ſpecially limited or graunted by vertue of any Statute, and not generally to any perſon that will ſue, but that euery ſuch certaine perſon, bodie politike or corporate, which might ſue or informe (as if this Act were not made) may in ſuch caſe ſue, informe, and purſue, as he or they might haue done, if this Act were neuer had nor made. And prouided alſo, That neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any ſuch Officer of Record, as haue in reſpect of their Offices heretofore lawfully vſed to exhibite Informations, or ſue vpon penall Lawes, nor to any Officers informing or purſuing for matters onely concerning his or their Offices: but that they and euerie of them may informe and purſue in that behalfe, as they might haue done before the making of this Act: any thing in this Act contained to the contrarie in any wiſe notwithſtanding. This Act to take force and effect from the Feaſt of Eaſter next comming, and from thenceforth to endure vnto the end of the firſt Seſſion of the next Parliament. Anno 18. Eliz. cap. 5. This Statute is made perpetuall by Anno 27. Elizab. cap. 10.

Iurie

xxx. Myles

Atturney generall

Shirife

Compound

Conſent of the Court

Delay Diſcontinue Nonſuit

Coſtes Damages

Defendant

Capias ad ſatisfaciendum Fieri facias Elegit

Clerke of the Court

Suing of proces

Compounding Reward

Conuict Pilloríe

Diuers

2 Whereas diuers her Maieſties louing ſubiects, dwelling in the remote parts of this Realme, are many times maliciouſly troubled vpon Informations and Suites, exhibited in the Courts

Courts of Kings Bench, Common Pleas, and Eschequer, vpon penall Statutes, and are drawne by vpon Proces out of the Countries where they dwel, and driuen to attend and put in baile, to their great trouble and hindrings: For reformation whereof, Be it enacted, That if any person or persons shall be sued or informed against, vpon any penall Law in any ỳ said Courts of Kings Bench, Common Pleas, or Eschequer, where such person or persons are baileable by Law, or where by the lawe or fauor of the Court such person or persons may appeare by Atturney: That in all and euerie such case, the person or persons so to be impleaded or sued, shall and may at the day and time contained in the first proces serued for his apparance, appeare by Atturney of the same Court, where the proces is returnable, to answere & defend the same, and not be driuen to personall apparance, or to put in baile for the answering of such suit: any former Law, Custome, or Vsage to the contrarie notwithstanding. Anno 28. Eliz. cap. 5.

3 Be it enacted &c. That the said Branch of the said Act (viz. 28. Eliz. cap. 5.) shall extend, and shall be interpreted, expounded, & vnderstood, to extend onely to the naturall subiects borne, or to be borne within the dominions of the Queenes Maiestie, her heires and successors, and to persons made free Denizens, and to no others: any thing therein contained to the contrary in any wise notwithstanding. Anñ 31. Eliz. cap. 10.

Inrolments.

That all Inrolments of deedes, and other muniments in the Rolles of the Chauncerie, of either Bench, & the Eschequer of our Soueraigne Lord the King, before this time inrolled, and afterward by Traitors to the King and his Realme, in the Insurrection late made within ỳ same Realme, seditiously moued, borne, and rent, or otherwise imbesilled, shall be in a due forme exemplified vnder the great Seale, without the fee of the Seale thereof to be payed. And that the same exemplification so had, shall be of the same effect and strength in all things, as the same deedes and muniments should haue bin, if they were to be had whole and vnhurt. Anñ 6. H. 8. cap. 4.

2 Be it enacted &c. That from the last day of July, which shall be in the yeare of our Lord God 1536, No mannors, lands, tenements, or other hereditaments shall passe, alter, or change from one to another, whereby any estate of inheritance or freehold shal be made, or take effect in any person or persons, or any vse thereof to be made by reason onely of any bargaine and sale thereof: except the same bargaine and sale be made by writing indented, sealed, & inrolled, in one of the Kings Courts of Record at Westminster, or else within ỳ same Countie or Counties, where the same mannors, lands, or tenements so bargained and sold, lye, or be, before the Custos Rotulorum, and two Justices of the Peace, and the Clerke of the Peace of the same Countie or Counties, or two of them at the least, whereof the Clerke of the Peace to be one. And the same Inrolment to be had and made within six moneths next after the date of the same writings indented: the same Custos Rotulorum, or Justices of the Peace, and Clerke, taking for the Inrolment of euery such writing indented before them, where the said land comprised in ỳ same writing exceede not the yearely value of xl. shillings, ij. s. that is to say, xij. d. to the Justices, and xij. d. to the Clerke. And for the Inrolment of euery such writing indented before them, wherein the land comprised exceede the summe of fortie shillings in yearely value, v. s. that is to say, iij. s. vj. d. to the Justices, and ij. s. vj. d. to the Clerke for the inrolling of the same. And that the Clerke of the Peace for the time being, within euery such Countie, shall sufficiently inroll and ingrosse in Parchment the same deed or writings indented, as is aforesaid, and the Rolles thereof at the end of euery yeare shall deliuer vnto the said Custos Rotulorum of the same Countie for the time being, there to remaine in the custodie of the sayd Custos Rotulorum for the time being, amongst other Records of euerie of the same Counties where any such Inrolments shall be so made, to the intent that euerie partie that hath to do therewith, may resort and see the effect and tenor of euery such writing so inrolled. Prouided alwayes, That this Act, nor any thing therein contained, extend to any mannors, lands, tenements, or hereditaments, lying or being within any Citie, Borough, or Towne corporate within this Realme, wherein the Mayors, Recorders, Chamberlaines, Baylifes, or other Officer or Officers haue authoritie, or haue lawfully vsed to inroll any euidences, deedes, or other writings within their precincts or limits: any thing in this Act contained to the contrarie notwithstanding. Anñ 27. H. 8. cap. 16.

3 Where in the Parliament holden in the xxxij. yeare of king Henry the 8. (s. cap. 28. which is in Leases 2.) It was enacted by authoritie of the said parliament amongst other, that no fine, feoffement, or other act or acts hereafter to be made, suffered, or done, by the husband only, of mannors, lands, tenements, or hereditaments, being the inheritance, or the freehold of his wife, during the coverture betweene them, shall in any wise be, or make any discontinuance thereof, or be preiudiciall or hurtfull to the same wife, or to her heires, or to such as shall haue right, title, or interest to the same, by the death of such wife, or wiues: but the same wife, and her heires, and such other to whom such right shall appertaine after her decease, shall and may then lawfully enter into all such landes, tenements, and hereditaments, according to their rights and titles therein: any such Fine, Feoffement, or other Act to the contrarie notwithstanding. Sithence the making of which Act, diuers doubts, questions, and ambiguities haue risen; that is to say, whether the Recoueries and Deedes inrolled, which be in nature of Fines, and whereupon women couert haue bene vsed to be examined, taken, had, or knowledged, as well within the Citie of London as in

6. months
Fee
Clerke of the Peace
Ingrosse
Mayor Recorder Chamberlaine Baylifes
Fine Feoffement
Husband
Wife Coverture
Entre
Recoueries
Women couert
London

many other Cities, Boroughes, and Townes within the Realme of England ſhould bind all ſuch women couert, that ſhould happen to be examined vpon the ſame recoueries and dedes inrolled: In auoyding therefore of all ſuch ambiguities and doubts, Be it ꝛc. That all recoueries, dedes inrolled, and releaſes heretofore knowledged or taken, or at any time hereafter to be taken & knowledged, before the Mayors, Aldermen, Recorders, Chamberlaines, or other head officer or officers, as well of the Citie of London, as of any other Citie, Borough, or Towne corporate within the Realme of England, hauing power and authoritie to take and receiue the ſame, according to the laudable vſage & cuſtomes of the ſaid Cities, Boroughs, and Townes, and euery of them, ſhall be, ſtand & remaine of like force, ſtrength & effect, to all intents and purpoſes, as they or any of them were before the making of the ſaid Act, in the ſaid 32. yeare of the ſaid King: any thing in the ſame Act to the contrarie in any wiſe notwithſtanding. Anno 34. H. 8. cap. 22.

Recoueries Releaſes

Mayors Aldermen Recorder London

Intruſion.

When any (that holdeth of the King in chiefe) dyeth, and his heire entreth into the land that his auncellors held of the King that day he dyed, before that he hath done homage to the King, and receiued ſeiſin of the King, he ſhall gaine no freehold thereby, and if he die ſeiſed during the time, his wife ſhall not be endowed of the ſame land. As it came late in vre by Maude daughter to the Earle of Perford, wife of Maunſel the Marſhall, which after the death of William Marſhall of England, his brother toke his ſeiſin of the Caſtle and Manno[r] of Scrogeile, and died in the ſame Caſtle, before he had entred by the King, and before he had done homage to him. Whereupon it was agreed, That his wife ſhould not bee endowed, becauſe that her huſband had not entred by the King, but rather by intruſion. Howbeit, this Statute doth not meane of Socage and other ſmall tenures. Prærog. Reg. Ann 17. Ed. 2. cap. 13.

Chiefe

Ipſwich.

FOr that it is very conuenient and neceſſarie for the Towne of Ipſwich, in the Countie of Suffolke, that the pauements of the ſtreetes there be repaired and new made, according to the neceſſitie thereof, the inhabitants of the ſayd Towne humbly pray, that it may be enacted by our Soueraigne Lady the Queene, the Lords Spirituall and Temporall, and Commons of this Parliament aſſembled, and by the authoritie of the ſame, That all & ſingular perſons, their heires & ſucceſſors now being, or which hereafter ſhall be immediate owners, landlords or tertenants of any houſe, lands or tenements within the ſaid Towne, or the ſuburbes of the ſame, of any eſtate or eſtates, in fee ſimple, fee taile, for life, or yeares, ſhall from time to time, and at all times from and after the laſt day of this preſent Seſſion of Parliament, at the aſſignement or appointment of the Bayliffes of the ſaid Towne for the time being, as well paue, or cauſe to be paued with good pauing ſtones, along from and againſt his or their houſes, lands and tenements, adioyning to the ſtreet, ſo much of the ſaid ſtreet in length, as his or their ſaid houſes, lands or tenements ſo adioyning extendeth vnto, and in breedth during all the ſaid length to the channell, or to ſuch place as the channell there ſhall be by the ſaid Bayliffes for the time being appointed to, vpon paine to loſe and forfeit for euery yard ſquare not ſufficiently paued in forme aforeſaid, within two moneths after warning thereof giuen by the Bayliffes for the time being (the ſame being preſented before the Bayliffes of the ſaid Towne for the time being by the twelue Headboroughes of the ſame towne) vij. s. of lawfull money of England. And that the ſaid owners, landlords, or tertenants, and all and euery perſon and perſons, hauing, or which hereafter ſhall haue any houſe, houſes, lands or tenements in fee ſimple, fee taile, or for terme of life or yeares, adioyning to any of the ſtreets within the ſaid Towne or Suburbes, their heires and ſucceſſors, ſhall from the ſaid laſt day of this preſent Seſſion, ſufficiently from time to time maintaine and repaire, as often as it ſhall be needfull, the pauement of the ſaid ſtreet and ſtreetes ſo adioyning, with like ſtone, againſt all and euery their lands and tenements, in ſuch and like manner, as aboue is declared, vpon paine of forfeiture, for euery yard ſquare of the ſame, not ſufficiently repaired and amended, and preſented in manner and forme aforeſaid, vij. s. of like money. And where any need ſhall be of pauement of any the ſaid ſtreetes adioyning to any Churches or Churchyards, within the ſaid Towne or Suburbes of the ſame: Be it enacted by the authoritie aforeſaid, That the ſame ſtreet ſhall be paued and repaired with ſtone from time to time, at the charges of the Pariſhioners of euery ſuch Church and Churchyard, the charges whereof to be indifferently rated by the twelue Headboroughes aforeſaid, or the moſt part of them, and the ſame to be leuied in ſuch manner, as the forfeitures by this Act are to bee leuied. And that all the ſaid forfeitures aboue mentioned ſhall be to the vſes of the Bayliffes, Burgeſſes, and Comminalties of the ſaid Towne of Ipſwich, and their ſucceſſors, to, and for the amendement of the Hauen there, at, and by the diſcretion of the ſaid Bayliffes, and of the Portmen of the ſaid Towne, or of the more part of them. And be it further enacted by the authoritie aforeſaid, That the Bayliffes for the time being, and their ſucceſſors, ſhall haue power and authoritie, once euery quarter of the yeare, after the laſt day of this preſent Seſſion, within the ſaid Towne, to inquire by the oathes of the ſaid twelue Headboroughes for the time being, of euery ſuch default of pauing, or of not repayring or amending of the ſaid pauements, and for euery default ſo before them preſented by the ſaid twelue Headboroughes, ſhall haue alſo power and authoritie to leuie, or cauſe to be leuied by Diſtreſſe or lawfull meanes within

Suffolke Pauements

Fee ſimple Fee taile

Bayliffes

Power to

Fol.

Owners Tenants

Repaire

Fol.

Parſhio-

Burgeſſes

Fol.

Fol.

Fol.

or

or vpon the said houses, lands, or tenements, the said seuerall forfeitures and summes of money assessed, and that the said Baylifes shall and may make such like Auowrie, Cognisance, or Justification for the same, as may be made for arrerages of Rent charge by the Common Lawes of this Realme, and shall haue like iudgement of and for costes, damages, and returne. Prouided alwayes, That if the lessées for yeares, or at will of the said house, lands, or tenements within the said Towne of Ipswich, or suburbes of the same, doe sufficiently paue or repaire the streets before the mansions or dwelling places, in forme aforesaid: That then they and euery of them shall and may defalke, abate, and retaine in his and their owne hands, as much of their rents due to their lessors, or others to whom the immediate reuersion of their said houses, lands or tenements doe belong, as they can duely proue to haue béene expended by them vpon the same pauing, and so much defalked, shall be to all intents accounted as payed to their lessors, in such forme, as by their leases is appointed to be payed. And the lessors, or they to whom such rent shall be due, to haue no action or title of reentrie, for or by reason of the nonpayment of so much of the same rent, as shall be defalked, except the said lessées haue otherwise couenanted to make the said payment at their owne costs and charges, or beare harmelesse their lessors, of all charges, payments, or duties, issuing out of, or to bee imposed vpon such their houses, lands, or tenements. And where also there are within the said Towne of Ipswich, and the Suburbes of the same diuers parish Churches, either nothing or very poorely endowed, and insufficient to maintaine conuenient Ministers: Be it therefore enacted by the Quéene our Soueraigne Ladie, and the Lords Spirituall and Temporall, &c. That the Baylifes of the Towne of Ipswich, with the Portmen there, or the more part of them for the time béeing, calling to them the Churchwardens, and foure other of euery of the said seuerall Parishes, shall haue full power and authoritie to tare and assesse vpon euery house, ground, and tenement, frée or copie, situate and being within the said seuerall Parishes, such reasonable summe or summes of money to be yearely payed, as well for and towards the finding and maintaining of a conuenient stipendarie minister, within euery of the said Parishes, as to and for the reparations of the sayd seuerall Churches, and Chancels, as they shall thinke méet. And also shall limit and appoint the time and times when the seuerall parishioners shall pay the same, and shall enter the same, with the seuerall names and summes payable by euerie person, into a paper Booke, which shall remaine with the said Baylifes for the time being. And also shall appoint the said Churchwardens to collect and receiue the same from yeare to yeare, to whom a copie of the said Booke shall be deliuered by the said Baylifes, and euery such Churchwarden so appointed, to doe the best of his endeuour to collect and gather the said seuerall summes, and shall haue full power and authoritie by vertue of this Act, to distraine the goods or cattels of any of the said seuerall parishioners making default, to and for the payment of the said Rates, at the time and times limited for the same, vpon the charge of their Collection. And the distresse so taken, shall and may auow or iustifie, in manner and forme, as is vsed for Rent charge being vnpayed, at the Common Lawe. And be it also further enacted by the authoritie aforesaid, That euerie such Churchwarden, his executours & administrators, shall be accountable, of and for his collection and receit, before the Churchwardens of the saide seuerall Parishes, which shall succéed them, and before the Inhabitants, or the more part of them of the same Parish, if they will bee present there, when and whereseuer he or they shall bee thereunto required. And shall presently vpon the determination of his or their accompt, pay all such summes of money as it shall appeare, that he or they shall be charged with, to the hands of such Churchwardens, as then shall succéed. Anno 13. Eliz. cap. 21.

Distraine

Accounts

Ireland.

IN the Booke of Magna Charta is an Ordinance for Ireland, concerning diuers matters, intituled, Ordinatio pro statu terræ Hiberniæ.

2 Anno 17. Ed. 3. A Statute containing six Articles was made, concerning Ireland.

3 All Marchants, as well Aliens as Denizens, may come into Ireland with their marchandizes, and from thence frée ly to returne with their marchandizes and vitailes, without fine or ransome to be taken of them: Sauing alwayes to the King his auncient customes and other duties. Añ 34. Ed. 3. cap. 17.

Marchants Aliens Denizens

Customs

4 People of England, as well religious as others, which haue their heritage and possessions in Ireland, may bring their corne, beasts, and other vitailes to the said land of Ireland, & from thence to recarrie their goods and marchandizes into England frée ly without impeachment, paying their customes and their duties to the King. Añ 34. E. 3. cap. 18.

Corne Cattell

5 Anno 1. H. 5. cap. 1. It was enacted, That all Irish persons should void the Realme within a time, except certaine there expressed. And that they that had benefices or office in Ireland, should dwell vpon them, for defence of Ireland.

6 Whereas it was ordained in the time of the Kings noble Progenitors, by a Statute made of the land of Ireland, That none of the Irish Nation should be chosen by election to be an Archbishop, Bishop, Abbot, or Prior, nor in none other manner receiued nor accepted to any dignitie or benefice within the same land, and now late many such Irish people, by force of certaine letters of Licence to them made by the Kings Lieutenants there, to accept and receiue such dignities and benefices, be promoted and aduanced to Archbishops and Bishops within the sayd land, which also make their collations to Irish

Benefices

Licence

Archbishops Bishops

Clerks of the dignities and benefices there, against the forme and effect of the said statute. And where-
Peeres as they be said Péeres of the Parliament in the said land, they bring with them to the parliaments and counsels holden there, Irish seruants, whereby the priuities of the Englishmen within the same land haue been, and be daily discouered to the Irish people, rebells to the King, to the great perill and mischiefe of the Kings lawfull liege people in the same land: our soueraigne Lord the King that now is, desiring for the same to prouide for the surety of his faithfull subiects, by the assent of the Lords aforesaid, and at the request of the said Commons, will and graunteth, that the said statute shall stand in his whole force, and well and duely be kept, and fully executed, vpon his grieuous indignation. And moreouer he hath ordained and established, by the assent and request aforesaid, that if any Archbishops, Bishops, Abbots, or Priors, of the Irish Nation, rebelles to the King, haue in times past
Collations made, or from henceforth shall make any collations or presentments to the benefices of holie Church in the said land of Ireland, against the forme of the same statute, or bring with them any Irish rebells amongst the Englishmen to the Parliaments, Counselles, or other assemblies within the same land, to know ỳ priuities & states of the said Englishmen, & the same to discouer to the said Rebels: That then afterward from time to time all their
Seise temporalties Fines temporalties shall be seised into the Kings hands, there to remaine till they haue made fines to the
Lieutenats King in this partie. And also, that all the Lieutenants of the King, and of his heires in the said land of Ireland, be vtterly defended and restrained from henceforth to haue any manner power, to giue or to grant any such benefices or pardons in that case to Irish persons, not English. And that all such
Licence Licences not executed, made and graunted by the Kings Lieutenant in the same Land, before this time, and also to be granted by them hereafter, shall
Void be void and of no force nor value. Anno 4. Hen. 5. cap. 6.

7 Anno 1. H. 6. cap. 3. An Act was made to auoid Irish men out of England, except certaine persons, and they to finde surety of good Abearing. And that from the said Feast of Saint John forward, no persons borne in Ireland, shall enter the Realme of England, to dwell in the said Uniuersities of Oxford or Cambridge, or elsewhere,
Oxford Cambridge within the Realme of England, vnlesse he bring to
Testimonall the said Chancellor of England, such Letters testimonialls, vpon paine to be punished as a rebell to our soueraigne Lord the King.

Chancellor of the Uniuersitie Oxford Cambridge Sureties Chancerie Iust. of P. Mayor Baylife 8 That the Chancellors of the Uniuersities of Oxford and Cambridge, for the time being, euerie of them within his iurisdiction, shall take the sureties to be taken of Scholers within the same Uniuersities, & certifie the same into the Kings Chancerie. And that the Justices of Peace within the Counties, and Mayors and Baylifes within Cities and Boroughs infranchised, haue power to take before them such manner suretie of good Abearing, and to doe Execution against them which shall abide, or doe against the said ordinance from henceforth. Anno 2. H. 6. cap. 8.

Iron.

IRon made in England, and Iron brought into England, and there sold, shall not bee brought out of the Realme of England, vpon paine of forfeiture of the double to the King. And the Justices assigned to inquire of Labourers, and the other Justices, whom the King will thereto assigne, shall haue power to inquire of them that sell the Iron at too deare a price, and to punish them after the quantitie of the trespasse. Anno 28. Ed. 3. cap. 5.

Engl. Forf. Labour.

Iewes.

STatuto Ed. 1. de Iudaismo, is ordained, That no Vsurie shall returne from henceforth, and diuers matters be there against Vsurie taken by Iewes, and concerning debts to Iewes, and stolne goods in Iewes hands, & where they should dwell, and what signe they should beare, and what they should pay to the king, & what they might or might not buy & sell, and purchase, & diuers other matters concerning Iewes, and they were taken vnto the Kings protection.

Vsura

Iudgement.

ITem, because diuers mischiefes haue happened of that, that in diuers places, as well in the Chauncerie, as of the Kings Bench, the common Bench, and in the Eschequer, the Iustices assigned and other Justices to heare and determine deputed, the Iudgements haue beene delayed, sometime by difficultie, and sometime by diuers opinions of the Judges, and sometime for some other cause: It is assented, established, and accorded, That from henceforth at euery Parliament shall be chosen a Prelate, two Earles, and two Barons, which shall haue Commission and power of the King, to heare by petition deliuered vnto them, the complaints of those that will complaine them of such delayes or grieuances made, and they shall haue power to doe come before them at Westminster, or elsewhere, where the places, or any of them shall be, the tenour of Records and Processes of such Iudgements so delayed, and to cause the same Justices to come before them, which shall be then present, to heare their cause and reasons of such delayes, which cause and reason so heard by good aduice of themselues, the Chauncelor, Treasorer, the Iustices of the one Bench and of the other, and other of the Kings Counsell, as many and such as shall seeme conuenient, shall proceede to take a good accord, and make a good Iudgement. And according to the same accord so taken, the tenour of the said Record, together with the Iudgement, which shall be accorded, shall be remaunded before the Justices before whom the plée did depend. And that they shall giue Iudgement, according to the same Record. And in case it seemeth to them, that the

Cham. K. Bench Comm. Bench Eschq. Iudges

Chan. Treas. Iustic. Accord

the difficultie be ſo great, that it may not well be determined, without aſſent of the Parliament, that the ſaid tenor or tenors ſhalbe by the ſaid Prelates, Earles, and Barons in the nert Parliament, and there ſhalbe a finally accord taken, what iudgement ought to be giuen in this caſe. And according to this accorde it ſhall be commaunded to the Iudges, before whom the plee did depend, that they ſhall proceed to giue iudgement without delay. An. 14. E. 3. cap. 5. Stat' 1.

2 And after Iudgement giuen in the Courts of our Soueraigne Lord the king, that the parties and their heires ſhall be thereof in peace, till the Iudgement be vndone by Attaint, or by Error, if there be error, as hath beene vſed by the Lawes in the time of the kings progenitors. Anñ 4. H. 4. cap. 23.

Iuriſdiction.

IF any cauſe or matter, (the knowledge whereof belongeth to a Court ſpirituall) and be diffinitiuely determined before a ſpirituall Iudge, ſo that it paſſe into a iudgement, nor was not in ſuſpence by reaſon of any appeale, and afterward vpon the ſame thing a caſe is moued before a temporall Iudge, and betweene the ſame parties, and it bee proued by witneſſe or inſtruments: The exception ſhall not be admitted in a temporall Court. Theanſwere. When any one caſe is debated before Iudges ſpirituall and temporall, as aboue appeareth vpon the caſe of laying violent hands on a Clerke. It is thought, that notwithſtanding the ſpirituall iudgement, the Kings Courts ſhall diſcuſſe the ſame matter, as the party ſhall thinke moſt expedient to himſelfe. Articuli Cleri cap. 6. Anñ 9. E. 2.

2 Whereas the ſaid Prelates haue ſhewed and prayed remedie vpon that, that the ſaid ſecular Iuſtices doe vſurpe and accroch to them cogniſance of voidance of benefices of right, which cogniſance and the diſcuſſing thereof appertaineth to the Iudges of holy Church, and not the lay Iudge: The king will and graunteth, that the ſaid Iuſtices ſhal from henceforth receiue ſuch challenges made or to be made by any Prelate of holy Church in this behalfe, and moreouer thereof ſhall doe right and reaſon. An. 25. E. 3. pro Clero cap. 8.

Iuris vtrum.

IN like maner as a writ is to be graunted whether a tenement be the frankalmoigne of a Church, or the lay fee, ſo hereafter there ſhall be made ſuch a writ, whether it be the frankalmoigne of ſuch a Church, or of another Church, in caſe where the frankalmoigne of one Church is tranſlated into the poſſeſſion of an other Church. Weſt. 2. Magna Charta fol. 66.

Iurors.

COncerning charters of Exemption and Liberties, that the purchaſors ſhall not be impanelled in aſſiſes, Iuries, and Inqueſts: It is prouided, That if their oathes bee ſo requiſite, that without them Iuſtice cannot be miniſtred (as in great aſſiſes, perambulations, and in deedes or writings of couenants where they be named for witneſſes) or in Attaints, and in other caſes like, they ſhal be compelled to sweare: Sauing to them at an other time their foreſaid liberties and exemption. Marl. cap. 14. An. 52. H. 3. Aſſiſes Inqueſts Attaints

2 From henceforth in one Aſſiſe no moe ſhall be ſummoned then xxiij. And old men aboue lxx. yeeres, and ſuch as be continually languiſhing or ſicke at the time of the ſummons, or not dwelling in that countrey, ſhall not be put in Iuries or petie Aſſiſes, nor alſo ſhall be put in Aſſiſes and Iuries, though ſome ought to be taken in their own ſhire, that may diſpend leſſe then xx. s. yearely. And if ſuch aſſiſes and Iuries be taken out of the ſhire, none ſhal paſſe in them but that may diſpend xl. s. yerely at the leaſt, except ſuch as be witneſſes in deeds or other writings, whoſe preſence is neceſſarie, ſo that they bee able to trauaile. Neither ſhal this ſtatute extend to great Aſſiſes, in which it behoueth many times knights to paſſe, not reſident in the countrey, for the ſcarcitie of knights, ſo that they haue land in the ſhire. And if the ſhirife or his vnderbailifes, or bailifes of liberties offend in any point of this ſtatute, and thereupon be conuict, damages ſhall be awarded to the parties grieued, and ſhall neuertheleſſe be amerced to the King. And Iuſtices aſſigned to take aſſiſes when they come into the ſhire, ſhal haue power to heare the plaints of all complainants, as to the articles contained in this ſtatute and to miniſter Iuſtice in forme afore ſaid. Weſt. 2. cap. 37. An. 13. E. 1. Old men Sicke men xl. s. land Grand Aſſ. Knights Sherife Baylife Damages Amerced

3 No ſhirife, vnderſhirife, or other bailifes, nor bailifes of liberties, ſhall from henceforth put in any recogniſance aboueſaid, that ſhall paſſe out of their proper counties or bayliwikes, any, except they haue lands & tenements to the yearely value of an C. s. at the leaſt. And the king intendeth not by this ſtatute to reſtrain the laſt ſtatute of Weſtminſter, wherein mention is made of recogniſors to be put in Iuries and aſſiſes, but of ſuch only as ought to paſſe in aſſiſes, Iuries, & Recogniſances triable out of their proper counties, ſo that within ỹ countie before Iuſtices of our Soueraigne Lord ỹ King, aſſigned to ỹ taking of any ſuch Inqueſts, Iuries, or other recogniſances, none ſhall be impanelled, except he haue lands and tenements to the yerely value of xl. s. And likewiſe ſauing ỹ before Iuſtices errant, that hold Common plees in their circuit, and alſo in cities, boroughs, and other market townes where recogniſances, aſſiſes, and Iuries doe paſſe vpon any matter touching the ſaid cities, boroughs and other townes a writ ſhall bee made, likeas it hath beene accuſtomed in times paſt. An. 21. E. 1. Sherifes Baylifes Recogniſances C. s land Inqueſt xl. s. Land Iuſtices errant

4 No ſhirife nor bailife ſhall impanell in Inqueſts and Iuries ouer many perſons, nor otherwiſe then it is ordeined by the eſtatute, and that they ſhall put in the Iurie ſuch as be next neighbours, moſt ſufficient, and leaſt ſuſpitious. And he that otherwiſe doeth, and is attainted thereupon, ſhall Sherife Bailife Attaint

Robert Sauks. 6th booke

ij. Damages shall pay vnto the plaintife his damages double, and shall be grieuously amerced vnto the King. Articuli super char. cap. 9. An. 28. E. 1.

Partiall Attaint

5 If any Iurors in Assises, Iuries or Inquests take of the one partie or of the other, and be thereof duely attainted, that hereafter he shall not bee put in any Assises, Iuries, or Inquests, and neuertheless he shall be commaunded to prison, and further ransomed at the Kings will. And the Iustices before whom such Assises, Iuries, & Inquests shall passe, shall haue power power to inquire and determine, according to this Statute. Anno 5. E. 3. cap. 10.

Imprisl. Fine

Dier & ter.

Indictor

6 No Indictor shall be put in Inquests vpon the deliuerances of the Indictées of Felonie or Trespasses, if he be challenged for the same cause by him which is so indicted. Anno 25. Ed. 3. cap. 3. Stat. 5.

Panels

7 Panels shalbe made of the nert people which shall not bee suspected nor procured. And that the Sherifes, Coroners, and other Ministers which doe against the same, shall be punished before that the Iustices take the said Inquest, according to the quantitie of their trespasse, as well against the King, as against the partie, for the quantitie of the dammages which he hath suffered in such manner. An. 34. E. 3. cap. 4.

Sherifes Coroners

Take reward

8 In euerie plée, whereof the Inquest or Assise doth passe, if any of the parties will sue against any of the Iurors that they haue taken of his aduersarie, or of him, for to say their verdict, he shall bee heard, and shall haue his plaint by bill presently, before the Iustices afore whom they did sweare, and that the Iurors be put to answer without any delay, and if they plead to the countrey, the Inquest shall be taken forthwith. And if any man other then the partie will sue for the King against the Iurors, it shall be heard and determined as afore is said. And if the Iurors be attainted at the suit of other then the partie, and maketh fine, the partie that sueth shall haue halfe the fine. And that the parties to the plea shall recouer their dammages by taring of the Inquest. And that the Iurors so attainted haue imprisonment of one yere, which imprisonment the King granteth, that it shall not be pardoned for no fine. And if the partie will sue by writ before other Iustices, he shall haue the suit in the forme aforesaid. An. 34. E. 3. ca. 8. See the like Statute in Decies tantum 1.

Attaint

Moitie

Damages

Imprisl.

9 No person shall be admitted to passe in any Inquest vpon triall of the death of a man, nor in any Inquest betwirt partie and partie, in plée reall, nor in any plée personall, whereof the debt & dammages declared amount to fortie Markes, if the same person haue no lands or tenements of the yearely value of fortie shillings aboue all charges of the same, so that it be challenged by the partie, that any such person so impanelled in the same cases, haue not lands or tenements of the yearely value of xl. s. aboue the charges, as aforesaid. Anno 2. H. 5. cap. 3.

Murther Reall Personall

xl. s. Land

10 Forasmuch as our said Soueraigne Lord the King, at the grieuous complaint to him made by his said Commons in the same Parliament, hath conceiued, that diuers persons of great powertie, without conscience and of euill gouernance, now of late dwelling in a place suspect, called the Stewes in the Borough of Southwarke, in the Countie of Surrey, as well by receit of common women, théues, manquellers, and aduowtrers, as as by murderers & priuie robbers, as well by themselfe, as by many other there herberged, without pitie, loyaltie and god conscience there done, haue sodainly come to great riches, by the which they haue purchased great liuings of lands and tenements to great yearely values, and because of their sufficiencie of freehold so purchased, they haue béen returned by the Sherife of the said Countie, and other Bailifes in Inquests, as well for felonie and trespasse betwéen the King and the partie, and partie and partie, as in Assises and other plées of land before the Kings Iustices in his Courts, and before the Stewards and Marshall of his house, whereby diuers disinheritances & wrongfull condemnations of many lawfull lieges of our Soueraigne Lord the King haue béne had, and many murderers and notorious théues haue béen saued, great murders and robberies concealed and not punished. And how the same persons suspect inhabit them in common Hosteries and Tauernes in the highway of the same Borough, there receiuing théues, common women, and other misdoers, in like manner as they did in the said suspect place of the Stewes: Our Soueraigne Lord the King cõsidering the premisses, and that such people without conscience be defamed, and may not of reason be intending to beare witnesse of truth, there where truth should be inquired, hath ordained and established, That if any such person be returned by any Sherife, Bailife, or other Minister of our said Soueraigne Lord the King, in the said Countie of Surrey, or by any Officer before the Steward & Marshall of our Soueraigne L. the Kings house, as well for the King as for the partie, at all times from henceforth he shall be challenged, and the chalenge in that partie allowed for the cause beforesaid. And also for to auoid murders, robberies, and aduowtries, that might by likelihood happen: It is ordained, That no such person, which also hath dwelled at the sayd Stewes, bee suffered to hold any common Hosterie nor Tauerne, in other place within the said Borough of Southwarke, but onely at the said Stewes. And that the Iustices of Peace in the same Countie, shall haue power to inquire of all them that hold Hosteries and Tauernes, and them to punish by fine and ransome, and by imprisonment of their bodies, after the discretion of the said Iustices. Anno 11. H. 6. cap. 1.

Stewes Bowds Whores

Tauernes

Hosteries

Iust. of P.

Inquis.

Imprisl.

11 Euerie Iuror from the Feast of the blessed Trinitie next comming, that shall be impanelled and returned within the said Countie of Middlesex, in any of the sayd Courts, in any of the sayd Actions, at euerie fourth day of the returne thereof, shall be demaunded and called. And that all persons impanelled in any of those Courts, that doth appeare at the said day, their apparance shall be recorded and there entred by the Court, and they shall

Apparance

shall be recorded and there entred by the Court, and they shall not be amerced nor lose any issues the same day in that suit. And it is ordained by the same authority, That every default, essoine, and every other delay of any person, plaintife or defendant in any such personall action by the law heretofore used, by this ordinance shall not be prejudiced nor taken away in any manner, but to be adiudged, adiourned, and allowed in as ample & large forme, as they were before the making of this Estatute. This ordinance notwithstanding. Anno 8. Eliz. cap. 3.

12 No Bailife nor none other Officer from henceforth shall returne in any panel any such person in any such sute, within this Realme, to be taken or put, in, or upon any such inquirie, in any of the said Courtes, but such as be of good name and fame, and having lands or tenements of freehold within the same Counties, to the yearely value of twentie shillings at the least, or else lands and tenements holden by the custome of the Manor, commonly called Copihold, within the said Counties, to the yearely value of xxvj.s. viij.d. above all charges at the least. And if any Bailife or other Officer within the said Counties, doe hereafter returne or impanell any person contrarie to this Estatute, he shall lose for every person so impanelled and returned, not being of the sufficiencie aforesaid, at every time that he offendeth xl.s. and the said Sherife other xl.s. The one halfe thereof to the King our Soueraigne Lord, and the other halfe to the partie that will sue in this behalfe. And every man that will sue for the same, shall haue their seuerall actions of debt for the same at the Common Law, as well against the Sherife as the said Bailife, and that such and like Proces be had and vsed in every of the same actions, as is had and vsed in other actions at the Common Law. And that no Protection nor Essoine be allowed in the same. And that euery such Indictment before any such Sherife in his turne otherwise taken, be void and of none effect. This Act to take effect at the first day of the said Parliament, and not before. Anno 1. R. 3. cap. 4. This Act was altered in part for the Shires of South. Surrey, and Sussex Anno 11. H. 7. cap. 26. and Anno 19. H. 7. cap. 16. But both these Statutes be expired, as appeareth next following.

13 Anno 11. H. 7. cap. 26. Was an Act made to endure to the next Parliament, that Sherifes in their Turnes, and in the Shires of South. Surrey, and Suffex, might returne Iurors of 5. s. freehold, or thirteene shillings foure pence copihold, and for lacke of such, other of no land. And after An. 19. H. 7. cap. 16. This Act was continued to endure to the next Parliament.

14 The Sherifes of London for the time being, haue full authoritie and power, to returne in panels or arrayes of all actions and suites now depending, or that shall depend in any of the said Courts or Exchequer, persons being Citizens, hauing goods to the value of one hundred pounds, to trie the issues ioyned, or to be ioyned in euerie such action or suit. And the persons so returned, hauing goods to the value of an hundred Marckes, or aboue, shall be sworne and doe in all such Iuries in like wise in euerie thing, as other persons shall doe, hauing lands and tenements of the yearely value of fortie shillings over all charges. And ouer that be it er. That the Sherifes of the said Citie for the time being, shall returne vpon the first distresse in euerie such action or suit vpon euerie of the Iurors impanelled to trie the issues thereof, twentie pence. And vpon the second distresse, vpon euerie of the same Iurors xl.s. And vpon euerie distresse after that vpon euerie of the same Iurors the double, till full Iurie in euery such action and suit shall appeare and be sworne to trie the issues ioined in the same. And that the Sherifs that shall make any returne vpon such distresse contrarie to the forme aforesaid, shall forfeit for euerie such default x.l. The one halfe thereof to be to the King, and the other halfe thereof to the partie that will sue therefore. And that the defendant in any such action be not admitted to wage his law nor Protection therein for him allowed. Anno 4. H. 8. cap. 3.

15 The sayd Act be expounded, interpreted, and taken, that the Sherifs for the time being, be bound to returne at euerie first distresse of Nisi prius, to be had at the said Sittings in every such action or suit, vpon euerie of the Iurors impanelled to trie the issues thereof, twentie pence, and vpon the second distresse of Nisi prius, vpon euerie of the same Iurors, fortie pence. And vpon euerie distresse of Nisi prius after that, euerie of the same Iurors the double, till a full Iurie in every such action and suit shall appeare and be sworne to trie the issue ioyned in the same. And that no Sherife of the said Citie or any other, any thing forfeit by force or colour of the sayd Statute, for any returne to be made, except onely vpon returnes to be made contrarie to the forme, declaration, interpretation, and exposition of this Estatute, that is to say, vpon writs of distresses before Iustices or Iustice of Nisi prius within the said Citie, and that vpon all other writs and Proceses that be and shall be awarded out of the said Courts of Exchequer, it shall be lawfull to the Sherifes for the time being, to make their returnes according to the order of the Law, as the Sherifes of London were wont to doe before the making of the said Estatute, without any losse or forfeiture. An. 5. H. 8. cap. 5.

16 Euerie person and persons being the Kings naturall subiects borne, which either by name of a Citizen, or of a Freeman, or any other name, doth enioy and vse the liberties and priuiledges of any Citie, Borough, or Towne Corporate, where he dwelleth and maketh his abode, being worth in moueable goods and substance to the cleere value of fortie pounds, bee from henceforth admitted in triall of murders and felonies, in euery Sessions and Gaole of deliuerie, to be kept and holden in and for the libertie of such Cities, Borough, and Townes Corporate, albeit they haue no freehold: Any Act, Statute, vse, custome or ordinance to the contrarie hereof notwithstanding. Prouided alway, That this Act do not extend in any maner of wise to any Knight or Esquire dwelling, abiding,

First distresse xx. s.

Second iij. s. iiij. d.

Fort.

Moitie

Sheriffe

Nisi prius

iij. s. iiij. d.

Returnes

Citizens

Triall of Murder Felonie

No freehold

Knight Esquire

biding, resorting in or to any such Citie or Borough corporate: Any thing in the same Act mentioned or declared, to the contrary not withstanding. Anno 23. H. 8. cap. 13.

17 In euerie case where such persons as should passe vpon the triall of any issue ioyned in any of the Kings Courts of Records, commonly holden at Westminster, ought by Law to dispend fortie shillings by the yeare, of Freehold, for terme of life, that the Writs of Venire facias which from and after the first day of Aprill next comming shall bee awarded and directed for the impanelling of such persons as shall trie the same issue, shall bee in this forme. Rex &c. Præcipimus &c. quod venire facias coram &c. xij. liberos & legales homines de visn. de B. quorum quilibet habeat quadraginta solid' terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit. Et qui nec &c. And so forth the residue of the said Writ after the auncient forme. And in euerie case where it is not requisite, that the persons that shall passe vpon the triall of any issue ioyned in any of the Kings Courts aforesaid, shall dispend xl. s. by the yeare of Freehold, that then the writs of Venire facias that shall be awarded after the sayd first day of Aprill, shall be made after the forme aforesaid, omitting this clause, Quorum quilibet habeat quadraginta solid' terræ, tenement' vel reddituum per annum ad minus. And that vpon euerie such writ and writs of Venire facias that shall haue the said clause, Quorum quilibet &c. the Sherife or other minister or ministers, to whom the making of the panell shall appertaine, shall not returne in any such panell any person, vnlesse he may dispend fortie shillings by the yeare at the least, of estate of Freehold out of ancient demesne within the countie where the issue is to be tried: And also shall returne in euerie such panell vpon the same Venire facias, six sufficient Hundredors at the least, if there be so many Hundredors within the sayd Hundred where the venue lyeth, vpon paine to forfeit for euery person being returned in any such panell, that cannot dispend xl. s. by the yeare, as is aforesaid, xx. s. And for euerie Hundredor that shall be omitted in such returne of the number aforesaid, xx. s. And in euerie writ of Venire facias wherein the sayd clause, Quorum quilibet &c. shall be omitted, the Sherife or other minister or ministers to whom the making of the panell shall appertaine, shall not returne in any such panell any person vnlesse he may dispend some lands or tenements of estate of Freehold, out of ancient demesne within the countie where the issue is to be tried, and also shall returne in euerie such panell vpon the same Venire facias, six sufficient Hundredors at the least, if there be so many Hundredors within the said Hundred where the venue lyeth, vpon like paine as is aforesaid. And further more be it &c. That vpon euerie first writ of Habeas corpora, or Distringas, with a Nisi prius, deliuered of Record to the Sherife or other minister or ministers, to whom the making of the returne shal appertaine, the said Sherife and other minister and ministers shall from and after the said first day of Aprill, returne in Issues vpon euerie person impanelled and returned vpon any such writ, at the least fiue shillings. And at the second writ of Habeas corpora or Distringas with a Nisi prius, vpon euerie person impanelled or returned vpon any such writ, ten shillings at the least. And at the third writ of Habeas corpora or Distringas with a Nisi prius, that shall be further awarded vpon euerie person impanelled and returned vpon any such writ, thirteene shillings foure pence. And vpon euerie writ that shall be further awarded to trie any such issues, to double the issues last before specified, vntill a full Iurie be sworne, or the Pleaces otherwise ceased or determined, vpon paine to forfeit for euerie returne to bee made contrarie to the forme aforesaid, fiue pounds. And for a more speciall triall of issues to be tried by the verdict of twelue men hereafter to be had: Be it &c. That in euerie such writ of Habeas corpora or Distringas with a Nisi prius, where a full Iurie shall not appeare before the Iustices of Assise or Nisi prius, or else after apparance of a full Iurie, by challenge of any of the parties, the Iurie is like to remaine vntaken for default of Iurors, that then the same Iustices vpon request made by the partie plaintife or demandant, shall haue authoritie by vertue of this Act, to commaund the Sherife or other minister or ministers to whom the making of the said returne shall appertaine, to name and appoint as often as need shal require, so many of such other able persons of the said Countie then present at the said Assises or Nisi prius as shal make vp a full Iurie, which persons so to be named and impanelled by such Sherife or other minister or ministers, shall be added to the former panel, and their names annexed to the same. And that euerie of the parties shall and may haue his or their challenge to the Iurors so named, added, and annexed to the said former panel by the said Sherife or other minister or ministers, in such wise as if they had bene impanelled vpon the Venire fac. awarded to trie the sayd issue. And that the said Iustices shall and may proceed to the triall of euerie such issue with those persons that were before impanelled & returned, and with those lately added & annexed to the said former panel, by vertue of this Act, in such wise as they might or ought to haue done, if all the said Iurors had bene returned vpon the writ of Venire facias awarded to trie the said issue. And that all and euerie such triall had after the first day of April, shall be as good and effectuall in the law, to all intents, constructions, and purposes, as if such triall had ben had and taied by the one of the Iurors impanelled and returned vpon the writ of Venire facias awarded to trie such issue. And in case such persons as the said Sherife, minister or ministers shall name and appoint as is aforesaid, or any of them, after they shal be called, be present & do not appeare, or after his or their apparance, doe wilfully withdraw him or themselues from the presence of the Court: That then such Iustices shall and may set such fine vpon euerie such Iuror refaultie or wilfully withdrawing himselfe as is aforesaid, as they shall thinke good by their discretions: the said fine to be leuied in such maner and forme, as issues forfeited

xl. s. Freehold. Venire facias

Sherife

Auncient demesne

Fol.

vj. Hundredors

Issues

xx. s.

xx. s.

Fine

feited & lost by Iurors for default of their apparāce at the Common law, hath bin accustomed to be leuied. And be it &c. That where any Iurie that shal be returned by the Sherife or other minister or ministers, shall be made full by the commaundement of the Justices by vertue of this present Act, that yet neuertheleſſe such persons as were returned in the said panell by the Sherife or other minister or ministers to trie any such issue that shall not appeare, but make default, shall lose the issues vpon them returned, in such wise as though the same Iurie had remained for default of Iurors. Prouided alway, and be it &c. That vpon a reasonable excuse for the default of apparance of any Iuror or Iurors, sufficiently proued before the Justices of Assise or Nisi prius, at the day of their apparance by the oathes of two lawful and honest witnesses, that the same Justices shall haue authoritie by their discretions to discharge euerie such Iuror of euerie such forfeiture of issues vpon him returned. And that the Sherife and Sherifes or other minister or ministers, hauing commandement by the said Justices to omit the returning of such issues, as is aforesaid, vpon such Iuror or Iurors, shall be therein discharged of the penalties aforesaid, for the non returning of the said issues, and that yet notwithstanding the said returne to be good and effectual in the Law: any law, vsage, or custome to the contrarie notwithstanding. Prouided also, That if the said Justices, afore whom any such Iurie should appeare in the County where such issue is to be tried by vertue of a writ of Nisi prius, do not come at the day and place appointed, but that the Assise or Nisi prius for that time shal be discontinued for not comming of the said Justices, or for any other occasion, other then by default and lacke of Iurors: That then euerie one of the same Iurors shall be discharged for forfeiting of any issues vpon him returned in the same writ. And the Sherife or other minister or ministers, shall be likewise discharged of the penalties of this Estatute, for the non returning of such issues as are before limited in this Act: Any article or sentence herein cõtained to the contrarie notwithstanding. And be it &c. That if vpon any such writ of Habeas corpora or Distringas with a Nisi prius, issues be returned vpõ any Hundredors, Iuror or Iurors, by the Sherife or other minister or ministers, to whom the execution of the same writ or writs shall appertaine, whereas the same Hundredors and Iurors shall not be lawfully summoned, warned or distrained in that behalf: That then euerie such Sherife or other minister or ministers aforesaid, shal lose for euerie such offence committed, double so much as the said issues returned vpon such Hundredors or Iurors not lawfully summoned, warned, or distrained, shall amount vnto: the moitie of all which forfeitures contained in this present Act, other then the issues to be returned vpon the Iurors as is aforesaid, shall be to the King, and the other halfe to him that will sue for the same by action of debt &c. in which &c. hauing to all manner of persons and bodies politicke and corporate, their heires and successors, (hauing lawfull right, title, and interest, to haue such issues, to be before any such Justices of Assise, or Nisi prius, at any time or times hereafter lost or forfeited) all such right, title, and interest, as they or any of them should or might haue had to such issues to be lost and forfeited, as though this Act had neuer bene had or made. Prouided also, That this Act nor any thing therein contained, shall not extend to any Citie or Towne corporate, or to any Citie Sherife, minister or ministers in the same, for the returne of any Inquest or panell to be made and returned of persons inhabiting in the said Cities or Townes corporate, but that they and euerie of them, shall and may returne such persons in euery Returne such Inquest or panell, as before this time they might and haue bene accustomed to doe, and as if this Act had neuer bene had or made, so that the same Sherife, minister or ministers returne vpon such persons as shall be impanelled, like issues as are mentioned in this Act: Any thing in the same to the contrarie notwithstanding. This Act to endure to the end of the next Parliament. An. 35. H. 8. cap. 6. This Act is continued 37. H. 8. cap. 22. and after 2. E. 6. cap. 32. is made perpetuall.

18 Be it enacted &c. That from and after the first day of June next comming, Justices of Assise Iust. of Ass. and Nisi prius, before whom any triall shalbe made by vertue of any writ of Habeas corpora or Distringas with a Nisi prius, where a full Iurie shall Habeas corp. Distringas not appeare, or after apparance of a full Iurie, by Full Iurie challenge the Iurie is like to remaine vntaken for Challenge default of Iurors, shall haue authoritie by vertue of this Act, vpon request made for the King and Quene, her heires or successors, by any authorized thereunto or assigned by the Justices of the Court before whom the said Inquest shall be taken, or vpon request made by the partie that followeth as well for the King and Quene, her heires and successors, as for himselfe vpon any penall Statute, Penall statute or his or their Atturney, to commaund the Sherife Sherife or other minister or ministers to whom the making of the said returne shall appertaine, to name and appoint as often as need shall require, so many of such able persons of the said countie then present at the said Assises, or Nisi prius, and to adde and annexe the names to the former panell, as shall make a full Iurie of twelue men for the triall of euerie such issue. And that all and euerie clause, sentence, article, and proviso, comprised in the sayd former Act (s. the Act of 35. H. 8.) shall be taken, interpreted and expounded to giue the like and the same aduantage and commoditie to the King and Quenes Maiesties, her heires and successors, and all and such person and persons, as shall pursue any action, bill, plaint, or information, for the King and Quenes Maiesties, her heires and successors onely, or for them & the partie, as the partie plaintife in any other action, should or might haue by vertue of the said Act, in forme and condition, to all intents and purposes, as if such actions or suits for the King had bene specially and particularly mentioned and declared in the said Act. An. 4. & 5. P. & M. cap. 7.

19 Be it enacted, That in euerie of the Shires of Wales, that is to say, Pembroke, Karmarthen,

Car-

Cardigan, Brecknocke, Radnor, Glamorgan, Mountgomerie, Denbigh, Flint, Merioneth, Angleſey, Carnaruan, and in the County palantine of Cheſter, and in the ſaid Countie palantine of Durham, and in the ſaid Countie palantine of Lancaſter, where a full Iurie ſhall not appeare before the Iuſtices of the great ſeſſion in any of the ſaid ſhires or Counties Palantines, or their deputies there, or elſe after apparance of a full Iury, by challenge of any of the parties, the Iurie is like to remaine vntaken for the default of Iurors: that then the ſame Iuſtices in euery of the ſame ſhires and Counties palantines for the time being, or their deputie or deputies, vpon requeſt made by the party plaintife or demaundant, ſhall haue full authority by vertue of this act, to commaund the Shirife or other miniſter or miniſters to whom the making of the ſaid returne ſhall appertaine, to name and appoint as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid Counties then preſent at the ſaid great Seſſion, as ſhall make vp a full Iurie, which perſons, ſo to bee named and impanelled by ſuch Shirife or other miniſter or miniſters, ſhall be added to the former panell and their names annered to the ſame. And that euery of the parties ſhall and may haue his or their challenge to the Iurors ſo named, added and annered to the ſaid former panel by ẏ ſaid ſhirife or other miniſter or miniſters, in ſuch wiſe as if they had bin impanelled vpon that Venire facias, awarded to trie the ſaid iſſue. And that the ſaid Iuſtices, & euery of them, & their deputie or deputies, ſhal and may proceed to ẏ trial of euery ſuch iſſue with thoſe perſons that were before impanelled & returned, & with thoſe newly added & annered to ẏ ſaid former panell, by vertue of this act, in ſuch wiſe as they might or ought to haue done, if all the ſaid Iurors had bin returned vpon the writ of Venire facias, awarded to try the ſaid iſſue. And that all and euery ſuch tryall had, ſhall be as good and effectuall in the law, to all intents, conſtructions and purpoſes, as if ſuch tryall had beene had and tryed by ry. of the Iurors impanelled and returned vpon the the writ of Venire facias awarded to try ſuch iſſue. And in caſe ſuch perſons as the ſaid ſhirife, miniſter or miniſters ſhall name and appoint as is aforeſaid, or any of them, after they ſhall be called, be preſent and do not appeare, or after his or their apparance doe wilfully withdraw him or themſelues from the preſence of the Court, that then ſuch Iuſtices or their deputies, ſhall and may ſet ſuch fine vpon euery ſuch Iuror making default or wilfully withdrawing himſelfe as is aforeſaid, as they ſhall thinke good by their diſcretion, the ſaid fine to be leuied in ſuch maner and forme, as iſſues forfeited and loſt by Iurors for default of their apparance, as is prouided by the law and cuſtome of the ſayd countries of Wales, and Counties palantines aforeſaid where ſuch iſſues are forfeited. And be it further enacted by the authoritie aforeſaid, that where any Iurie that ſhall be returned by the ſhirife or their miniſter or miniſters, ſhall bee made full by the commandement of the ſayd Iuſtices or other deputies, by vertue of this preſent act, that yet neuertheleſſe ſuch perſons as were returned in the ſaid panell, by the ſhirife, or other miniſter or miniſters, to try any ſuch iſſue, that ſhall not appeare, but make default, ſhall loſe the iſſues vpon them returned, in ſuch wiſe as though the ſame Iury had remained for default of Iurors. Prouided alwaies, and be it further enacted, that vpon a reaſonable excuſe for the default of apparance of any Iuror or Iurors, ſufficiently proued before the Iuſtices of the great Seſſions, or their deputies, in the Countries and Counties palantines aforeſaid, at the day of their apparance, by the oathes of two lawfull and honeſt witneſſes, that the ſame Iuſtices ſhall haue authority by their diſcretions to diſcharge euery ſuch Iuror of euery ſuch forfaiture of iſſues vpon him returned. And that the ſaid ſhirife or ſhirifes, or other miniſter or miniſters, hauing commandement by the ſaid Iuſtices, to omit the returning of ſuch iſſues, as is aforeſaid, vpon ſuch Iuror or Iurors, ſhall be therein diſcharged of the penalties aforeſaid, for the nonreturning of the ſaid iſſues, and that yet notwithſtanding, the ſaid returne to be good and effectuall in the law: any law, vſage, or dinance, or cuſtome to the contrary notwithſtanding. Prouided alſo, and be it enacted by the authority aforeſaid, that if the ſaid Iuſtices or their deputies, afore whom any ſuch Iurie ſhould appeare in the ſhires or counties palantines where ſuch iſſues are to be tried, do not come at the day and place appointed: that then euery one of the ſame Iurors ſhall be diſcharged for forfeiting of any iſſues vpon him returned in the ſame writ. And the ſhirife or other miniſter or miniſters, ſhall bee likewiſe diſcharged of the penalties of this eſtatute, for the nonreturning of ſuch iſſues, as are before limited in this act: any article or ſentence herein contained to the contrarie notwithſtanding. And alſo be it further enacted by the authoritie aforeſaid, that if vpon any ſuch Writ of Habeas corpora or Diſtringas, iſſues be returned vpon any Hundredors, Iuror or Iurors, by the ſhirife, or other miniſters, to whom the execution of the ſame writ or writs ſhall appertaine, whereas the ſame hundredors and Iurors ſhall not be lawfully ſummoned, warned or diſtrained in that behalfe: that then euery ſuch ſhirife or other miniſter or miniſters aforeſaid, ſhall loſe for euery ſuch offence ſo committed, double ſo much as the ſaid iſſues returned vpon ſuch Hundredors or Iurors not lawfully ſummoned, warned or diſtrayned ſhall amount vnto: the moitie of all which forfeitures contained in this preſent act (other then the iſſues to bee returned vpon the Iurors, as is foreſaid) ſhall bee to the Queene our ſoueraigne Lady, her heires and ſucceſſors, and the other halfe to him that will ſue for the ſame, by action of debt, bill, plaint or information, in the Queene her graces great court within the ſaid countie, where ſuch forfeiture ſhall happen to be, before the ſaid Iuſtices, his or their deputie or deputies, in which no wager of law, nor ſoine or protection ſhall be allowed ne admitted. Sauing to all maner of perſons and bodies politike and corporate, their heires and ſucceſſors (hauing

Countie Palantines

Challenge

Tales

Iuſtices

Venire facias

Appeare Depart without licence Fine

Exon

Witneſſes

Diſcre

Iuſtices not come

Habeas

Forfeiture

Shall

Moitie

Queene

Bodies politike

ting lawfull right, title and intereſt to haue ſuch iſſues to be before any ſuch Iuſtices or their deputies at anytime or times hereafter loſt and forfeited) all ſuch right, title and intereſt, as they or any of them ſhould or ought to haue had to ſuch iſſues to be loſt and forfeited, as though this Act had neuer béene had or made. Prouided alſo, That this Act, nor any thing therein cõtained, ſhal not extend to any Citie or Towne corporate, or to any Sheriff, Miniſter or Miniſters in the ſame, for the returne of any Inqueſt or panell, to be made and returned of perſons inhabiting in the ſaid Cities or Townes Corporate, but that they and euerie of them, ſhall and may returne ſuch perſons in euery ſuch Inqueſt or panell, as before this time they might and haue beene accuſtomed to doe, and as if this Act had neuer béene or made, ſo that the ſame Sheriffe, Miniſter or Miniſters returne vpon ſuch perſons as ſhall be impanelled, ſuch like and reaſonable iſſues as they ought to returne: Any thing in the ſame contained to the contrarie notwithſtanding. Anno 5. Elizab. cap. 25. See Triall 4. & 12. what ſtrangers ſhall and may be Iurors.

20 For the auoyding of great and chargeable delayes oftentimes happening vnto tenants and defendants: Be it enacted, That in all caſes where as the partie plaintife or demaundant by any Statute heretofore made, may haue vpon his or their requeſt made vnto the Iuſtices of Niſi prius within this Realme of England, or to the Iuſtices of Oier, or of Aſſiſes, of the twelue Shires of Wales and the Counties Palantines of Lancaſter, Cheſter and Durham, a Tales de circumſtantibus, that in all and euerie ſuch caſe and caſes, the partie and parties, tenants, actors and aduowants and defendants (if the plaintifes or demaunuants ſhall vpon the calling of the principall panell or Iurie, forbeare or refuſe to pay the ſame) ſhall and may vpon his or their requeſt or deſire, haue vpon the ſame Record, and by the ſame Iuſtices, the Tales or Taleſſes vnto them granted in like manner forme and degrée to all reſpects & purpoſes, as the plaintife or demaundant in any ſuit or action may haue the ſame, by any Statute or ordinance heretofore made or ſet forth, and the rather for the ſpedie triall of the iſſue and iſſues ioyned or hereafter to be ioyned in any plea, ſuit or action: Any Law, cuſtome, or vſage heretofore vſed to the contrarie thereof in any wiſe notwithſtanding. Prouided alſo, and bée it further enacted by authoritie aforeſaid, That in all popular actions, informations, bils, or ſuits commenced or had, or hereafter to bée commenced or had in any the Quéenes Maieſties Courts of Record, vpon any penall Lawes or Statutes, wherein any perſon doth or ſhall ſue, or proſecute or informe as well for the Quéenes Maieſtie, her heires and ſucceſſors, as by himſelfe, whereupon iſſue is or ſhalbe ioyned to be tried by the countrey, that therin the partie defendant or defendants ſhal be admitted to pray and haue a Tales de circumſtantibus, as in other caſes aforeſaid. An. 14. Eliz. cap. 9.

21 Be it ordained and enacted &c. That in all caſes where any Iurors to be returned for triall of any iſſue or iſſues, ioyned in any of the Quéenes Maieſties Courts of the Kings Bench, Common plées, or the Exchequer, or before Iuſtices of Aſſiſe by the Lawes of this Realme now in force, ought to haue eſtate of freehold in lands, tenements, or hereditaments, of the cleere yearely value of fortie ſhillings: that in euerie ſuch caſe, the Iurors that ſhall be returned from and after the end of this preſent Seſſion of Parliament, ſhall euery of them haue eſtate of freehold, in lands, tenements, or hereditaments, to the cleere yearely value of foure pounds at the leaſt. And that the writs of Venire facias, which from and after the end of this preſent Seſſion of Parliament, ſhall be awarded and directed for the impanelling of Iuries in the caſes aforeſaid, ſhall be in this forme. Regina &c. Præcipimus &c. quod venire facias coram &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius ſciri poterit. Et qui nec &c. and ſo forth the reſidue of the ſaid writ after the ancient forme. And that vpon euery ſuch writ and writs of Venire facias, the Sheriffe or other miniſters, vnto whom the making of the panell ſhal appertaine, ſhall not returne in any ſuch panell any perſon, vnleſſe he may diſpend foure pounds in the yeare at the leaſt, of freehold out of auncient demeſne, within the Countie where the iſſue is to be tried, vpon paine to forfeit for euerie perſon being returned in any ſuch panell, that cannot diſpend foure pounds freehold, as is aforeſaid twentie ſhillings. And further be it enacted by the authoritie aforeſaid, that vpon euery firſt writ of Habeas corpora or Diſtringas with a Niſi prius deliuered of Record to the Shiriſe or other Miniſter or Miniſters, to whome the making of the returne ſhall appertaine, ſhall from & after the twentieth day of May next inſuing, returne in iſſues vpon euery perſon impanelled and returned vpon any ſuch writ at the leaſt ten ſhillings. And at the ſecond writ of Habeas corpora or Diſtringas with a Niſi prius, vpon euery perſon impanelled and returned vpon any ſuch writ twenty ſhillings at the leaſt, and the third writ of Habeas corpora, or Diſtringas, with a Niſi prius that ſhall be further awarded vpon euerie perſon impanelled and returned vpon any ſuch writ thirty ſhillings. And vpon euerie writ that ſhall be further awarded to try any ſuch iſſues, to double the Iſſues laſt afore ſpecified, vntill a full Iurie be ſworne or the Proces otherwiſe ceaſed or determined, vpon paine to forfeit for euery returne of Iſſues contrarie to the forme aforeſaide, fiue poundes. And be it further enacted, that if any Shiriſe, Vnder-ſhiriſe, Bailife, or other Miniſter, from and after the end of this preſent ſeſſion of Parliament, doe returne any perſon or perſons to be ſummoned to appeare in any Iurie, wherein he ſhall for default of his apparance loſe and forfeit any iſſues, where in truth ſuch perſon ſhall not bée lawfully ſummoned: That then the ſame Shiriſe, Vnderſhiriſe, Bailife, or other miniſter, by whoſe default ſuch perſon ſhall be returned ſummoned

Forf. as aforeſaid, ſhall forfeit, loſe, and pay vnto the ſaid perſon and perſons ſo returned, double the value of the iſſues by ſuch Iurors or Iurors loſt or forfeited for his default of apparance. And be it further enacted by the authoritie aforeſaid, That if any Sherife, Vnderſherife, Sherifes deputie, Sherife or Vnderſherifs Clerke, or any Bailife of Franchiſe, ſhall at any time after the end of this preſent Seſſion of Parliament, receiue, take, or haue by himſelfe, or by any other, any ſumme of money, reward, or any other profit directly, or indirectly, or doe take any promiſe, make agreement or aſſent to haue any ſumme of money, reward or other profit, directly or indirectly, of any perſon or perſons, for the ſparing, not warning, or not returning of any perſon to be ſworne as a Juror, for the triall of any iſſue ioyned, or to be ioyned in any of the Quéenes Maieſties Courts aforeſayd, or before any Iuſtices: That then euerie Sherife, Vnderſherife, Sherifes deputie, Sherife or Vnderſherife his Clerke, or Bailife of Libertie or Franchiſe ſo offending, to forfeit for euerie ſuch offence the ſumme of fiue pounds: The one moitie thereof to our Soueraigne Ladie the Quéenes Maieſtie, and the other moitie thereof to ſuch perſon and perſons as will ſue for the ſame in any Court of Record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of law ſhall be allowed to the defendant. And further bée it ordained and enacted the authoritie aforeſayd, That from and after the end of this preſent Seſſion of Parliament, at or vpon the triall of any iſſue ioyned in any perſonall action, no further challenge for the Hundred ſhall be admitted, if two ſufficient Hundredors doe appeare at and vpon the triall of ſuch iſſue. Prouided neuertheleſſe, That all other challenges principall, or for other cauſe, ſhall be admitted, allowed, and tried in ſuch order and forme, as if this Act had neuer béene had or made. Prouided alſo, That this Act ſhall not extend to any Iuries or Iſſues to be returned in any Citie or Towne corporate, or other Towne or place priuileged to hold plea, or in the twelue Shires of Wales, but that they ſhall and may bée returned, as heretofore they lawfully might haue béene: This Act or any thing therein contained to the contrarie in any wiſe notwithſtanding. Anno 27. Eliz. cap. 6.

Sherife Clerke Baylife

Reward

Forf.

Challenge

Hundredors

Challenge

Cities Townes corporate Wales

Iuſtice and right, and Iuſtices.

Commaundements

THat it ſhall not be commaunded by the great Seale nor the little Seale, to diſturbe or delay common right. And though ſuch commandements doe come, the Iuſtices ſhall not therefore ceaſe to doe right in any point. An. 2. E. 3. cap. 8.

Oath

2 Ye ſhall ſweare, that well & lawfully ye ſhall ſerue our Soueraigne Lord the King, and his people, in the Office of Iuſtice, and that lawfully yée ſhall counſell the King in his buſineſſe, and that ye ſhall not counſell nor aſſent to any thing which may turne him to dammage or diſheriſon by any manner way or colour, and that ye ſhall not know the dammage or diſheriſon of him, whereof ye ſhall not doe him to bée warned by your ſelfe or by other, and that ye ſhall doe euen law and execution of right to all his ſubiects rich and poore, without hauing regard to any perſon. And that yée take not by your ſelfe or by other, priuily nor apertly, gift or reward of gold or ſiuer, nor of any other thing which may turne to your profit, vnleſſe it be meat or drinke, and of ſmall value, of any man that ſhall haue any Plée or Proces hanging before you, as long as the ſame Proces ſhall be ſo hanging, nor after the ſame cauſe. And that ye take no fée, as long as ye ſhall be Iuſtice, nor robes of any man great nor ſmall, but of the King himſelfe. And that yée giue none aduiſe nor counſell to no man great nor ſmall, in no caſe where the King is partie. And in caſe that any, of what eſtate or condition they be, come before you in your Seſſions, with force and armes, or otherwiſe againſt the peace, or againſt the forme of the Statute thereof made, to diſturbe execution of the common law, or to menace the people, that they may not purſue the law, that ye doe their bodies to be arreſted, and put in priſon. And in caſe they bée ſuch, that ye may not arreſt them, that ye certifie the King of their names, and of their miſpriſion haſtily, ſo that he may thereof ordaine a conuenable remedie. And that ye by your ſelfe, nor by other priuily nor apertly, maintaine any plée or quarell hanging in the Kings Court, or elſewhere in the countrey. And that ye denie to no man common right, by the Kings letters, nor none other mans, nor for none other cauſe: And in caſe any letters come to you contrarie to the Law, that ye doe nothing by ſuch letters, but certifie the King thereof, and goe forth to doe the law, notwithſtanding the ſame letters. And that ye ſhall doe and procure the profit of the King, and of his Crowne, with all things wherr ye may reaſonably doe the ſame. And in caſe ye be from henceforth found in default in any of the points aforeſaid, ye ſhall be at the Kings will, of bodie, lands, and goods, thereof to be done as ſhall pleaſe him, as God you helpe and all Saints. An. 18. E. 3. Stat. 3.

3 We greatly moued of conſcience in this matter, and for this cauſe deſiring as much for the pleaſure of God and quietneſſe of our ſubiects, as to ſaue our conſcience, and for to ſaue and kéepe our ſaid oath: By the aſſent of the great men, & other wiſe men of our Counſell, wée haue commaunded all our Iuſtices, that they ſhall from henceforth do euen law and execution of right to all our ſubiects, rich as poore, without hauing regard to any perſon, and without letting to doe right for any letters or commaundement, which may come to them from vs, or from any other, or by any other cauſe. And if that any letters, writs or commaundements come to the Iuſtices, or to other deputed to doe law and right, according to the vſage of the Realme, in diſturbance of the Law, or of the execution of the ſame, or of right to the partie: The Iuſtices and other aforeſaid ſhall proceed and hold their Courts and Proceſſes, where the plées and matters be depending before them, as if no ſuch letters, writs, or commaundements were commen to them.

And

And they ſhall certifie vs and our Counſell of ſuch commaundements which be contrarie to the Law as afore is ſaid. And to the intent that our Iuſtices ſhould doe euen right to all people in the manner afore ſaid, without more fauour ſhewing to one more then to another, We haue ſworne our ſaid Iuſtices to be ſworne, that they ſhall not from henceforth, as long as they ſhall be in Office of Iuſtice, take fee nor robe of any man but of our ſelfe. And they ſhall take no gift nor reward by themſelfe nor by others, priuily nor apertly of any man that hath to doe before them by any way, except meat and drinke, and that of ſmall valure. And that they ſhall giue no counſell to great men nor ſmall, in cauſes where we be partie, or which doe or may touch vs in any point, vpon paine to be at our will, both bodie, lands, and goods, to doe therof as ſhall pleaſe vs, in caſe they do the contrarie. And for this cauſe we haue increaſed the fees of the ſame our Iuſtices, in ſuch manner, that it ought reaſonably to ſuffice them. An 20.E.3.ca.1.

2 In the right of the Barons of the Eſchequer, we haue expreſſly charged them in our preſence, that they ſhal do right and reaſon to all our ſubiects great and ſmall: And that they ſhall deliuer the people reaſonably and without delay, of the buſineſſe which they haue to doe before them, without vndue tarying, as hath béene done in times paſt. An 20 E.3.cap.2.

3 Item wee haue ordained, that all they which ſhall be Iuſtices aſſigned by Commiſſion to heare and determine, and ſuch as ſhall be aſſociate to them, And alſo Iuſtices of Aſſiſes to be taken in the countrey, and of gaole deliuerie, and ſuch as ſhall be aſſigned and aſſociate to them, ſhall make firſt ſuch an Othe in certaine points, according as to them ſhall be enioyned by our Counſaile, or our Chancerie, before that any Commiſſion be to them deliuered. An 20.E.3.cap.2.

6 Be it enacted, That no perſon to whom any order or cauſe ſhall be committed or referred, by any of the Kings Iudges or Courts at Weſtminſter, or any other Court, ſhall directly, or indirectly, or by any Art, Shift, Colour or Deuice, haue, take or receiue any Money, Fée, Reward, Couenant, Obligation, Promiſe, Agréement, or any other thing, for his Report or Certificate by Writing, or otherwiſe, vpon paine of the Forfeiture of 100.l. for euery ſuch Report or Certificate, and to be depriued of his Office and Place in the ſame Court: The one moitie of the ſaid Forfeitures to be to our Soueraigne Lord the King, his Heires and Succeſſors: The other moitie to the partie grieued, which, will ſue for the ſame, at any time during the ſaid Suite, or within one yere after the ſame cauſe diſcontinued, or decréed, and in his default of ſuch Suite, to him or them that will ſue for the ſame, by Originall Writ, Bill, Plaint or Information, in his Maieſties high Court of Star-chamber, or in any his Maieſties Courts of Record at Weſtminſter, in which Suit, by Writ, Bill, Plaint, or Information, no Wager of Law, Eſſoine, Priuiledge, Superſedeas, Protection, or any other delay ſhall bée ſuffered or admitted. Prouided neuertheleſſe, That it ſhall be lawfull for the Clerke, to take for his paines for writing of euery ſuch Report or Certificate, xij.d. for the firſt ſide, and vj.d. for euery ſide after, and no more, vpon paine to forfeit 10.s. for euery penie, taken ouer and aboue the ſaid ſumme, to bee had and recouered, as afore ſaid. Anno 1. Iacobi cap. 10.

Clerke

Iuſtices in Eire.

Iuſticers in Eire from henceforth ſhal not amerce Townethips in their circuits, becauſe all being xij yeeres old came not afore the Shiriſes and Coroners, to make inquirie of robberies, burnings of houſes, or other things pertaining to the crown, ſo that there come ſufficient out of thoſe townes, by whom ſuch Inqueſts may be made full, except Inqueſts for the death of man, whereat all being xij. yéeres of age ought to appeare, vnleſſe they haue reaſonable cauſe of abſence. Marleb.ca.24. An.52.H.3.

Amerce townethips
Shiriſes
Inquire
Inqueſt
xij Yeeres old

2 Foraſmuch as the common fine and amerciament of the whole Countie in Eire of the Iuſticers, for falſe iudgements, or for other treſpaſſes, is vniuſtly aſſeſſed by ſhiriſes and extortioners in the ſhires, ſo that the ſame is many times increaſed, & the parcels otherwiſe aſſeſſed then they ought to bée, to the damage of the people, which be many times paied to the ſhiriſes and extortioners, which do not acquite the payers: It is prouided, and the king will, that from henceforth ſuch ſums ſhall bée aſſeſſed before the Iuſticers in Eire afore their departure, by the Othe of knights and other honeſt men, vpon all ſuch as ought to pay. And the Iuſtices ſhall cauſe the parcels to bee put in their eſtreats, which ſhall be deliuered vp into the Eſchequer, and not the whole ſumme. Weſtminſt. 1.cap.18. An.3.E.1.

Amerce
Falſe iudgement
Shiriſes
Extortioners
Knights
Eſtreats
Eſchequer

3 Whereas in the circuit of Iuſticers it was proclaimed, that all ſuch as would deliuer writs, ſhould deliuer them within a certaine time, after which no writ ſhould be receiued, many truſting vpon the ſame, and tarying vntill the ſaid time, and no writ ſerued vpon them, departed by licence of the ſaid Iuſticers: after whoſe departure, their aduerſaries perceiuing their abſence deliuered their writs in ware, which many times by fauour, and ſometimes for rewards be receiued of the ſhiriſes, and they that thought to haue departed quit, loſt their lands. For the remedie of ſuch fraud, from henceforth the King hath ordained that the Iuſticers in their circuites, ſhall appoint a time of xv. daies or a Moneth, or a time more or leſſe (after as the Countie ſhal happen to be more or leſſe,) within which time it ſhall be openly proclaimed, that all ſuch as will deliuer their writs, ſhall deliuer them before the ſame time. And when the time commeth, the ſhiriſe ſhal certifie the Chapiters before the Iuſticers in Eire, how many writs bée hath, & what, and that no writ be receiued, after the ſame time, and if it bée receiued, the proceſſe iſſuing thereupon ſhall be of none effect, but onely that a Writ abated any time during the circuit ſhall be amended.

Writs
Licence
Fraud
xv. dayes
Proclamation
Shiriſe Certificate
Writ abated
Amend

Dower Also writs of Dower, of men that dyed within the
Darr. ine pref. summons of the circuit, Assises of Darreine pre-
Quare imped. sentment, Quare impedit, of Churches vacant
within the foresaid summons, shall be receiued at
any time before the departure of the Iusticers. Al-
Nouel diss. so writs of Nouel disseisin shall be receiued in the
circuit of Iusticers. West. 2. cap. 10. An. 13. E. 1.

4 At the beginning of the Iustices circuit about
Oath the Oath: Thou shalt know, that in the first com-
Writ ming of the Iustices in their circuit, the writ shall
be read in the open Court, by the which their au-
thoritie is granted vnto them. Moreouer it shall
be commaunded, that nothing shall be done in the
Towne, or in the Countie, vnlesse it be before the
Iustices, or in the Citie, by reason of their com-
Faires ming. And that no Faires neither Markets bee
Countie kept, but that the Countie be holden onely to doe
profters, but no plee shall be pleaded therein, but a
Writ of right. writ of Right, and Appeale of the death of a man.
Appeale Moreouer, it shall be commaunded, that no Hoste-
Hosterie rie be hired, but be granted freely to them that come.
Sherife The Oath of the Sherifes & other Officers. This
Oath oath shall be made by the Sheriues and Vnder-
sherifes: This heare you Iustices, that I shall law-
fully doe the Office which is belonging to my
Countie, and to me as a Sherife, and that I will
not leaue for rich nor for poore, neither for loue nor
for gaine, but that I will lawfully doe it: so God
me helpe and his Saints. This oath shall be made
by the Ministers of the Sherifes when they shall
Knights elect two knights: This heare you Iustices, that
I shall lawfully chuse two knights, and two other
honest men of the hundred of N. which are not
appealors nor appealees, nor maintenors of plees
which touch the Crowne, and which best know
and will doe that, which shall be commanded them
on the Kings behalfe, and wil not leaue that which
to my knowledge I ought lawfully to do: so God
Oath me helpe and his Saints. This oath shall be made
by the Knights chosen by the foresayd ministers:
This heare you Iustices, that we shall lawfully
chuse, as well of our selues as of other honest men
of our Hundred, which shall best know, and will
and may say the truth of that which shall bee de-
maunded them on the Kings behalfe, and which
are not appealors, nor appealees, nor maintainors
of plees which touch the Crowne, and will not
leaue for any thing which I ought lawfully to doe:
Oath so God me helpe and his Saints. This oath shall
be made by the twelue Knights when they are cho-
sen by two: This heare you Iustices, that I shall
lawfully say, and lawfully doe that which shall bee
demaunded of me on the Kings behalfe, and shall
keepe secret your counsels, and shall not for any
thing leaue to doe that which to my knowledge I
ought to doe: so God me helpe and his Saints.
Bailifes This oath shall be made by all Bailifes otherwise
then first: This heare you Iustices, that I shall
lawfully doe that which belongeth to mine Office,
and shall keepe secret your counsels, neither shal I
grieue any man for enuie, nor helpe him for fauour:
so God me helpe and his Saints. Then all the
Articles Articles of euerie Hundred shall bee deliuered to
the twelue Iurors of the Countie, and then time
shal be appointed them to giue their verdicts, vpon Verdic
paine of the Kings mercie. And if they giue not Amer
their verdicts they shall be amerced as to the Iusti-
ces shall seeme best. Articles & oathes of the Kings
Ministers in the Iustices circuit.

5 See in the new printed booke, commonly cal-
led Magna Charta, late printed by Richard Tot-
tel, An. Dom. 1556. fol. 150. in a chapter intituled,
Capitulum Itineris, what things be inquirable be-
fore Iustices in Eire, & diuers matters concerning
the Eires.

Iustices of Assises.

FRom henceforth there shal be assigned eight ex-
cunspect & discreet Iustices to take Assises,
Iuries, and certificates through the whole realme:
that is to say, two in the Counties of Yorke, Nor-
thumberland, Westmerland, Cumberland, Lan-
caster, Nottingham, and Derby. And two in the
Counties of Lincolne, Leicester, Warwike, Staf-
ford, Salop, Northampton, Rutland, Glouc. Here-
ford, and Wigorne. And two in the Counties
of Cornewall, Deuon, Somerset, Dorset, Wilt.
Southampton, Dron, Berk. Suffer, and Surrey.
And two in the Counties of Kent, Essex, Suffolk,
Norfolke, Cambridge, Huntingt. Bedford, & Buc-
kingham. And the Assises, Iuries, and Inquests
of the Countie of Middlesex, shall be taken before Assis
the Iustices of the Bench: Which said eight Iu-
stices assigned to take the Assises and certificates a- Assis
foresaid, shall specially attend, & daily through the Certific
whole yeare, that is to say, in the places where they
thinke best, and most to the ease of the people. And
the terme of the Statute last made at Westmins. of
taking of Assises, in no wise shall be obserued.
Nor no writs of Assises, Iuries, or recognisances, Inquest
shall be granted to be taken before any other Iusti-
ces, then before the foresaid Iustices assigned, ex-
cept it be of the speciall grace of the King. Statute of
the Iustices of Assise.

2 The Iustices assigned to take Assises, shall
haue Commissions sufficient of such things to in- Clauses
quire. And that they shal inquire in their Sessions Iuries
of Sherifes, Escheators, Bailifes of Franchises, Chiefe
and their vnder ministers, and all other. And also Bailifes
of Maintainers, common Imbracers, & Iurors, Maine
in the countrey, of the gifts, rewards, and other Imbra
profits, which the said ministers do take of the peo- Iurors
ple to do their office, & that that pertaineth to their
office, & for arraying of panels, putting in the same
suspect Iurors, & of euill fame. And of that that the
Maintainers, Imbracers, & Iurors in the country
do take gifts, rewards, & wages of ỳ parties, wher-
by great griefe commeth daily to the people, in sub-
uersion of the law, & disturbance of common right.
And to punish all them which therof shall be found
guiltie, according as law & reason requireth, as wel
at our suit, as at the parties. An. 20. E. 3. cap. 6.

3 The Iustices assigned, & to be assigned to take
Assises, & deliuer the gaoles, shall from henceforth Gaole
hold their Sessions in the principall & chief townes Chiefe
of the Counties, where the Shire Courts of the Towne
same Counties be holden, and hereafter shalbe hol-
den. An. 6. R. 2. cap. 5.

4 Item,

4 Item, it is ordeined & assented, that no man of law shall be from henceforth Justice of Assises, or of the common deliuerance of Gaoles in his owne Countrie. And that the chiefe Justice of the Common Bench be assigned amongst other to take such Assises, & deliuer Gaoles. But as to the chiefe Justice of the Kings Bench, it shall be as for the most part of an C. yeeres last past was wont to be done. An 8. R. 2. cap. 2. See here following 11.

5 The Chauncelor of England for the time being, shall haue power to order and redresse by the aduise of the Justices, from time to time when need shall be, notwithstanding the statute aforesaid, that is to say, of An. 6. R. 2. cap. 5. (before 3. An. 1. R. 2. cap. 22.)

6 No Lord nor other of the Countrie little nor great, shall sit vpon the bench with the Justices to take assises in their Sessions, in the Counties of England, vpon great forfaiture to the king, and hath charged his said Justices, that they shall not suffer the contrary to bee done. Anno 20. R. 2. cap. 3.

7 The Justices assigned and to be assigned to take Assises by commission of our Soueraigne Lord the king, in the Counties of the Realm, from henceforth shal do to be deliuered fully in the kings Treasurie, all the Records of Assises of Nouel disseisin, of Mortdaunceſter, and of certifications, with all the appurtenances and appendants before them determined, euery second yeere, that the plee thereof be determined, and iudgement giuen without more delay. And that the Records and processe of plees reall and personall, and of Assises of Nouel disseisin, or Mortdaunceſter, and of certifications, and of other whereof iudgement is giuen and inrolled, with things touching the same, shall in no wise be amended nor impaired by new entering of the Clerkes, or by the Record or thing certified in witnesse or commandement of any Justice in any thing, after that such iudgement or such plees be giuen and inrolled. An. 11. H. 4. cap. 3.

8 An. 13. H. 4. cap. 2. It was enacted to indure at the kings pleasure, that the statute of Ann 8. R. 2. cap. 2. should be kept, and that no chiefe Justice of the kings bench should be Justice of Assise but in the county of Lancaster.

9 The Session of the Justices to take assises, and to deliuer Gaoles in the Countie of Cumberland, be holden in time of peace and of truce in the said Citie of Carlile, and in none other place within the same Countie, as it hath been vsed and accustomed of old time. An. 14. H. 6. ca. 3.

10 An. 11. H. 7. cap. 3. an Act was made, authorizing Justices of Assises & Justices of Peace, to heare and determine all offences done against many Statutes. But it is repealed by 1. H. 8. cap. 6.

11 That no Justice, nor other man learned in the Lawes of this Realme, shall at any time, from or after the feast of Easter next comming, vse, nor exercise the office of Justice of Assise within any Countie where the said Justice was borne, or doth inhabite, vpon paine to forfait for euery offence done contrarie to the forme of this present act C. li. The one moitie whereof to be to the king, and the other moitie thereof to be to the partie that will sue for the same, in any of the kings Courts, by bill, &c. in which &c. Prouided alway, and be it &c. that this act, or any thing, therein contained, shall not extend, be construed, or interpreted to touch or concerne any person or persons ỹ now are, or hereafter shalbe Clerke or Clerks of Assises, and shall be associate to any Justices of Assise, of, or in any Countie, Citie or Towne within this Realme of England, wherein the same person or persons, clerke or clerkes so associate do dwel, or were borne: but that all and euerie Clerke or Clerkes of assises, which now do exercise or occupie, or hereafter shall exercise or occupie any office of Clerkship of Assises, shal and may exercise and occupie, the same in any Countie, Citie, or towne, wherein the same clerke or clerkes of assises do dwell or were borne: any thing in this act cõtained to the contrarie notwithstãding. Prouided also ỹ these terms Iustices of Assises, or other persons learned in the Lawes of this Realm, shal not extend, or in anywise be interpreted to any Maiors, Shiriffes, Recorders, Stewards, Bailifes, Suters, or other officers, being borne, or dwelling within any Citie, borough, or town within this realm of England, but that they may be Justices of Assise, of Freshforce, or of other assises of the same Citie, borough, or towne where he or they do, or shall dwell, or were borne, as they or any of them before this time haue or might haue bene to all intents and purposes: any thing in this act contained to the contrarie notwithstanding. Prouided alway, that this act, nor any thing therein contained, shall be preiudiciall to any Justice or Justices of the one Bench, or the other, for taking, hearing, or determining Assises in the said Courts in the one Bench or the other, nor to any Justice that shall take any Assise, by or vpon adiornement for difficultie of the same. Prouided alway and be it &c. that any Clerke of assise, during the onely time of the Session, of, or for any assise or assises, or of, or for any Nisi prius, shall not be of counsell with any person or persons, within any circuite whereof hee shall bee Clerke of Assise, otherwise then to that office only appertaineth, vpon paine to forfait for euery time offending contrary to this statue x. li. The one moitie thereof to be to the king, and the other moity to the partie grieued, in which suit &c. Prouided also and be it &c. that this act, or any thing therein conteined, extend not vnto Justice, Justices, clerk or clerkes of assises within the duchy and countie palantine of Lancaster, nor to any of them that now be, or hereafter shall be, but that the same Justice or Justices, clerke and clerkes, and euery of them, shall and may execute their offices & euerie of them in such maner and forme, as they or any of them haue vsed to doe, before the making of this present act: this act or any thing therein conteined to the contrarie thereof notwithstanding. An. 33. H. 8. cap. 24. See before 4.

12 See Nisi prius 1. of making of Iustices of Assises and their authority with association.

Mottie

Clerke of assises

Maiors Shiriffes Recorders Stewards Bailifes

Freshforce

Iust. of both benches

Clerke of assise

Nisi prius

Counsell

Forf.

Mottie

Iust. Clerkes Countie Palantine

Iustices of both Benches.

IT is prouided also, and commanded by the king, That the Iusticers of the Kings Bench at Westminster, from henceforth shall decise all plees determinable at one day, before any matter be attainted, or plee commenced the day following: Sauing that their Essoines shal be entred, iudged, and allowed. Yet by reason hereof let none presume to absent himselfe, but let him come at the day to him limited. West. 1. cap. 45. An. 3. E. 1.

Essoines

2 No Iustices of the Kings Bench, nor of the common Bench, nor none of the Barons of the Exchequer, as long as they shall be in the Office of Iustice or Barons, shall take from henceforth robe, fee, pension, gift, nor reward of any but of the King, except reward of meat and drinke, which shall bee at no great value. And that from henceforth they shall giue no counsell to any great or small in things of affaires, wherein the King is partie, or which in any wise touch the King, and that they be not of any mans counsell in any case, plee, or quarell, hanging the plee before them, or in other of the Kings Courts or places, vpon paine of losse of their Office, and making to the King fine and ransome. An. 8. R. 2. cap. 3. But this Statute is repealed in An. 7. R. 2. cap. 1.

Barons of the Exchequer
Reward
Meat and drinke
Counsell
Losse of office
Fine

3 Anno 20. R. 2. cap. 6. It was enacted, That Belknap, Holt and Burgh, that had bene Iustices, and were by Anno 11. R. 2. banisht into Ireland, should returne and be enabled as the Kings subiects.

4 The Iustices, Serieants, and the Atturney of the King shall be payed in hand their wages, by the Treasurer of England for the time being, at Easter and Michaelmas, by euen portions, without any other suit. An. 10. H. 6. Statutum per se. This is not in the printed booke of Statutes.

Serieant
K. Atturney
Wages
Treasurer

Iustices of Gaole deliuerie.

Diers & ter.

BEcause that the Iustices of Gaole deliuerie, & of Diers & terminer, haue bin procure by great men, against the forme of the Statute made in the 27. yeare of the raigne of King Edward, grandfather to our Soueraigne Lord the King that now is, wherein is contained, That Iustices alligned to take Assises, if they be Lay men, shall make deliuerance, And if the one be a Clerke, and the other a Lay man, that the Lay Iudge with another of the countrey associate to him, shall deliuer the Gaols: wherefore it is enacted, that such Iustices shall not be made against the forme of the said Statute. And that the Assises, Attaints, and certifications bee taken before the Iustices commonly alligned, which be good men and lawfull, hauing knowledge of the Law, & none other, after the forme of another Statute made in the time of the said K. Edw. the first. And that the Diers & Terminers shal not be granted, but before Iustices of the one Bench or the other, or the Iustices Errants, and that for great hurt, or horrible trespasses, and of the Kings especiall grace, after the forme of the Statute therof or-

Lay men
Attaints
Certific.
Iustices errants

dained, in the time of the said grandfather, & none otherwise. An. 2. E. 3. cap. 2.

2 Good & wise persons, other then of the places, if they may be found sufficient, be alligned in all the Shires of England to take Assises, Iuries, & certifications, and to deliuer the Gaole. And that the said Iustices take the Assises, Iuries, & certifications, & to deliuer the gaols at the least three times a yeare, & more often if need be. Also there be alligned good & lawfull men in euerie Countie to keepe the peace. And that in the said allignements mention be made that such as shalbe indicted, or taken by the said Wardens, shall not be let to mainprise by the Sherifs, nor by none other ministers, if they be not mainpernable by the Law. Nor that such indicted persons shalbe deliuered but at the comunon Law. And the Iustices alligned to deliuer the gaols, shal haue power to deliuer the same gaoles of those that shalbe indicted before the Wardens of the place. And that the said Wardens shall send their indictments before the said Iustices, and they shall haue power to inquire vpon Sherifes, Gaolers, and other, in whose ward such indicted persons shall be, if they make deliuerance, or let to mainprise any so indicted, which be not mainpernable, & to punish the said Sherifs, Gaolers, and other doing against this Act. An. 4. E. 3. cap. 2.

3 Because that Theeues notoriously defamed, and other taken with the maner, by their long abiding in prison, be at length deliuered by charters of pardon, & fauorable enquests procured, to the great hinderance of the people: We it &c. that in euery commission of the peace through the realme, where need shal be, 4. men of the Law of the same county where such commission shalbe made, shal be alligned to go and proceed to the deliuerance of such Theeues and Felons, and that as often as they shall thinke it expedient. Anno 17. R. 2. ca. 10.

Iustices of Peace.

FOr the better keeping and maintenance of the Peace: The King will that in euery Countie, good men and lawfull, which be no maintainers of euil, nor Barretors in the countrie, shalbe alligned to keepe the Peace. An. 1. Ed. 3. ca. 16. Stat 2.

2 Two or three of the best of reputation in the Counties shall be alligned keepers of the Peace by the Kings commission. And at what time need shal be, the same with other wise & learned in the Lawe, shalbe alligned by the K. commissions, to heare and determine felonies and trespasses done against the Peace in the same counties, And to do punishment reasonably according to Law and Reason, and the maner of the deed. An 18. Ed. 3. ca. 2. Stat 2.

3 In euery County of England shalbe alligned for the safe keeping of the peace, one Lord, and with him three or foure of the most worthie men in the Countie, with some learned in the Lawe, and they shall haue power to restraine euill doers, riotors, and all other barretters, and to pursue, arrest, take, and chastice them, according to their trespasse & offence, and doe them to be imprisoned and due-

duely puniſhed, accoꝛding to the Law & Cuſtomes of the Realme, and accoꝛding to that, that to them ſhall ſæme beſt by their diſcretions and good aduiſement. And alſo to informe themſelues, and to inquire of all thoſe that haue bæne pillers and robbers in the parties beyond the Sea, and be now come againe, and goe wandering, and will not labour as they were wont in times paſt, and to take & arreſt all thoſe that they may find by Indictment, oꝛ by ſuſpection, and to put them in priſon, and to take of all them that be not of good fame (whereſoeuer they ſhall be found) ſufficient ſuretie and mainpꝛiſe foꝛ their good abearing towards ẏ King, and his people, and puniſh the other onely, to the intent that the people be not by ſuch rioters troubled noꝛ indamaged, noꝛ the Peace blemiſhed, noꝛ Marchants, noꝛ other paſſing by the high wayes of the Realme diſturbed, noꝛ put in feare by perill, which might happen to them by ſuch euill doers. And alſo to heare and determine at ẏ Kings ſuit, all manner of Felonies and treſpaſſes done in the ſame Countie, accoꝛding to the Lawes and Cuſtomes afoꝛeſaid. And that writs of Oyer and Determiner be graunted, accoꝛding to the Statute thereof made: but that the Juſtices which ſhall be thereto aſſigned be named by the Court, and not by the partie. And the King willeth, That all generall inquirie befoꝛe this time graunted within any ſeignioꝛies, becauſe of the miſchieſes and oppꝛeſſions which haue bæne done to the people by ſuch inquiries, ſhall vtterly ceaſe and be repealed. And that fines which be to be made beforꝛe Juſtices foꝛ treſpaſſe done by any perſon, be reaſonable & iuſt, hauing regard to the quantitie of the treſpas, and the cauſes foꝛ which they be made. Anno 34. Ed. 3. cap. 1.

4 In the Commiſſions of Juſtices of the Peace, and of Laboꝛers, eꝛpꝛeſſe mention be made, That the ſame Juſtices make their Seſſions foure times by the yeare: that is to ſay, one Seſſion within the Utas of the Epiphanie, the ſecond within the ſecond wæke of Lent, the third betwixt the Feaſt of Pentecoſt and of S. John Baptiſt, the fourth within the viij. dayes of S. Michael. Añ 36. Ed. 3. cap. 12.

5 In euery Commiſſion of the Juſtices of Peace, there ſhall be aſſigned but ſix Juſtices, with the Juſtices of Aſſiſes, and that the ſaid vj. Juſtices ſhall hold their Seſſions in euery quarter of the yeare at the leaſt, and by three dayes if néd be, vpon paine to be puniſhed after the aduice of ẏ Kings Councell, at the ſuit of euery man that will complaine. And they ſhall inquire diligently among other things touching their Offices, if ẏ ſaid Maiors, Baylifes, Stewards, Conſtables, & Gaolers, haue duely done execution of the ſaid Oꝛdinances of Seruants and Laboꝛers, Beggars, and Vagabonds, and ſhall puniſh them that be puniſhable, by the ſaid paine of an C. s. and they that be found in default, and which be not puniſhable by the ſame paine, ſhall be puniſhed by their diſcretion. And euery of the ſaid Juſtices ſhall take foꝛ their wages iiij. s. the day, foꝛ the time of their ſaid Seſſions, and their Clerke vj. s. of the fines and amerciaments riſing and comming of the ſame Seſſions, by the hands of the Shiriſes. And that the Lords of Franchiſes ſhall be contributoꝛie to the ſaid wages, after the rate of their part of fines and amerciaments afoꝛeſaid. And that no Steward of any Lord be aſſigned in any of the ſaid Commiſſions. And that no aſſociation ſhall be made to the Juſtices of the Peace, after their firſt Commiſſion. And it is not the intent of this Statute, that the Juſtices of the one Bench oꝛ of the other, noꝛ the Seꝛieants of the Law, in caſe that they ſhal be named in the ſaid Commiſſions, ſhall be bound by foꝛce of this Statute, to hold the ſaid Seſſions iij. times in the yeare, as the other Commiſſioners, the which be continually dwelling in the country, but that they ſhall doe it when they may beſt attend it. Añ 12. Rich. 2. cap. 10. Stat' Cantabr. See here 6. 7. & 10. ſome alteration in ſundrie points.

Sheriffe
Lords of Franchiſes
Steward
Juſt. of either Bench Seꝛieants at Law

6 As it is contained in the Statute late made at Cambꝛidge, (s. Añ 12. R. 2. cap. 10. before 5.) That no Steward of any Lord ſhall be aſſigned in the Commiſſion of the Juſtices of Peace: Neuertheleſſe, foꝛ certaine cauſes ſhewed in this Parliament, it is accoꝛded and aſſented, That Juſtices of Peace ſhall be made of new in all the Counties of England, of the moſt ſufficient Knights, Eſquires, and Gentlemen of the Law of the ſayd Counties, notwithſtanding the ſaid Statute. And that the ſaid Juſtices be ſwoꝛne to kéepe and put in execution all the Statutes and Oꝛdinances touching their Offices. Anno 13. R. 2. cap. 7. Stat' 1.

Lord Steward
Sufficient
Oath

7 That in euery Countie be aſſigned eight Juſtices of Peace, as is contained in the Statute of Cambꝛidge (before 5.) ouer the Lords aſſigned in this Parliament. And that the Eſtreates of the ſaid Juſtices be doubled, and the one part deliuered by the ſaid Juſtices to the Shiriſe, to leuie the money thereof riſing, and thereof to pay the Juſtices their wages, by the hand of the ſaid Shiriſe, by Indenture betwirt them thereof to be made. And that the Shiriſes haue allowance in their Accompt in the Eſchequer by the ſame Indenture. And that no Duke, Earle, Baron, noꝛ Baronet, albeit they be aſſigned Juſtices of the Peace, & hold their Seſſions with the other eight Juſtices, ſhall take any wages foꝛ the ſaid Office. And that the Juſtices put their names to the ſaid Eſtreates, together with the number of the dayes of their Seſſions, to the intent that the Shiriſes may know to whom to pay wages, and to whom not: And the Barons of the Eſchequer to whom to allow, & to whom not. And that the ſeales be made foꝛ the ſeruants, & deliuered into the kéeping of ſome good man of the countrey, after the purpoꝛt of the ſaid Statute of Cambꝛidge, which Statute with the modification of the ſame, made at the laſt Parliament (before 6.) and the Statute of Weights & Meaſures, and all other good Statutes & Oꝛdinances made heretoforꝛe and not repealed, ſhalbe holden & kept, and put in due execution. Añ 14. R. 2. cap. 11.

viij. Juſtices
Eſtreates
Sheriffe
Magis Indenture
Allowance
Accompt
Eſchequer
Duke
Earle
Barons
Barons of the Eſchéq.
Seales
Weights & Meaſures

8 Be it enacted &c. That the Juſtices of ẏ Peace in euery Shire named of the Quorum, be reſiant within

Juſt. of Q. Reſiant

within the same Shire, except Lords named in the Commission of the Peace. And also except the Justices of the one Bench and of the other, the chiefe Baron of the Eschequer, Serieants at the Law, and the Kings Atturney, for the time that ỳ same Justices, chiefe Baron, Serieant at the Law, and the Kings Atturney, be attendant and occupied in the Kings Courts, or otherwise occupied in some other place in the Kings seruice, and make their Sessions foure times by the yeare: that is to say, In the first weeke after the Feast of S. Michael, and the first weeke after the Epiphanie, and in the first weeke after the clause of Easter, and in the first weeke after the translation of S. Thomas ỳ Martyr (which is 7. Iuly) and more often if need bee. And that the same Justices hold their Sessions throughout the whole Realme of England in the same weekes euerie yeare from thenceforth. Anno 2. H. 5. cap. 4. Stat' 1.

Sessions 4. times in the yeare

England

* ☞

9 Justices of the Peace from henceforth to be made within the Counties of England, shall bee made of the most sufficient persons dwelling in the same Counties, by the aduice of the Chauncelor, and of the Kings Councell, without taking other persons dwelling in forraine Counties to occupie such Office, except the Lords and the Justices of Assises now named and to be named by the King and his Councell. And except also the Kings chiefe Stewards of the lands & Seigniories of ỳ Duchie of Lancaster, in the North and South parts for the time being. Ao 2. H. 5. cap. 1. Stat' 2.

Most sufficiẽt persons

Chancelor

Iust. of Ass.

Chiefe Steward Lancaster

* ☞

10 For ease of the Commons in the Countie of Middlesex, who be bound to attend in the Terme times vpon the high Courts at Westminster, and straight after euery Terme, be also driuẽ to attend vpon the Justices of Peace at their Sessions, which the said Justices are inforced to keepe, to auoid the pain contained in the Statute of 12. R. 2. cap. 10. (before 5.) Be it &c. That the Justices of Peace, which now be, and all other from henceforth for the time being in the said Countie of Middlesex, shall be clearely discharged of the said paine by authoritie of the same Parliament, from henceforth (the Court of the Kings Bench being in the Countie of Middlesex.) Prouided alwayes, That the said Justices of Peace of the said Countie of Middlesex for the time being, keepe, obserue, & execute the Court of the Sessions of the Peace two times in the yeare at the least, and more often if need be, for any Riot or Forcible entry made within the same Countie of Middlesex, and that vpon the paine and forfeiture of such summes as be for that ordained by any Law made before this time, to the intent that the said Commons and inhabitants of the said County of Middlesex be not constrained nor compelled to appeare before the Justices of P. of the same Countie for the time being, but at such times as shall seeme by the discretions of the same Justices of Peace necessarie and needfull. Anno 14. H. 6. cap. 4.

Middlesex

q. in the yeare

Riot Forcible entrie

Fort.

* ☞

11 Whereas contrarie to diuers former Statutes, now of late many of small substance (by whom the people will not be ruled, & who for their need doe commit much extortion and oppression) be appointed to be Justices of Peace: Be it &c. That no Justice of Peace within the Realme of England, in any Countie, shall be assigned or deputed, if he haue not lands or tenements to the value of xx. l. by the yeare. And if any bee ordained hereafter to be Justices of Peace in any Countie, which hath not lands or tenements to the value aforesaid, that he thereof shall giue knowledge to the Chauncelor of England for the time being, which shall put another sufficient in his place. And if he giue not the said knowledge (as before) within a moneth after that he hath notice of such Commission, or if he sit, or make any Warrant or Precept, by force of such Commission, he shall incurre the paine of xx. l. and neuertheless be put out of the Commission, as before. And the King shall haue the one halfe of the said paine, and he that will sue for the King the other halfe. And he that will sue for the King, and for himselfe, shall haue an Action to demaund the same paine, by Writ of Debt at the Common Law. Prouided alwayes, That this Ordinance doe not extend, nor be preiudiciall to Cities, Townes, or Boroughes, which be Counties incorporate of themselues, nor to Cities, Townes, or Boroughes, which haue Justices of Peace of people dwelling in the same, by Commission or Graunt of the King, or of his progenitors. Prouided also, That if there be not men sufficient, hauing lands & tenements to the value aforesaid, learned in the Law, and of good gouernance within any such Countie: that the Chauncelor of England for the time being shall haue power to put other discreet persons learned in the Law, in such Commissions, though they haue not lands or tenements to the value aforesaid, by his discretion. Anno 18. H. 6. cap. 11.

xx. l. land

Sir Lands ledge vnto Chancelor

Oth

Fort.

Writte

Action of Debt

Cities Townes

Lawyers

Chancel

*

12 Euery Justice of Peace within this Realm, that shall take any Recognisance for the keeping of Peace, that the same Justice doe certifie, send, or bring the same Recognisance to the next Sessions of the Peace where he is, or hath been Justice, that the partie so bound may be called, and if the partie make default, the same default then there to be recorded. And the same Recognisance with the Record of the default, be sent and certified into the Chauncerie, or afore the King in his Bench, or into the Kings Eschequer. Anno 3. H. 7. cap. 1.

Recognisance Certifie

Default

Eschequer

*

13 Whereas Commissions haue been vsed to be granted to diuers, as well for the keeping of the Peace, as of Gaole deliuerie within Cities and Townes corporate, not being Counties in themselues, and after other Commissions haue been graunted to other, for the keeping of the Peace and of Gaole deliuerie within the same Shires: which Commissions so bearing a late date, haue been in Law a Supersedeas to the foresaid Commissions, & so the said Townes haue bin to their great charges driuen (as oftentimes) to returne to their owne Commissions: Be it &c. That all & singular Commission & Commissions, graunted or to be granted to any such City or Towne corporate, not being as is aforesaid a Countie in it selfe, for the keeping of their Peace, & deliuerie of the prisoners remaining in

in the Gaoles of any such Citie or Towne corporate, not being a Countie in it selfe, shall stand, remaine, and be good and auaileable and effectuall in the Law, to all intents, constructions & purposes: the graunting of any like Commission of Peace, or Gaole delinerie, to any Commissioner or Commissioners for the conseruation of the Peace, or deliuerie of the prisoners remaining in the Gaole of any Shire, Lathe, Rape, Riding, or Wapentake within this Realme of England, bearing date after the said Commission or Commissions granted, as is aforesaid, to any Citie or Towne corporate, not being as is aforesaid, a Countie in it selfe, to the contrarie notwithstanding. Añ 2. & 3. P. & M. cap. 8.

Keeper of the great Seale of England.

BE it enacted and declared &c. That the Common Law of this Realme is and alwaies was, and ought to be taken, that the Keeper of the great Seale of England for the time being, hath alwaies had, vsed, and executed, and of right ought to haue, vse, and execute, and from henceforth may haue, perceiue, take, vse, and execute, as of right belonging to the Office of the Keeper of the great Seale of England for the time being, the same and like place, authoritie, preheminence, iurisdiction, execution of Lawes, and all other customes, commodities, and aduantages, as the Lord Chauncelor of England for the time being lawfully vsed, had and ought to haue, vse & execute, as of right belong to the Office of the Lord Chauncelor of England for the time being, to all intents, constructions & purposes, & as if the same Keeper of the great Seale for the time, were Lord Chancelor of England. Añ 5. Eliz. cap. 18.

King.

IT appeareth in the Abridgement of Statutes, that Añ 2. E. 3. Stat. 2. cap. 7. The King and all the great men of the Realme, in full Parliament enterprised to maintaine the Peace, to keepe & saue the Kings Iustices there where they come, and to helpe that the iudgement & executions shall not be delayed, but executed, nor that misdoers shall be by them couered. But I cannot find this Statute in the booke at large.

Knights.

OUr Soueraign Lord the King hath granted, That all such as ought to be Knights, and be not, and haue bin distrained to take vpon them the Order of Knighthood before the Feast of the Natiuitie of our Lord, shall haue respite to take vpon them the foresaid armes of Knighthood, vntill the Utas of S. Hillarie, without disturbance. And after that they shall be distrained, except they make some other meanes. Also he hath graunted, That if any will complaine in the Chauncerie, because he was distrained &c. and hath not xx. l. yearely in fee, or for terme of life, and will proue that by the countrey: then it shall be written vnto the discreet and sage Knights of the Shire to take the said inquisition, and if it fortune to be tryed so by the same Inquest, he shall haue remedie, & ỳ distresse shall cease. And if any be impleaded for all his land, or for part of the same, so that the residue be not sufficient to the value of xx. l. and can proue the same, then the distresse shall cease, vntill the same plee be determined. Also, if any of them be bounden in certaine debts awarded in the Eschequer, to a certaine summe to be receiued yearely out of his lands, so that the residue thereof doe not amount to ỳ yerely value of xx. l. besides the same summe, the distresse shall cease, vntill the foresaid debt be clearely payd. And none shall be distrained to take vpon him the order of a Knight, before that he come vnto the age of xxj. yeres. Also none by reason of any land that he holdeth in manors, which be now of the ancient demesne of the Crowne (as a Sokeman, & which land must giue tallage when the Kings demesnes are tallaged) shall be distrained to take vpon him the Order of a Knight. Also of them that hold their lands in Socage of other manors then of the manors of the King doing no forraine seruice, ỳ rolls of the Chancerie shalbe searched for the time of the Kings predecessors: and it shall be done as it hath bene vsed to be done. In like manner shal be done of Clerkes being without Orders holding lay Fee, which should be Knights if they were lay. Also none shall be distrained for his burgage lands, although they do amount to the value of xx. l. yerely or more. Also they that ought to be Knights, and be not, as they which haue holden their lands in their hands but a small time, and likewise such as haue great age, or defect in their members, or doe alleage any other incurable disease, or charge of their children, or of suits, or doe pretend other necessarie excuses, they shall resort vnto Robert Tiptoft & Anthonie de Berke, and shal make fine before them, to whom it is appointed, that according to their discretions they shall admit reasonable fines of all such persons. Añ 1. E. 2. Stat. de Milit.

Distresse ceaseth

Eschequer

xxj. yeares

Ancient demesne

Socage

Search

Clerkes without orders

Labourers and Seruants.

NOte, that all these Statutes following, til number 38. concerning Labourers and Seruants, be repealed by Añ 5. Eliz. cap. 4. here 38. as you may see in the beginning thereof.

1 Euery Man or Woman of our Realme of England, of what condition he be, free or bound, able in bodie, and within the age of xl. yeeres, not liuing in Marchandise, nor exercising any craft, nor hauing of his owne whereof he may liue, nor proper land, about whose tillage he may himself occupy, and not seruing any others, if hee in conuenient seruice (his estate considered) be required to serue, shall be bounden to serue him which so shal him require, and take only the wages, liuerie, meede or salarie, which were accustomed to be giue in the places where he oweth to serue the xx. yeere of our reigne of England, or v. or vj. other common yeares

Men Women

xl yeares old

Required to serue

Wages

yeares next before. Prouided alwayes, That the Lords be preferred before other in their bondmen or their land tenants, so in their seruice to be retained. So that neuertheless the said Lords shall retaine no more then be necessarie for them. And if any such man or woman, being so required to serue, will not the same do, that proued by two true men before the shirife or bailifes of our soueraigne Lord the king, or the constables of the towne where the same shal happen to be done, he shall anon be taken by them or any of them and committed to the next gaole, there to remaine vnder strait keeping till he finde suretie to serue in the forme aforesaid, Añ 23. E. 3. de seruient. cap. 1.

Lords Bondmen

Refuse Shirife Bailife Constable

Imprison. Suretie

2 If any reaper, mower, or other workeman or seruant of what estate or condition that he be, retained in any mans seruice, doe depart from the said seruice without reasonable cause or licence before the terme agreed, he shall haue paine of imprisonment. And that none vnder the same paine presume to receiue or to retain any such in his seruice. Añ 23. E. 3. cap. 2.

Depart without licence Imprisō.

Receiue to seruice

3 That no man pay or promise to pay to any seruant any more wages, liueries, meede or salarie, then was wont, as afore is said: Nor that in any other maner shal demand or receiue the same, vpon paine of doubling of that, that so shall be paid, promised, required or receiued to him which thereof shall feele himselfe grieued pursuing for the same. And if none such will pursue, then the same to be applyed to any of the people that will pursue. And such pursuit shall be in the Court of the Lord of the place where such case shall happen. Añ 23. Ed. 3. cap. 2. Stat. de seruient.

Wages

Paine

L. court

4 If the Lords of the Townes or Manors presume in any point to come against this present Ordinance, either by them or by their seruants, then pursuit shalbe made against them in the Counties, Wapentakes, Withings, or such other our Courts, for the treble paine payed or promised by them or their seruants in the forme aforesaid. And if any before this present Ordinance hath couenanted with any so to serue for more wages, he shall not be bound by reason of the same couenant, to pay more then at an other time was wont to be payed to such person, nor vpon the said paine shall presume any more to pay. Añ 23. Ed. 3. cap. 4.

Lords

3. damages

Conenant

5 That Sadlers, Skinners, Whitetawers, Cordwainees, Taylors, Smithes, Carpenters, Masons, Tylers, Shipwrights, Carters, and all other artificers & workmen shall not take for their labor and workmanship aboue the same that was wont to be payd to such persons the said 25. yeare, and other common yeares next before, as afore is said, in the place where they shal happen to worke. And if any man take more, he shal be committed to the nert Gaole, in manner as is aforesaid. Añ 23. Ed. 3. cap. 5.

Artificers

Workmanship

6 Añ 23. Ed. 3. de serui. cap. 7. It was enacted, That all the forfeitures giuen by this Statute de seruientibus against Labourers, should be leuied of euery of them, and should be imployed to the payment of the Tenth and Fifténe then granted, and after to the Kings vse, to be leuied by certaine appointed in the Statute. Neuertheless, he that would might sue for these forfeitures, to haue them to his owne vse.

7 First, that Carters, Ploughmen, driuers of the Plough, Shepheards, Swineheards, Deies, and all other seruants, shall take Liueries and wages accustomed, the said 25. yeare, or foure yeres before, so that in the Countrey where Wheat was wont to be giuen, they shall take for the Bushell v. d. or Wheat, at the will of the giuer, till it be otherwise ordained. And that they be allowed to serue by an whole yeare, or by other vsuall termes, and not by the day. And that none pay in the time of starcling or heymaking but one penie for the day. And a mower of Medowes for the acre v. d. or by the day v. d. And reapers of corn in the first weke of August ij. d. and the second iij. d. and so the end of August, and lesse in the Countrey where lesse was wont to be giuen, without meat or drinke, or other courtesie to be demanded, giuen, or taken. And that all workmen bring openly in their hands to the Marchant townes their instruments, & there shall be hired in a common place and not priue. An. 25. E. 3. de seruientibus cap. 1.

Seruants Liueries Wages

Mower

Reapers

Open

8 That none take for the threshing of a quarter of Wheat or Rye, ouer two pence ob. and the quarter of Barley, Beanes, Pease, and Oats, one penie halfepenie, if so much were wont to be giuen: and in the countrey where it is vsed to reape by certaine sheaues, and to thresh by certaine bushels, they shall take no more nor in other manner then was wont the said twentieth yeare and before. And that the same seruants be sworne two times in the yeare before Lords, Stewards, Bailifes and Constables of euery towne to hold and do these ordinances. And that none of them goe out of the towne where he dwelleth in the Winter, to serue sommer, if he may haue seruice in the same towne, taking as before is said. Sauing that the people of the Counties of Stafford, Lancaster & Darbey, & people of Caruen, and of the Marches of Wales and Scotland, and other places, may come in time of August, and labor in other Counties, and safely returne, as they were wont to do before this time. And that those which refuse to make such othe, or to performe that, that they be sworne to, or haue taken vpon them, shall be put in the stockes by the said Lords, Stewards, Bailifes and Constables of the townes by three daies or more, or sent to the next gaole, there to remaine, till they will institute themselues. And that Stockes be made in euery towne by such occasion betwixt this and the feast of Pentecost. An. 25. E. 3. de seruien. cap. 2.

Threshing

Ord. Seruants Bailifs Const.

Harueste Wales

Refuse

Stockes

Gaole

Imprison

Stockes

9 That Carpenters, Masons and Tilers, and other workemen of houses, shall not take by the day for their worke, but in manner as they were wont, that is to say: A master carpenter iij. pence, and other ij. pence. A master free mason iiij. pence, and other masons iij. pence, and their seruant i. d. ob. tilers iij. pence, and their boyes i. d. ob. and other couerers of Ferne and straw iij. pence, and their boyes i. d. ob. An. 25. E. 3. cap. 3.

Artificers

Masons

10 Plaisterers and other workers of mudwalles, and their knaues by the same maner, without

Labourers

out meat or drinke (s. from Easter to Saint Michael) and from that time lesse, according to ẏ rate and discretion of the Justices which shall be thereto assigned. Añ 25. Ed. 3. cap. 3.

11 They that make carriage by land or by water, shall take no more for such carriage to be made, then they were wont the said 11. yeare, and 4. yeres before. Añ 25. Ed. 3. de seruient, cap. 3.

12 Goldsmithes, Sadlers, Horsesmiths, Spurriers, Tanners, Curriers, tawers of Leather, Tailors, and all other workmen artificers and labourers, and all other seruants here not specified, shall be sworne before the Justices, to doe and vse their Crafts and Offices in the manner as they were wont to do the said 11. yere, and in the time before, without refusing the same because of this Ordinance. And if any of the said seruants, labourers, workemen or artificers, after such oath made, come against this Ordinance, he shall be punished by fine and ransome, and imprisonment after the discretion of the Justices. Anno 25. Ed. 3. cap. 4.

13 The said Stewards, Baylifes, and Constables of the said Townes be sworne before the same Justices, to enquire diligently by all the good wayes they may, of all them that come against this Ordinance, and to certifie the same Justices of their names at all times when they shall come into the countrey to make their sessour, so that the same Justices in certification of the same Stewards, Baylifes, and Constables, of the names of the rebels, shall doe them to be attached by their body, to be before the said Justices, to answer of such contempts, so that they make fine and ransome to the King, in case they be attainted. And moreouer to be commanded to prison, there to remaine till they haue found suretie to serue and take, & doe their worke, and to sell things vendible in the manner aforesaid. And in case that any of them come against his oath, and be thereof attainted, he shall haue imprisonment of fortie dayes. And if he be another time conuict, he shall haue imprisonment of a quarter of a yeare, so that at euery time that hee offendeth, and is conuict, he shal haue double paine. And that the same Justices, at euery time they come into the Countrey, shall inquire of the said Stewards, Baylifes, and Constables, if they haue made a good and lawfull certificate, or any conceale for gift, procurement, or affinitie, and punish them by fine and ransome, if they be found guiltie. And that the same Justices haue power to enquire and make due punishment of the said ministers, labourers, workemen, and other seruants. And also of Hostlers, Herbergers, and of those that sell vitaile, or other things here not specified, as well at ẏ suit of the partie, as by presentment, and to heare and determine, and put the things in execution by the Exigend, after the first Capias, if need be, and to depute other vnder them, as many & such as they shall see best for keeping of the same Ordinance. And that they which will sue against such seruants, workemen, labourers, and artificers for excesse taking of them, and they be thereof attainted at their suit, they shall haue againe such excesse. And in case that none will sue, to haue againe such excesse, then it shall be leuied of the said seruants, labourers, workmen, and artificers, and deliuered to the collectors of the Quinzime, in alleuation of the Townes where such excesses were taken. Añ 25. Ed. 3. cap. 6. *Excesse taking* *Quinzime*

14 No Shirifes, Constables, Baylifes, & Gaolers, the Clerkes of the Justices, or of the Shirifes, nor other ministers whatsoeuer they be, take any thing for the cause of their office of the same seruants, for fees, suit of prison, nor in other manner, and if they haue any thing taken in such manner, they shall deliuer the same to the Collectors of Disme and Quinzimes, in aid of the Commons, for the time that the Disme and Quinzime doth runne, as well for the time past, as for the time to come. And that the said Justices inquire in their Sessions if the said ministers haue any thing receiued of the same seruants, and that they shal find by such Inquest, that the said ministers haue receiued, the same Justices shall leuie of euerie of the said ministers, and deliuer to the said Collectors, together with the excesse and fines and ransomes made, and also the amerciaments of all them which shall be amerced before the said Justices, in alleuation of the said townes, as afore is said. And in case the excesse found in one towne, doth excede the quantitie of the quinzime of the said towne, the remnant of such excesse shall be leuied and paied by the said Collectors, to the next poore Townes, in aid of their quinzime, by aduice of the said Justices. And that the fines and ransomes, excesses and amerciaments of the said seruants, labourers and artificers, for the time to come running of the said quinzime, be deliuered to the said Collectors in the forme aforesaid, by Indentures to be made betwixt them and the Justices, so that the Collectors may charged by their account by the said Indentures, in case that the said fines, ransomes, amerciaments and excesses, be not paied in aide of the saide quinzime: and ceasing the said quinzime, it shal be leuied to the Kings vse, and answered by the sherifes of the Counties. Anno 25. Ed. 3. cap. 7. Stat 2. *Shirifes* *Constables* *Baylifes* *Gaolers* *Fee* *Quinzime* *Disme* *Justices* *Inquests* *Fines* *Amerciaments* *Collectors* *Indentures* *Account*

15 Item that the said Justices make their Sessions in all the Counties of England at the least foure times in a yeare, that is to say, at the feast of the Annunciation of our Lady, Saint Margaret, Saint Michaell, and Saint Nicholas, and also at all times that shall neede, according to the discretion of the said Justices. And that those that speak in the presence of the said Justices, or other things doe in their absence or presence, in incouraging or maintenance of the said Seruants, Labourers or Artificers, against this ordinance, shall be grieuously punished, by the discretion of the same Justices. And if any of the said Seruants, Labourers or Artificers, doe flie from one Countie to another because of this Ordinance: That the Sherifes of the Counties where such fugitiue persons shall be found shall doe them to be taken at the commaundement of the Justices of the Counties from whence they shall flie, and bring them to the chiefe Gaole of the same Countie, there to abide till the next Sessions of the same Justices. And that the *Justices Sessions* *Encourage* *Punish* *Flie* *Shirifes*

Sherife

Sherife returne the same commaundements, before the same Iustices at their next Sessions. And that this Ordinance be holden and kept, as well in the Citie of London, as in other Cities and Boroughes, & in other places throughout the land, as well within franchises as without. Añ 25. E. 3. cap. 8. Stat' 2.

London

Cities

16 The Lords of Franchises which haue Issues, Fines and Amerciaments of Labourers by point of Charter, or in other manner, shall from henceforth haue the said Fines, Issues and Amerciaments that to them pertaineth, as long as the iusticiarie of labors doth endure: So alwayes that the said Lords make contribution to the payment of the fées of such Iustices of Labourers, according to the rate of the profites that they doe take. Anno 31. Ed. 3. cap. 6. Stat' 1.

Lords of Franchises

Fines

Fees Iustices

17 The Statute of Labourers shall as well be holden in the Citie and Suburbes of London, and in the fiue Ports, and all manner other franchises, as elsewhere in England. Anno 31. Ed. 3. cap. 7. Stat' 1.

London

Fiue ports

18 The Statute of Labourers of old time made, shall stand in all points, except the pecuniar pain, which from henceforth is accorded, That the Labourers shall not be punished by fine and ransome. And it is assented, That the said Statute shall be inforced in punishment of Labourers, in the forme following: that is to say, That the Lords of Townes may take and imprison them by fifteene dayes, if they will not iustifie themselfe, and then to send them to the next Gaole, there to abide till they will iustifie them by the forme of the Statute. And that the Shirife, Gaoler, nor other Minister, shall not let them to no mainprise nor baile, and if he doe, he shall pay to the King ten pounds, and to the partie 100. s. Nor that the Shirife, Gaoler, nor other Minister, shall take no fée nor porterage of prison, nor at his entring nor at his comming out vpon the same paine. And that as well Carpenters and Masons be comprised in this Ordinance, as all other labourers, seruants, and artificers. And that the Carpenters and Masons take from henceforth wages by the day and not by the worke, nor in other manner. And that the chiefe Masters of Carpenters and Masons take foure pence by the day, and the other three pence, or two pence, according as they be worth. And that all alliances and couines of Masons and Carpenters, and Congregations, Chapiters, Ordinances, and oathes betwixt them made, or to be made, shall from henceforth be void and wholly annulled, so that euery Mason and Carpenter, of what condition that he be, shall be compelled by his master to whom he serueth, to doe euery worke that to him pertaineth to doe, or of free stone or rough stone, and also euery Carpenter in his degrée. But it shall be lawfully to euery Lord or other to make bargaine and couenant of their worke in grosse, with such labourers and artificers when please them, so that they performe such workes well and lawfully, according to the bargaine or couenant with them thereof made. Anno 34. Ed. 3. cap. 9.

Repealed

Lords of Townes

Shirife Gaoler

No fee

Carpenters Masons

Wages

Void

19 Of labourers and artificers that absent them out of their seruices, in other Towne, or another Countie, the partie shall haue the suit before the Iustices, and that the Shirife take him at the first day, as is contained in the Statute, if he be found, and doe of him execution, as afore is said, and if he returne that he is not found, hee shall haue an Exigent at the first day, and the same pursue till he be outlawed, and after the Outlarie, a Writ of the same Iustices shall be sent to euery Shirife of England, that the partie will sue, to take him, and to send him to the Shirife of the Countie where he is outlawed, and when he shalbe there brought, he shall haue there imprisonment till he will iustifie himselfe, and haue made grée to the partie, and neuertheleſſe for the falsitie he shall be burnt in the forehead with an yron, made and formed to this letter F. in token of falsitie, if the partie grieued the same will sue. But this paine of burning shall be put in respite till Saint Michael next ensuing, and then not executed, vnlesse it be by the aduice of the Iustices: and the yron shall abide in the custodie of the Shirife. And that the Shirife and some Baylife of the Franchise bee attending to the plaintife to put this Ordinance in execution, vpon paine aforesaid. And that no labourer, seruant, nor artificer shall take no manner of wages the festiuall dayes. Anno 34. Ed. 3. cap. 10.

Fit

Exigent

Outlary

Iayle

Burnt in the head

Festiuall dayes

20 If any labourer, seruant, or artificer absent himselfe in any Citie or Borough, and the partie plaintife come to the Mayor and Baylifes, and require deliuerie of his seruant, they shall make him deliuerie without delay, and if they refuse to doe the same, the partie shall haue his suit against the Mayors and Baylifes before the Iustices of Labourers. And if they be thereof attainted, they shall pay to the King x. l. and to the partie 100. s. Añ 34. Ed. 3. cap. 11.

Fit

Maior Baylifs

Refuſe

Fine

21 The Statute and Ordinance made of Labourers and Artificers, bee holden and kept, and duely executed, and thereupon Commission shall bee made to the Iustices of Peace in euerie Countie, to heare and determine the points of the said Statute, and to award damages at the suit of the partie, according to the quantitie of his trespasse. Anno 42. Edw. 3. cap. 6.

Commiſſion

Iust. of Peace

Damages

22 Of Labourers it is ordained and established, That the Ordinance thereof made in the time of the said Grandfather, which beginneth, Because a great part of the people &c. be affirmed and holden for a Statute. And that as well this Statute as all other Statutes and Ordinances made of artificers, seruants and labourers before this time, be firmely kept and put in due execution. Añ 2. R. 2. cap. 8.

Confirmed

23 All the Statutes of Artificers, Labourers, Seruants, & Victuallers, made as well in the time of our Soueraigne Lord the King that now is, as in the time of his noble Grandfather (whom God assoile) not repealed, shall be firmely holden and kept, & duly executed. And that the said Artificers, Labourers, Seruants, & Victuallers, be duely iusti-

Statutes Artificers Victuallers

Confirmed

iuſtified by the Juſtices of Peace, aſwel at the ſuit of the King, as of the partie, accoꝛding as the ſaid Statutes require. And that the Maioꝛs, Bailifes, and Stewards of Loꝛds and Conſtables of townes do duely their offices, touching ſuch artificers, ſeruants, labourers, & victuallers. And that a paire of ſtockes be in euery Towne, to iuſtifie the ſame ſeruants and labourers, as is oꝛdained in the ſaide ſtatutes. And moꝛeouer, it is oꝛdained and aſſented, that no ſeruant noꝛ labourer, be hée man oꝛ woman, ſhall depart at the end of his terme out of the Hundꝛed, Rape, oꝛ Wapentake where hée is dwelling, to ſerue oꝛ dwell elſewhere, oꝛ by colour to goe from thence in pilgrimage, vnleſſe he bring a Letter patent, containing the cauſe of his going, and the time of his terme, if hée ought to returne, vnder the Kings Seale, which foꝛ this intent ſhall be aſſigned and deliuerd to the keeping of ſome good man of the Hundꝛed, Rape, Wapentake, Citie, oꝛ Boꝛough, after the diſcretion of the Juſtices of Peace to be kept, and lawfully to make ſuch Letters when it needeth, and not in any other maner by his owne oath. And that about the ſame Seale ſhall be wꝛitten the name of the County, and ouerthwart the ſaid Seale, the name of the Hundꝛed, Rape, oꝛ Wapentake, Citie, oꝛ Boꝛough. And alſo if any ſeruant oꝛ laboꝛer be found in any Citie oꝛ Boꝛough, oꝛ elſewhere comming from anie place, wandꝛing without ſuch Letter, hée ſhall be foꝛthwith taken by the ſaide Maioꝛs, Bayliſes, Stewards oꝛ Conſtables, and put in the ſtockes, and kept till he hath found ſuretie to returne to his ſeruice, oꝛ to ſerue oꝛ labour in the Towne from whence hée came, till he haue ſuch Letter to depart foꝛ a reaſonable cauſe. And it is to be remembꝛed, that a ſeruant oꝛ labourer may freely depart out of his ſeruice, at the end of his terme, and to ſerue in another place, ſo that hée be in a certaintie with whom, and ſhall haue ſuch a Letter, as afoꝛe. But the meaning of this oꝛdinance is not, that any ſeruants, which ſhal ride oꝛ goe in the buſines of their Loꝛds oꝛ Maſters, ſhall be compꝛiſed within the ſame oꝛdinance, foꝛ the time of the ſame buſineſſe. And if any beare ſuch Letter, which may be found forged oꝛ falſe, hée ſhall haue impꝛiſonment of foꝛty dayes foꝛ the falſitie, and further till hée hath found ſurety to returne oꝛ ſerue to labour, as is afoꝛeſaid. And that none receiue ſeruant oꝛ laboꝛer going out of their hundꝛed, rape oꝛ wapentake, city oꝛ boꝛough, without letter Teſtimoniall, noꝛ with letter Teſtimoniall aboue one night, except it be foꝛ cauſe of ſickneſs, oꝛ other cauſe reaſonable, oꝛ which will and may ſerue and labour there by the ſame teſtimoniall, vpon a paine to be limited by the Ju. of P. And that aſwell Artificers & people of myſtery, as ſeruants and appꝛentices, which be of no great auoier, and of which craft oꝛ myſterie a man hath no great néede in Harueſt time, ſhall be compelled to ſerue in Harueſt, to cutte, gather and bꝛing in coꝛne. And that theſe Statutes be duely executed by Maioꝛs, Bailifes, Stewards and Conſtables of Townes, vpon paine limited and iudged by the ſaid Juſtices of peace in their Seſſions. And that no man take aboue a peny foꝛ the making, ſealing and deliuering of ſuch Letter. Anno 12. Ric. 2. cap. 2.

24 The Bailife foꝛ huſbandꝛy ſhall take by the yeare thirtéene ſhillings foure pence, and his clothing once by the yeare at the moſt. The maſter Hind ten ſhillings, the Carter x.ſ. the Shepheard x.ſ. the Oxeheard vj.ſ. viij.d. the Cowheard vj.ſ. viij.d. the Swineheard x.ſ. A woman laboꝛer ſix ſhillings, a Deyꝛy woman ſix ſhillings, a dꝛiuer of the Plough vj.ſ. at the moſt. And euerie other laboꝛer and ſeruant accoꝛding to their degrée, and leſſe in the Country where leſſe was wont to be giuen, without clothing, curteſie oꝛ other reward by couenant. And that no ſeruant of artificer, noꝛ victualer within city, boꝛough, oꝛ other towne, ſhall take moꝛe then the ſeruants oꝛ labourers aboue named after their eſtate, without veſture, curteſie, oꝛ other reward by couenant, as afoꝛe is ſaid, and if any giue oꝛ take by couenant moꝛe then is aboue ſpecified, at the firſt time that they ſhal be therof attainted, aſwel the giuers as the takers ſhall pay the valure of the exceſſe ſo giuen oꝛ taken, and at the ſecond time of their attainder, the double valure of ſuch exceſſe, and at the third time, the treble valure of ſuch exceſſe: and if the taker ſo attainted, haue nothing whereof to pay the ſaid exceſſe, he ſhal haue foꝛty dayes impꝛiſonment. Anno 12. Ric. 2. ca. 4.

25 That the oꝛdinaunces afoꝛeſaid of ſeruants and labourers, beggers and vagabonds, ſhall hold place, and be executed as well in cities & boꝛoughs, as in other counties and places within the realme, as well within the franchiſes as without, and that the Sherifes, Maioꝛs, Bayliſes and Keepers of the Gaoles ſhall be holden and charged to receiue the ſaid Seruants, labourers, beggers, vagabonds, and to keepe them in priſon in the foꝛme afoꝛeſaid, without letting to mainpꝛiſe, oꝛ to baile, and without fée oꝛ any other thing taking of them by themſelfe, oꝛ by any other, as long as they be ſo impꝛiſoned, oꝛ at their entrie, oꝛ at their going foꝛth: vpon paine to pay an hundꝛed ſhillings to our Soueraigne Loꝛd the King. Anno 12. R. 2. ca. 9.

26 That the Juſtices of Peace in euery County, in two of their Seſſions to be holden betwixt the feaſt of Eaſter and Saint Michael, ſhall make pꝛoclamation by their diſcretion, after the dearth of victualls, how much euery Maſon, Carpenter, Tyler, and other craftſmen, woꝛkemen and laborers by the day, as well in harueſt, as in other times of the yere, after their degrée, ſhal take the day with meat and dꝛinke, oꝛ without meate and dꝛinke, betwéene the two Seſſions beforeſaid, notwithſtanding the ſtatute thereof heretofoꝛe made, and that euery man obey to ſuch Pꝛoclamations from time to time, as a thing done by ſtatute. Anno 13. Ri. 2. cap. 8.

27 That no laboꝛer be retained to woꝛke by the weéke, noꝛ that no labourers, carpenters, maſons, tylers, plaiſterers, daubers, couerers of houſes, noꝛ none other Labourers, ſhall take anie hire foꝛ the Holy dayes, noꝛ foꝛ the euens of Feaſts, where they do not laboꝛ but till the houre of none, but only foꝛ the halfe day, vpon the paine that ſuch laboꝛer, carpenter, maſon, tyler, plaiſterer, dauber, coueroꝛ

uerer of houses, or any other Laborer that taketh contrary to this statute, shall pay to the King for euery time that he so doth contrary, xx.s. Anno 4. H.4.cap.14.

28 See in Apprentices 2. and 17. How Labo-
Artificers Oath rers and Artificers shall be sworne to serue for the wages appointed by statute, and that they shall be
Stockes Imprison set in the stockes, and imprisoned if they refuse.

29 The statute of Laborers made at Canterbu-
Confirme Iust. of P. rie, and all other good statutes of Labourers, made and not repealed, be firmely holden and kept, and put in due execution. And moreouer that the Iustices of Peace haue power to send their Writs for such fugitiue Labourers to euerie Sherife of the Realme of England, and to make such processes as the statute of Anno 34. Ed. 3. cap. 10. requireth to bring them before them, to answere to our Soueraigne Lord the King, and to the parties of the contempts and trespasses made or done against the ordinaunces and statutes aforesaid, in like maner as the Iustices haue power to send to euery Sherife for the theeues before them indicted. And also, that
Statutes all the statutes and ordinances of Labourers, Seruants and Artificers, before this time made and
Exemplified Shirife Proclamation not repealed, be exemplified vnder the great seale, and sent to euerie Sherife of the Realme of England, thereof to make proclamation in full Countie, and after this proclamation so made, that euery Sherife shall cause the same Exemplification to him directed, to be deliuered to the Iustices of the Peace in his Countie, named in the Quorum, or to one of them, to remain with such Iustices which be or shall be, for the better putting of the aforesaid statutes and ordinances in due execution. And in shires where diuers Commissions of the Peace be made, there shalbe so many Exemplifications of the statuts and ordinances aforesaid made, as be commissions of the Peace in the same shires, and sent to the Sherifes to make proclamation and to deliuer the same, as is aforesaid. And that the Iustices of the Peace in euery shire, named of the Quo-
Reliants Lords rum, be reliant within the same shire, except Lords named in the Commission of the Peace, and also
Iust. of both benches Serieants at Law K. Atturny except the Iustices of the one Bench and of the other, the chiefe Baron of the Eschequer, Serieants at the Law, and the Kings Atturney, for the time that the same Iustices, chiefe Baron, Serieants at the Lawe, and the Kings Atturney be attending and occupied in the Kings Courts, or otherwise in some other place occupied in the K. seruice, make
Sessions their Sessions foure times by the yeare, that is to say, in the first weeke after the feast of Saint Michaell, and the first weeke after the Epiphanie, and in the first weeke after the clause of Easter, and more often, if neede be. And that the same Iustices hold their Sessions throughout the Realme of England in the same weekes euerie yeare from
Iust. of P. Examine henceforth. And also that the Iustices of Peace from henceforth haue power to examine as well all manner of Labourers and Seruants, and their masters, as Artificers by their Othes, of all things by them done contrary to the said ordinances and statutes, and vpon that to punish them vpon their Confession, after the effect of the statutes and ordinances aforesaid, as though they were conuict by Inquest. And that the Sherife in euerie shire Sherife of the Realme of England, shall do well and duely in his Office in this behalfe, vpon paine to lose and to forfeit to our Soueraigne Lord the King Forf. twentie pounds. Anno secundo Henrici quinti cap. 4.

30 Anno 4. H.5. cap. 4. It was enacted to endure for two yeares, that the paines in the statute of Anno 12. R.2. cap. 4. (which is before 24.) concerning wages to seruants, should be onely vpon the taker.

31 That the Iustices of Peace in euery countie for the time being, and the Maior of the Citie Maior of London for the time being, and the Maiors and Bailifes in euery City, Borough, or Towne, shall Maiors Bailifes Cities Proclamation haue such power and authoritie to make Proclamation in their full sessions once by the yeare, and so in euery Borough and Market Towne within their iurisdiction, how much euery seruant of husbandry shall take for his seruice by the yeare, then Wages by them to be holden, betweene the feast of Easter and Saint Michaell. And in euery Borough and Market Towne, how much euery Artificer and Workman shall take by the day, and by the weeke with meat and drinke, or without meat and drink, aswell in August as other times of the yeare. Prouided alwayes, that if any be retained by the weeke for Husbandry, or other Labour, that he shall take nothing for the festiuall dayes in such weeke, nor Festiuall Dayes Halidayes Proclamation for the halfdayes for the euens of such Feasts. And that euerie Proclamation so to be made, be holden as a thing ordained by statute. And if any seruant, Artificer, or Workeman, doe the contrarie Artificers Forf. of such Proclamation so to be made, and be thereof attainted at the Kings suite, he shall forfeit to the King euery time the value of his wages, and if he haue not whereof to make gree to the King, he shall haue imprisonment of fortie dayes, without Iustices baile or mainprise in any manner. And that the Iustices of Peace, Maiors and Bailifes aforesaid, Maiors Bailifes Iust. of Peace Baylifes then for the time being, shall haue power and authority to heare and determine such Offences, as Oyer well at the Kings suite by suggestion surmised, as at the suite of the partie in such case grieued, and thereupon to make and award Writs of Capias, Capias as often times as to them shall seeme well to be done, against such Seruants, Artificers and Workemen at euerie Persons suite that seeketh him in such case grieued or molested, returnable before them selfe, or before any other Iustices of Peace, or Maiors or Baylifes for the time being, at a certaine day in their Sessions: at which day if any such seruant, Artificer, or Workeman, Iust. of P. come before the saide Iustices of Peace, or before Maiors or Baylifes, by force of such Writs or in any other manner: that then the same Iustices of Peace, Maiors, or Bailifes, for the time being, shal haue full power and authority to examine Examine by their discretions and knowledge, aswell such seruants, Artificers and Workemen, as their Masters, how much such Seruants, Artificers and Workemen doe take by the yeare, by the day, and by the weeke. And if they finde by such Examination,

nation, or by plee betwixt the same seruants, artificers, workemen and their maisters, the contrary to be done of such proclamations so to be made: that the said seruants, artificers, and workemen and labourers shal be punished in the form aforesaid, and they shall yelde to the party grieued his double damages. And if any of them depart or voide into another County: that then it be lawfull to the said Iustices of Peace, Maiors and Baylifes, for the time being, to make and graunt Writs of Capias, as many and such as shalbe requisite, directed to the Sheriffes of the Counties, where such seruants, artificers and workmen be fled, to take their bodies, returnable before them at what time shall please them: so that if they come by such processe they shall be put in prison, till they find sufficient Suretie well to serue their said maisters. And that this statute beginne to hold place, as to the punishment of such seruants retained by the yeare, or by the halfe yeare, after the feast of Saint Michaell next comming, for the offences in this behalfe done by them after the said feast. And that all the Maiors and Bailifes which be Wardens of the Peace, in any Cities, Townes or Boroughs of the realme for the time being, shall haue like power, correction and execution of the said Ordinaunces so to bee made, and of all Statutes of Labourers within the said Townes, Cities and Boroughs, as the Iustices of Peace haue in their Counties. And moreouer, that the Iustices of Peace in euerie County, and the Maiors and Bailifes in euerie such City, Borough, or Towne, shall haue power and authority to make proclamation and execution of, and in the premisses as afore is said. And this Ordinaunce shall indure till the next Parliament. Anno 6. H. 6. capit. 3. And after Anno 8. H. 6. capit. 8. It was enacted, That this Statute shall be put in execution till the King hath otherwise declared his will in plaine Parliament.

32 Euerie seruant of Husbandrie, purposing to depart from his Maister at the end of his terme, at the middest of his terme, or otherwise, make a couenant before with an other man, to serue him for the next yeare, if he be in such case as the Law will compell him to serue: that the said Seruants, and he which so shall make couenaunt with him at the middest of the said terme or before, shall giue warning to the Maister of the said seruant, of the same couenant so newly made, so that the same Maister may prouide an other seruant against the end of his terme. And if any couenant with anie such seruant be otherwise made, or that such warning in manner and forme aforesaid not had, that the same couenant shall be void. And that the same seruant be compelled to serue his first Maister for the next yeare, except that a lawfull cause being of a later time require the contrary. And also that the salaries and wages of Seruants, Labourers, and Artificers shall not exceed the assessing as followeth, that is to say, The wages of a Bailife of husbandry by the yeare three and twentie shillings and foure pence, and clothing, price fiue shillings, with meate and drinke. Of a chiefe Heard, a Carter, or chiefe Shepheard twenty shillings, and clothing price of foure shillings, with meat and drink. A common seruant of husbandry fifteene shillings, and clothing price of three shillings foure pence. A woman seruant tenne shillings, and clothes price foure shillings, with meate and drinke. An infant within the age of thirteene yeares, six shillings, and clothing price three shillings with meat and drink. The same forme shal be obserued of wages of Seruants, being with Hostelers, Victailers, and Artificers, in City, Borough, or elsewhere, and that such as deserue lesse, shall take lesse, and also in places where lesse is vsed to be giuen, lesse shall be giuen from henceforth: And that from the feast of Easter till the feast of Saint Michaell, the wages of any free Mason, or master Carpenter, shall not exceede foure pence by the day, and without meate and drinke fiue pence halfe peny. A master Tyler or Slater, a rough Mason and meane Carpenter, and other Artificers, concerning building by the day three pence, with meat and drinke, and without meate and drinke foure pence halfe peny. And euery other labourer by the day two pence with meate and drinke, and without meate and drinke three pence halfe peny. And that from the Feast of Saint Michaell till the Feast of Easter, a free Mason, and a master Carpenter by the day three pence with meate and drinke, and without meate and drinke foure pence halfe peny. A tyler, meane carpenter, rough mason and other Artificers aforesaid, by the day ij. d. ob. with meate and drinke, and without meat and drinke 4. d. And euery artificer and labourer by the day three halfe pence with meate and drinke, and without meat and drinke iij. pence, and he that lesse deserueth shall take lesse. Prouided that the said assessing shall not extend to labourers in the time of haruest, in which time the wages of a mower shal not exceed 4. d. by the day with meat and drink, and without meat and drink vj. d. A reaper or carter ij. d. by the day with meate and drinke, and without meat and drinke fiue pence. A woman Labourer and other Labourers in the time of haruest ij. d. ob. by the day with meat and drink, and without meate and drinke 4. d. ob. and such as be worthy lesse, shall take lesse, and in places where lesse is vsed to be taken, lesse shall be taken from henceforth. And that no artificer, workeman, nor labourer, shall take any thing for the Holy day, nor for the Ferial day; but after the rate of the time of the day in which he laboured. And if any person refuse to serue or labour, according to the premisses, that euery Iustice of Peace in their Counties, shal haue power at euery time, to call them to examination of the same, and such as they shal find defective to commit to the gaole, there to remaine til they haue found sufficient surety to serue and labor, in forme by the Law required. And if any seruant, artificer, workeman or labourer doe contrary to the premisses, or vtter his seruice, occupation or labour, by reason of not giuing of salarie or wages, contrarie to these Statutes, that he shall lose to the partie that will sue in this behalfe xl. s. And that the said Iustices of peace shall haue power to heare and determine all manner of offences, done contrary to the forme of this Statute, aswell at the Kings suit as at

Shepheard

Woman seruant Infant

Artificers seruants

Mason Carpenter

Artificers for building

Harueſt Wages

Holy day

Refuſe

Iuſt. of P.

Impriſon Surety

Fort. Iuſt. of P.

the parties. And that euery of the Kings liege people may haue the ſuite againſt euery perſon that ſhall offend in any point againſt this Statute, and the proceſſe ſhalbe by Attachment, Capias and Exigent, And that the Iuſtices of Peace ſhall aſſeſſe no fine vpon any which ſhalbe conuict before them, of any thing done to the contrary to any ſtatute of Labourers or Artificers, or for this cauſe to put him in the good grace of our ſouereigne Lord the King, vnder three ſhillings foure pence. And alſo that the Iuſtices of Peace throwe the Realme two times euery yeere, ſhal do openly to be proclaimed in their Seſſions, all the ſtatutes of Labourers, Artificers, Hoſtlers, Victailers, Seruants and Vagabonds, before this time made and not reuoked with this Statute. Alſo that by colour of the tenure of leſſe lands, then the husbandry of the ſame ſhall ſuffice to the continuall occupation of one man, no man ſhall be excuſed to ſerue by the yeare, vpon the pain to be inſtiſied as a Vagabond. Alſo that Iuſtices of Peace ſhall haue power to take all ſeruants, reteined with any perſon by colour of husbandrie, and not duely occupied about the ſame, which ſeruants ought by the Law to be ſeruants of husbandrie, to ſuch as ſhall require their ſeruice, and to inſtiſie them in euery point, as the ſame Iuſtices haue power to inſtiſie Vagabonds. And that this Statute ſhall beginne to be of force and executorie in the feaſt of S. Michael, which ſhalbe in the yeere of our Lord 1446. and in no wiſe before. Añ 23. H.6.cap.13.

Proceſſe
Attachment
Capias
Exigent
Fine

Iuſt. of P.

Proclamation

Vagabond
Iuſt. of P.

Iuſtiſie

33 Anno 11. H.7.cap.22. An Act was made for the wages of the Labourers and Artificers, and what houres they ſhould haue. But it is repealed by 12.H.7.ca.3.

34 Anno 4. H. 8. cap.5. An Act was made to endure to the next Parliament, repealing penalties and forfeitures againſt the maſter and giuer of wages to Seruants and Labourers, contrary to the ſtatute made Añ 12.R.2.cap.3,4,5, and 6.

Wages

35 No Baylife of Husbandrie ſhall take for his wages by the yeere aboue xxvj.ſ. viij.d, for clothing v.ſ, with meate & drinke. No chiefe hinde, as a carter, or chiefe ſhepheard aboue xx.ſ by the yere, and for his clothing fiue ſ. with meate and drinke. No common ſeruant of husbandrie aboue xvj.ſ viij.d. by the yeare, and for his clothing iij.ſ. with meate and drink. No woman ſeruant aboue x. ſhillings by the yeere, and for her clothing iij. ſ. with meate and drinke. No child within the age of foureteene yeares, aboue vj.ſ. viij.d. by the yeare, and for his clothing iij.ſ. with meate and drinke. And that no Artificer ne Labourer (hereafter named) take no more ne greater wages then in this ſtatute is limited, vpon the paine ſelled, as well to the taker as to the giuer: that is to ſay, a free Maſon, maſter Carpenter, rough Maſon, Bricke-layer, maſter Tyler, Plummer, Glaſier, Caruer, ne Joyner, from Eaſter to Michaelmas, euery of theſe artificers aforeſaid vj.d. by the day without meate and drinke, and with meate and drinke iij. d. And from Michaelmas to Eaſter v.d. without meat and drinke, and with meat & drink iij.d. And that the wages of a Shipwright, from the feaſt of Candlemaſſe vnto

Bailifes of
husbandry
Wages
Hinde
Shepheard

Woman
ſeruant
Child

Artificer

Artificers
for building

Shippe-
wrights
wages

the feaſt of Saint Michael the Archangell, ſhall not exceed the ſame inſuing: that is to ſay, a Maſter Shippe-carpenter, taking the charge of the worke, hauing men vnder him, by the day fiue pence with meate and drinke, and without meate and drinke vj. pence. Another Ship-carpenter called a Hewer, by the day foure d. with meate and drinke, and without meate and drinke ſix pence. An able Clincher, by the day iij. d. with meate and drinke, and without meate and drinke fiue pence. An holder by the day ij. d. with meate and drinke, and without meat and drinke iij.d. A maſter Caulker by the day iij.d. with meate and drinke, and without meate and drinke vj.d. Another meane Caulker by the day iij. d. with meate and drinke, and without meate and drinke fiue pence. A Caulker labouring by the tide, for as long time as he may labour aboue the water and beneath the water, ſhal not exceed for his wages for euery tide foure pence with meate and drinke. And from the feaſt of Michaelmas to Candlemas, the wages of a maſter Shipwright by the day foure pence with meat and drink, and without meate and drink, vj.d. An Hewer by the day three pence with meate and drinke, and without meate and drink v.d. An able Clincher by the day ij.d.ob. with meate and drinke, and without meate & drink iij.d ob. An Holder by the day one peny halfe peny, with meate and drinke, and without meate and drinke ij.d. A maſter Caulker by the day ij.d. with meate and drinke, and without meate and drinke v.d. An other meane Caulker by the day ij.d.ob. with meate and drinke, and without meate and drinke iij.d.ob. Be it alſo enacted &c. That in ſuch Shires and Countries where it hath been, and is now vſed, to giue leſſe wages, that in thoſe ſhires and counties they ſhall giue, and the takers of the ſaide wages be compelled, according as they haue leſſe vſed to take, this Act notwithſtanding. And the maſter Maſon, and maſter Carpenter, which ſhall take the charge of the worke, hauing vnder him or them ſix men, ſhall haue vj.d. without meat and drinke, and v.d. with meate and drinke. And euery perſon and artificer ſpecified in this ſtatute, being not reteined in any ſeruice for any worke, be compelled to ſerue euery other perſon for ſuch wages, as in this ſtatute before is limited. And that no Artificer reteined in any ſeruice to worke with the Kings Highneſſe, or any other perſon, depart not from his ſaid Highneſſe, or from the ſaid other perſon, til ſuch time as the worke is finiſhed, if the perſon ſo retaining the artificer ſo long will haue him, and pay him his wages, vpon paine of impriſonment of any perſon ſo departing by the ſpace of a moneth, and to make fine of xx.ſ. Alwayes prouided and forborne, that if the ſame Artificer be called to the Kings ſeruice and worke, that then he may lawfully depart, ſo that he enter and be in the Kings ſeruice and worke. And it is further ordained by the ſaid authoritie, that euery other labourer and artificer (not afore named) ſhall take from Eaſter to Michaelmas, for euery day that he ſo labo-
ureth (except the ſeaſon of harueſt) iij.d. without meate and drinke, and two pence with meate and drinke. And from Michaelmaſſe till Eaſter iij.d.

without

without meate and drinke, and three halfe pence, with meate and drinke, and in the same time of harnest, euery mower shall take by the day foure pence with meate and drinke, and without meate and drinke six pence. A Reaper and Carter euerie of them three pence by the day with meat and drinke, and without meate and drinke fiue pence. A woman labourer and other labourers euery of them two pence halfe peny by the day with meate and drinke, and without meat and drinke foure pence halfe peny. And that no artificer nor labourer working but the halfe day, take no wages but for the halfe day, and nothing for the holy day. And if any Bailife of husbandry, hinde, carter, shepheard, common seruant, woman seruant, or childe seruant, aboue specified, not retained in any seruice or worke, refuse to serue or worke, according to the ordinaunce aboue specified: then the same person to be committed to ward, by the constable or other head officer, within the citie, towne or village, where the partie so refusing is, at the complaint of him, that will receiue such seruant, there to remaine till he haue found surety to serue according to the said ordinaunce. Furthermore, if any artificer or labourer, being not retained in any such seruice or worke, refuse to serue after the rate of this estatute, or doe take greater or more wages then therein is limited for the same artificers and labourers, or if any artificer or labourer take wages for the whole day, where hee worketh but halfe the day: that then euery artificer or labourer, offending in any of the aforesaid articles, to forfeit for euery default as often as they offend xx.s. And they to be conuicted for euery such default by presentment afore the Justices of Peace in their Sessions, according to the common law, or by examination of the Justice in the same Sessions, or by examination of two Justices of Peace, out of the sessions in any place within the shire wherein they bin Justices, and where such defaults shalbe made. And that the said forfeiture of xx.s. be leuied of their lands, goods, and cattels so offending. And furthermore, where diuers artificers and labourers, retained to worke and serue, waste most part of the day, and doe not deserue their wages, sometime in late comming to their worke, earely departing therefro, long sitting at their breakfast, at their dinner, and at their none meate, and long time of sleeping after none, to the losse and hurt of such persons, as the said artificers and labourers bin retained within seruice. It is therefore enacted &c. that euery artificer and labourer be at worke, betweene the midst of the moneths of March, and the midst of the moneth of September, before fiue of the clocke in the morning, and that hee haue but halfe an houre for his breakefast, and an houre and an halfe for his dinner, at such season as hee hath time for sleepe to him appointed by the said statute, and at such time as it is herein appointed that he shall not sleep, then he to haue but an houre for his dinner, and halfe an houre for his none meate, and that he depart not from his worke, betweene the middest of the moneth of March and September, till betweene seuen and eight of the clocke in the euening. And if they or any of them offend in any of these articles: That then their defaults to be marked by him or his deputie; that shall pay their wages, and at the weeks end to be abated of such rate of time as they haue offended. And that from the midst of September, to the midst of March, euery artificer and labourer be at their worke in the springing of the day, and depart not till night of the same day, and that the said artificers and labourers sleepe not by day, but only from the middest of the moneth of May, vnto the middest of August. And it is enacted by the same authority, that if any Artificer or Labourer retained in seruice with any person, for building or reparation, doe assault or make, or cause to be made any assembly to assault, harme, or hurt any person assigned to controll or ouersee them in their working, that hee or they so offending, haue imprisonment for a yeare, without letting to baile or mainprise, and furthermore to make fine at the Kings will. The same assemblie or assault to be tried by examination before the Justices of Peace, as is aforesaid. This Act to beginne and take effect at the feast of Whitsontide next comming, and in the meane time the same to be proclaimed in euerie good Citie, Borough, and Towne of this Realme. Prouided alway, that this Act, ne any thing therein contained, extend not, ne be preiudiciall to anie person or persons, for mining or digging for anie coale called Sea-coale, otherwise called Smithes coale, or for making of any glasse. Prouided alway, that this Act or any thing therein contained extend not, ne in any wise be hurtfull or preiudiciall to any miners, workers or labourers of tin, lead, yron, or siluer, or for any wages taking about the digging, setting or finding of the same mettalles: This Act or any thing therein contained notwithstanding. Anno 6. H. 8. capit. 3. & Anno 7. H. 8. cap. 5.

Sleeping time May August

Assault

Imprif. Mainprife Fine Triall

Iuſt. of P.

Mines Sea-cole Glaſſe

Tinne Lead Yron Siluer

36 All and euery of the said Artificers, s. free masons, Rough masons, Bricke-layers, Carpenters, Joyners, Caruers, Plasterers, Dawbers, Tylers, Hillers, Plummers, Glasiers, Labourers, and their said Apprentices and seruants working within the said Citie (s. of London) or within the libertie of the same, from henceforth may take for their wages, like wages as they did take before the said Statute (s. Anno 6. H. 8. cap. 3. before 31.) had or made: the same former act notwithstanding. And if the saide Artificers and their Apprentices worke out of the said Citie of London, and the libertie and franchise of the same: that then they and euery of them, take but only such wages as is comprised in the said former statute. And also, that all such Artificers and Labourers, as shall from henceforth worke within the same Citie and Libertie of the same, in the Kings workes, that they nor none of them take any more wages, but as it is expressed in the said former statute. And that the penaltie comprised in the said former Statute extend not but onely to the Taker, and not to the Giuer: the said former Act notwithstanding. Anno 7. H. 8. cap. 6.

Artificers

London

Wages

Apprentices

37 No person nor persons occupying or vsing, or that hereafter shall occupy or vse any of the arts, Mysteries, Occupations, Crafts or Sciences of a

Artificer

Clothmaker, Fuller, Sheereman, weauer, tailor, or shoemaker, shall after the feast of Pentecost next comming, hire or retaine to worke in any of their artes, mysteries, occupations, crafts or sciences, any person or persons vnmaried as a Iorneyman: that is to say, to worke or labour by the day, or tale worke, or by the great, or for any time or terme vnder the time or terme of one whole quarter of ons whole yeare. And that no person or persons vnmaried, shall be hired or retained with any of the person or persons aforesaid, to worke in anie of the artes, mysteries, occupations, crafts or sciences aforesaid, for any lesse time then for the space of one whole quarter of one whole yeare, vpon paine of euery person offending contrary to this Statute to suffer imprisonment for one whole moneth, without baile or mainprise, and to forfeit for euerie such offence fortie shillings. And be it &c. That euerie Iorneyman of any of the crafts, occupations, or mysteries aforesaid, being required by anie person or persons, vsing the misteries, occupations, crafts or sciences aforesaid, or any of them to serue by the quarter of the yeare, halfe yeare, or whole yeare, vpon such reasonable wages as between them shall be agreed, and in case where the parties can not accord: then for such wages as shall be adiudged and decreed by one Iustice of Peace, Maior, Alderman, Bayliffe, Portreeue, Constable or Mythingman of the Shire, City, Towne, Borough, Village, Hundred, Wapentake, or Mything, where any Iorneyman shalbe required to serue, as is aforesaid, and thereupon if such Iorneyman refuse to serue in manner and forme abouesaide, that then euery such Iorneyman and euery of them so refusing to serue as is abouesaid, shall suffer imprisonment by the space of one whole moneth, and shall at euery time so refusing, forfeit twenty shillings. And be it &c. That all and euery person or persons, that shall haue three apprentices in any of the saide crafts, mysteries, or occupations, shall reteine and keepe one Iourneyman, and for euery other apprentice aboue the number of the said three apprentices, one other Iorneyman, vpon paine for euerie default tenne pounds. The one halfe of the which forfeiture shall be to the King, and the other halfe to such person or persons as wil sue for the same, in any of the Kings Courts of Record, by bill, &c. in which &c. And it is &c. That all and singuler the Offences abouesaid, which shall be hereafter committed or done, contrary to the tenor of this present Act, shall be inquirable and presentable before the Iustices of Oier and determiner, Iustices of Assises, Iustices of Peace, and in all and euery Leete or Leetes, before the Steward or Stewards there, and before any Maior, Bailife or other head officer of any city, borough or towne corporate. And that the said Iustices, Steward, Maior, Bailife, or other head Officer, shall haue full power and authorities from time to time, to punish and correct al and euery person or persons offending contrary to the tenor of this present Act, according to such presentment or presentments, as before him or them shall be had or made. Prouided alwayes, and be it &c. That all seruants of Husbandrie vnmaried, and which haue not beene maried, and all seruants and labourers, vsing to labour in Barges, commonly called Westerne Barges, which are not, nor haue beene maried, shall after the feast of the Annunciation of our Lady next comming, serue by the whole yeare, and not goe by the day wages, vpon paine of such punishment as is contained in the Statutes made against Labourers, and that all such seruants shall after the said Feast giue their Master and Mistresse a quarters warning, against his or their departure out of seruice, vpon the like paine contained in the said Statute. Anñ 3. Ed. 6. ca. 21.

Vnmarried man

Iourneyman

Yeare

Quarter of a yeare

Imprison

Fine.

Iourneyman

Iust. of P. Maior Alderman Bailife Constable

Refuse

Imprison

Fine.

3. apprentices

1. Iourneyman

Fine. Moitie

Barges

Warning

38 Although there remaine now in force a great number of Statutes, concerning the retaining, departing, wages and orders of Apprentices, Seruants & Labourers, as well in Husbandrie, as in diuers other Arts, Mysteries, and Occupations: yet partly for the imperfection & contrarietie in them, and for the varietie & number of them, and chiefly for that the wages rated in many of them are to small, and not answerable to this time, they cannot without great burden to the poore labourer and hired men, be put in due execution: wherefore collecting the substance of the meetest of them, and to limit an vniforme order concerning the wages and other orders for apprentices, seruants and labourers, that idlenesse may be banished, husbandrie auaunced, and the hired men haue at all times a conuenient portion of wages. Be it &c. that as much of all the Statutes heretofore made, and euery Braunch of them, as touch or concerne the hiring, keeping, departing, working, wages, or order of seruants, workemen, artificers, apprentices or labourers, or any of them, and the penalties and forfeitures concerning the same, shall be from and after the last day of September nert insuing, repealed and vtterly void and of none effect. And that all the said Statutes and euery Branch thereof, or anie matter contained in them and not repealed by this Statute, shall remaine and be in full force and effect: Anie thing in this Statute to the contrarie notwithstanding. And be it &c. That no manner of person or persons, after the foresaid last day of September now next insuing, shall retaine, hire, or take into seruice, or cause to be retained, hired, or taken into seruice, by any meanes or colour, to work for any lesse time or terme then for one whole yeare, in any of the sciences, crafts, mysteries or arts of Clothiers, woollen cloth weauers, tuckers, fullers, clothworkers, sheeremen, diers, hosiers, tailers, shoemakers, tanners, pewterers, bakers, brewers, glouers, cutlers, smithes, farriers, curriers, sadlers, spurriers, turners, cappers, hattemakers, or feltmakers, bowyers, fletchers, arrowhedmakers, butchers, cookes or millers. And be it further enacted, That euery person being vnmarried, and euerie other person being vnder the age of thirtie yeares, that after the Feast of Easter nert shall marry, and hauing beene brought vp in anie of the said arts, crafts or sciences, or that hath vsed or exercised any of them by the space of three yeares or more, and not hauing lands, tenements, rents, or hereditaments, copieholde or freeholde, of ons estate of Inheritaunce, or for terme of anie life or liues,

Fine

Grant repeal

Fine in seuen

Craft Artificer

Fine

Vnmarried man

liues of the cleare yearely value of fortie shillings, nor being worth of his owne goods the cleare value of ten pound, and so allowed by two Iustices of the Peace of the County where he hath most commonly inhabited by the space of one whole yere, and vnder their hands and Seales, or by the Maior or other head Officer of the City, Borough, or towne corporate, where such person hath most commonly dwelled by the space of one whole yeare, and two Aldermen, or two other discrete Burgesses of the same Citie, Borough, or Towne Corporate, if there be no Aldermen, vnder their hands and Seales, nor being reteined with any person in Husbandrie, or in any of the aforesaid acts and sciences, according to this Statute, nor lawfully reteined in any other Art or Science, nor being lawfully retained in houshold, or in any Office with any Nobleman, Gentleman or others, according to the lawes of this realme, nor hauing a conuenient farme, or other holding in Tillage, whereupon hee may imploy his labour, shall during the time that he or they shall so be vnmaried, or vnder the said age of thirty yeares, vpon request made by any person vsing the Art or Mysterie wherein the said person so required hath been exercised, as is aforesaid, be reteined, and shal not refuse to serue, according to the tenour of this Statute, vpon the pain & penaltie hereafter mentioned. And be it further enacted, that no person which shall retaine any seruant, shall put away his or her said Seruant, and that no person retained according to this Statute shall depart from his said Master, Mistresse or Dame, before the end of his or her terme, vpon ẏ pain hereafter mentioned, vnlesse it be for some reasonable and sufficient cause or matter to be allowed before two Iustices of Peace, or one at the least, within the said County, or before the Maior or other chiefe Officer of the City, Borough or Towne corporate, wherein the said Master, Mistresse or Dame inhabiteth, to whom any of the parties grieued shall complaine. Which said Iustice or Iustices, Maior or chiefe Officer, shall haue and take vpon him or them the hearing & ordering of the matter, betwixt the said master, mistresse or Dame, and Seruant, according to the equity of the cause. And that no such Master, Mistresse or Dame, shall put away any such seruant at the end of his terme, or that any such Seruant shall depart from his said Master, Mistresse or Dame, at the end of his terme, without one quarters warning giuen before the end of his said terme, either by ẏ said Master, Mistresse or Dame, or seruant, ẏ one to the other, vpon paine hereafter insuing. And be it further enacted, by the authoritie aforesaid, ẏ euery person betwixt the age of xij. yeres, & the age of xl. yeres, not being lawfully reteined nor apprentice with any fisherman or Mariner haunting the Seas, nor being in seruice with any Ryder or Carrier of Corne, Graine or Meale for the prouision of the citie of London, nor with any husbandman in Husbandrie, nor in any Citie, Towne corporate or market Towne, in any of the Artes or Sciences limitted or appointed by this statute, to haue or take Apprentices, nor being retained by the yere or halfe yere at the least, for the digging, seeking, finding, getting, melting, fining, working, trying, or making of any Siluer, Tinne, Leade, Iron, Copper, Stone, Sea-coale, Stone coale, Moore coale or Charke-coale, nor being occupied in or about the making of any glasse, nor being a Gentleman borne, nor being a student or Scholler in any of the Vniuersities, or in any Schole, nor hauing lands, tenements, rents or hereditaments, for terme of life, or of one estate of inheritance, of the cleare yearely value of forty shillings, nor being worth in goods and Cattels to the value of ten pound, nor hauing a father and mother then liuing, or other ancester, whose heire apparant he is, then hauing lands, tenements, or hereditaments of the yearely value of ten pounds or aboue, or goods or Cattels of the value of of fortie pound, nor being a necessary or conuenient Officer, or Seruant lawfully retained, as is foresaid, nor hauing a conuenient farme, or holding, whereupon he may or shall imploy his labour, nor being otherwise lawfully reteined, according to the true meaning of this Statute: shall after the aforesaide last day of September now next insuing by vertue of this estatut, be compelled to be reteined to serue in Husbandry by the yeare, with any person that keepeth Husbandry, and will require any such person so to serue within the same shire where hee shall be so required. And be it &c. that if any person after he hath reteined any seruant, shall put away the same seruant before the end of his terme, vnlesse it be for some reasonable and sufficient cause to be allowed, as is aforesaid, or if any such Master, Mistresse or Dame, shall put away any such seruant at the end of his terme without one quarters warning giuen before the said end, as is aboue remembred: that then euery such Master, Mistresse or Dame, so offending, vnlesse he or they be able to proue by two sufficient witnesses, such reasonable and sufficient cause of putting away of their Seruant or Seruants during their terme, or a quarters warning giuen afore the end of the saide terme, as is aforesaid, before the Iustices of Oier and terminer, Iustices of Assise, Iustices of the Peace in their quarter Sessions, or before the Maior or other head Officer of any City, Borough, or Towne Corporate, and two Aldermen or two other discrete Burgesses of the same City, Borough or Towne Corporate, if there be no Aldermen, or before the Lord President and Counsell established in the Marches of Wales, or before the Lord President and Councell for the time being established in the North parts, shall forfeit the summe of forty shillings. And if any Seruant retained according to the forme of this Statute, depart from his said Master, Mistresse or Dames seruice, before the end of his terme, vnlesse it be for some reasonable and sufficient cause to be allowed, as is aforesaid, or if any seruant at the end of his terme shall depart from his said Master, Mistresse or Dames seruice, without one quarters warning giuen before the end of his said terme in forme aforesaid, and before two lawfull witnesses, or if any person or persons compellable and bound to be

Mines
Glasse
Gentleman
Student
Scholler
40 s. land
Goods
Father or Mother
Heire apparant
Farmer
Retaine to serue in Husbandry
Put away
Warning
Two witnesses
Iustices Iust. of Al. Iust. of P. Quarter Sessions
L. President Forf.
Depart without licence
Two witnesses

be retained to serue in husbandrie, or in any other the Arts, sciences or mysteries aboue remembred, by the yeare or otherwise, do vpon request made, refuse to serue, for the wages that shall be limited, rated and appointed, according to the forme of this estatute, or promise or couenant to serue, & do not serue according to the tenour of the same: that then euery seruant so departing away, & euery person so refusing to serue for such wages, vpon complaint thereof made by the Master, mastresse or Dame of the said Seruant, or by the party, to, or with whome the said refusall is made, or promise not kept, to two Iustices of Peace of the County, or to the Maior or other head Officer of the Citie, Borough, or Towne Corporate, and Aldermen, or two other discrete Burgesses of the same Cities, Borough or towne Corporate, if there be no Aldermen where the said Master, Mastresse or Dame, or the said party, to or with whome the said refusall is made, and promise not kept, dwelleth, or to either of the said L. Presidents, and Councels of Wales, and the North: The said Iustices, Lord Presidents and Councels, and also the said Maiors, & other head officers, and other persons of Cities, Boroughs, or Townes corporate, or any of them, as is aforesaid, shall haue power by force of this Statute, to heare & examine the matter, & finding the said seruant or the said party so refusing faulty in ỳ premisses vpon such proues & good matter, as to their discretiõs shall be thought sufficient, to commit him or them to Ward, there to remaine without baile or mainprise, vntill the said seruant or party so offending, shall be bound to the partie to whome the offence shall be made, to serue and continue with him for the Wages that then shall be limitted and appointed, according to the tenour and forme of this estatute, and to be discharged vpon his deliuerie, without paying any fee to the Goaler, where he or they shall be so imprisoned. And be it likewise enacted, that none of the said reteined persons in Husbandrie, or in any the artes or sciences aboue remembred, after the time of his reteiner expired, shall depart forth of one Citie, Towne or Parish to any other, nor out of the Lathe, Rape, Wapentake or Hundred, nor out of the County or shire where he last serued, to serue in any other City, Towne corporate, Lathe, Rape, Wapentake hundred, Shire or County, vnlesse he haue a testimoniall, vnder the Seale of the City or Towne Corporate, or of the Constable or Cõstables or other head officers, and of two other honest houlholders of the City Towne or Parish where he last serued, declaring his lawful departure, and the name of the shire and place where hee dwelled last before his departure, according to the forme hereafter expressed in this act: which certificate or testimoniall shall bee written and deliuered vnto the said seruant, and also registred by the Parson, Vicar or Curate of the Parish where such Master, Mastresse or Dame doth or shall dwell, taking for the doing thereof two pence, and not aboue, and the forme thereof shall be as followeth. Memorandum, that A.B. late seruant to C.D. of E. Husbandman or Taylor, &c. in the said County is licenced to depart from his said Maister, and is at his liberty to serue elsewhere, according to the Statute in that case made and prouided. In witnes whereof &c. Dated the day, month, yeare and place, &c. of the making hereof. And be it further enacted, &c. that no person or persons ỳ shall depart out of seruice, shall be reteined or accepted into any other seruice, without shewing before his reteiner, such testimoniall as is aboue remembred, to the chiefe officer of the towne corporat, and in euery other town and place, to the Constable, Curate, Churchwarden, or other head officer of the same, where hee shall be reteined to serue, vpon the paine that euery such seruant so departing without such certificate or testimonial, shall be imprisoned vntill hee procure a testimoniall or certificate, the which if he cannot do within the space of one and twenty daies next after the first day of his imprisonment: then the said person to be whipped and vsed as a vagabond, according to the lawes in such cases prouided. And that euery person reteining any such seruant without shewing such testimoniall or certificate, as is aforesaid, shall forfeit for euery such offence fiue pound. And if any such person shall be taken with any counterfeit or forged testimonial, then to be whipped as a vagabond. And be it &c. that all Artificers and Labourers, being hired for wages by the day or worke, shall betwixt the midst of the months of March & September, be and continue at their worke, at or before fiue of the clocke in the morning, and continue at worke, and not to depart, vntill betwixt seuen and eight of the clocke at night, (except it be in the time of breakefast, dinner, or drinking) the which time at the most shall not exceede aboue two houres & a halfe in the day: that is to say, at euery drinking one halfe houre, for his dinner one houre, and for his sleepe, when he is allowed to sleepe (the which is from the midst of May, to the midst of August) halfe an houre at the most, and at euery breakefast one halfe houre, and all the said Artificers and Labourers betwixt the midst of September and the middest of March, shall be and continue at their worke from the spring of the day in the morning, vntill night of the same day, except it be in time afore appointed for breakfast and dinner, vpon paine to lose and forfeit one penny for euery houres absence, to be deduced and defalked out of his wages that should so offend. And be it also enacted by the authoritie aforesaid, that euery Artificer and Labourer, that shall be lawfully reteined, in, or for the building or repairing of any Church, House, Ship, Mill, or any other piece of worke taken in great, in taske, or in grosse, or that shall hereafter take vpon him to make or finish any such thing or worke, shall continue and not depart from the same, vnlesse it be for not paying of his wages or hire agreed on, or otherwise lawfully taken or appointed to serue the Queenes Maiestie, her heires or successors, or for other lawfull cause, or without licence of the Master or Owner of the worke, or of him that hath the charge thereof, before the finishing of the said worke, vpon paine of imprisonment by one month, without

Refuse

Two Iustices of P.

Examine

Imprisõ. Mainprise

No fee to the Goaler

Depart from one towne to another

Testimoniall Constable

Vicar Curate

Forme

Retained

Constable Churchwarden

Depart without licence Imprisõ.

Prou. Duties

Whippe Vagabond

Retainer

Fol.

Forged testimonial Whippe Artificers Labourers March September

Time of worke.

Sleepe May August

Fol.

Retainer Labourer

Take

Depart without licence

without baile or mainprise, and the forfeiture of the summe of fiue pound, to the party from whom he shall so depart, for the which the said party may haue his action of debt against him that shall so depart, in any of the Quenes Maiesties Courts of Record, ouer and besides such ordinarie costs and damages, as may or ought to be recouered by the comm̃ lawes, for or concerning any such offence: In which action, no protection, wager of law, or essoine shall be admitted. And ẏ no other Artificer, or Labourer, retained in any seruice to worke with the Quenes Maiesty, or any other person, depart not from her saide Maiestie, or from the said other person, vntill such time as the worke be finished, if the person so retaining the Artificer or Labourer, so long will haue him and pay him his wages or other duties, vpon paine of imprisonment of euery person so departing, by the space of one Moneth. And be it further &c. that the Justices of Peace of euery shire, riding, and liberty within the limits of their seuerall commissions or the more part of them being then resiant within the same, and the Shirife of the Countie (if he conueniently may) and euery Maior, Bailife, or other head Officer within any Citie or Towne Corporate, wherein is any Justice of Peace within the limits of the saide citie or towne Corporate, and of the said corporation, shall before the tenth day of June next cõming, and afterward yearely at euery generall Sessions, first to be holden and kept after Easter, or at some time conuenient within fiue weekes next following euery of the said feasts of Easter, assemble themselues together, and they (so assembled) calling vnto them such discréet and graue persons of the said Countie, or of the said City or towne corporate, as they shall thinke méete, and conferring together, respecting the plentie or scarcity of the time and other circumstances necessarily to bee considered, shall haue authority by vertue hereof, within the limits and precincts of their seuerall commissions to limit, rate, and appoint the wages, as well of such and so many of the said Artificers, Handicraftesmen, Husbandmen, or any other Labourer, Seruant or Workeman, whose wages in time past hath bin by any lawe or Statute rated and appointed, as also the wages of all other Labourers, Artificers, Workemen or Apprentices of Husbandry, which haue not beene rated, as they the same Justices, Maiors, or head Officers within their seuerall Commissions or Liberties, shall thinke meet by their discretions to be rated, limitted or appointed by the yere, or by the day, weeke, month, or otherwise, with meate and drinke, or without meat and drinke, and what wages euerie Workeman and Labourer shall take by the great for mowing, reaping, or threshing of Corns and graine, and for mowing or making of Hay, or for ditching, pailing, raling, or hedging by the rod, Pearch, lugge, yard, pole, rope, or rod, or for any other kinde of reasonable labour or seruice. And shall yearely before the twelfe day of July, next after the said assessement and rates so appointed and made, certifie the same, ingrossed in parchment with the considerations and causes thereof, vnder their hands and seales, into the Quenes most honorable Court of Chancerie: whereupon it shal be lawful to the Lord Chancellor of England or Lord Keper of the Great Seale for the time being, vpon declaration thereof to the Quenes Maiesty, her heires or successors, or the Lords and other of the Priuy Councell, for the time being, attendant vpon their persons, to cause to be printed and sent down, before the first day of September next after the said Certificate, into euery County, to the shirife and Justices of Peace there, and to the saide Maiors, Bailifes, and head Officers ten or twelue Proclamations, or more, conteining in euery one of them seuerall rates appointed by the said Justices, and other head Officers as is aforesaid, with commandement by the said Proclamations to all persons in the name of the Quenes Maiesty, her heires or successors, strictly to obserue the same, and to all Justices, Shirifes, and other Officers, to see the same duely and seuerely obserued, vpon the danger of the punishment and forfeitures limited and appointed by this statute. Vpon receite whereof, the said Shirifes, Justices of Peace, and the Maior and head Officer in euery City or Towne Corporate, shall cause the same Proclamation to be entred of Record, by the Clerk of the Peace, or by the Clerke of the Citie or Towne Corporate, and the said Shirifes, Justices, and other the said Maior and head Officers, shall forthwith in open Markets, vpon the market daies, before Michaelmas then insuing, cause the same Proclamation to be proclaimed in euery City or Market Towne, within the limits of their Commission, and the same Proclamation to be fixed in some conuenient place of the said City and towne, or in such of the most occupied Market Townes, as to the said Shirifes, Justices of Peace, and to the said Maior and head Officers shall be thought meet. And if the said Shirifes, Justices of Peace, or the Maior and head Officers shall at their said Generall Sessions, or at any time after within fiue weekes then following, vpon their assembly and conference together, thinke it conuenient to reteine and keepe for the yeare then to come, the rates and proportion of wages, that they certified the yeare before, or to change or to reforme them, or some part of them, then they shall before the said twelfth day of July, yearely certifie into the saide Court of Chancery their resolutions and determinations therein, to the intent that Proclamation may accordingly be renued and sent downe. And if it shal happen that there be no need of any reformation or alteration of the rates of the said wages, but that the former shall be thought méete to be continued: then the Proclamations for the yeare past, shall remaine in force vntill new Proclamations, vpon new rates concerning the said wages, shall be sent downe according to the forme of this statute. And be it enacted by the authority of this present Parliament, that if all the Justices of Peace resiant within the Counties, where they are or shall be Justices of Peace, Maiors and head Officers, doe not before the tenth day of June next cõming, and afterward, yearely appeare and assemble

Chancery L. Chancelor

Print

Shirife Maior Iust. of P. Bayliffe Proclamations

Obserue

Shirife Iust. of P. Maior

Clerke of the Peace

Proclaime

Shirife Iust. of P. Maior Generall Sessions

Change

Certifie

Chancery

Iust of P.

Maiors

ſemble at the ſaid generall ſeſſions, or within ſixe weeks next after the ſaid generall ſeſſions, & limit, & rate the wages of the ſaid Seruants and Labourers, or ſhall not conſider whether the former rates made be meet to be continued, or to be altered and reformed in manner and forme aforeſaid, or be negligent, or remiſſe in the certificate thereof in forme aboue written: that then euery Juſtice of Peace of the Countie, and euery Maior and head Officer of the City or towne Corporate, in whom any ſuch default or negligence ſhall be found, being within the ſaid County, Citie, or Towne corporate at the time of the ſaid next aſſembly, or at the time of the ſaid Seſſions, or at the times of the ſaid rates of wages to be ſet, within ſixe weekes next after euery ſuch Seſſions, and not viſited with any ſuch ſickneſs, as he could not trauaile thither without perill and danger of his life, or not hauing any other lawfull and good excuſe to be allowed by the Juſtices then aſſembled, for the rating and taxing of wages, as is aforeſaid, or by the more part of them, vpon a corporall Oath and affidauit, to be taken and made openly before the ſaid Juſtices, vpon the holy Euangeliſts, by ſome credible perſon aſſeſſed and taxed in the booke of Subſidie in that Countie, to the clere value of fiue pound at the leaſt, or by ſuch other perſon as the moſt part of ſuch Juſtices ſhall allow and accept to take ſuch othe, ſhall for ſuch default or Negligence forfeit vnto the Queenes Maieſty her heires and ſucceſſors ten pound of lawfull money of England. And be it further enacted by the authority aforeſaid, that if any perſon after the ſaid Proclamation ſhall be ſo ſent downe and publiſhed, ſhall by any ſecret waies or meanes, directly, or indirectly, retaine or keepe any Seruant, workeman or Labourer, or ſhall giue any more or greater wages or other commoditie, contrary to the true intent and purport of this ſtatute, or contrary to the rates or wages that ſhall be aſſeſſed or appointed in the ſaid Proclamations: that then euerie perſon that ſhall ſo offend, and be thereof lawfully conuicted before any the Juſtices or other head Officers aboue remembred, or either of the ſaid Preſidents and Councels: ſhall ſuffer impriſonment by the ſpace of ten daies, without baile or mainepriſe, and ſhall loſe and forfeit fiue pound of lawfull money of England. And that euery perſon that ſhall be ſo reteined and take wages contrary to this ſtatute, or any braunch thereof, or of the ſaid Proclamation, and ſhall be thereof conuicted before the Juſtices aforeſaid, or any two of them, or before the Maior or other head Officers aforeſaid: ſhall ſuffer impriſonment by the ſpace of one and twenty daies, without baile or mainepriſe. And that euery retainer, promiſe, gift or paiment of wages, or other thing whatſoeuer, contrary to the true meaning of this Statute, and euery writing and bond to be made for that purpoſe, ſhall be vtterly voide and of none effect. And be it enacted by the authority aforeſaid, that if any Seruant, workeman, or Labourer, ſhall wilfully or malitiouſly make any aſſault or fray vpon his Maiſter, Miſtris or Dame, or vpon any other that ſhall at the time of ſuch aſſault or affray, haue the charge or ouerſight of any ſuch Seruant, Workeman or Labourer, or of the worke wherein ſ̄ ſaid ſeruāt workman or laborer is appointed or hired to worke, and being therof conuicted before any two of the Juſtices, Maior, or head officer aforeſaid where ſ̄ ſaide offence is cōmitted, or before either of the ſaid Lord Preſidents, & Councell before remembred, by confeſſion of the ſaid Seruant, workeman or Labourer, or by the teſtimony, witneſſe and othe of two honeſt men: that the euery ſuch offender ſhal ſuffer impriſoment by the ſpace of one whole yeare or leſſe, by the diſcretion of two Juſtices of the peace, if it be without a towne corporate, & if it be within a towne Corporate by the diſcretion of the Maior or head Officer of the ſame towne Corporate, with two others of the diſcreeteſt perſons of the ſame Corporation at the leaſt. And if the offence ſhall require further puniſhment, then to receiue ſuch other open puniſhment, ſo as it extend not to life nor limme, as the Juſtices of Peace in open Seſſions, or the more part of them, or the ſaid Maior or head Officer, and fiue or foure at the leaſt, of the diſcreeteſt perſons of the ſame corporation, before whome the offence ſhall be examined, ſhall thinke conuenient for the qualitie of the ſaid offence ſo done and committed. Prouided alwaies, and be it enacted by the authoritie aforeſaid, that in the time of Hay or Corne Harueſt, the Juſtices of Peace and euery of them, and alſo the Conſtable or other head Officer of euerie Townethip vpon requeſt, and for the auoiding of the loſſe of any Corne, graine or Hay, ſhall and may cauſe all ſuch Artificers and perſons, as be meete to labour, by the diſcretions of the ſaid Juſtices or Conſtables or other head Officers, or by any of them to ſerue by the day for the Mowing, reaping, shearing, getting, or inning of Corn, graine and Hay, according to the ſkill and quality of the perſon, and that none of the ſaid perſons ſhall refuſe ſo to doe: vpon paine to ſuffer impriſonment in the Stockes by the ſpace of two daies and one night. And the Conſtable of the Towne or other head Officer of the ſame, where the ſaid refuſall ſhall be made, vpon complaint to him made, ſhall haue authority by vertue hereof, to ſet the ſaid offender in the ſtocks, for the time aforeſaid, and ſhall puniſh him accordingly: vpon paine to loſe and forfeit for not doing thereof, the ſumme of forty ſhillings. Prouided alſo, that all perſons of the Counties where they haue accuſtomed to go into other Shires for Harueſt worke, and hauing at that time no Harueſt worke ſufficient in the ſame Towne nor County, where he or they dwelt in the winter then laſt paſt bringing with him or them a Teſtimoniall vnder the hand and ſeale of one Juſtice of the Peace of the Shire, or other head Officer of the Towne or place, that he or they came from, teſtifying the ſame, for the which he ſhall pay not aboue one peny (other then ſuch perſons as ſhall be retained in ſeruice, according to the forme of this Statute) may repaire and reſort in harueſt of Hay or Corne from the Counties wherein their dwelling places are, into any other place or Countie, for the only mowing

Negligence

Euery Iuſt. of Peace Maior

Sickneſs

Excuſe

Othe Affidauit

Forf.

Greater wages

Impriſ.

Baile

Forf.

Commict 2. Iuſt. of P

Impriſ. Baile

Writing

Void

Seruant

Aſſault maſter

Commict 2. Iuſt. &c.

Othe

Imprſ. Diſcret.

Open puniſhment Iuſt. of Seſſions

Duraſſ Iuſt. of Conſt.

Artificers

Refuſall

Conſtable

Forf.

Teſtimoniall all Iuſt.

Seruants

mowing, reaping and getting of Hay, Corne, and graine, & for the onely working of Harueſt works, as they might haue done before the making of this eſtatute: any thing herein contained to the cõtrary notwithſtanding. And be it further enacted by the authoritie aforeſaid, that two Juſtices of the Peace, the Maior or other head officer of any city, Borough, or Towne Corporate, and two Aldermen, or two other diſcréte Burgeſſes of the ſame Citie, borough, or towne corporate, if there be no Aldermen, ſhal and may by vertue hereof, appoint any ſuch woman, as is of the ags of twelue yeares, and vnder the age of forty yeares & vnmaried, and forth of ſeruice, as they ſhal thinke mét to ſerue, to be retained or ſerue by the yeare, or by the wéke or day, for ſuch wages, and in ſuch reaſonable ſort and manner, as they ſhall thinke méet. And if any ſuch woman ſhall refuſe to ſerue: then it ſhall bée lawfull to the ſaid Juſtices of Peace, Maior or head Officers, to commit ſuch woman to warde, vntill ſhe ſhall be bound to ſerue, as is aforeſaid. And for the better aduancement of huſbandry and tillage, and to the intent that ſuch as are fit to bée made Apprentices to huſbandrie may be bounden thereunto: Be it enacted, that euery perſon being an Houſholder, and hauing & vſing halfe a plough land at the leaſt in Tillage, may haue and receiue as an Apprentice any perſon aboue the age of ten yeares, and vnder the age of eightéene yeares to ſerue in huſbandry, vntil his age of one and twenty yeares at the leaſt, or vntill the age of foure and twenty yeares, as the parties can agrée, and the ſaid retainer and taking of an Apprentice to be made and done by Indenture. And be it &c. that euerie perſon being an Houſholder, and foure and twéty yeares old at ỹ leaſt, dwelling or inhabiting, or which ſhall dwell and inhabit, in any citie or Towne corporate, & vſing and exerciſing any art, myſterie, or manuell occupation there, ſhall & may after the feaſt of Saint John Baptiſt next comming (during the time that he ſhall ſo dwell or inhabit in any ſuch citie or Town corporate, and vſe and exerciſe any ſuch art, myſtery or manuel occupation) haue and retaine the ſonne of any Freéman, not occupying huſbandrie, nor being a Labourer and inhabiting in the ſame, or in any other City or Towne, that now is, or hereafter ſhall be, and continue incorporate, to ſerue and be bound as an apprentice, after the Cuſtome and order of the City of London, for ſeuen yeres at the leaſt, ſo as the terme and yeres of ſuch Apprentice, do not expire or determine afore ſuch Apprentice ſhall be of the age of foure and twenty yeres at the leaſt. Prouided alwaies, and be it enacted, that it ſhall not be lawfull to any perſon dwelling in any City or Towne Corporate, vſing or exerciſing any of the myſteries or Crafts of a Merchant, trafiquing by trafique or trade, into any the parts beyond the Sea, Mercer, Draper, Goldſmith, Ironmonger, Imbroderer, or Clothier, that doth or ſhall put cloth to making and ſale, to take any Apprentice or Seruant, to be inſtructed or taught in any of the Artes, Occupations, Crafts, or Myſteries, which they or any of them do vſe or exerciſe, except ſuch ſeruant or Apprentice be his Son, or elſe that the Father or Mother of ſuch Apprentice or Seruant ſhall haue at the time of taking of ſuch Apprentice or Seruant, lands, tenements or other hereditaments, of the cleare yerely value of forty ſhillings, of an eſtate of inheritance or freéhold at the leaſt, to be certified vnder the hands and ſeales of thrée Juſtices of Peace, of the ſhire or ſhires where the ſaid lands, tenements, or other Hereditaments, doe or ſhall lie, to the Maior, Bailife, or other head officers of ſuch City or Towne corporate, and to be inrolled among Records there. And be it further enacted, that from and after the ſaid feaſt of S. John the Baptiſt next, it ſhall be lawfull to euerie perſon being an Houſholder and foureténe yeres old at the leaſt, & not occupying huſbandrie, nor being a laborer, dwelling or inhabiting, or that ſhall hereafter dwell and inhabite, in any Towne not being incorporate, that now is, or hereafter ſhall be a Market towne (ſo long as the ſame ſhall be wéekely vſed and kept as a Market towne) and vſing or exerciſing any Arte, myſterie, or manuell occupation, during the time of his abode there, and ſo vſing and exerciſing ſuch arte, myſtery, or manuell occupation, as is aforeſaid, to haue in like maner to Apprentice or Apprentices, the child or children of any other Artificer or Artificers, not occupying huſbandrie, nor being a Labourer, which now do or hereafter ſhall inhabit or dwell in the ſame, or in any other ſuch Market Towne within the ſame ſhire, to ſerue as Apprentice or Apprentices, as is aforeſaid, to any ſuch Art, myſterie or manuell occupation, or hath bëne vſually exerciſed in any ſuch Market towne where ſuch Apprentice ſhall be bound, in maner and forme aboueſaid. Prouided alwaies, and be it enacted, that it ſhall not be lawfull to any perſon, dwelling or inhabiting in any ſuch Market Towne, vſing or exerciſing the feat, myſterie or Arte, of a Merchant trafiquing or trading into the parts beyond the Seas, Mercer, Draper, Goldſmith, Ironmõger, Imbroderer or Clothier, that doth or ſhall put cloath to making and ſale, to take any Apprentice, or in any wiſe to teach or inſtruct any perſon in the artes, Sciences or Myſteries laſt before recited, after the Feaſt of Saint John Baptiſt aforeſaid: except ſuch Seruant or Apprentice ſhall bée his Sonne, or elſe that the Father or Mother of ſuch Apprentice, ſhall haue lands, tenements, or other hereditaments at the time of taking ſuch Apprentice, of the cleare yearely value of thrée pound of an eſtate of inheritance or freéhold at the leaſt, to be certified vnder the hands and Seales of thrée Juſtices of Peace, of the Shire or Shires, where the ſaid lands, tenements or other hereditaments, do or ſhall lie, to the head officers or head officer of ſuch Market towne, where ſuch Apprentice or ſeruant ſhall be taken, there to be inrolled by ſuch head officers, alwaies to remaine of Record. And be it further enacted, that from & after the ſaid feaſt, it ſhall be lawfull to any perſon, vſing or exerciſing the Art or occupation of a Smith, Wheelewright, Plow-wright, Milwright, Carpenter, rough Maſon, Plaſterer, Sawyer, Lime burner, Bickmaker,

Apprentice Sonne

xl. s land Certifie

Juſt of P.

Houſholder

Market towne

Occupation

Apprentice

Merchant Arts

Apprentice

Sonne

3. pound land

Certifie

Juſt. of P.

Handi-crafts

ker, Bricklayer, Tyler, Salter, Heiler, tilemaker, Linnen Weauer, Turner, Cowper, Miller, Earthen Potters, Woollen Weauer, weauing Huſwiues of houſhold cloth onely, & none other cloth, Fuller, or otherwiſe called Tucker or Walker, burner of Dare and Woadaſhes, Thatcher or Shingler, whereſoeuer he or they ſhall dwell or inhabit: to haue or receiue the Son of any perſon as Apprentice in maner and forme aforeſaid, to be taught & inſtituted in theſe occupations only & in none other: Albeit the Father or Mother of any ſuch Apprentice, haue not any lands, tenements, or hereditaments. And be it further enacted by the authority aforeſaid, that after the firſt day of May next comming, it ſhall not be lawfull to any perſon or perſons, other then ſuch as now doe lawfully vſe or exerciſe any Art, Myſtery or manuell occupation, to ſet vp, occupie, vſe, or exerciſe, any craft, myſterie, or occupation now vſed or occupied within the Realme of England or Wales, except hee ſhall haue beene brought vp therein ſeuen yeres at the leaſt as Apprentice, in maner and forme aboueſaid, nor to ſet any perſon on worke in ſuch myſterie, Art, or occupation, being not a workeman at this day, except he ſhall haue beene Apprentice, as is aforeſaid, or elſe hauing ſerued as an apprentice, as is aforeſaid, ſhal or will become a iourneymã, or hired by the yeare, vpon paine that euery ſuch perſon willingly offending or doing the contrarie, ſhall forfeit and loſe for euery default forty ſhillings for euerie month. Prouided alwaies, and be it further enacted by ỹ authority aforeſaid, that no perſon or perſons, vſing or exerciſing the Art or myſterie of a Wollen cloth weauer, other then ſuch as be inhabiting within the County of Cumberland, Weſtmerland, Lãcaſter & Wales, Weauing Frizes, Cottõs, or Huſwiues cloth only, making & weauing woollen cloth commonly ſold or to be ſold by any Clothman or Clothier, ſhall take & haue any Apprentice, or ſhall teach or in any wiſe inſtruct any perſon or perſons in the ſeruice, Art, or Occupation of weauing aforeſaid, in any Village, Towne or place, (cities, Townes corporate and Market Townes onely except) vnleſſe ſuch perſon be his Sonne, or elſe that the Father or Mother of ſuch Apprentice or Seruant, ſhall at the time of the taking of ſuch perſon or perſons to be an Apprentice or Seruant, or to be ſo inſtructed, haue lands and tenements, or other hereditaments to the cleare yearely value of three pound at the leaſt, of an eſtate of inheritance or freehold to be certified, vnder the hands and ſeales of three Iuſtices of Peace, of the Shire or Shires where the ſaid lands, tenements or other hereditaments, doe or ſhall lie: The effect of the Indenture to be Regiſtred within three Months in the Pariſh where ſuch Maſter ſhall dwell, and to pay for ſuch Regiſtring foure pence, vpon pain of forfeiture of twenty ſhillings for euerie month that any perſon ſhall otherwiſe take any Apprentice, or ſet any ſuch perſon on worke contrary to the meaning of this Article. And be it further enacted by the authority aforeſaid, that all and euerie perſon or perſons, that ſhal haue three apprentices in any of the ſaid crafts myſteries, or occupations of a Clothmaker, Fuller, Shereman, Weauer, Tayler, or Shoomaker, ſhall retaine and keep one Iourneyman, and for euerie other apprentice aboue the number of the ſaid three Apprentices, one other iourneyman, vpon paine for euery default therein ten pound. Prouided alwaies that this act nor any thing therein conteined, ſhall not extend to preiudice or hinder any liberties heretofore graunted by any act of Parliament, to or for the company and occupation of Worſted makers, and worſted Weauers, within the citie of Norwich, and elſewhere within the countie of Norfolk, which liberties be in force vntill the beginning of this preſent Parliament: any thing therin conteined to the contrary in any wiſe notwithſtanding. And be it further enacted, that if any perſon ſhall be required by any houſholder hauing and vſing halfe a plough land, at the leaſt in Tillage to be an Apprentice, and to ſerue in huſbandry, or in any other kinde of art, myſtery or Science before expreſſed, and ſhall refuſe ſo to doe: that then vpon the complaint of ſuch houſe-keper, made to one Iuſtice of Peace of the countie wherin the ſaid refuſall is, or ſhall be made, or of ſuch houſholder inhabiting in any citie, town corporate, or market towne, to the Maior, Bailife, or head Officer of the ſaid Citie, towne corporate or market towne, if any ſuch refuſall ſhall there be, they ſhall haue full power and authority by vertue hereof, to ſend for the ſame perſon ſo refuſing. And if the ſaid Iuſtice, or the ſaid Maior or head Officer, ſhall thinke the ſame perſon meet and conuenient to ſerue as an Apprentice in the art, labour, ſcience or myſterie, wherein he ſhall be ſo then required to ſerue: that then the ſaid Iuſtice, or the ſaid Maior or head Officer, ſhall haue power and authoritie by vertue hereof (if the ſaid perſon refuſe to be bound as an Apprentice) to commit him to ward, there to remaine vntill he be cõtented, and will be bounden to ſerue as an Apprentice ſhould ſerue, according to the true intent and meaning of this preſent act. And if any ſuch Maſter ſhall miſuſe or euill intreat his Apprentice, or that the ſaid Apprentice ſhal haue any iuſt cauſe to complaine, or the Apprentice doe not his duty to his Maſter, then the ſaid Maſter or Apprentice being grieued, and hauing cauſe to complaine, ſhall repaire vnto one Iuſtice of Peace within the ſaid Countie, or to the Maior or other head Officer of the ſaid City, Towne corporate, Market towne, or other place where the ſaid maſter dwelleth, who ſhal by his wiſdome and diſcretion take ſuch order and direction betweene the ſaid maſter and his Apprentice as the equity of the cauſe ſhall require. And if for want of good conformity in the ſaid maſter, the ſaid Iuſtice of Peace, or the ſaid Maior or heap officer cannot compound and agree the matter betweẽ him and his Apprentice: then the ſaid Iuſtice or the ſaid Maior or other head Officer, ſhall take bond of the ſaid maſter, to appeare at the next Seſſion then to be holden in the ſaid Countie, or within the ſaid City, towne corporate, or Market towne, to be before the Iuſtices of the ſaid coũty, or the Maior or head officer of the ſaid Towne corporate

No lands

Occupy any occupation Wales

Apprentice

Iourneymã

Forf.

Woollen Weauer

Woollen cloth

Apprentice

Market Townes Sonne Father and Mother

3. pound lãd

3. Iuſt. of P

Regiſter

Forf.

2 Apprentices

Dut Iourneyman Forf.

Worſted makers exepted

Vnlawfull

Statute Comp. 1. Iac.

Impriſ.

Maſter offending

1. Iuſt. Peace

Diſc

Bound to appeare Seſſions

corporate or market towne (if the said master dwel within any such) & vpon his apparance & hearing of the matter before the said Iustices, or the said Maior or other head officer (if it be thought met vn to them, to discharge the said apprentice of his apprenticehood) that then the said Iustices or foure of them at the least, whereof one to be of the Quorum of the said Maior or other head officer, with the cõsent of ij. other of his brethren, or men of best reputation within ỳ said City, towne corporate, or market towne, shall haue power by authority hereof, in writing vnder their hands & seales, to pronounce & declare, that they haue discharged the said apprentice of his apprenticehood, & ỳ cause thereof, & the said writing so being made and inrolled by the Clerk of the Peace, or towne Clerke, amongst the Records that he keepeth, shal be a sufficient discharge for the said apprentice against his Master, his executors, and Administrators, the Indenture of the saide Apprenticehood, or any law or custome to the contrary notwithstanding. And if the default shall bee found to be in the Apprentice: then the said Iustices or the said Maior, or other head Officer, with the assistants aforesaid, shal cause such due correction or punishment to be ministred to him, as by their wisdom and discretion shal be thought meet. Prouided alwaies and be it enacted by the authority of this present Parliament, that no person shall by force or colour of this estatute, be bound to enter into any Apprenticeship, other then such as be vnder the age of 21. yeares. And to the end that this Estatute may from time to time be carefully and diligently put in good execution, according to the tenour and true meaning thereof: Bee it enacted &c. that the Iustices of Peace of euerie Countie dividing themselues into seuerall limits, and likewise euerie Maior and head officer of any City or towne copozate, shall yearely betweene the feast of S. Michael the Archangell, and the Nativity of our Lord, & betweẽ the feast of the Annuntiation of our Lady, and the feast of the Nativity of Saint John the Baptist, by all the waies and meanes, as to their wisdoms shall be thought most met, make a speciall and diligent inquirie of the branches and articles of this Estatute, and of the good execution of the same, & where they shal finde any defaults, to see the same seuerely corrected and punished without fauour, affection, malice or displeasure. And in cõsideratiõ of their pains & trauel, it is further ordeined & enacted &c. ỳ euery Iustice of the P. Maior or head Officer, for euery day that he doth sit, in, and about the execution of this estatute, shall haue allowed vnto him, fiue shilings, to bee allowed and payed vnto him, or vnto the said Maior, or head Officer, of the fines and forfeitures of the paines and penalties that shall bee forfeited and due vnto the Quenes Maiesty, her heires or successors by force of this estatute, in such maner and forme, as the Iustices haue beene heretofore commonly paied for their counning & charges at the Quarter Sessions, so that the sitting of the said Iustices, or Maior, or head Officer, bee not at any one time aboue three daies, and for the matters conteined in this Estatute. And be it enacted by authority aforesaid, that the one halfe of all forfeitures and penalties, expressed and mentioned in this Statute, other then such as are expressely otherwise appointed, shall be our Soueraigne Lady the Quenes Maiestie, her heires and Successors, and the other moitye to him or them that shall sue for the same, in any the Quenes Maiesties Courts of Record, or before any of the Iustices of Oier and Terminer, or before any other Iustices, or President and Counsell before remembred, by action of debt, Information, Bill of complaint, or otherwise: in which actions or suits, no protection, wager of law or essoine shall be allowed. And that the said Iustices, or two of them, whereof one to bee of the Quorum, and the saide Presidents, & Counsell, as is aforesaid, and the said Maiors or other head Officers of Cities or townes corporate, shall haue full power and authority to heare and determine all and euery offence and offences, that shall be committed or done against this Estatute, or against any branch thereof, aswell vpon Indictments to be taken before them, in the Sessions of the Peace, as vpon Informations, Action of debt, or bill of complaint to be sued or exhibited by any person. And shall and may by vertue hereof make Proces against the defendant, and award execution, as in any other case they lawfully may by any of the Lawes and Statutes of this Realme, and shall yearely in Michaelmas Terme, certifie by estreate, the fines and forfeitures of euery the offences conteined in this estatute (that shall bee found before them) into the court of the Exchequer in like sort and forme, as they be bound to certifie the Estreates for other offences and forfeitures to be lost before them: any thing in this estatute conteined to the contrary notwithstanding. Prouided alwaies that this act or any thing therein conteined or mentioned, shall not be preiudiciall or hurtfull to the cities of London and Norwich, or to the lawfull Liberties, Vsages, Customes, or Priuiledges of the same Cities, for or concerning the hauing or taking of any Apprentice or Apprentices, but that the Citizens & Freemen of the same Cities shal and may take, haue and retaine apprentices there, in such maner and forme, as they might lawfully haue done before the making of this Statute: This act or any thing therein conteined to the cõtrary in any wise notwithstãding. And be it also further enacted, ỳ al indentures, couenãts, promises, & bargains, of, or for ỳ hauing, taking or keeping of any apprentice, otherwise hereafter to be made or taken, then is by this statute limited, ordeined & appointed, shal be clerely void the law, to al intẽts & purposes. And ỳ euery person that shal frõ henceforth take, or newly retain any apprentice, contrary to the tenor & true meaning of this act, shal forf. & lose for euery apprentice so by him taken, sumỹ of x.l. And because there is some questiõ whether any person being within ỳ age of xxi. yeres, & bound to serue as an apprẽtice in any other place then in the city of Londõ shal be bounden, accepted & taken as an apprentice: For resolution of the said scruple and doubt, be it enacted by the authority of this

Pointe

Iust. of P.

Action of debt

Iust. of P.

Quorum

Oier & ter.

Proces

Certifie Estreates

Exchequer

London Norwich Liberties

Indentures Bargaines

Apprentes

Cloth

Indentures of Apprentice

Within age

Full age

Godalming

Apprentice

Amerce

Towne corporate Maior

Retaining before

Apprentice of husbandry

Occupation Depart without licence Iust. of P. Maiors Baillifes Capias

present Parliament, that all and euery such person or persons that at any time or times from henceforth, shall be bounden by Indenture to serue as an Apprentice, in any Arte, Science, occupation or labour, according to the tenour of this Statute in maner and forme aforesaide (albeit the same Apprentice or any of them shall be within the age of one and twenty yeares at the time of the making of their seuerall Indentures) shall be bounden to serue for the yeres in their seuerall Indentures conteined, as amply and largely to euerie intent, as if the same Apprentice were of full age at the time of the making of such Indentures, any law, vsage, or custome to the contrary notwithstanding. Prouided alwaies, and be it enacted by the authority aforesaid, that the inhabitants now dwelling or inhabiting, or that hereafter shall dwell or inhabite within the Towne of Godalming within the County of Surrey, within the limits of the watch of the said Towne, may vse and exercise such Artes, Mysteries and occupations, and take and vse Apprentices and seruants, in such maner and forme, as the inhabitants within Market Townes by this Statute may lawfully do. Prouided alwaies, and be it enacted by the authority aforesaid, that all maner amerciaments, fines, issues and forfeitures, which shall rise, grow or come by reason of any offences or defaults mentioned in this Act, or any branch thereof, within any City or Towne corporate, shall be leuied, gathered and receiued by such person or persons of the same citie or towne corporate, as shall bee appointed by the Maior or other head Officers mentioned in this said Act, to the vse and maintenance of the same city or towne corporate, in such case and condition, as any maner other amerciaments, fines, issues or forfeitures, haue beene vsed to be leuyed and imployed within the same City or Towne corporate, by reason of any graunt or Charter from the Queens Maiestie that now is, or any of her Graces Noble progenitors, made and granted to the same Citie, borough, or towne corporate: any thing or clause before mentioned & expressed in this Act to the contrarie notwithstanding. Prouided alway, that this act, or any thing therein contained, shall not extend to any lawfull retainings or couenants, had or made before the making of this Act, but that all and euerie the parties to such retainings or couenants, shall and may haue the same and like aduantages of such retainings and couenants, and of the Statutes heretofore in that behalfe prouided, as if this Act had neuer beene had or made: any clause of repeale or other matter whatsoeuer in this act to the contrary in any wise notwithstanding. And be it further enacted by the authority aforesaid, that if any seruant or Apprentice of husbandrie, or of any act, science or occupation aforesaid, vnlawfully depart or flie into any other Shire, that it shall be lawfull to the said Iustices of Peace, & to the said Maiors, Bailifs, and other head officers of Cities & towns corporate for the time being Iustices of P. there to make and grant writs of Capias, so many & such as shall be needfull to be directed to the Shirife of the Counties, or to other head officers of the places, whether such seruants or Apprentices shall so depart or flie, to take their bodies returnable before them at what time shall please them: so that if they come by such Proces, that they be put in prison till they finde sufficient surety, well and honestly to serue, their Maisters and Mistresses, or Dames, from whome they so departed, or fled according to the order of the law. Prouided alwaies, that it shall be lawfull to the high Constables of hundreds in euery Shire, to hold, keepe and continue pety Sessions, otherwise called Statute Sessions, within the limits of their authorities, in all Shires wherein such sessions haue been vsed & to be kept, in such maner & forme as heretofore hath beene vsed & accustomed, so as nothing be by them done therein contrary or repugnant to this present act. Aũ. 5. Eliz. cap. 4. And see in Ships 13. more concerning Apprentices.

39 The Statute made Anno 5. Elizab. cap. 4. and the authority by the same Statute giuen to any person or persons for assessing & rating of wages, & the authority to them in the said act committed, shall be expounded & construed, & shall by force of this act giue authority to all persons hauing any such authority to rate Wages of any labourers, Weauers, Spinsters, and Workemen or workewomen whatsoeuer, either working by the day, worke, month, yeare, or taking any worke at any person or persons hand whatsoeuer to be done. And whereas in diuers shires within this Realme, the Iustices of Peace haue not vsually kept their generall Sessions in one place of the Shire together, but the Generall Sessions haue beene kept in seuerall places for seuerall diuisions. By reason whereof the most part of the Iustices of the Peace, comming not together, nor rating of wages could well be made in the said shire where such generall Sessions haue beene vsed: Be it e. by the authority of this present Parliament, that the most Iustices of P. or the more part of them reliant in such diuision in any shire within this Realme, where such sessions haue beene vsually seuerally kept, shal at ẏ same sessions, or at such time of rating of wages, as is limited by the said Act, made in the fift yere of her Maiesties raigne, haue as full authority and power to rate all maner of wages to be rated within the limits of such diuision in any such shire, as if the same were done in the generall sessions for the said County, or by the most part of the Iustices meeting for the rating of wages by the said act. And be it further enacted, ẏ after ẏ rates made for wages, & ingrossed in parchment vnder their hãds & seales of them hauing authority to rate ẏ same, it shal & may be lawful to the shirife of the said cõty, or to the Maior or chiefe officer or officers of any City or towne corporate, to cause proclamatiõ to be made of the seuerall rates so rated, in so many places within their authorities as to thẽ shal seeme conuenient, & as if the same had bin sent down printed by the L. Chãcellor, or Keeper, after declaration thereof to her Maiestie, and certificate of the same into the Queenes

Statute

Iust. of P.

Proclamation

most

moſt Honorable Court of Chauncerie, & that euery perſon & perſons ſhall be bound to obſerue the ſaid rates in giuing and receiuing wages, vpon the paines and punishments mentioned in the ſaide Act, and to be recouered or punishment inflicted, as in the ſaid act is mentioned. And be it further enacted, that no perſon or perſons ſhall incurre any danger or penaltie, for not making certificate into the R. moſt honorable Court of the Chancery, of any rates of wages appointed to be certified by the ſaid Act made in the ſaid fift yeare of the Queen: But the ſaid rates ingrolled in parchment and ſealed as aforeſaid, ſhall if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaid County, amongſt the Records in his cuſtodie for the ſaid Shire: And in any Citie or Towne corporate, amongſt the Records of the ſaid City or Towne corporate: This Act to continue vntill the end of one yeare next after the next Seſſion of Parliament. Anno 39. Eli. cap. 12. And Anno 43. Eliz. cap. 9. this is continued and to remaine in force vntill the end of the firſt Seſſion of the next Parliament. And by 1. Iac. cap. 25. it is further continued vntill the end of the firſt Seſſion of the next Parliament.

40 Be it enacted &c. That the Statute made Anno 5. Eliz. cap. 4. and the authority by the ſame Statute giuen to any perſon or perſons, for aſſeſſing and rating of wages; and the authority to them in the ſaid Act committed, ſhall be expounded and conſtrued, and ſhall by force of this Act giue authoritie to all perſons hauing any ſuch authority, to rate wages of any labourers, Weauers, Spinſters, and workmen or Workewomen whatſoeuer, either working by the day, weeke, moneth, yeare, or taking any worke at any perſon or perſons hand whatſoeuer, to be done in great, or otherwiſe. And whereas in diuers Shires within this Realme, the Iuſtices of Peace haue not vſually kept their Generall Seſſions in one place of the Shire together, but the Generall Seſſions haue beene kept in ſeuerall places for ſeuerall diuiſions, by reaſon whereof, the moſt part of the Iuſtices of the Peace comming not together, no rating of wages could be well made in the ſaide Shire, where ſuch Generall Seſſions haue beene vſed, and for other reſpects, Be it enacted &c. That the Iuſtices of Peace, or the more part of them, reſiant in any Shire, or in any Riding, Libertie, or Diuiſion, where ſuch Seſſions haue beene vſually ſeuerally kept, ſhall at any Generall Seſſions of the Peace to be holden for the ſame Shire, Diuiſion, Riding, or Liberty, or at ſuch time of rating of wages, as is limited by the ſaid Act, made 5. Elizab. haue as full authority and power to rate all manner of wages to be rated within ſuch ſhire, and within the Limits of ſuch Diuiſion, in any ſuch Shire, Riding or Liberty, as if the ſame were done in the Generall Seſſions for the ſaid County, or by the moſt part of the Iuſtices meeting for the rating of Wages by the ſaid Act of 5. Eliz. for the Wages mentioned in the ſame Act. And be it &c. That after the rates made for wages, and ingrolled in Parchment, vnder the hands and Seales of them, hauing authoritie to rate the ſame, it ſhall and may be lawfull to the Shirife of the ſaid County, or to the Maior or chiefe Officer or Officers of any Citie or Towne corporate, to cauſe Proclamation to be made of the ſeuerall Rates ſo rated, in ſo many places within their authority, as to them ſhall ſeeme conuenient, and as if the ſame had beene ſet downe pointed by the Lord Chancellour or Keeper, after declaration thereof to his Maieſty, and certificate of the ſame into the Kings moſt honorable Court of Chancerie. And that euerie perſon and perſons ſhall be bound to obſerue the ſaid rates, in giuing and receiuing wages, vpon the paines and puniſhments mentioned in the ſaid Act, and to be recouered, or punishment inflicted, as in the ſaid Act is mentioned. And further be it enacted &c. That if any Clothier or other ſhall refuſe to obey the ſaid Order, Rate, and Aſſeſſement of Wages, as aforeſaid, and ſhall not pay ſo much or ſo great wages to their Weauers, Spinſters, workemen, or workewomen, as ſhall be ſo ſet downe, rated, and appointed, according to the true meaning of this Act, that then euerie Clothier, and other perſon and perſons ſo offending ſhall forfeit and loſe for euery ſuch offence to the party grieued, ten ſhillings. And that if the ſaid offence and offences of not paying ſo much or ſo great Wages to their ſaid workemen, workewomen & others, ſhall be confeſſed by the offendor, or that the ſame ſhall be proued by two ſufficient and lawfull witneſſes before the Iuſtices of Peace in their Quarter Seſſions of the Peace, the Iuſtices of Aſſiſe in their Seſſions, or before any two Iuſtices of the P. whereof one to be of the Quorū, That then euery ſuch perſon ſhall forthwith ſtand and be in law conuicted thereof, which ſaid forfeiture of ten ſhillings, ſhall be leuied by diſtreſſe and Sale of the offendors goods, by warrant from the ſaid Iuſtices, before whome any ſuch conuiction ſhall be had, which ſale ſhal be good in Law againſt any ſuch offendor and offendors. And be it further enacted. That no perſon or perſons ſhal incur any däger or penalty for not making certificat vnto the R. moſt honorable Court of the Chancerie, of any Rates of Wages appointed to be certified by the ſaid Act, made 5. Eli. ſo as the ſame be proclaimed according to the true intent of this Lawe: But the ſaid rates ingrolled in Parchment, & ſealed as aforeſaid, ſhall, if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaide Countie, amongſts the Records in his cuſtody, for the ſaid Shire, and in any City or Towne corporate, amongſt the Records of the ſaid City or Towne corporate. This Act to continue vntill the end of the next Parliament. Prouided neuertheleſſe, &c. That no Clothier, being a Iuſtice of Peace in any Precinct or Liberty, ſhall bee any Rater of Wages, for any Weauer, Tucker, Spinſter, or other Artiſan, that dependeth vpon the making of Cloth. And in caſe there be not aboue the number of two Iuſtices

Rates Ingrolled
Shirife Maior Chiefe Officer
Proclamation
Chancery
Fort.
Clothier
Wages
Fort.
Confeſſed
Proued
Iuſt. of P. Seſſions
Iuſt. of Aſſ.
2. Iuſt. of P
Diſtreſſe
Certificate
Rates
Cuſtos Rot.
A Clothier Iuſt. of P. No rater of wages

ſtices of the Peace within ſuch Precinct or Liberty, but ſuch as are Clothiers. That in ſuch caſe the ſame Wages, ſhall be rated and aſſeſſed by the maior part of the common Councell of ſuch Precinct or Liberty, and ſuch Juſtice or Juſtices of Peace, (if any there be) as are not Clothiers. Anno 1. Iac. ca. 6.

Common Councell

Juſt. of P.

*

Lancaſter.

ANno 9. H. 5. cap. 2. An act was made to endure till the Kings returne from beyond the Sea, concerning the forfeiture of perſons outlawed in Lancaſter.

2 The ſaid ordinance in the manner and forme made the ſaid ninth yere (that is to ſay, Anno 9. H. 5. cap. 2. before 1.) by death of the ſaid late king Henrie the fift (as ſome thinke) expired, and not otherwiſe repealed, ſhall be and remaine effectuall & an auaileable Statute and ordinance in law, to indure till the next Parliament, and ſo forth for euer, if ſo be that betwixt this and the ſame next Parliament, no ſuch inconuenience happen in this behalfe, for the which it ſhall ſeeme to the king and the Lords of the Parliament at this time, that it ſhall not be expedient, this ordinance to indure long after the ſame next Parliament. Anno 18. H. 6. cap. 13.

3 Anno 20. H. 6. cap. 2. An Act was made to indure for ſeuen yeres, concerning the forfeiture of perſons outlawed in Lancaſter, and Anno 31. H. 6. cap. 6. An act was made concerning the forfeiture of Perſons outlawed in the County Palantine of Lancaſter, but An. 33. H. 6. cap. 2. that act was repealed, and it is enacted as followeth.

Outlawed

4 Euery Indictment hereafter to be taken before any of the Kings Juſtices in the ſaid County Palantine of Lancaſter, or before any Shirife in his turne in the ſaid County, whereby any perſon or perſons be ſuppoſed by the ſame Indictment to be, or to haue beene inhabiting or conuerſant out of the ſaid Countie of Lancaſter, & within any other countie within the realme of England, ſhal be taken & had by the verdict of twelue men, whereof euery of them, or ſome other perſon or perſons to their vſe, within the ſame County of Lancaſter, ſhall haue to the yerely value of an hundred ſhillings. And no Proces ſhall be made out of any ſuch Indictment, before it be duly inquired & examined before the K. Juſtices within ỹ ſaid County of Lancaſter for the time being, whether the ſaid indictors and euerie of them, at the time of ſuch indictment ſo taken, had lands and tenements within the ſaid County of Lancaſter, to the yerely value of a hundred ſhillings, aboue all charges. And if it be found by examination of the ſaid Juſtices for the time being, within the ſaid County, that the ſaid Indictors and euery of them at the time of ſuch Indictment ſo taken, had not lands and tenements to the ſaid yearely value of a hundred ſhillings, that then the ſame Indictments, as to ſuch perſons ſo indicted, ſuppoſed by the ſaid Indictments to be inhabiting and conuerſant out of the ſaid County of Lancaſter, ſhall be voide and of none effect. And alſo the ſame our Soueraigne Lord the King, of the aduiſe & the authority of the Lords ſpirituall & temporall, and the commons aforeſaid, hath granted, ordeined & eſtabliſhed, that euery Indictment from henceforth to be taken within any County of the ſaid Realme, & out of the ſaid Countie of Lancaſter, before any Juſtice, or the Shirife in his turne, whereby any perſon or perſons ſuppoſed by the ſame indictment to be, or to haue beene conuerſant or inhabiting within the ſaid County of Lancaſter, and without ſuch County where ſuch Indictment ſhal happen to be taken, ſhall be taken by verdict of twelue men, whereof euerie of them, or ſome other perſon or perſons to their owne vſe, ſhall haue lands and tenements to the value of C. ſ. And that no Proces be made out of any ſuch Indictments, before it be duely examined, & inquired before the K. Juſtices, hauing power to award any Proces vpon ſuch Indictments, whether the ſaid indictors, and euery of them, at the time of ſuch Indictments taken, or any other perſon or perſons to their vſe, had any lands or tenements to the yerely value of a hundred ſhillings, within the ſame county, aboue all charges, where ſuch Indictments happen to be taken. And if it be found before the K. or any of his Juſtices, that the ſaid Indictors or any of them, had not at the time of ſuch Indictment taken, nor that none other to their vſe had lands & tenements to the value of C. ſ. by the yere: that then the ſaid Indictment, as to any ſuch perſon or perſons ſuppoſed by the ſame Indictment to be, or to haue been inhabiting or conuerſant within the ſaid County of Lancaſter, ſhall be void and of none effect. 33. H. 6. cap. 2.

Indictment

Juſtices Shirife

Verdict Iurie

5 l. Land Proces Inquire

Inditors

5 All Honors, Caſtles, Lordſhips, manors, lands, tenements, poſſeſſions, and hereditaments, within this Realme of England, which at any time ſince the xxvij. day of January, in the firſt yere of the raigne of our ſaid late Soueraigne lord king Edward the firſt, were parcell of the poſſeſſions of the ſaid Duchy of Lancaſter, or which haue been and annexed to the ſaid Duchy by authority of Parliament, letters Patents, or otherwiſe; and which at any time ſince the ſaid eight & twentith day of Januarie, hath beene giuen, granted, aliened, bargained, ſold, exchanged, or otherwiſe ſeuered from the ſaid Duchy, by our ſaid late Soueraigne lord K. Edward the firſt, or by our ſaid Soueraigne lady the Quéen that now is, or by our ſaid Soueraigne lord and lady the king and Quéene Maiеſty that now be, or by either of them alone, or perſons: and which ſaid honours, caſtles, lordſhips, manors, lands, tenements & hereditaments, ſince ſuch gifts, grants, alienations, bargaines, ſales, exchanges or ſeuerances thereof ſo made, as is aforeſaid, haue comen or returned againe to the hands of our ſaid late ſoueraigne Lord K. Ed. the firſt, or to the hand or of our ſaid ſoueraigne Lady the Q. or to the hands of our ſaid ſoueraign Lord and Lady the king and Quéene, or to the hands of her Maieſty, her heires and ſucceſſors, in poſſeſſion, reuerſion, remainder, or other wiſe, by attainder, Eſcheate, forfeiture, purchaſe, exchange, or

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otherwiſe: And why it now be or remaine in the hands of our ſaid Soueraigne Lord and Lady the king and the Queenes Maieſties, of any eſtate of inheritance, ſhall from the time the ſame came and reuerted againe to the hands of our ſaid late Soueraigne Lord King Edward the firſt, or to the hands of our ſaid Soueraigne Lady the Queene, or to the hands of our ſaid Soueraigne Lord and Lady the king and Queene, by authority and force of this act, be vnited and annexed to and with the ſaid Duchie of Lancaſter, and ſhall be adiudged, deemed and taken for eder, for and as parcell and members of the ſaid Duchie of Lancaſter. And that all ſuch and thoſe of the ſaid manors, lands, tenements and hereditaments, which be lying within the County Palantine of Lancaſter, ſhall be of the ſame nature, quality, and condition, to all intents, conſtructions and purpoſes, as others the ancient poſſeſſions of the ſaid Duchie, lying and being within the ſaid County Palantine of Lancaſter, bee and ought to be. And all thoſe and ſuch of the ſaid manors, lands, tenements, and hereditaments, which be lying out of the ſaid County Palantine of Lancaſter, ſhall be of the ſame nature, quality, and condition, to intents, conſtructions and purpoſes, as other ancient poſſeſſions of the ſaid Duchie, lying and being out of the County Palatine of Lancaſter be, and ought to be, and ſhall be in the letting, ſetting, order, rule, ſuruey, rent, and gouernance of the Chancellour, Counſell and Officers of the ſaid Duchie of Lancaſter for the time being, for euermore, in like and the ſame maner and forme, to all intents and purpoſes, as other the ſaid ancient poſſeſſions belonging to the ſaid Duchy, haue bene, or ought to be. And that all the ſaid honors, Caſtles, Lordſhips, Manors, lands, tenements, & hereditaments, vnited and annexed to the ſaid Duchie of Lancaſter, by the authority and force of this Act. And all and ſingular gifts, grants, leaſes, letters Patents, and writings thereof, or of any parcell thereof, hereafter to be made by the king and Queenes Highnes, or by the heires and ſucceſſors of her Maieſtie, ſhall for euermore paſſe and be made vnder ſuch of the Seales of the ſaid Duchie, as other the ancient poſſeſſions of the ſaid Duchie, haue vſed to paſſe and be made, and not vnder any other Seale, or otherwiſe, and with the like, and the ſame Liuery of ſeiſin, Attornements, ceremonies, orders and circumſtances in the law, and in the ſame maner and forme, as other the ancient poſſeſſions of the ſaid Duchie, and the Letters Patents, Charters, and writings therof heretofore of auncient time made, haue vſed and ought to be made and paſſed, and not otherwiſe, nor in any other maner and forme: any law, ſtatute, vſage, or cuſtome to the contrarie thereof in any wiſe notwithſtanding. And be it &c. that our ſaid Soueraigne Lord and Lady the King and Queen that now beene, and the heires and ſucceſſors of her Maieſtie, may from time to time hereafter at their liberties and pleaſures, by their graces Letters patents, to be ſealed with the great ſeale of England, vnite, annere, limit, aſſigne, and appoint any other their Honors, Caſtles, Lordſhips, manors, lands, tenements, and hereditaments lying, and being within this their ſaid Realme of England, vnto their ſaid Duchy of Lancaſter, for the further augmentation, honor, and eſtate of the ſaid Duchy at their willes and pleaſures. And that all and euery ſuch annexing, limiting, aſſignement, and appointment made, or to be made by our ſaid Soueraigne Lord and Lady the King and Queene, or by the heires and ſucceſſors of our ſaid Soueraigne Lady the Queene, of any their Honors, Caſtles, Lordſhips, Manors, Lands, tenements, and hereditaments vnto the ſaid Duchy of Lancaſter, by any their ſaid Letters Patents vnder the great ſeale of England, ſhall be as good & auailable, as if it were done by authority of Parliament. And that all ſuch honors, caſtles, lordſhips, manors, lands, tenements, and hereditaments, lying and being within the ſaid County Palatine of Lancaſter, which ſhall happen to be vnited and annexed to the ſaid Duchie, by force of any ſuch letters P. ſhall be from the Teſte of the ſaid Letters P. within the order, ſuruey, rule, gouernance, iuriſdiction, letting, & letting of the ſaid Duchy of Lancaſter for the time being, as other the poſſeſſions of the ſaid Duchy, lying & being within the ſaid county Palantin of Lancaſter, haue vſed & owen to be. And y all other honors, caſtles, lordſhips, manors, lands, tenements, & hereditaments, lying & being out of the ſaid county Palantin of Lancaſter, which ſhal happen to be vnited & annexed to the ſaid Duchy by force of any ſuch letters P. ſhall be from the Teſte of the ſaid letters P. within the order, ſurney, rule, gouernãce, iuriſdiction, letting & letting of the ſaid Duchy of Lancaſter, as others the poſſeſſions of the ſaid Duchy of Lancaſter, lying & being out of the ſaid County Palantin of Lancaſter, haue vſed & owen to be. Sauing to al & euery perſon & perſons, bodies politike & corporate, their heires, ſucceſſors, & aſſignes, & to the heires, ſucceſſors, and aſſignes of euery of them, all ſuch right, title, intereſt, entries, conditions, occupations, poſſeſſion, leaſe, and leaſes, fees, annuities, offices, rents, ſeruices, commons, profits, cõmodities, eaſements, actions, ſuits, demands, thing & things whatſoeuer which they or any of them ſhould, might, or ought to haue had, in, to, or out of any of the premiſſes, before the making of this act, in like & in y ſame maner, forme, & condition, to all intents, conſtructions, and purpoſes, as if this act had neuer beene had or made: any thing in this act to the contrary in any wiſe notwithſtanding. Prouided alwaies, and bee it &c. That this Act, or any thing or things therein contained, ſhall not in any wiſe extend to enable or giue any libertie to our Soueraigne Lord and Lady the King and Queene, nor to the heires and ſucceſſors of our ſaid Soueraigne Lady the Queene, to vnite and annexe to the ſaid Duchy of Lancaſter, by their Letters Patents, any Honors, Caſtles, Lordſhips, Manors, lands, tenements, or hereditaments, being any part or parcell of the auncient inheritance of the Crowne, or of the principa-

Annere

Great ſeale

Lands

Teſte.

Iuriſdiction

Bodies politike

Right

Leaſes Annuities

Enable

King and Queene

Crowne lands

Wales Cornewall Cheſter

litie of Wales, nor of the Duchie of Cornewall, or of the Earledome of Cheſter, or any their honors, Caſtles, Lordſhips, manors, lands, tenements, or hereditaments, ſet, lying, or being within the Counties of Cheſter and Flint, or either of them: nor to giue annere or alligne to the ſaid Duchie of Lancaſter, any honors, Caſtles, Lordſhips, Manors, lãds, tenements, or hereditaments, exceeding and amounting in the whole aboue the yearely value of two thouſand pound: any clauſe, article or thing in this act rehearſed, conteined or ſpecified to the contrarie hereof in any wiſe notwithſtanding. Anno 2. & 3. P. & M. cap. 20.

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6 Anno 37. Henr. 8. cap. 16. An act was made for the annexing of certains lands to the Duchie of Lancaſter.

Leaſes.

Spirituall perſon. Parſonage Vicarage

ANno 28. H. 8. cap. 11. It was enacted that no Leaſe made by ſpirituall perſons to any Lay perſon, of any Parſonage or Vicarage, or other ſpirituall promotion, ſauing as is declared in that act, ſhal be voide by reſignation, or other auoidance of the benefice, by the onely act of the Leaſor, but that the Leaſee, and his executors, ſhall inioy the terme of fiue yeares, if the leſſors ſo long do liue, and the leaſe doe ſo long continue, and the ſucceſſor may diſtreine for the rent, or haue an action of Debt, and all other aduantages as the leſſor might. And if the leſſor die, the leſſee to holde to the end of the yere wherein he is then entred, if the leaſe ſo long continue, paying the rents &c. and the ſucceſſor within a Monthes warning to haue the manſiõ houſe & glebe land not ſowen, deducting of the rent to the value. Ann. 28. H. 8. cap. 11. This Act is repealed by 1. & 2. P. & M. as appeareth here. 3.

Leaſe 6. yeares

Succeſſor Diſtreine Rent Leſſor die

Manſion houſe Glebe land

Full age.

2 All Leaſes hereafter to be made of any manors, Lands, tenements, or other hereditaments, by writing indented vnder ſeale for terme of yeares, or for terme of life by any perſon or perſons being of full age of 21. yeres hauing any eſtate of inheritance, either in fee ſimple, or in fee taile, in their owne right, or in the right of their Churches or wiues, or iointly with their wiues, of any eſtate of inheritance made before the conuerture or after, ſhall be good and effectuall in the lawe againſt the leſſors, their wiues, heires, ſucceſſors, and euerie of them, according to ſuch eſtate, as is comprized and ſpecified in euerie ſuch Indenture of Leaſe, in like manner and forme, as the ſame ſhould haue bene, if the leſſors, thereof, and euery of them, at the time of the making of ſuch Leaſes, had bene lawfully ſeiſed of the ſame lands, tenements, and hereditaments comprized in ſuch Indenture, of good, perfect, and pure eſtate of fee ſimple thereof, to their owne onely vſes. Prouided alway that this Act, or any therein conteined, ſhall not extend to any Leaſes to be made, of any manors, lands, tenements, or hereditaments, being in the hands of any farmor or farmors, by vertue of any old leaſe, vnleſſe the ſame old leaſe be expired, ſurrendred, or ended, within one yeare next after the making of the ſaid new Leaſe: Nor ſhall extend to any grant to be made of any reuerſion of

Old leaſe

any manors, lands, tenements, or hereditaments: Nor to any Leaſe of any manors, lands, tenements, or hereditaments, which haue not moſt commonly bene letten to farm or occupyed by the ſaiours thereof by the ſpace of twenty yeares, next before ſuch Leaſe thereof made: Nor to any Leaſe to be made without impeachment of waſt: Nor to any Leaſe to be made aboue the number of twenty and one yeares, or three liues at the moſt, from the day of the making thereof. And that vpon euerie ſuch Leaſe there be reſerued yerely during the ſame Leaſe due and payable to the Leſſors, their heires and ſucceſſors (to whom the ſame lãds ſhould haue commen after the deathes of the Leſſors, if no ſuch Leaſe had ben thereof made, and to whome the reuerſion therof ſhall appertain, according to their eſtates and interells) ſo much yerely farme or rent or more, as hath bin moſt accuſtomably yelded or paied for the manors, lands, tenements, or hereditaments, ſo to be letten within xx. yeres next before ſuch leaſe therof made. And that euerie ſuch perſon and perſons, to whome the reuerſion of ſuch manors, lands, tenements, or hereditaments ſo to be letten ſhall appertain, as is aforeſaid, after the deathes of ſuch Leſſor, or their heires, ſhall and may haue ſuch like remedie and aduantage to all intents and purpoſes, againſt the Leſſees therof, their executors and aſſigns, as the ſame Leſſor ſhould or might haue had againſt the ſame Leſſees: So y if the Leſſor were ſeiſed of any eſpeciall eſtate tails of the ſame hereditaments at the time of ſuch Leaſe, that the iſſue or heire of that ſpeciall eſtate, ſhall haue the reuerſion, rents, and ſeruices reſerued vpon ſuch Leaſe after the death of the ſaid leſſor, as the leſſor himſelfe might or ought to haue had, if he had liued. Prouided alwaies, that the wife be made party to euery ſuch Leaſe which after ſhall be made by her huſband of any manors, lands, tenements, or hereditaments, being the inheritãce of the wife, and that euery ſuch Leaſe be made by Indenture in the naine of the Huſband & his wife, and the to ſeale the ſame. And that the farme and rent be reſerued to the huſbãd & to the wife, & to the heires of the wife, according to her eſtate of inheritance in the ſame, and that the huſband ſhall not in any wiſe alien, diſcharge, grant or giue away the ſame rent reſerued, or any part thereof, longer then during the couerture, without it be by fine leuied by the ſaid huſband & wife: but that the ſame rent ſhal remaine, deſcend, reuert, or come after the death of ſuch Huſband, vnto ſuch perſon or perſons, & their heires, in ſuch maner & ſort, as the lands ſo leaſed ſhould haue done if no ſuch leaſe had thereof bene made. Prouided alſo, y this act extend not to giue any liberty or power to any perſon or perſons, to take no farmes, leaſes, or takings of any manors, lands, tenements, or hereditaments, then he or they ſhould or might lawfully haue done before the making of this act. Nor extend to giue any libertie or power to any Parſon or Vicar of any Church or Vicarage for to make any leaſe or graunt of any their Meſſuages, Lands, Tenements, Tythes, Profits, Vicarages or Hereditaments,

pitaments, belonging to their Churches, otherwise or in anie other manner then they should or might haue done before the making of this Act: Anything contained in this Act to the contrarie notwithstanding. And furthermore be it &c. That all Leases at any time within the space of three yeares next before the twelfth day of Aprill, in the one and thirtieth yeare of our soueraigne Lord the Kings reigne, made by writing indented vnder Seale, by any person or persons of full age, of whole memorie, not vnlawfully coacted, nor being couert baron, for terme of yeares, of any manors, lands, tenements, or other hereditaments, whereof the lessor or lessors were seised of any estate of inheritãce, of, and in the same, to their owne onely vse, at the time of making any such lease thereof, and whereof the Lessees, their executors or assignes be now in possession by vertue of the same Lease, and no cause of reentry or forfeiture thereof had or made, shall be good and effectuall in the Law against the Lessors, their heires and successors, and the heires and successors of euery of them, according to the couenant, articles, and agreements, specified in euerie such Indenture of Lease: So alwayes there be reserued and yearely payable during the same Lease to the said Lessors, their heires or successors, or to such other, as should or ought to haue had, the same manners, lands, tenements, or hereditaments so leased, after the decease of such Lessors, in case no such lease had thereof beene made, as much yearely rent for the same, as was at any time therfore yelded or payed within twenty yeares next before the making of any such Lease, or else such Leases to be of no other force ne effect, then they were before the making of this present Act. And moreouer for certaine considerations, Be it &c. that no fine, feoffement, or other Act or Acts hereafter to be made, suffered, or done by the husband onely of any manors, lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the couerture betweene them, shall in any wise be or make any discontinuaunce thereof, or be preiudiciall or hurtfull to the said wife, or to her heires, or to such as shall haue, right, title, or interest to the same by the death of such wife or wiues: But that the same wife and her heires, and such other to whom such right shall appertaine after her decease, shall and may then lawfully enter into all such manners, lands, tenements, and hereditaments, according to their right and titles therein: any such fine, feoffement, or other Act to the contrary notwithstanding: Fines leuied by the Husband and Wife, whereunto the said wife is partie and priuie, onelie except. Prouided furthermore, that this clause or act extend not to giue any liberty to any such wiues, or to her heires, for to auoide any Lease hereafter to be made of any thinheritance of the wife by her husband and her for terme of one and twenty yeares, or vnder, or any her inheritance for terme of three liues at the vttermost, whereupon as much yerely rent or more, is, or shalbe reserued, and yerely payable during the same lease, as was at any time therfore yelden or paied within xx. yeare next before the making of anie such Lease, according to the tenour of this present Act: any thing therein contained to the contrarie notwithstanding. Prouided also, That this Act extend not to make good any Lease or Leases heretofore made by any Ecclesiasticall person or persons by their Couent or Common Seale, which be made void or taken away by authority of Parliament heretofore made: Nor extend to make good any Lease or Leases heretofore made by any Ecclesiasticall person or persons now being attainted of Treason, vnder their couent seale or otherwise, or by any person or persons now being attainted of Treason by Act of Parliament, or otherwise: But that all & singular such Lease and Leases, and euerie of them now made, or hereafter to be made, shall be of such like effect and strength in the Law, and none other, as they and euery of them were before the making of this Act, any thing before mentioned in this Act to the contrarie thereof notwithstanding. Anno 32. H. 8. cap. 28.

Ecclesiasticall persons

Attainted

3 As much of the same Act (8. of Anno 28 H. 8. cap. 11. which is before 1.) as doth concerne the making good of the said Leases, ne any Clause, Sentence, Prouision, or Article therein contained, shall extend to be construed, or iudged to extend to any Lease that shall be made by any Parson, Vicar, or any other, hauing any spirituall promotion, after the Feast of the Purification of our Ladie next comming. Anno 1. & 2. Ph. & Ma. cap. 17.

4 Be it &c. That all gifts, grants, feoffements, fines, or other conueiances or estates, from the first day of this present parliament to be had, made, done, or suffered, by any Archbishop, or Bishop, of any honors, castles, manors, lands, tenements, or other hereditaments, being parcel of the possessions of his Archbishoprick or Bishoprick, or vnited, appertaining, or belonging to anie of the same Archbishoprickes, or Bishoprickes, to any person or persons, bodies politike or corporate, other then to the Queens highnesse her heires and successors, whereby any estate or estates should or may passe from the same Archbishops or Bishops, or anie of them, other then for the terme of one and twenty yeares, or three liues, from such time as any such lease, grant, or assurance shall beginne, and whereupon the old accustomed yearely rent or more shall be reserued, and payable yearely during the saide terme of xxi. yeares, or three liues, shalbe void and of none effect, to all intents, constructions, and purposes: Anie law, custome, or vsage, to the contrary in any wise notwithstanding. Anno 1. Eli. not printed.

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Archbishop Bishop

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xxi. Yeares iij Liues

Old rents

5 And for that long and vnreasonable Leases made by Colledges, Deanes and Chapiters, Parsons, Vicars, and other hauing spirituall promotions, be the chiefest causes of the Dilapidations, and the decay of all Spirituall Liuings and Hospitalitie, and the vtter impouerishing of all successors, Incumbents in the same: Be it enacted by the authoritie aforesaid, That from henceforth all Leases, Graunts, Feoffements, Conueyances, or Estates to be made, had, done, or suffered, by anie Maister and Fellows of any Colledge, Deane and Chapter

Cathedrall churches Gardian of hospitall Parson Curate

Chapter of any Cathedrall or Collegiate Church, Maister or Gardian of any Hospitall, Parson, Vicar, or any other hauing any Spirituall or Ecclesiasticall liuing, or any houses, landes, tithes, tenements, or other hereditaments, being any parcell of the possessions of any such Colledge, Cathedrall Church, Chapter, Hospital, Parsonage, Vicarage, or other Spirituall promotion, or any wayes appertaining or belonging to the same, or of any of them, to any person or persons, bodies politike or corporate (other then for terme of one and twenty yeares, or three liues) from the time as any such Lease or graunt shall be made or graunted, whereupon the accustomed yearely rent or more shall be reserued and payable yearely during the said terme, shalbe vtterly void and of none effect, to all intents, constructions, and purposes: any law, custome, or vsage to the contrary in any wise notwithstanding. Prouided neuertheless, and be it enacted by the authoritie aforesaid, that this Act, nor any thing therein contained, shalbe taken nor construed to make good any Lease or other graunt to be made by any such Colledge, or Collegiate Church within either of both the Vniuersities Oxford or Cambridge, or elsewhere within the Realme of England, for more yeres then are limited by the priuate Statutes of the same Colledges. Prouided alwayes, that this Statute shall not extend to any Lease hereafter to be made vpon surrender of any Lease heretofore made, or by reason of any couenant or condition contained in any Lease heretofore made, and now continuing; so that the Lease to be made doe not containe more yeares then the residue of the yeares of the former Lease now continuing shall be, at the time of such Lease hereafter to be made, nor anie lesse rent then is reserued in the said former Lease. Anno 13. Eliz. cap. 10. See here following 7, 8, 9, certaine additions and alterations of this Statute in seuerall points.

Old rent

Oxford Cambridge

Surrender

6 That the liuings appointed to Ecclesiasticall Ministers, may not by corrupt and indirect dealings be transferred to other vses, Be it enacted by the authoritie of this present Parliament, that no Leases after the fifteenth day of May next following the beginning of this parliament, to be made of any Benefice or Ecclesiasticall promotion with cure, or any part thereof, and not being impropried, shall indure any longer then while the Lessor shall be ordinarily resiant, and serving the Cure of such Benefice, without absence aboue fourescore dayes in any one yeare: but that euery such Lease (so soone as it, or any part thereof, shall come to any possession or vse aboue forbidden, or) immediately vpon such absence, shall cease and be voide, and the Incumbent so offending, shall for the same lose one yeares profite of his said Benefice, to be distributed by the Ordinarie amongst the poore of the Parish. And that all chargings of such Benefices with Cure, hereafter with any pension, or with any profite out of the same to be yelded or taken, hereafter to be made, other then Rents to be reserued vpon Leases hereafter to be made according to the meaning of this Act, shall be vtterly voide. Prouided that euery person by the Lawes of this realme allowed to haue two benefices, may retaine the one of them, vpon which he shall not then be most ordinarily resident, to his Curate onely that shall there serue the Cure for him. But such Lease shall indure no longer, then during such Curates residence, without absence aboue forty dayes in any one yeare. This Act to continue to the end of the next Parliament. Anno 13. El. cap. 20. And Anno 14. El. cap. 11. this Statute is continued vnto the end of the next Parliament, with the addition here 7. next following. And see also another alteration hereafter 9. This Act is continued by An. 27. El. ca. 11. vnto the end of the next Parliament. And Anno 29. El. cap. 5. it is continued vntill the end of the next Parliament. And Anno 31. El. ca. 10. it is continued vntill the end of the next Parliament. And anno 35. El. cap. 7. it is continued to the end of the Parliament next insuing. And anno 39. El. cap. 18. this Statute of 13. El. was continued to indure vntill the end of the next Parliament. And anno 43. El. ca. 9. this Statute with all explanations, additions, and alterations made by any other Statute, continuing now in force, with this addition enacted by this Parliament, (That all Iudgements to be had to the inioying of any Lease contrary to the said Statutes shalbe void, as bonds and couenants are appointed to be void for that purpose. This was to indure vntill the end of the first Session of the next Parliament.) And 1. Iacob. capit. 25. the Act of 13. Elizab. with all explanations, additions, and alterations thereof made by 14. 18. and 43. Elizab. is continued vntill the end of the first Session of the next Parliament.

Benefice Spirituall promotion

Resident

Irre. Dayes

Voyd. Incumbent Forf.

Ordinary Poore people

Pension

Voyd

7 Prouided also, and be it enacted that these words (so soone as it, or any part therof, shall come to any possession or vse aboue forbidden, or) which words are contained in the said Statute, made in the said thirteenth yeare of Elizabeth touching leases of Benefices, and other Ecclesiasticall liuings with cure (before 6.) shall not be reuiued by this Act, but remaine discontinued, and shall from henceforth be omitted out of the said Act: Any thing in the said Act, or in this Act, to the contrarie notwithstanding. And where sundrie euill disposed persons haue defrauded the true meaning of the said last mentioned Statute, made in the said thirteenth yeare, by bonds and couenants of suffering other persons to enioy Ecclesiasticall liuings, and the fruites thereof, for that such bonds and couenants are not in Law taken to be leases, although indeed they amount to as much: Be it therefore enacted, That all bonds, contracts, promises, and couenants, hereafter to be made, for suffering or permitting any person to enioy any benefice or Ecclesiasticall promotion with cure, or to take profits or fruits thereof, other then such bonds and couenants, as shall be made for assurance of any leale heretofore made, shall be to all intents and purposes adiudged of such force and validitie, and not otherwise, as leases by the same persons made of such benefices and Ecclesiastical promotions with cure. And be it further declared and enacted, That all leases, bonds, promises, and couenants, of, and

Curate

21. Dayes

Exhibitions

concerning

concerning benefices, and Eccleſiaſticall liuings with cure, to be made by any Curate, ſhall be of no other, nor better force, validitie, or continuance, then if the ſame had beene made by the benefited perſon himſelfe, that demiſed, or ſhall demiſe the ſame to any ſuch Curate. And where in one other Act made in the ſaid thirteenth yeere of Eliz. intituled, An Act againſt fraudulent gifts, to the intent to defeat dilapidations of Eccleſiaſticall liuings, and for leaſes to be granted by Collegiate Churches (before 5.) there is ons braunch to auoid certaine leaſes to be made by Maſters and Fellowes of Colledges, Deanes and Chapters of Cathedrall or Collegiate Churches, Maſter and Gardians of any Hoſpitall, or by ante Parſon, Vicar, or anie other hauing any Spirituall or Eccleſiaſticall liuing: Be it enacted, That the ſaid braunch, nor any thing therein contained, ſhall not extend to any graunt, aſſurraunce, or Leaſe of any houſes, belonging to any the perſons, bodies politique or corporate aforeſaid: Nor to anie grounds to ſuch houſes appertaining, which houſes be ſcituate in anie Citie, Borough, Towne corporate, or Market towne, or the Suburbs of any of them: but that all ſuch Houſes and Grounds may be graunted, demiſed, and aſſured, as by the lawes of this Realme, and the ſeuerall Statutes of the ſaide Colledges, Cathedrall Churches, and Hoſpitalls, they lawfully might haue beene before the making of the ſaid Statute, or lawfully might be, if the ſaid Statute were not: ſo alway that ſuch houſe be not the Capitall or dwelling houſe diſtinct for the habitation of the perſons aboueſaid, nor haue grounds the ſame belonging, aboue the quantitie of tenne acres: Any thing in the ſaid Act to the contrarie notwithſtanding. Prouided alway and be it enacted, that no leaſe ſhall be permitted to be made by force of this Act in reuerſion, nor without reſeruing the accuſtomed yearely Rent at the leaſt, and without charging the Leſſees with the reparations, nor for longer terme then for tie yeares at the moſt, nor anie houſes ſhall be permitted to be alienated, vnleſſe that in recompence thereof, there ſhall be afore, with, or preſently after ſuch alienation, good, lawfull, and ſufficient aſſurraunce made in fee ſimple abſolutely to ſuch Colledges, houſes, bodies politique or corporate, and their ſucceſſors, of lands of as good value, and of as great yearely value at the leaſt, as ſo ſhalbe alienated: anie ſtatute to the contrary notwithſtanding. Anno 14. Eliz. cap. 11.

2 For the better maintenance of Learning, and the better reliefe of Scholliers in the Vniuerſities of Cambridge and Oxford, and the Colledges of Winchester and Eaton, Be it enacted, That no Maſter, Provoſt, Preſident, Warden, Deane, Gouernour, Rector, or chiefe Ruler of anie Colledge, Cathedrall Church, Hall, or houſe of learning in anie of the Vniuerſities aforeſaid, nor the Provoſt, Warden, or other head Officer of the ſaide Colledges of Winchester or Eaton, nor the Corporation of anie of the ſame, by what Title, Stile, or Name ſoeuer they now be, or ſhall or may be called, after the end of this preſent Seſſion of parliament, ſhal make any leaſe for life, liues, or yeares, of any farme, or any their lands, tenements, or other hereditaments, to the which anie tithes, arable land, meadow, or paſture, doth or ſhall appertaine, except the one third part of the leaſt of the old Rent be reſerued and payed in corne for the ſaid Colledges, cathedrall Church, Halles, and Houſes: That is to ſay, in good wheate, after ſix ſhillings and eight pence the quarter, or vnder, and good malt after fiue ſhillings the quarter, or vnder, to be deliuered yearely vpon dayes preſixed at the ſaid Colledges, cathedrall Churches, Halles or Houſes, and for default thereof to pay to the ſaid Colledges, cathedrall Churches, Halles or Houſes, in ready money, at the election of the ſaid Leſſes, their executors, adminiſtrators, and aſſignes, after the rate, as the beſt Wheate and Malt in the Market of Cambridge, for the Rents that are to be payed, to the vſe of the Houſe or Houſes there, and in the Market of Oxford, for the Rents that are to be payed to the vſe of the Houſe or Houſes there, and in the Market of Winchester, for the Rents that are to be payed, to the vſe of the Houſe or Houſes there, and in the Market of Windſor, for the Rents that are to be payed to the vſe of the Houſe or Houſes at Eaton, is or ſhall be ſold the next Market day, before the ſaid Rent ſhal be due, without fraude or deceit. And that all Leaſes, otherwiſe hereafter to be made, and all collaterall bonds or aſſurances, to the contrarie by any of the ſaid Corporations, ſhall be void in law, to all intents and purpoſes: The ſame wheat, malt, or the money comming of the ſame to be expended to the vſe of the reliefe of the Commons and Diet of the ſaid Colledges, cathedrall Churches, Halles, and Houſes only, and by no fraude nor colour, lot, nor ſold away from the profite of the ſaid Colledges, cathedrall Churches, Halles and Houſes, the Fellowes and Scholliers in the ſame, and the vſe afore ſaid, vpon paine of depriuation to the Gouernours and chiefe Rulers of the ſaid Colledges, cathedrall Churches, Halles, and Houſes, and all other thereto conſenting. Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend, or be in any wiſe preiudiciall to any leaſe to be made of a barne called Pounken Barne, with a certaine portion of tythes, rising, growing, and being in the parish of Southhinkſey in the countie of Sussex, being parcel of the poſſeſſions of Mauduline colledge in Oxford, ſo that the terme demiſed in, and by the ſaid leaſe, exceed not the number of yeares, from and after the feaſt of Saint Michaell the Archangell next comming: Any thing therein ſpecified to the contrary notwithſtanding. Prouided alſo, that this Act ſhall not extend to any leaſe to be made by the Preſident and Scholliers of the colledge of Saint John Baptiſt in Oxford, to anie heire male of Sir Thomas White late Knight and Alderman of London, founder of the ſaid colledge, which leaſe ſhall be made according to the meaning of the foundation and ſtatutes of the ſaid Colledge of the manor of Fifield, and other hereditaments. Anno 18. Eliz. ca. 6.

9 Whereas ſince the making of the Statute

Anno

Leaſe

iij Parts reſerued Corne

Price

Sir Thomas White

Void

Commons. Diet

Depriuation

Pounken barne

Anno 13 Eliz. cap. 10. (before 5.) diuers of thoſe Eccleſiaſticall perſons haue made new leaſes, long before the expiration of the former yeares, contrary to the true meaning of the ſaid Statute: Be it therefore enacted by this preſent Parliament, That all leaſes hereafter to be made by anie of the ſaide Eccleſiaſticall, Spirituall, or Collegiate perſons, or others, of any their ſaid Eccleſiaſticall, Spirituall, or Collegiate lands, tenements, or hereditaments, whereof any former leaſe for yeares, is in being, not to be expired, ſurrendred, or ended within three yeres, next after the making of anie ſuch new leaſe, ſhall be void, fruſtrate, and of none effect: any lawe, vſage, or cuſtome to the contrarie notwithſtanding. And be it likewiſe &c. That all and euery band and couenant whatſoeuer, hereafter to be made, for renewing, or making of anie leaſe or leaſes, contrarie to the true intent of this Act, or of the ſaide Act made in the ſaide thirteenth yeare of Elizabeth ſhall be vtterly voide: anie lawe, ſtatute, ordinance, or other thing whatſoeuer to the contrary in any wiſe notwithſtanding. Prouided alwayes, that this Act, nor any thing therein contained, ſhall extend or be preiudiciall, to make fruſtrate or void anie leaſe or leaſes, heretofore made by any of the ſaid Spirituall or Eccleſiaſticall perſon or perſons, or any of them, but that the ſame, and euery of them, are of the like force and effect, as they or any of them were before the making of this preſent ſtatute: This Act or any thing therein contained to the contrarie notwithſtanding. And where ſir Tho. White, late Knight and Alderman of London, for aduancement of good learning, hath founded one colledge in the Vniuerſitie of Oxford, called S. Iohn Baptiſts colledge, and being ſeiſed of the manor of Fifhide, alias Fifield in the Countie of Berk. did together with all other his lands, tenements, and hereditaments, giue and aſſure the ſaid manour with the appurtenances, to the Preſident and Scholers of the ſaid Colledge for euer: (And nuerthelelle the ſaid ſir Th. White (hauing then one Ralph White his brother liuing and ſundrie kinſmen, to whom by courſe of the common Law his lands might haue deſcended) did deuiſe and order, and by the ſtatutes which he prouided for the ſaid Houſe, and by order of the now Viſitor of the ſaid Colledge: it is ordained, That the ſaide manour of Fifhide, alias Fifield, with the appurtenances, ſhould be demiſed by the ſaid Preſident and Scholers, for the time being, to the ſaid Ralph, for the terme of fourſcore and nineteene yeeres, if the ſaid Ralph ſhould ſo long liue, and ſo it is intended, that from heire male to heire male of the ſaid ſir Thomas White, new demiſes ſhould from time to time be made of the ſaid manour with the appurtenances, to euery ſuch heire male ſucceſſiuely, for the terme of fourſcore and nineteene yeares, if ſuch heire male ſhould ſo long liue, yeelding to the ſaid Preſident and Scholers for the time being, ſuch rent as now is reſerued, with ſuch further couenants and conditions, as by the ſaid ſir Thomas White, or Viſitor, is agreed and appointed. And where ſithen the deceaſe of the ſaid ſir Thomas White, the ſaid aſſurances to the ſaid Preſident and Scholers, in all, or the moſt part of the lands, tenements, and hereditaments of the ſaid Founder, were found in ſome reſpect imperfect, and inſufficient in law, (and that thereupon the ſaid Ralph White, to whom the aduantage of ſuch imperfection came by Lawe, did neuertheleſſe take no ſuch aduantage, but did willingly make perfect the ſaid aſſurances, according to the true meaning of the ſaide ſir Thomas White his brother, accepting onely one leaſe of the ſaid manour, in ſuch ſort as by the ſaid Viſitor was appointed, with the copyholds, and other appurtenances of the ſaid manour.) For remedy whereof be it enacted, That the Preſident and Scholers of the ſaide Colledge, may from time to time demiſe the ſaide manour, copyholds, and other appurtenances, to euery heire male of the ſaid ſir Thomas White ſucceſſiuely, according to the forme of the leaſe thereof already made to the ſaid Ralph, & that euery ſuch leaſe ſo to be made, and euery couenant made, or to be made for the performaunce of the ſame, ſhall be good in law, as if the ſaid Act made in the ſaid thirteenth yeare of Elizabeth had neuer beene had nor made: Any thing in the ſaide Act made in the ſaide thirteenth yeare, or any other Act or matter whatſoeuer to the contrarie notwithſtanding. And whereas in one other ſtatute made in the ſaid thirteenth yeare of her Maieſtie, intituled, An Act touching Leaſes of Benefices, and other Eccleſiaſticall liuings with cure, (before 6.) one clauſe is contained, That the Incumbent offending the purport of the ſaid ſtatute, ſhall for the ſame loſe one yeares profite of his ſaid Benefice, to be diſtributed by the Ordinary among the poore of the Pariſh, as by the ſaid Warraunt in the ſaid laſt recited ſtatute appeareth: Be it therefore enacted by the authoritie aforeſaid, that after complaint made to the Ordinarie, and ſentence giuen vpon any offence committed by the Incumbent, whereby he ſhall or ought to loſe one yeares profit of his Benefice, as afore ſhewed: that the Ordinarie within two months after ſuch ſentence giuen, and requeſt to him made by the Churchwardens of the ſaid pariſh, or one of them, ſhall grant the ſequeſtration of ſuch profites, to ſuch inhabitant or inhabitants within the Pariſh where ſuch Benefice ſhall be, as to him ſhall ſeeme meete and conuenient: And vpon default therein by the Ordinary, that it may and ſhall be lawfull to euery pariſhioner, where the benefice is, to retaine and keepe his or their tythes, and likewiſe for the Churchwardens of the ſaid pariſh, to enter and take the profites of the Glebe Lands, and other Rents, and duties of euerie ſuch Benefice, to be imployed to the vſe of the poore, as aforeſaid, vntill ſuch time as Sequeſtration ſhall be committed by the Ordinarie, and then as well the Churchwardens, as Pariſhioners, to yeelde accompt of, and make payment to him or them, to whom ſuch Sequeſtration ſhall be committed: And that he or they to whom ſuch Sequeſtration ſhall be committed, from time to time, ſhall iuſtly and truely imploy and beſtow the ſaid profits, or the true and iuſt value thereof, without fraude or guile, to ſuch vſes, as by the ſaid ſtatute

Eccleſiaſticall perſons Colledges

Ecclesiaſticall liuings

Tythes

Glebe

Rents

tute

tute is limited and appointed, vpon paine of forfeiture of the double value of such withholding profits, to be recouered in the Ecclesiasticall Court, by the poore of the said parish. Anno 18. Eli. ca. 11.

Lee.

FOrasmuch as it is perceiued by many graue and wise men, as well of the Citie of London, as of the Countrie, that it were very commodious and profitable, both for the citie and the countrie, that the riuer of Lée, otherwise called Ware riuer, might be brought within the land to the north part of the said citie of London, the same to be cut out of the said riuer, in the most aptest, and meetest place of the said riuer of Lée, to haue from thence the leading and passage of the said Water, through such a conuenient and meete cut, as may serue for the nauigation of Barges and other vessels, for the cariage and conueying, as well of all Marchandizes, corne and vitailes, and other necessaries from the towne of Ware, and all other places nere the said riuer, vnto the said Citie of London, and from the said city, to the said places and the towne of Ware, and also for Milt-boats, and Wherries for conueiing of the Queens subiects, to and fro, to their great ease and commoditie: In consideration of the premisses, and of diuers, sundrie, commodious, profitable and beneficiall causes, which are like to insue to this body of the common wealth, and so incidently to many particuler persons: Be it enacted by the Quenes most excellent Maiestie, with the assent of the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, that it shalbe lawfull to the Lord Maior, Comminaltie and Citizens of the Citie of London, and their successors, at any time or times hereafter to beginne and continue the laying out of such conuenient limits of ground, for the making of the Trench for the said Riuer, at such breadth, as to them and their Deputies and workemen shall be seene conuenient and meete for the same, and in that place that they shall find to be most apt and meete for that purpose, to haue, take, and vse for the purpose abousaid, such and so much ground during, and by all the length, as the said new Channell, Cut, or Riuer shall passe, as shall be requisite for the conueying of the said water, and also fifty or three score foot in breadth of each side of the said Riuer, by all the length of the same: so alway that they doe not in anie one place, take in breadth both in Channell and Ground on both the sides of the water, aboue the breadth of eight score foote in all, which conuenient breadth of ground on both sides, is thought needfull to be had, for the ground and soile of necessitie must be occupied on both sides of the said riuer, aswell for the laying of the earth that shall be cast out of the said trench, to serue in the lower grounds, and especially nere the said riuer, to make substantiall bankes for the preseruation and keeping of the Countrie from inundations when the flouds shall arise, as also for way to passe with trunckes and carts, which must carrie away the grauell & other earth, in very great quantity from the hilles whereas the Cut must bee very deepe, to such places as shall be conuenient to help to make vp the said bankes, and otherwise to bestow the same: And also for that, when it shall please God that the same shall be brought to passe and full effect, that the whole ground on both sides of the said Riuer may lie in one leuell from the said citie of London, to the place where the said riuer or trench shall haue his beginning out of the maine riuer of Lée. And to the end also, that in all places within the limit and distance, all people may with great ease and commoditie, goe in, and out of their Milt-boats and other vessells whatsoeuer without perill, and so walke by foot, as long as it shall please them, and also that the Bargemen may vpon the same ground without offending any other, draw their vessels from place to place alongst the same, as of like they shall be driuen to doe against the streame, being loaden: Be it enacted, that the said Maior, Comminalty and Citizens, and their successors for euer, shall haue the said ground alongest all the said whole length, for such composition as they shall make with the Lords, Owners, and Occupiers of the soile and ground. Prouided alwaies, and be it enacted, That if in the new Cut, there happen any breaches, inundations, or hurts, the Maior and Citizens of London shall stop the breaches at their owne charges, and so maintaine them from time to time. And be it also enacted, That the said Lord Maior, Comminaltie, and Citizens shal haue the whole iurisdiction, conseruation, rule and gouernement, as wel of the said new cut riuer and ground, of each side, as also the royalty of the fish and fishing of the same, and profites of the said ground, soile and water, to them and their successors for euer. And also shall haue authority to punish as wel all such transgressors as shall offend in the breaking of such good order as shall be hereafter made, for such of the Quenes Maiesties subiects as shal haue occasion to trauel and passe by the same new cut riuer, as also euery other person and persons which shall breake such good and wholesome rules & orders as shall be prouided and ordained for the preseruation, keeping, and maintaining of the said riuer, and euery part thereof. And further be it enacted, that the Sherifes and Iu. of the peace, & such other as it shall please the L. Chancellor, or L. Keeper of the great seale, to put in Commission for the same, as well of Middlesex and Essex, as of Hartfordshire, or the more part of them, by their discretions, shal at the costs and charges of the countrey, after that the said new cut shall be made and finished, cause the same from such place whereas the new cut shall beginne, vnto the towne of Ware, along the said riuer, to be sufficiently cleansed of all the shelfs and shallows, and to bring the same to a conuenient depth in all places, for the passages of Barges, Milt-boats, and other vessels, in as good & conuenient depth, all the way of the same, as shall be made and continued in the aforesaid newriuer, by the Maior, comminalty and citizens of the said Citie of London, & so to continue the same from time to time, vpon the paines thereof to be limited and leuied by the discretions of the said commissioners, or the more part of them. And also that all other

Bankes

Bargemen

Maior

Breaches

Riuer

Fishing

Punish

Shirife Iust. of P. L. Chancelor L. Keeper Commission

Cleanse

buildings

Buildings buildings and obstacles, standing in or vpon the said riuer, which may be found impeachments or lets to this good worke may be removed and taken away, to the end that this may be a good and perfect worke, and by the grace of God, to such good effect and commodity as is hoped and looked for. Prouided alway, and be it enacted, That this Act shall not extend to take away any building, locke or obstacle which by the said commissioners, or the more part of them, shall be thought not to hinder the passage of boats and vessels, by, and thorow the said riuer. And be it further enacted, that the Maior, comminaltie, and citizens of London, shall make and maintaine at their costs and charges, such sufficient hedges and fences, as shalbe requisite betweene the grounds so by them to be taken to the vse aboue said, and the grounds of other Owners, and also conuenient bridges & waies, for the passage of the Queenes subiects and their carriages. Prouided alwayes, and be it &c. That the L. Chauncellor, or L. Keper of the great seale of England for the time being, shall and may by his discretion, and at the request of the said L. Maior, Comminaltie and Citizens for the time being, appoint and authorize by Commission vnder the great seale of England xvj. Commissioners, whereof foure to be of the said city of London, and the other xij. to be of the counties adioyning to the said riuer of Lee, viz. foure of euery the shires of Essex, Middlesex, & Hartfordshire, and euery of the said xij. hauing lands, tenements, or hereditaments, of the cleere yearely value of fortie markes in the same shires, or some of them, and not being Citizens of London vsing the trade of marchandize: Which xvj. Commissioners, or the more number of them, shall haue full power & lawfull authority, to treat, agree, and compound with such numbers of the Freeholders and inhabitants of the said Counties, as to their discretions shall seeme meete and conuenient for the scouring, cleansing, repairing and keeping of the said riuer of Lee, from such place whereas the new riuer or cut shall, haue the beginning vnto the said towne of Ware, in such sort as the same may be nauigable for boats barges and other vessels. And further be it enacted, That vntill or before such order or meanes be deuised and agreed vpon by the said Commissioners, & the said Commission returned into the high court of Chauncery, it shall not be lawfull to the said lord Maior, Citizens and Comminaltie, to put the said digging, trenching, or new cutting of the said riuer in execution, nor to cut or take in any ground by force of this Statute: Anie thing in this Act to the contrary notwithstanding. And be it further enacted, That the Maior, Citizens, and Comminaltie of London shall not by vertue of this Act take anie mans ground, vntill they haue compounded with the Owners of the same ground: and shall within ten yeeres next after the end of the Session of this Parliament, cut and finish the same. Prouided alway and be it enacted, that all the Queens subiects, their boats and vessels, shall haue free passage thorow the said riuer, as well the new cut as the old riuer, without interruption or molestation, by reason of or for his or their passage, as in other commō riuers and waters they lawfully may doe. Prouided alway, That this Act shall not extend to make the said riuer to be cleansed, otherwise then any persons be or shall be compellable by the law, or by the statute of Sewers, to cleanse the same. Prouided also and be it enacted, that if any person shall refuse to be reasonably compounded with, for ground to be taken in, for the said new cut and bankes: then the said xvj. Commissioners, or the more part of them shall appoint and determine the composition, and bargaine betweene both the parties, and the satisfaction for such ground, and all Waies, Bridges and other things to the same pertaining. Prouided alway, and be it further enacted, That if the saide new cut shall be the meane and occasion that anie Milles beneath, or aboue the beginning of the said new cut, shall be by vertue of this Act destroyed, or the profite thereof decayed by want of water: that then the said lord Maior, Comminalty, and Citizens of London, shall yelde and pay to the Owners of such Milles so decayed, and to such persons as shall haue any detriment or losse by such decay, such reasonable recompence in money or yearely rent, or otherwise, as the said xvj. Commissioners, or other xvj. Commissioners, in like sorte to be chosen and authorised, or any twelue of them shall determine and appoint. And that such Owners, their heires and assignes shall haue such reasonable remedy, by action of debt or distresse, or otherwise, to recouer, haue, and obtaine the said recompence, as the lord Chauncellor, or lord Keper of the great seale of England, for the time being, together with the said xvj. Commissioners, or with any twelue of them, shall appoint: Any thing in this Act to the contrary notwithstanding. Anno 13. Elizab. cap. 18.

Commissioners

Maior

Hedges Fences

Bridges

L. Chancellor

16. Commissioners

xij. Marks land

Repayring

Nauigable

Commission returned

Maior

Compound with the owners x. Yeares

Boates Free passage Riuer

Orders

Refuse to compound

Commissioners

Waies Bridges

Milles

Rents

Action debt Distresse

Leet.

FIrst you shall tell vs, by the Oath that you haue made, if all the suters that owe sute to this court be come, as they ought to be, and which be not. And if al the chiefe pledges be come with their deceners, and which be not. And if all the deceners be in the Assise of our Soueraigne lord the King, and which be not, and who receiued them. And if there be any of the Lordes villaines fugitiue, dwelling elsewhere then in the Kings demeanes, and of such as be within the Kings demeanes, if they haue not abiden there a yeare and a day. And if there be anie of the Lordes villeines in Frankepledge, otherwhere then in this Court. Of customes and seruices due to this Court withdrawen, how, and by whom, and in what Bailifes time. Of Purprestures made in lands, woods, and waters to annoiance. Of walles, houses, dikes, and hedges, set vp, or beaten downe to annoyance. Of bounds withdrawen and taken away. Of wayes and paths opened or stopped. Of waters turned or stopped, and brought from their right course. Of breakers of houses & of their receiuers. Of common theeues, and of their receiuers. Of petty theeues, as of geese, hennes, or sheafes of corne. Of theeues that steale clothes out of windowes. Of such as goe in message for

Iury

Pledges Deceners

Villaines

Frankepledge

Purprestures

Trespasse

for theeues. Of Hue and Cry leuied and not pursued. Of Bloudshed, and of Frayes made. Of escapes of Theeues or Felons. Of persons outlawed & returned, not hauing the Kings warrant. Of women rauished not presented before the Coroner. Of Clippers and Forgers of money. Of Treasure found. Of the Assise of Bread and Ale broken. Of false Measures, as of Bushels, Gallons, Yards, and Elles. Of false Balances and Weights. Of such as haue a double measure, and buy by the greater, and sell by the lesse. Of such as continually haunt Tauernes, and no man knoweth whereon they doe liue. Of such as sleepe by day and watch by night, and fare well and haue nothing. Of Cloth sellers and Curriers of Leather dwelling out of Marchant Townes. Of such as take Church or Churchyard, & after depart without doing that which belongeth thereunto. Of persons imprisoned, and after let goe without Warrant. Of such as take Doues in Winter by Dozetailes or Engines. And of all these things you shal doe vs to wit, by the oath that you haue taken. Ann 18. Ed. 2.

2 It is by the authoritie of this present Parliament established and enacted, That no Steward, Deputie Steward, or other vnder Steward of any Court Leets or Court Barons, shall directly or indirectly, in his owne name, or in the name of any other, from & after the expiration of one yeare next after the end of the Session of this present Parliament, take, receiue, or make benefit to his owne vse, in money, goods, or any other thing, to the value of xij. d. or more, by vertue or colour of any Demise or Graunt hereafter to be made, of any the Profites or Perquisites, or Amerciaments of any such Courts whereof they are Steward, which rightfully shall belong to the Lords of the same, vpon paine that euery Steward offending contrarie to the tenor of this present Act of Parliament, shall for euery such his offence forfeit the summe of 40. l. and to be disabled euer after to be Stewards of such Court, or of any other: the one halfe of the forfeiture to bee to our Soueraigne Lord the Kings Maiestie, his heires and successors: the other halfe to any of his Maiesties subiects that shall complaine in any of his Highnesse Courts of Record, by Action of Debt, Bill, Plaint, or Information, in which Suit no Essoine, Protection, Wager of Law, or other dilatorie Plea shall be allowed. Anno 1. Iacob. cap. 5.

Libell.

AT what time the Libell is graunted by the Law, that it be graunted and deliuered to the partie without any difficultie Anno 2. Hen. 5. cap. 3.

Limitation.

TOuching conueyance of discent in a Writ of Right from any auncestor, from the time of King Henry the elder the yeare and day, It is prouided, That from henceforth there be no mention made of so long time, but from the time of King Henry our Grandfather. And this Act shall take effect at Pentecost, the xij. yeare of our raigne, and not afore. And the Writs before purchased shall proceed: Writs of Mortdancester, of Natiuis, and of Entre, shall not passe the last returne of King Iohn from Ireland into England. And this Act shall take effect, as before is declared: Writs of Nouel disseisin shall not passe the first voyage of our Soueraigne Lord the King that now is, into Gascoigne. And this prouision shall take his effect from the time aforesaid, and all Writs purchased before shall proceed. Merton, cap. 8. Anno 20. H. 3. Mortdancester Natiuo habendo Nouel diss.

2 And forasmuch as it is long time passed since the Writs vnder named were limited: It is prouided, That in conueying a discent in a Writ of Right, none shall presume to declare of the seisin of his ancestor, further or beyond the time of King Richard, vncle vnto King Henry, father to ỹ King that now is, and a Writ of Nouel disseisin, of partition, which is called Nuper obijt, haue their limitation since the first voyage of King Henry, father to the King that now is, into Gascoigne. And the Writs of Mortdancester, of Cosinage, of Ayel, of Entre, and of Natiuis, haue their limitation from the Coronation of the same King Henry, and not before: Neuertheless, all Writs purchased now by themselues, or to be purchased betweene this and the Feast of S. Iohn, for one yeare complete, shall be pleaded from as long time as heretofore they haue been vsed to be pleaded. West. 1. cap. 38. 3. Edw. 1. Writ of Right Nouel disseisin Nuper obijt Mortdancester

3 No manner of person or persons shall from henceforth sue, haue, or maintaine any Writ of Right, or make any prescription, title, or claime, of, to, or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corrodies, or other hereditaments, of the possession of his or their ancestor or predecessor, & declare & alleage any further seisin or possession of his or their ancestor or predecessor, but only of the seisin or possession of his ancestor or predecessor, which haue been or now is, or shalbe seised of the said manors, lands, tenements, rents, annuities, commons, pensions, portions, corrodies, or other hereditaments, within 60. yeares next before the Teste of the same Writ, or next before the said prescription, title, or claime so hereafter to be sued, commenced, brought, made, or had. And be it &c. That no manner person or persons shall hereafter sue, haue, or maintaine any Assise or Mortdancester, Cosinage, Aile, Writ of Entre vpon disseisin done to any of his ancestors or predecessors, or any other action possessarie, vpon the possession of any of his auncestors or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his or their ancestor or predecessor, but onely of the seisin or possession of his or their ancestor or predecessor, which was or hereafter shall be seised of the same manors, lands, tenements, or other hereditaments, within 50. yeares next before the Teste of the original of the same Writ hereafter to be brought: 60. yeares Teste Writ of Right Assise Mortdanc. Cosinage Aile 50. yeares Teste

And be it &c. That no person or persons shall hereafter sue, haue or maintaine, any action of any manors, lands, tenements, or hereditaments, of, or vpon his or their own seisin, or possession therein,
30. yeares aboue 30. yeres before the Teste of the originall of the same Writ hereafter to be brought. And be it &c. That no person or persons shall hereafter make
Auowrie Cognisance any Auowrie or Cognisance for any rent, suit, or seruice, & alleage any seisin of any rent, suit, or seruice in the same Auowrie or Cognisance, in ỳ possession of his or their ancestors, predecessor or predecessors, or in his owne possession, or in the possession of any other, whose estate he shall pretend
50. yeares or clayme, to haue aboue 50. yeares next before the making of the said Auowrie or Cognisance. And
Formedons Scire facias ouer that be it &c. That all Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines of any manors, lands & tenements, or other hereditaments, at any time hereafter to bee sued,
50. yeares shall be sued, vsed and taken within 50. yeares next after the title and cause of action fallen, and at no time after the said 50. yeares passed. And be it &c. That if any person or persons at any time hereafter doe sue any of the said Actions or Writs, of any manors, lands, tenements, or other hereditamẽts, or make any Auowrie, Cognisance, Prescription, Title, or Claime, of, or for any rent, suit, seruice, or other hereditaments, and cannot proue that he or they, or his or their ancestors or predecessors were in actuall possession or seisin of and in the same manors, lands, tenements, rents, suits, seruices, annuities, commons, pensions, portions, corodies, or other hereditaments, at any time or times, within the yeres before limited & appointed in this present Act, and in manner and forme as is aforesaid, if the same be trauersed or denied by the partie plaintife, demaundant or auowant, or by the party tenant or
Triall defendant: that then and after such tryall therein had, all and euery such person & persons, and their
Barre heires, shall from henceforth be vtterly barred for euer, of all and euery of the said Writs, Actions, Auowries, Recognisance, Prescription, Title and Claime hereafter to be sued, had or made, of and for the same manors, lands, tenements, hereditamẽts, or other the premisses, or any part of the same, for the which the same Action, Writ, Auowrie, Cognisance, Prescriptions, Title and Claime hereafter shalbe at any time had, sued, or made. Prouided alwayes, and be it &c. That all & euery person and persons which now haue any of the said Actions, Writs and Auowries, Scire facias, Cognisance, Prescriptions, Title or Claime depending, or that hereafter shall sue, commence, make, or bring any
Writs Actions of the said Writs or Actions, or make any of ỳ said Auowries, Cognisances, Prescriptions, Titles or Claime, at any time before the Feast of the Ascension of our Lord God, which shall be in the yeare of
Alleage seisin our Lord God 1546. shall alleage the seisin of his or their auncestors or predecessors, or his own possession and seisin, and also haue all other like aduantages, to all intents and purposes, in the same Writs, Actions, Auowries, Cognisances, Prescriptions, Titles & Claimes, as he or they might haue had at any time before the making of this Estatute: this Act or any thing therein contained to the contrary notwithstanding. Prouided also, and be it &c. That if any person or persons, being now within the age of xxj. yeares, or couert baron, or in prison, or out of this Realme of England, now hauing cause to haue, sue, commence, make or bring any of the said Writs, Actions, or to make Auowries, Cognisances, Prescriptions, Titles or Claimes, that it shall be lawfull to such person and persons being within age, couert baron, in prison, or out of the Realme, to sue, commence, or bring any of the said Writs or Actions, or make any of the said Auowries, Cognisances, Prescriptions, Titles, or Claimes, at any time within vj. yeares next after such person or persons, now being within age, shall accomplish the age of xxj. yeares, or within vj. yeares next after such person or persons now being couert baron, shall be sole, or within vj. yeares next after such person or persons, now being in prison, shall be at his libertie, or within vj. yeares next after such person or persons now being out of the Realme, shall come and be within this Realme. And that euery such person and persons in their said Actions, Writs, Auowries, Cognisances, Prescriptions, Titles, or Claimes, to be made, sued, or commenced within the said vj. yeares, shall alleage within the said vj. yeares the seison of his or their ancestors or predecessors, or of his owne possession, or of the possession of those whose estate he shall then claime. And also within the same vj. yeares shall haue all and euery like aduantages, to all intents and purposes in ỳ same, as he or they might haue had before the making of this Act, and as though this Act had neuer bene had ne made: this Act or any thing therein contained to the contrarie notwithstanding. Prouided also, That if it happen the said person or persons now being within age, or couert baron, in prison, or out of this Realme, hauing cause to sue, commence, make, or bring any the said Writs, Actions, Auowries, Cognisance, Prescription, Title, or Claime, to decease within age, or being couert, as is aforesaid, or during the time that he or they shall be in prison, or out of this Realme, or to decease within vj. yeares next after such person or persons shall accomplish his or their full age, or shal be at large within this Realme, or shal become sole, & no determination or iudgement had of such Titles, Actions, or Rights, so to them accrued: that then the next heire or heires of such person or persons being in prison, or out of this Realme, or within age, or being couert baron so dying, shall haue and enioy all and euery such libertie and aduantage, to sue, demaund, auow, declare, or make their said Titles, Claime, or Prescriptions, within vj. yeares next after the death of such person or persons, now imprisoned, or being out of this Realme, or within age, or couert de baron, in such like maner and forme, to all intents and purposes, as the same infant after his full age, or the said woman couert after the death of her husband, or the same person being out of this Realme, after his repaire or comming into the same, or the said person imprisoned after his inlargement and comming

out

out of prison, should or might haue had within six yeres then next ensuing, by force and vertue of the prouision last before rehearsed: any thing in this Act contained to the contrarie thereof in any wise notwithstanding. Prouided also, That if any person or persons, before the said Feast of the Ascension of our Lord God, which shall be in the said yere of our Lord God 1546, commence and sue any of the said Actions or Writs, or make any Auowrie, Prescription, Title or Claime, and the same Action, Writ, Auowrie, Cognisance, Prescription, Title or Claime happen by the death of any the parties of the same, to be abated before iudgement or determination therof had: that then the sayd person or persons being demaundants or auowants, or making any such Cognisance, Prescription, Title or Claime, being then on liue, and if not, their next heire or heires of such person or persons deceased, may commence or pursue his or their action & suit, and make his or their Auowrie, Cognisance, Prescription, Title or Claime, for or vpon the same matter, within one yeare next after such action or suit abated, and shall haue and enioy all and euery such libertie and aduantage, to sue, demaund, auow, declare or make their said Titles, Claimes or Prescriptions, within the said one yeare, as the demaundant or demaundants in such Writ or suit abated, or as such as did auow or make Cognisance, Title, Claime or Prescription, should or might haue done, had, vsed, made, or enioyed in the said former action or suit: any thing in this Act to the contrary notwithstanding. Prouided furthermore, That if any false verdict happen hereafter to be giuen or made, in any of the said Actions, Suits, Auowries, Prescriptions, Titles, or Claimes: that then the partie grieued by reason of the same, shall & may haue his attaint vpon euerie such verdict so giuen or made, & the plaintife in the same attaint vpon iudgement for him giuen, shall haue his recouerie, execution, & other aduantage, in like manner & forme, as heretofore hath beene vsed and accustomed: any thing before in this Act contained to the contrarie notwithstanding. Añ 32. H.8. cap.3.

4 The said former Act made in the 32. yeare of the raigne of the said late King Henry (& cap. 2. before 32) or any Article, Clause, Sentence, or matter therein contained, shall not extend to any Writ of Right, Auowson, Quare impedit, or assise of Darrein presentment, nor Iure patronatus, nor to any Writ of Right of Ward, Writ of rauishment of Ward, for the wardship of the body, or for the wardship of the Castles, Honors, Manors, lands, tenements, or hereditaments holden by Knights service, nor to the seiser of the wardship of the bodie of any Ward or Wards: or to the seiser or wardship of any Castles, Honors, manors, lands, tenements or hereditaments holden by Knights service, but that all & euery person & persons, bodies politike and corporate, their heires and successors, and their heires & successors of euerie of them shall & may haue, maintaine & pursue all & singular the said writs of Right, of Auowson, Quare impedit, assise of Darrein presentmẽt, Iure patron. Writs of Right of Ward, rauishment of Ward, and also seise the wardship both of the bodie and of the Castles, Honors, manors, lands, tenements & hereditaments, holden by Knights service, in like maner & forme, to all intents, constructions & purposes, as they or any of them should or might haue done, made or pursued before the making of ỹ said Act, made in the said 32. yeare, as though the same Act had neuer bin had or made: any thing in the said former Act to the contrary notwithstanding. Añ 1. M. 1. Parl. cap. 5.

Lincolne.

ANno 31. Eliz. An Act was made for the reliefe of the Citie of Lincolne, but not printed: Añ 35. Eliz. cap. 7 it is continued to the end of the nert Parliament. And in Añ 39. Eli. cap. 18. both these Statutes are continued vntill the end of the nert Parliament. And in Añ 43. Eliz. cap. 9. they were continued vntill the end of the first Session of the nert Parliament. And añ 1. Ia. ca. 25. the Act 43. Eliz. is continued vntill the end of the first Session of the nert Parliament.

Linne.

AÑ 33. H.8. cap. 34. it was enacted, That the Kings Letters Patents, dated 7. Iulij, Añ 29. H. 8. made to the Towne of Linne, of two Faires or Markets to be holden yerely in ỹ towne, be made void & of none effect: Sauing to the towne all other their liberties & other things comprised in any other Letters Patents. Faires Markets Cloth

2 Añ 26. H. 8. cap. 9. An Act was made for the repairing of the Towne of Linne.

Linnen Cloth.

ANño 21. H. 8. ca. 14. it was enacted, That none should bring into England any Linnen cloth called Dowlas and Lockeram, not containing the length & bredth declared in the statute, vpon paine of forfeiture. And after Añ 28. H. 8. cap. 4. this Act is repealed. And it is there enacted, ỹ no manner of perſõ, English nor stranger, denizen nor alien, put to sale any whole piece or halfe of ỹ said linnẽ cloth, called Dowlas & Lockeram, vnlesse there be mẽtion expressed vpon euery of ỹ said whole piece or halfe piece of ỹ said Linnen cloth called Dowlas or Lockeram so put to sale, as is aforesaid, the whole & entire number of the yards or elles ỹ is contained in euery such whole piece or halfe piece, vpon paine of forf. of ỹ same whole piece or halfe piece, not rẽtaining ỹ number of yards or elles so mentioned vpõ euery of the said whole piece or halfe piece so put to sale, as is aforesaid: the one halfe of euery such forfeyte to be to the King our Soueraigne Lord, & the other halfe to him that shall seise & will sue for the same, by action of debt, bill, plaint, information, or otherwise: in which action, suit, or information, no wager of Law nor essoine shalbe admitted or allowed. Prouided alwaies, that this Act or any thing therein contained, be not preiudiciall ne hurtfull to any Dowlas Lockeram Forf. Alien Denizen Dowlas Lockeram Forf. Moitie

person or persons, that before the first day of this Parliament hath made any seiser, or put in any information into any of the Kings Courts, for any manner of forfeiture done or committed by any person or persons, contrarie to the said Estatute, made the said third day of November, in the 21. yeare of the raigne of our said soueraigne L. King Henry the eight. An 28. H. 8. cap. 4.

☞ 2 Where certaine euill disposed and deceitfull persons, vsing to buy and ingrosse into their hands great store of Linnen Cloth, do vse to cast the pieces of Cloth ouer a beame, or piece of timber made for their purpose, and do by sundry deuices racke, Stretch, stretch, and draw the same both of length & breadth, and that done, doe then with battledores, pieces of Beat timber and wood, and other things, sore beat the same, euer casting thereupon certaine deceitfull li- Chalke quors, mingled with Chalke and other like things, whereby the said Cloth is not onely made to seeme much finer and thicker to the eye, then it is indeed, but also the threds thereof be so losed and made weake, that after three or foure washings it will scarcely hold together, to the great deceit, hinderance and losse of the subiects of this Realme: Be it therfore enacted by the authoritie of this present Parliament, That if any person or persons shall hereafter willingly vse, or cause to be vsed the aforesaid deceits, or any other Act or Acts, meane or meanes, in, or with any kind of Linnen Cloth, whereby the same shall be deceitfull or worse, to and for the good Fork. vse thereof: That then the said Cloth shalbe forfeited, and the offendor therein to be punished by one Imptst. moneths imprisonment at the least, and shall pay Fine such fines as shall be assessed for his or their offence or offences by the Iustices before whom he or they shall be condemned, according to the tenor of this Iustices of Dier & ter. Iust. of ass. Act. And be it &c. That all and euery of the Iustices of Dyer and determiner, and Iustices of Assises in all their Sessions, and all Iustices of Peace in euery County and place of this Realme, or three of them at the least, whereof one to be of the Quo- Quorum Dyer & ter. Inquire Sessions rum, shall haue full power and authority to inquire, heare & determine the offences beforesaid, in their Sessions, by Information, Indictment, or vpon the trauers of any Presentment or Indictment found before the said Iustices, or any of them. And be it enacted by the authoritie aforesaid, That if any person or persons shall seise any such deceitfull Linnen Cloth: then he or they shall at the next Sessions of the Peace (after the said seiser to be kept within the Shire or place where the seiser was made, or before two Iustices of Peace, whereof one Iust. of P. Quorum to be of the Quorum) make due information of the offence, & of the seiser of the said Cloth, or else shall procure the offendors to be thereof indicted at the said next Sessions after the said seiser. And shall Recognisance also be bound before the said Iustices by Recognisance, or Obligation, to the vse of the Quenes Maiestie, her heires and successors, in such forme, as the said Iustices or any of them shall thinke meet for the greatnesse of the matter, and to pursue the same matter with effect, and to giue Euidence euidence, as of right appertaineth, and also to pay and Writs giue the moitie of all that he or they shall so recouer, and receiue to the Shirife or other accountant to the vse of the Quenes Maiestie, her heires and successors: and the one halie of all the forfeitures and fines, of and for the premisses, to be to the Quenes Maiestie, her heires and successors, and the other moitie to him or to them that shall make information, or procure Indictments of and for the premisses, and shall follow the same with effect. And further be it ordained and enacted by the authoritie aforesaid, That the Iustices before whom any such offence shall be tryed, shall certifie the same Certifie by their Estreat into the Eschequer, at the leaft Eschequ yearely at Michaelmas, as they be bound to doe other their Estreates, and vpon the Certificate the Barons of the Eschequer to haue full power and Barons the Eschequ authoritie to make Processe for so much thereof, as by this Estatute shall appertaine to the Quenes Maiestie, in like manner and forme as they onely doe for any other fines and amerciaments so certified before them. Anno 1. Eliz. cap. 12.

Liuerie and Ouster le maine.

WHere Inquests taken by his Escheators Inquest Escheat by any of the Kings Writs purchased out of the Chancerie being returned, and it be found by Inquests, that nothing is holden of the King, Ward whereby the King ought to haue the ward of such lands and tenements, by reason of the Inquest taken by his Escheators, that immediatly and without any delay the Escheators shall be commanded Chancerie Lands by the Kings Writ, had out of the Kings Chancerie, to put from their hands all the lands and tenements so taken into the Kings possession, and if they haue taken any profits of such lands & tenements, so taken into the Kings hands by the, from Profits the time that such lands and tenements fell into the Kings hands, they shall make full restitution Restitu to him or them, for whom it was found by Inquests taken by the same Escheators, that such lands ought to remaine: Sauing alway to the King (in case that after such time as his Escheators haue discharged their hands, by force of the Kings Writ, as before is said) if any thing happen to be found in the Chancerie, or the Eschequer, or in any Eschq other of the Kings Courts, whereby the ward of such lands, whereof the Escheators haue discharged their hands in forme aforesaid, should belong vnto the King, that immediatly he in whose possessions such lands happen to be, shall be summoned by a Writ Summ out of the Chancerie, to be afore the King at a certaine day wheresoeuer &c. to shew if he can say any thing, wherefore the King ought not to haue ward of such lands, according to the forme of the euidences or remembrances found for the King. And if he come & shew why the ward of such lands doth not belong vnto the King, but doth shew that it ought to belong & remaine to himselfe, he shall go quit, & shall retaine the ward. But in case that the partie warned doth not come, or if that he come & can shew nothing, to put the King from the ward, the lands & tenements shall be forthwith reseised into the Kings hands, Reseis to be kept in name of wardship vnto the lawfull

age

age of ſuch heires as before is ſaid. And if it bee found vpon the inqueſts taken by the eſchetors and returned, that the ward of the ſame lands and tenements contained in the inqueſt, and ſeiſed into the kings hands, ought not to remaine vnto the King then the eſchetor ſhall be commanded forthwith to diſcharge his hands thereof, and to reſtore the iſſues wholly. In like maner, if it be found afterward by the euidences and remembrance in the Chancerie, Eſchequer, or otherwhere, as before is ſaid, that our ſoueraigne Lord the king ought to haue the ward thereof, the king ſhall be anſwered vnto, for the whole iſſues and profits, by the hands of ſuch as held the ſame lands and tenements, from the time they were firſt taken into the kings hands by his Eſchetors, by the Writs aboueſaid. And this order ſhall be obſerued from henceforth in the chancerie, notwithſtanding a certaine ordinance lately made by our ſoueraigne lord the king, concerning lands and tenements taken into his hands by his officers, and not to be deliuered but by the king himſelfe, & as it is conteined in a cetaine Diuidenda or indenture made betweẽ the king himſelf and his Chanceller, whereof one part remaineth in cuſtodie of the Chanceller. Añ 29. E. 1.

2 Where the Eſchetor or the Shiriffe ſeiſeth land into the kings hands (where there is no cauſe of ſeiſer) and after when it is found no cauſe, the profites taken in the meane time haue beene ſtill reteined and not reſtored, when the king hath his Ouſter le maine. The king will that if hereafter any lands be ſeiſed, and after it be out of his hands, by reaſon that he hath no cauſe to ſeiſe nor to hold it, the iſſues ſhalbe fully reſtored to him, to whom the land ought to remaine, & which hath ſuſteined the damage. Artic. ſuper chart. cap. 19. Anno 28. Ed. 1.

3 Becauſe that the eſchetors, and other the Kings Miniſters, by the kings commandement from the Chancery, haue bin charged at the Eſchequer, of the farmers and rents of the lands and tenements which were taken into the kings hands, by the death of the tenants, which held of him, to the heires and other to whom the ſaid lands and tenemẽts ought to deſcend, reuert, or remain, whereof the termes of paiments were to come after ſuch liuerie made for the rate & portion of the time that the ſame lands and tenements were in the kings hands: It is accorded and ſtabliſhed, that of manors, cities, boroughs, townes, hundreds, franchiſes and all other lands & tenements, whereof profit doth riſe from time to time thorow the yere, as of mils, herbage, toll, pleas and profits of courts, and all ſuch iſſues and profits, euery eſchetor and other miniſter which hath ſeiſed ſuch lands and tenements to the kings vſe, ſhall bee holden to anſwere to the king for the rate & portion of the time, according to the old courſe in the Eſchequer. And that of ancient farmes & rents, which be to be paid at certaine termes, as rent ſecke, and rent ſeruice, whereof no profit riſeth till the day of paiment, ſuch farmes and rents ſhal be paid to them, which haue liuerie out of the kings hands, at the termes of paiments of the ſaid farmes & rents which followeth after ſuch liuery made aſwell c. & time paſt, as of the time to come. An. 28. E. 3. cap. 4.

Liueries of Companies and Reteiners.

Note that in all the Statutes vnder this title, where you finde this word (Hats) the French word is (Chaperons) which rather ſignifieth Hoods: And where you finde (Badges) the French word is (Signes.)

BEcauſe that diuers people of ſmall garniſon of land or rent, or other poſſeſſions, doe make great retinue of people, as well of Eſquires as of other, in many parts of the Realme, giuing to the Hats, and other Liuerie of one ſuit by the yeare, taking againe towards them the value of the ſame Liuerie, or perafe the double value, with ſuch couenant & aſſurance, that euery of them ſhall maintaine other in all quarrels, be they reaſonable or vnreaſonable, to the great miſchiefe & oppreſſion of the people, It is ordained and aſſented, That the Statutes & Ordinances made in ſuch caſe before this time, bin kept & duly executed. And moreouer the King doth ſtraitly defend, that from henceforth no ſuch Liuerie be giuen to any man for maintenance of quarrels, nor other confederacies, vpon pain of impriſonment, & grieuous forfeiture to the King. And the Juſtices of Aſſiſes ſhall diligently inquire of all them that gather them together in Fraternities by ſuch Liuerie to doe maintenance, and they which thereof ſhalbe found guiltie, ſhalbe duly puniſhed, euery man after the quantitie of his deſert. Añ 1. R. 2. cap. 7. See after 3. 7. and 10. this confirmed.

Hats or hoods

Quarrels

Maintenance Quarrels Impriſon. Forf. Juſt. of Aſſ.

Fraternities Maintenance

2 No Yeoman, nor other of lower eſtate then an Eſquire, from henceforth ſhall vſe nor beare any liuerie, called Liuery of Companie of any Lord within the realme, if he be not meniall and familiar continually dwelling in the houſe of the ſaid Lord. And that the Juſtices of peace ſhall haue power to inquire of them which doe the contrary, and them to puniſh according to their diſcretion. An. 16. R. 2. ca. 4. See after 4.

Yeoman Eſquire Liuerie of Companie

Juſt. of P.

Diſcretion

3 The ſtatute made in the firſt yeare of our reigne, of liueries of hats, ſhall be holden and kept vpon the paine conteined in the ſame ſtatute (before 1.) and vpon pain to be impriſoned, & to make fine and ranſome to the king. Añ 20. R. 2. cap. 1.

Hats or hoods

Impriſon Fine

4 Garlets called Yeomen, nor none other of leſſe eſtate then Eſquires, ſhall vſe nor beare no ſigne of Liuerie, called Liuerie of Companie of any Lord within ỹ Realme, vnleſſe he be meniall & familiar, or continuall officer of his ſaid Lord. And that the J. of the Peace ſhall haue power to inquire of the which do the contrarie, & them to puniſh according to their diſcretion. Añ 20. R. 2. ca. 2. See before 2.

Yeoman Eſquire

Juſt. of P.

Diſcretion

5 For the new maintenance, and to nourith loue, peace, and quietneſſe of all parts throughout the Realme, Be it ꝛc. That no Lord, of what eſtate or condition ſoeuer he be, ſhall vſe nor giue any Liuerie of ſigns of Companie, to no Knight, Eſquire, or yeoman within y realme aforeſaid: ſauing alwayes, that our ſoueraigne Lord the King ſhall giue only his honorable liuerie to his Lords temporall, to whom it ſhall pleaſe him: ſauing alſo ỹ our

Lord

Knight Eſquire Yeoman

said Soueraigne Lord shall giue his honourable liuerie to his Knights and Esquires meniall, and also to the Knights and Esquires which be of his retinue, and do take of him their yerely fée for terme of life. Moreouer, it is accorded and assented by the King, his Lords & Commons aforesaid, That the said Knights and Esquires shall not in any wise weare their said Liueries in their Countries or Counties where they be resiant or dwelling, nor in none other place within the Realme, out of the Kings presence, and if any Lord doe the contrarie, and that duely proued, he shall make fine and ransome at the Kings will. And if any Knight or Esquire do the contrarie, and be thereof duely attainted, he shall lose his said Liuerie, and forfeit his fée for euer. And that no yeoman take nor weare any Liuerie of the King, nor of none other Lord, vpon paine of imprisonment, and to make fine and ransome at the Kings will. Prouided alway, that the Constable and Marshall of England for the time being, with their retinue of Knights & Esquires, may weare the said Liuerie of the King vpon the borders & marches of the Realme in time of warre. Prouided also, That all they y will trauell & passe ouer into the parts beyond the sea to séeke honor, may weare the same Liuerie in those parts, without being thereof any wise grieued or impeached. Moreouer it is accorded & assented, That no Archbishop, Bishop, Abbot, nor Prior, nor none other man of holy Church, or Temporall, of what estate or condition he be within the said Realme, shall giue any Liuerie of Cloth to any man, but onely to his meniall seruants and officers, or to them that be of his Counsell, as well Spirituall as Temporall, learned in the one Law or in the other, vpon paine to make fine and ransome at the Kings will. And this Statute shall begin to take place from the Feast of Candlemas next to come. Añ 1. H. 4. ca. 7. See here 6. 7. & 9. more.

Knights Esquires — Lord — Knight Esquire — Fork. — Yeoman — Imprison Fine — Constable and Marshall of England — Marches Marre — Archbishop Bishop Abbot Prior — Cloth — Fine

6 For as much as the former part of the Statute made Añ 1. H. 4. cap. 7. before 5. concerning the Kings Liueries, and Liueries and Signes of Companies, is very expedient and necessarie: Be it &c. That the same Statute shall be firmely holden and kept, ioyned thereto, that the Iustices of the one Bench and of the other, and the Iustices of Assises, and of the Peace, haue power and authoritie to inquire, heare and determine in this case, by record in their presence, or by inquirie to be made from time to time. And that the Dukes, Earles, Barons and Baronets of the Realme, may weare the said Liuerie in their Countrey, and elsewhere. And also that the said Knights and Esquires may weare the said Liuerie in going from the K. house, and returning to the same. Prouided alwaies, that the same Knights and Esquires weare not y same Liuerie in their Counties or Country, where they be resiant or dwelling, vpon the paine contained in the said Estatute. Moreouer it is accorded, that the Prince may giue his honourable Liueries or signe to the said Lords, & to his meniall gentlemen, and that the said Lords may weare y same, as they weare the Kings Liuerie, and that the menials of the Prince may also weare the same, as the Kings menials, and in the forme, and vpon the paines aforesaid. Añ 2. H. 4. cap. 21.

Iust. of both benches Iust. of Ass. Iust. of P. — Presence Dukes Earles Barons — Knights Esquires — Paine — Prince

7 Whereas there is an Ordinance made in the Statute Añ 1. H. 4. cap. 7. (before 5.) concerning the giuing of Liueries of Cloth: Be it &c. That as well that Statute, as the Statute of Liuerie of Hats, made in the time of King Richard y second (5. Anno 2. cap. 7. before 1.) be holden and firmely kept, and put in due execution, ioyned to the same, That if any Knight, or any other person of lesse estate, doe giue any such Liuerie of Cloth, or of Hats, against the forme of the said Statutes, that he shall incurre the paine of a 100. s. for euery such Liuerie of Cloth as of Hats, to be payd to the King as often as he shall do contrarie to this Estatute or Ordinance, and that he which receiueth any such Liuerie of Cloth, or of Hats, shall likewise incurre the paine of xl. s. to be payed to the King, as afore is said, and he that will sue in this case shal haue the one halfe of such pains for his labour. And that the same paines be in no wise pardoned. Moreouer it is ordained, That no Congregations, nor Companie be made, of such Liueries of Cloth nor of Hats, at the proper costes of the Congregation or Companie, vpon paine of euery man of the same Congregation or Companie, that doth contrarie to this Ordinance or Statute, to pay to y King xl. s. The Guilds and Fraternities, & also the people of Mysteries of Cities & Boroughes within the Realme, that be founded & ordained to a good intent or purpose only except. And the Iustices assigned to take Assises, shall haue power to inquire from time to time in their Sessions of the matters aforesaid, and the same to certifie in the Kings Bench. Prouided alwayes, That in the time of warre it shal be lawfull to Lords, Knights, and Esquires, which trauell in such warre, to giue their liuerie of clothing, or of Hats, such, and in such wise, as best to them shall seeme for the time of such warre, without being any wise vered or inquisted in this behalfe, by force or vertue of this Statute. Anno 7. H. 4. cap. 14.

Paine — Prince — Lords — Knights — Esquires — Guilds — Iust. of Ass.

8 That the said Estatutes (that is to say, Añ 1. H. 4. cap. 7.) concerning Liueries of Cloth (before 5.) And Añ 7. H. 4. cap. 14. (before 7.) And Añ 1. R. 2. cap. 7. (before 1.) shalbe holden and kept and put in due execution, according to their forme and effect. Añ 13. H. 4. cap. 3.

9 Item, whereas it is ordained by diuers Statutes, made in the times of the Kings noble progenitors (before 5. & 7.) That no Knight, nor none other of lesse estate, should giue any liuerie of Clothes or Hats, to other then to his menials, & his officers, & men learned in the one Law or the other, vpon the paine of 100. s. to be leuied of the giuer, and xl. s. of the taker, as often as they doe the contrarie, and he that would sue, should haue the one halfe of the paine after that that they thereof be duely conuict. And that the Iustices of Assises, and Iustices of Peace in euery Countie of England, should haue power from time to time in their Sessions to inquire of the said matters, & them to heare & determine, as in the said Statutes & Ordinances fully appeareth: which Statutes and Ordinances

Knights — Lords — Iust. of Ass. Iust. of P.

haue

haue not béne duely kept, becauſe that they that doe contrarie to the Statutes and ordinances, before the ſaid Iuſtices, cannot be indicted by reaſon of the great maintenances in this behalfe vſed: Our Soueraigne Lord the King, willing to expell ſuch maintenances, hath ordained by the authority aforeſaid, That the ſaid Iuſtices ſhall haue power by the ſame authoritie, as well at the Kings ſuit, as the parties, to award writs of Attachment and diſtreſſe, againſt them, which from henceforth do the contrarie of the ſaid Statutes and ordinances, in the Counties where they hold their Seſſions, directed to the Sherife of the ſame Counties, returnable before the ſame Iuſtices or Iuſtice for the time being, in their Seſſions. And if the ſaid Sheriſes returne, that they againſt whom ſuch writs iſſued, haue nothing, then a Capias and Exigent ſhall bée awarded againſt them, in the manner as ſhall bée done againſt them that be indicted before Iuſtices of Peace, of treſpaſſe done with force and armes againſt the Kings peace. And if they appeare at any of the ſaid writs, the ſaid Iuſtices ſhall haue power and authoritie aforeſaid, to examine them of the matters aforeſaid. And they whom they find by examination, to haue done to the contrarie of the ſaid Statutes and ordinances, ſhal incurre the paine comprized in the ſame Statutes: that is to ſay, the giuer 100.s. and the taker 40.s. as often as they ſhall doe to the contrarie, in the manner and forme as they ſhould doe, if they were by inqueſt duely conuicted before the ſaid Iuſtices, ſo as the ſaid Statutes and ordinances extend themſelues (as to examination) to liueries to be giuen after the Feaſt of Chriſtmas next comming, againſt the forme of the ſayd Statutes thereof made before this time. Prouided that the ſaid ordinances extend alſo into the Counties of Cheſter and Lancaſter, by the examination and Proceſſe, as afore is ſayd, of the Iuſtice of Cheſter or his Lieutenant there, as by examination of the Iuſtices of the Countie of Lancaſter, ſo to be made, againſt all them which ſhall doe the contrarie of the ſaid ordinances in time to come. Prouided alſo, That all the Statutes and ordinances before made and not repealed, of Liueries of clothes, by Lords giuen or to be giuen (before 5.) againſt the forme of the ſame Statutes, ſhall ſtand in their force. And that this Statute extend not (as to the execution of examination) to the Sheriſs of London, Maiors for the time that they ſhall be Officers, Seriants of the Law, at the time that they take the ſame eſtate vpon them: to them that doe commence in the Vniuerſities within the Realme of England, at the time of their commencement: Nor to them which during the times aforeſaid, ſhall take any Liueries of them. And alſo that all thoſe that ſhall take any ſuch Liueries of cloth or of hats, of any Lord Spirituall or Temporall, or of any great Ladie, in or of England, againſt the forme of the ſaid Statutes, they ſhall be likewiſe examined and puniſhed in the manner as they that take ſuch Liueries of Knights, or other of leſſe eſtate, as before. Prouided alwayes, That in the time of warre it ſhal be lawfull to the Lords, Knights, and Eſquires, that doe trauell in ſuch warre, to giue their Liueries of clothing, or of hats, to their ſouldiers, and in ſuch wiſe as to them beſt ſhall ſéeme. And that it ſhall be lawful for ſuch ſouldiers to take and weare ſuch Liueries of clothing, or of hats, for the time of ſuch warre, without being in any wiſe moleſted in this partie, by force or vertue of the ſame Statutes. And that moreouer, if any perſon of what eſtate or condition he be, after the ſayd feaſt of Chriſtmas, of his owne authoritie and proper coſts, doe buy or weare for his clothing any clothes or hats called Liueries, of the ſort or ſuit of any Lord, Ladie, Knight, or other perſon, for to haue ſupportation, ſuccour, or maintenance in any quarell, or in any other manner, if he be thereof duely conuict by examination, or in other manner before by the Statutes declared, he ſhall incurre the paine before limited, of them that take Liuerie of Lords or other perſons aforeſaid, and moreouer ſhal haue a whole yeares impriſonment, without being let to bayle or mainprize, for their falſitie and ſubtill imagination in this part. Anno 8. H. 6. cap. 4. See here 10. more.

Souldiers

Proper coſts

Maintenance

Forf.

Bailmprize Imprif.

10 Foraſmuch as notwithſtanding all the former Statutes, diuers perſons in great number do daily offend in the ſame, not fearing the forfeitures of the ſame: Be it &c. That all Statutes and ordinances made before this time againſt any perſons for giuing or receiuing of Liueries and Badges, ſhall be fully obſerued and kept. And moreouer, that no perſon of what eſtate, degrée or condition that he be, by himſelfe or any other for him, from the Feaſt of the Natiuitie of Saint John Baptiſt, which ſhall be in the yeare of our Lord 1468. ſhall giue any ſuch Liuery or Badge, or retaine any perſon other then his meniall ſeruant, Officer or learned man in the one Law or the other, by any writing, oath, or promiſe, and if any doe the contrarie, that then he ſhall runne in paine and forfeiture for euerie ſuch Liuerie or Badge giuen, 100.s. and the retainer or taker of ſuch oath, writing or promiſe, or retainer by Indenture, for euerie ſuch retaining or taking of any ſuch oath or promiſe, or retaining by Indenture, ſhall incurre the paine and forfeyture of 100. ſhillings, for euery month that any ſuch perſon is ſo retained with him by oath, writing, indenture, or promiſe. And alſo that euerie perſon ſo retained by writing, indenture, oath, or promiſe, for euerie moneth that he is ſo retained, ſhall forfeit & loſe an hundred ſhillings. And moreouer, the King by the aduiſe, aſſent, and authoritie aforeſaid, hath ordained and eſtabliſhed, That as wel before the King in his Bench, as before the Iuſtices of the Common Plées, Iuſtices of Peace in their Seſſions, Iuſtices of Oyer and Terminer, and Gaole deliuerie, the Kings Iuſtices of the Counties Palatine of Lancaſter and Cheſter, for the time being, in euerie of thoſe the Kings Courts aforeſaid, before them or any of them. And in the Regaltie and Court of the Archbiſhop of Yorke in Yeramſhire, before the Iuſtices there. And in the Court of the Biſhop of Durham, in the Countie Palantine of Durham, before his Iuſtices there, euerie perſon that will ſue or complaine

Giue Receiue

Writting

Othe Promiſe

Forf.

Retainer

Forf. Euerie moneth

Iuſt of Com. place

Iuſt of O. Iuſtices of Oier & ter. Lancaſter Cheſter

Regaltie

Yeramſhire

plaine against any person or persons, offending or doing against the forme of this ordinance, or any other of the premisses, shall be admitted by the discretion of the Iudges in euerie of the said Courts, to giue information for the King therein, of any of the premisses, within the iurisdiction of euerie of the said Courts done or committed. And euerie such Informer if he will, shall be admitted to sue for the King and himselfe, actions or action vpon the same, by information to be giuen or made in any of the said Courts, against as many such offendors in one bill or Information to be named as liketh him that so informeth. And this information so giuen, shall stand and be in stead of a bill or originall writ: And that thereupon all such Proces as is had and made vpon an Originall writ of Trespasse done against the Kings peace. And if any the offendors be present in any of the said Courts, he by the commandement of euerie of the Iudges in the same Courts shall be brought in and put to answer to such bill or bils, by such Information by an oath first to bee made vpon a booke by the Informer, before any of the said Iudges, that his complaint is rightfull, without any other or further Proces therein. And that the same Iudges and euerie of them, in euerie of the said Courts, shall haue power in their seuerall iurisdictions to examine all persons defendants and euerie of them, vpon euerie such information, and to iudge him or them conuict or attainted, as well by such examination, as by triall, as the case requireth, after the discretion of the Iudges. And also they shall bee charged by the iudgement in the same to the person complainant or Informer in this behalfe, of all the costs had in the same by the discretion of the Iudges and Iudge in the same, and also the same partie complainant, to haue the one halfe of the said forfeitures, and the King the other halfe. And all such execution to be had for the Informer in this behalfe, as is had or ought to be had in recoueries of debt or trespasse at his pleasure: And that no Protection nor Essoine be allowed vpon any such Information. And that no Sherife or Coroner returne vpon any defendant being a person sufficient, in any suit grounded vpon any of the premisses, any lesse issues then twentie shillings at the first day of the distresse, and at the second day thirtie shillings, and at the third fortie shillings, and so at euerie day after, more by tenne shillings in issues. And if any Sherife or Coroner doe the contrarie, that then he shall forfeit for euerie such returne against the forme aforesaid, twentie shillings. And also by the aduise, assent, & authoritie aforesaid, it is ordained, That in euerie Citie, Borough, Towne, and Port of this Realme corporate, wherein the Maior, Sherifes, or Sherife, Bailife or Bailifes, or other chiefe Officer of such Citie, Borough, Towne, or Port, haue power to heare & determine personall plees: The same Maior, Sherife or Sherifes, Bailife or Bailifes, or chiefe Officer, in the Court holden before them or any of them, within any such Citie, Borough, Towne or Port, shall haue all like and such authoritie to receiue such information, as to heare and determine as well by examination as by triall, by their discretion, all things done concerning the premisses, by or to the inhabitants within the iurisdiction of the same Court, and to make and put this ordinance in execution, in like maner and forme as is aboue ordained. And that our Soueraigne Lord the King, shall haue the one halfe of the forfeitures, and the Informer therein, and the Maior, Sherifes or Sherife, Bailife or Bailifes, or chiefe Officer of such Citie, Borough, Towne or Port, to haue the other halfe equally to be diuided betwixt them, whereof the part pertaining to the Maior, Sherifes or Sherife, Bailifs or Bailifes, or chiefe Officer, shall be applied to the vse of such Citie, Borough, Towne or Port. And that all retainings, and euerie retaining by indenture, or other writing, oath, or promise, of any person made before the said Feast, other then to be meniall seruant or Officer, or of his Counsell, or for lawfull seruice done, or to be done, shall be from the sayd Feast vtterly void and of no force nor effect. Also it is ordained and established by the aduise, assent, and authoritie aforesaid, That our Soueraigne Lord the King shall haue the one halfe of all the said paines and forfeitures in maner and forme before ordained, except in Cities, Boroughes, Townes, and diuers other places, where any person or persons haue by reason of their priuiledges, liberties, franchises or graunts, like forfeitures and paines. And that euerie such person or p[illegible] shall haue the halfe of the said forfeitures and paines made by this Act, according to their priuiledges, liberties, franchises and grants, as the King should haue, if the said priuiledges, liberties, franchises & grants had not beene had, granted, nor made. Prouided alwayes, That this Act extend not, nor be preiudiciall to any gift, grant, or confirmation made or to be made, of any fee, annuitie, pension, rent, lands, or tenements, by the King, or any other person or persons, to any person or persons for their counsell giuen, or to be giuen, and their lawful seruice done, or to be done, and for none other vnlawfull cause, nor none other vnlawful intent: although that the person or persons to whom such gift, grant, or confirmation is, or shall be made, be not learned in the one Law or other. Also it is ordained by the aduise, assent, and authoritie aforesaid, That euerie such gift, grant, or confirmation, shall bee of like force and effect, and as good, effectuall, and available, as they and euerie of them were if this Act had not beene made. And by the said authoritie it is ordained, That no Exigent shall be awarded by any of the Iustices for the time being, into the sayd Counties Palantine of Lancaster and Chester, or either of them, or in the said Bishoprick of Durham, against any person or persons, vpon any information, suit, or Proces to be made by force of this ordinance and Statute. And if any Exigent be awarded, or an Outlagarie thereupon pronounced in any information, suit, or Proces to be made by vertue of this ordinance, as before is sayd: That then such Outlagarie shall be vtterly void and of no force nor effect, without any suit by writ of Errour or otherwise. Prouided also, That this

Discretion
Informatiõ
Informer
Action
Proces
Command
Oath
Examine
Discretion
Costs
Moitie
Execution
Sherife
Coroner
Fort.
Citie
Towne
Port
Maior
Sherife
Baylife
Determine
Informatiõ
Examination
Triall
Moitie
Moitie
Liberties
Priuiledges
Annuities
Graunts
Exigent
Lancaster
Chester
Durham
Exigent
Outlagarie
Errour

this ordinance doe not extend to any Liuerie giuen or to be giuen at the Kings or Quenes Coronation, or at the stallation of an Archbishop or Bishop, or erection, creation, or mariage of any Lord or Lady of estate, or at any creation of Knights of the Bath, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Serieants of the Law, or to be giuen by any Guild, Fraternitie, or Mysterie Corporate, or by the Maior and Sheriffes of the Citie of London, or any other Maior, Sherife, or other head Officer of any Citie, Borough, Towne or Port of this Realme of England, for the time being, during that time, and for exercising their Office or occupation, nor to any Badges or Liueries to be giuen in defence of the King, and of this Realme of England, nor to the Constable and Marshall, nor to any of them, for giuing any Badge, Liuerie, or token, for any feat of Armes to be done within this Realme, nor to a-Wardens of the Marches towards Scotland, for any Liuerie, Badge, or token for them to be giuen from Trent Northward, at such time onely as shall bee necessarie to leuie people for defence of the said Marches or any of them. Anno 8. Ed. 4. cap. 2.

11 An. 12. Ed. 4. ca. 4. An Act was made, that Prince Edward might giue Liueries and retaine, notwithstanding the Statute.

12 An. 19. H. 7. cap. 14. An Act was made against Retainers and giuing of Liueries & Badges to endure during the Kings life.

London.

IT is prouided by our Soueraigne Lord the king and his Iustices, and also granted vnto by the Citizens of London, that Archbishops, Bishops, Earles, Barons, and other that haue rents in London, and for any tenements that the rents are behind, and they cannot recouer those rents, that it shall be lawfull for them to distraine their tenants for the arrerages, as long as there is any thing to be found within the fees, whereby they may bee distrained, and if not, then the tenants shall be impleaded of the gauelet by a writ of Cuttomes and Seruices, which may be well done by their Freemen of the Citie presented in their Hustings, for the keeping of their suit, to gather their rents, so that if the tenants doe knowledge their seruices, they shall incontinent and without delay satisfie their Lords of their arrerages, & if they deny them their seruices, the demaundants shall immediately name two witnesse, whose names shal be inrolled, and shall haue a day to bring them forth at the next Hustings, at which day if they bring forth their witnesses, and it is shewed by them, at the full court of the vtlawes sight and hearing, that the same plaintiffe hath at any time receiued the rents, which they demand of the tenements: Then the tenants shall lose their fees by award of the Court, and the plaintiffes shall recouer their tenements in demesne, but if they will acknowledge their seruice vnto their Lords, as before is said, and lose the arrerages: Then the arrerages shall be doubled by the iudgement of the Court, and they shall giue to the Sherife for the wrongfull withholding (if they bee able to doe it without ouercharging them) the summe of an hundred shillings, but if they doe not come in after due summons in the Hustings, then the same fees shall bee deliuered vnto the plaintifes in the full Hustings, to bee holden and kept in their owne hands, for one yeare and a day, within the which time if the tenants doe come vnto them, and doe offer to satisfie them of double arrerages, and to the Sherife for his amerciament, as before is sayd: then they shall haue their tenements againe. But if not, then after one yeare and a day accomplished, such tenements shall remaine vnto the Lords of those fees by iudgement of the Court in their demeane for euermore. And then such lands shall be called Forchoke, because such tenements shall remaine for euer in demeane to the Lords of the fees for the default of the seruice. The same ordinance shall be kept and obserued if the tenants doe confesse or knowledge the arrerages, and be not able to make satisfaction therefore, as it is said before. Anno 10. E. 2.

Sheriffes

Forchoke

Confesse

2 Because that the errors, defaults, and misprisions which be notoriously vsed in the citie of London (for the default of good gouernance of the Maior, of the Sheriffes and the Aldermen) cannot be inquired nor found out by people of the same Citie: It is ordained and established, That the sayd Maior, Sheriffes and Aldermen, which haue the gouernance of the citie, shall redresse and correct the defaults, errours, and misprisions aboue named, and the same duely punish from time to time, vpon a certaine paine, that is to say, for the first default one thousand markes to the King, and for the second default two thousand markes, and for the third default, that the Franchise and Libertie of the Citie to be taken into the Kings hand. And bee it begun to inquire vpon them at Saint Michael next comming, so that if they make not due redresse as is aforesayd, it shall be inquired of their defaults by Inquests of people of forreine Counties, that is to say, of Kent, Essex, Suffex, Hertford, Buckingham, and Bark. as well at the Kings suit, as others that will complaine. And if the Maior, Sheriffes, and Aldermen be by such Inquests therto assigned, indicted, they shall be made to come by due Proces before the Kings Iustices, which shall bee to the same assigned out of the said Citie, before whom they shall haue their answer as well to the King as to the partie. And if they put them in Inquests, the same Inquests shall be taken by forreine people, as afore is sayd. And if they be attainted, the said paine shall incurre and be leuied of the said Maior, Sheriffes, & Aldermen, for default of their gouernance. And neuertheleste the plaintifes shal recouer the treble dammages against the said Maior, Sheriffes, and Aldermen. And because that the Sheriffes be parties to this businesse, the Constable of the Tower, or his Lieutenant, shall serue in the place of the Sheriffes to receiue the Writs, as well originals of the Chauncerie, as iudicials, vnder the Seale of the Iustices, to doe thereof execution in the said Citie. And Processe shall be made by

Errors

Maior Sheriffes

Punish

1000. Marks 2000. Marks Liberties seised

Inquests

Attaint

Default of gouernance

Treble damages

Constable of the Tower Writs

Proces

by attachment and diſtreſſe, and by Exigent if need be, ſo that at the Kings ſuit the Exigent ſhall be awarded after the firſt Capias returned, and at the third Capias returned, at the ſuit of the partie. And if the Maior, Sheriffe, and Aldermen, haue lands or tenements out of the Citie, Proceſſe ſhall be made againſt them by attachment and diſtreſſe in the ſame Counties where the lands or tenements be. And that euerie of the ſayd Maior, Sheriffes, and Aldermen that will, may anſwer before the ſaid Juſtices particularly for himſelfe, as well at the perill of other which be abſent, as of himſelfe. And this ordinance ſhall be holden firme and ſtable, notwithſtanding any manner franchiſe, priuiledges or cuſtomes. And that this ordinance extend to all Cities and Boroughes of this Realme, where ſuch defaults or miſpriſions be vſed, and not duely corrected nor redreſſed. Hauing that the Inqueſts ſhall be taken by forreine people of the ſame Countie where ſuch Cities or Boroughes bee. And that the paine of thoſe the ſaid Boroughs & Townes which ſhall be thereof attainted, ſhall be adiudged by the diſcretion of the Juſtices which ſhall bee thereto aſſigned. An. 28. E. 3. cap. 10. See here following 4.

Maior Sheriffes

Cities Boroughes

Inquells

3 Anno 42. Ed. 3. cap. 7. It was enacted to endure to the nert Parliament, that Londoners and none other might ſell by retaile victuals.

4 The paines aforeſaid as well of the thouſand markes, and of the two thouſand markes, and of the ſeiſin of the Franchiſe, compriſed in the ſayd Statute: that is to ſay, An. 28. E. 3. ca. 10. (before 2.) ſhall not be limited in a certaine, but that the paine in this caſe be by the aduiſe and diſcretion of the Juſtices thereto aſſigned, as other Cities and Boroughes be within ỹ Realm. And that the remnant of the ſame Statute, and the Proceſſe thereof ſtand in their force. An. 1. H. 4. cap. 15.

5 An. 35. H. 8. cap. 10. An Act is made for the repairing, making, and amending of the Conduits in London.

Conduits

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6 No perſon or perſons of what eſtate, degree, or condition ſoeuer, ſhall from henceforth make and erect any new building or buildings, houſe or houſes of habitation or dwelling within either of the ſayd Cities, (viz. London and Weſtminſter) or within three miles of any of the gates of the ſayd Citie of London, except it be to inlarge his or their houſe or houſes, that ſo ſhal build ỹ ſame, or to adde ſome other buildings to his or their houſes, or in their gardens for the more eaſe or pleaſure of the builder, or that ſuch new houſe or tenement ſhalbe fit for the habitation or dwelling of ſuch a perſon as heretofore hath beene aſſeſſed to or for the ſubſidie to her Maieſty, at fiue pounds in goods, or three pounds in lands, at the laſt aſſeſſement nert before the ſaid new buildings, or ſhalbe iudged by the two nert Juſtices of Peace, by writing vnder their hands and ſeals, to be preſented at the nert Quarter Seſſions, to be fit and able to be aſſeſſed in the ſubſidie, according to that rate if before that time he hath not beene ſo aſſeſſed, or except any ſuch new building ſhall bee made for any Hoſpital for reliefe of the poore, vpon paine to forfeit for euerie ſuch offence quarterly the ſumme of fiue pounds. And be it further enacted, That no perſon or perſons of whate eſtate, degree, or condition ſoeuer, ſhall at any time hereafter conuert or diuide any dwelling houſe, or other buildings now erected and builded, or hereafter to be erected and builded within the cities and places aforeſaid, or any of them, into diuers and ſeuerall habitations or dwellings for ſeuerall and diuers families, Except euerie ſeuerall houſe ſo diuided ſhall be fit for habitation or dwelling of ſuch a perſon as heretofore hath beene aſſeſſed to or for the ſubſidy to her Maiеſty at v. pounds in goods, or three pounds in land, at the ſubſidie nert before ſuch diuiſion, or by two Juſtices of Peace nert adioyning, by writing vnder their hands and ſeales to be preſented at the next Quarter Seſſions, ſhall be thought fit and able to bee aſſeſſed in the ſubſidie according to that rate, vpon paine to forfeit for euerie ſuch offence (if any other perſon vnder that value ſhall inhabite ſuch houſe) the ſum of fiue pounds, for euerie moneth to be paied by that perſon that ſhall permit the houſe diuided to be inhabited. And be it enacted alſo, That euerie perſon being not of ſuch value which ſhall hereafter dwell or inhabite in any ſuch houſe ſo to be new builded, conuerted, or diuided as aforeſaid, ſhal forfeit for euery moneth that he or ſhe ſhall ſo dwell or inhabite in the ſame, the ſumme of fiue pounds. And be it further enacted by the authority aforeſaid, That no perſon or perſons inhabiting & dwelling within the Cities and places aforeſaid, ſhall after twentie dayes nert enſuing this Seſſion of Parliament, receiue or take into his or their houſe or houſes, any Inmate or vnderſitter, or Inmates or vnderſitters, vpon paine to forfeit for euery moneth that he, ſhe, or they ſhal haue and keepe, or willingly ſuffer in his, her, or their houſe or houſes, any ſuch Inmate or vnderſitter, contrarie to the true meaning of this Act, the ſumme of v. pounds, as is aforeſaid. Prouided, that this branch of this Act, or any thing therein contained, ſhal not extend to any perſon or perſons for taking or receiuing into his, her, or their houſe or houſes, any perſon or perſons which is or ſhall be aſſeſſed in the ſubſidie at fiue pounds in goods, or three pounds in lands or fees, or ſhall be thought able and fit to pay ſuch a rate in ſubſidie as is aforeſaid. And whereas diuers Commons, waſt grounds, and great fields neere adioyning to the cities aforeſaid, which haue beene heretofore vſed for training and muſtering of ſouldiers, and for recreation, comfort, and health of the people inhabiting in the ſaid cities and places, and for the vſe and exerciſe of Archerie, haue of late yeares beene incloſed and conuerted into ſeuralties and to other priuate vſes: Be it enacted by the authoritie aforeſaid, That it ſhall not be lawfull to any perſon or perſons to incloſe or take in any part of the Commons or waſt grounds, ſituate, lying or being within three miles of any of the gates of the ſaid Citie of London, nor to ſeuer or diuide by any hedge, ditch, pale, or other wiſe, any of the ſaid fields lying within three miles of any of the gates of the ſaid Citie of London, as aforeſaid, to the let or hinderance of the training or muſtering of

3. Miles Inlarge

Subſidie v. l. Goods xl. l. Lands

Reliefe Poore Part.

Com. fields

Inclo.

Com.

of souldiers, or of walking for recreation, comfort, and healthy of her Maiesties people, or of the laudable exercise of shooting, where there hath beene vsuall exercise of shooting, and markes haue been there set, vpon paine to forfeit for euerie moneth that hee or they, or any of them shall keepe any part of the said commons, or waste grounds, inclosed or taken in, for euerie such inclosure, fiue pounds, and for euerie moneth that he or they shall keepe any part of any of the same fields seuered or diuided, for euerie such offence fiue pounds. The one moitie of all which paines, penalties, and summes of money to be forfeited by vertue of this Act, shall bee to the Churchwardens of all and euerie Parish and Parishes where the seuerall offences shall be committed, to bee imployed by them, with consent of the more part of the Parishioners, being householders, to the vse of the poore of the same Parish or Parishes, and the other moitie to him or them that will sue for the same, by action of debt, bill, plaint, or information, in any of the Queenes Maiesties Courts of Record, in which suit no Essoine, Protection, writ of Priuiledge, or Wager of Law shall be admitted or allowed. And for the better relefe of the poore in seuerall Parishes, where any of the offences aforesayd shall be committed, be it also enacted, That the Churchwardens of euerie seuerall Parish (if they shall not be herein offendors) where any of the offences aforesaid shalbe committed, and if they be offendors, then the Curat of the Parish with two other honest men of the same parish, being householders, shall haue full power and authoritie by vertue of this Act, to enter into all and euerie house and houses, and other place and places where any offence shall bee committed against the true meaning of this Act, and there to distraine for the moitie of all & euerie such summe and summes as shall bee forfeited by vertue of this Act, and the distresse and distresses to detaine vntil such moitie of the summe and summes of money so to be forfeited, shall bee truely satisfied and payed according to the true intent and meaning hereof. Prouided alwayes, That this Act or any thing therein contained, shall not extend to take away, preiudice or impeach any good vsages, or customs, heretofore vsed in the cities of London and Westminster, or either of them, for the reforming or punishing any of the offences aforesaid, nor to any Lord or Lords hauing libertie to keepe a Leet, for punishing any of the offences afore mentioned, within the iurisdiction of his Leet, as they might haue done before this Statute. Prouided also, That notwithstanding any thing in this Act contained, it shall and may be lawfull for euerie such Mariner, Sailer, or Shipwright, as shall be allowed by the Lord Admirall, and the Maisters and Companie of Trinitie house for the time being, in writing vnder their hands and Seals, to continue his habitation in any house that hath beene built sithence the said Proclamation, neere to the Thames side, serving onely for the habitation of such Mariner, Sailer, or Shipwright, and not to be vsed for any victualling house, nor for any storehouse for any marchandise, sauing such as shall appertaine to the arming or apparelling of ships. And likewise that any Mariner, Sailer, or Shipwright, may hereafter build any house for such purpose, and for no other, on or neere the Thames side, so as it bee distant from the verie wharfe or banke, thirtie foot, so as people may passe betwixt the sayd houses, and the said banke and the Thames. And so as in the new building thereof euerie house hereafter to bee builded, may be distant from any other house aboue twentie foot, to auoyd casualtie of fire, and so as also that there be no new landing place or staires made to take vp and lay to land, or to lay from land, in any boat or ship, any wares or marchandizes. And to auoyd doubts that may arise by reason of this Act, be it further enacted and declared by the authoritie aforesayd, That two Iustices of Peace inhabiting next to any of the houses or tenements aforesaid, shall haue full power by vertue of this Act, to decide and determine, whether euerie particular house or tenement before mentioned, be sufficient and conuenient for habitation of a man assessed or fit to be assessed to the Subsidie for her Maiestie, at fiue pounds in goods, or three pounds in lands. And whether the inhabitant in any such house or tenement be of value or substance to be assessed in the Subsidie, according to the rates aforesayd: And that a mile shall be reckoned and taken in this manner, and no otherwise: that is to say, a mile to containe eight furlongs, and euerie furlong to containe fortie lugs, or poles, and euerie lug or pole to containe sirtéene foot and a halfe. Be it further enacted, That for auoyding colourable continuing of Inmates, against the intention of this Act, by pretence of any Leases or estates made to them, the sayd Inmates pretending any Leases, shall at the next Leet or Court to be held in the Manno, or place where the houses inhabited by Inmates are situate, shal produce his or her Lease, and thereof make good proofe before the Steward of the Leet or Court and the Iurie, which if he shall not doe, then the sayd Inmate to bee forthwith remoued, as is aboue mentioned. This Act to endure for seuen yeares, and afterwards vntill the end of the Session of Parliament then next ensuing. 35. Eliz. cap. 6.

Distant xxx. foot

Iust. of P.

Decide

Mile

Inmates

Court Leet

Leases

Lone.

ANno 35. H. 8. ca. 12. A Lone lent to the King was discharged and released by Parliament.

Lords.

ANno 31. H. 8. cap. 13. An Act was made concerning the placing of Lords in the Parliament, and other assemblies and conferences of Counsell.

Mainprise and baile.

IF a Clerke for any crime or offence touching the Crowne be arrested, and afterward by the Kings commaundement let to baile or repleuised, so that they to whom he was let to baile, be to haue him before

Clerke

Crowne

fore our Iusticers: The sureties from henceforth, nor they to whom he was let to baile, shall not bee amerced (if they haue his bodie, before our Iusticers) although he will not, nor may not answer before them by reason of the priuiledge of his Clergie. Marl. cap. 27. An. 52. H. 3.

Sherifes

2 And forasmuch as Sherifes and other which haue taken and kept in prison persons detected of felonie, haue diuers times let out by pleuin such as were not repleuisable, and haue kept in prison such as were repleuisable, because they would gaine by some and grieue other: And forasmuch as before this time it was not determined, what persons were repleuisable, and which not, but only of them that were taken for the death of a man, or by commaundement of the King, or of his Iusticers, or for the Forests: It is prouided, and by the King commaunded, That such prisoners as be before outlawed, and they which haue abiured the realme, Prouors, and such as be taken with the manner, and such as haue broken the kings prisons, theeues openly defamed and knowne, and such as bee appealed by Prouors, so long as the Prouors be liuing (if they be not of good name) and such as be taken for house-burning feloniously done, or for false money, or for counterfeiting the Kings Seale, or persons excommunicate taken at the request of the Bishop, or for manifest offences, or for Treason touching the King, shall be in no wise repleuisable by the common writ, or without writ. But such as be indicted of Larcenie, by Enquests taken before Sherifes or Bailifes, by vertue of their Office, or for light suspection, or for pettie Larcenie, that amounteth not aboue the value of twelue pence (if they were not guiltie of some other Larcenie afore time) or such as are accused of receit of theeues, or felons, or of commaundement, or of force, or of aid in felonie done, or charged with some other trespasse, for which one ought not to lose life nor member, if a man appealed by a Prouor after the death of the Prouor (if he be no common theefe, nor defamed) shall from henceforth be let out by sufficient suretie, whereof the Sherife will be aunswerable, and without giuing ought of their goods. And if the Sherife or any other let any goe at large by suretie, that is not repleuisable, if he be Sherife or Constable, or any other Bailife of fee, which hath keeping of prisons, and thereof be attainted, he shall lose his fee and office for euer. And if the Undersherife, Constable or Bailife of such as haue fee for keeping of prisons, doe it contrarie to the will of his Lord, or any other Bailife being not of fee, they shal haue three yeares imprisonment, and make fine at the Kings pleasure. And if any withhold prisoners repleuisable after that they haue offered sufficient suretie, he shall pay a grieuous amerciament to the King. And if he take any reward for the deliuerãce of such, he shall pay it double to the prisoner, and also shal pay a grieuous amerciament vnto the King. West. 1. ca. 15. An. 3. E. 1.

Commandement Forest

Outlawes Abiure Prouors Breakers of prison Felons appealed by prouors Burners of houses Forgers of money Treason Excommunicate

Larcenie

Sureties Shirifes

Constable

Lose office

Bailife

Imprisonment. Fine

Refuse sureties Amerce

3 Anno 7. Rich. 2. cap. 17. It was enacted to endure to the nert Parliament, that in actions, if the persons mainprised appeare not at the day &c. the mainpernors should pay to the plaintifes a summe at the discretion of the Iudges.

4 Concerning letting to baile, the Statutes made before this time for that cause (and not repealed) shall be holden in their force, and kept in all points. An. 4. H. 6. cap. 1.

Orders of Kings

5 Item whereas diuers persons from day to day be arrested and imprisoned for suspection of felonie, sometime of malice, and sometime of a light suspection: and so kept in prison without baile or mainprise, to their great vexation and trouble: It is ordained, established, and enacted by authoritie of this present Parliament, That euerie Iustice of Peace in euerie Countie, Citie, or Towne, shall haue authoritie and power by his or their discretion, to let such prisoners and persons so arrested to mainprise, in like forme, as if the same prisoners and persons were thereof indicted of record before the same Iustices in their Sessions. An. 1. R. 3. cap. 3. This Act is repealed by 3. H. 7. cap. 3. as appeareth following 6.

Int. of

Writ

6 Forasmuch as since the making of this statute (1. R. 3. cap. 3. before 5.) diuers not mainpernable haue beene let to baile, and so, many felons haue escaped: Be it &c. That the Iustices of the Peace in euerie Shire, Citie, and Towne, or two of them at the least, whereof one to be of the Quorum, haue authority and power to let any such prisoners or persons mainpernable by the Law, that beene imprisoned within their seuerall Counties, City, or Town, to baile or mainprise, vnto the nert generall Sessions, or vnto the nert gaole deliuerie of the same gaoles in euerie Shire, Citie, or town, as well within franchise as without where any such gaoles beene, or hereafter shall be. And that the said Iustices of the Peace, or one of them so taking any such baile or mainprise, do certifie the same at their nert generall Sessions of the peace, or the nert Generall Gaoles deliuerance of anie such Gaole within euery such County, City, or Towne nert following after any such baile or mainprise is taken, vpon paine to forfeit vnto the King for euery default hereupon recorded ten pounds. And ouer that it is &c. that euery Sherife, bailife of franchise, and euery other person hauing authoritie or power of keeping of Gaoles, or of prisoners for felony, in like maner and forme, to certifie the names of euery such prisoner in their keeping, and of euery prisoner to them committed for euery such cause, at the nert generall gaole deliuery, and in euery county and franchise where any such gaole or gaoles bin or hereafter shalbe, there to be kalendred before the Iustices of the deliuerance of the same gaole, whereby they may as well for the King as for the party proceed to make deliuerance of such prisoners according to the Law, vpon paine to forfeit vnto the King for euery default there recorded an hundred shillings. And that the foresaid Act (5. of Anno 1. R. 3. cap. 3. before 5.) giuing authoritie and power to any Iustice of the Peace by himselfe, be in that behalfe vtterly voyde and of none effect, by authority of this present parliament. Añ 3. H. 7. cap. 3. But see the first Article of this Statute altered by Añ 1. & 2. Ph. & M. here following 7.

Int. of

Comis

Sheriffs Bayliffs

Fol.

Fol.

7 For that since the making of the Statute 3.

H. 7

H.7.cap.3. (before 6.) one Iuſtice of Peace in the name of himſelfe, & of one other of his fellowes (being not made priuie to the cauſe wherefore the priſoner ſhould be bailed) hath oftentimes by ſiniſter meanes ſet at large the notableſt offendors, being not repleuiſable by law, and hath alſo, to hide his affection, ſignified the cauſe of the apprehenſion to be but onely for ſuſpection of felonie, to the great peril of true ſubiects, and incouragement of theeues and euill doers, and contracie to the true meaning of the ſaid Eſtatute: Be it &c. That from and after the firſt day of Aprill next comming, no Iuſtice or Iuſtices of peace ſhall let to baile or mainprize, any ſuch perſon or perſons, which for any offence or offences, by them or any of them committed, be declared not to be repleuiſable or bailed, or be forbidden to be repleuied or bailed by the Stat. of Weſt. 1. (s. cap. 6. before 2.) made in the Parliament holden in the 3. yeare of the raigne of King Edward the firſt. And furthermore, that any perſon or perſons arreſted for manſlaughter or felonie, or ſuſpition of manſlaughter or felonie, being bailable by the law, ſhall not after the ſaid firſt day of Aprill, be let to bail or mainprize by any Iuſtice of P. if he be not in open Seſſions, except it be by 4. Iuſtices of P. at the leaſt, whereof one to be of the Quorum, & the ſame Iuſtices to be preſent together at ỳ time of the ſaid bailement or mainprize, which bailemẽt or mainprize they ſhall certifie in writing, ſubſcribed or ſigned with their owne hands at the nert generall gaole deliuery, to be holden within the countie where the ſaid perſon or perſons ſhalbe arreſted or ſuſpected. And that the ſaid Iuſtices, or one of them being of the Quorum, when any ſuch priſoner is brought before them for any manſlaughter or felonie, before any bailement or mainprize, ſhall take the examination of the ſaid priſoner, and information of them that bring him, of the fact and circumſtances thereof, and the ſame, or as much thereof as ſhall be materiall to proue the felonie, ſhall put in writing before they make the ſame bailement, which ſaid examination, together with the ſaid bailement, the ſaid Iuſtices ſhall certifie at the nert generall Gaole deliuerie to be holden within the limits of their Commiſſion. And that euerie Coroner, vpon an Inquiſition before him found, wherby any perſon or perſons ſhall be indicted for murder or manſlaughter, or as acceſſarie or acceſſaries to the ſame, before the murder or manſlaughter committed, ſhall put in writing the effect of the euidence giuen to the Iury before him, being materiall, and as well the ſayd Iuſtices, as the ſayd Coroner, ſhall haue authority by this Act, to bind all ſuch by recogniſance or obligation, as do declare any thing materiall to proue the ſaid murder or manſlaughter, offences or felonies, or to be acceſſarie or acceſſaries to the ſame, as is aforeſaid, to appeare at the nert general gaole deliuerie to be holden within the Countie, Citie, or Towne corporate, where the triall thereof ſhall be, then and there to giue euidence againſt the partie ſo indicted at the time of his triall, and ſhall certifie as well the ſame euidence as ſuch bond and bonds in writing, as he ſhall take, together with the Inquiſition or Indictment before him taken and found, at or before the time of his ſaid triall thereof to be had or made. And likewiſe the ſaid Iuſtices ſhall certifie all and euerie ſuch bond taken before them in like manner as is before ſaid of bailements and examination. And in caſe any Iuſtice of peace or Quorum, or Coroner, ſhall after the ſaid firſt day of Aprill, offend in any thing contrarie to the true intent and meaning of this preſent Act: That then the Iuſtices of Gaole deliuerie of the Shire, Citie, Towne or place, where ſuch offences ſhall happen to be committed, vpon due proofe thereof, by examination before them, ſhall for euerie ſuch offence ſet ſuch fine on euerie of the ſame Iuſtices of Peace and Coroner, as the Iuſtices of Gaole deliuerie ſhall thinke meet, and ſhall eſtreat the ſame as other fines and amerciaments aſſeſſed before Iuſtices of Gaole deliuerie ought to be. Prouided alwaies, and be it enacted &c. That Iuſtices of Peace, and Coroners within the City of London, & the Countie of Middleſex, and in other Cities, Boroughes, and Townes corporate within this Realme and Wales, ſhall within their ſeuerall iuriſdictions, haue authoritie to let to baile felons and priſoners, in ſuch manner and forme as they haue bene heretofore accuſtomed: This Act or any thing therein contained to the contrarie notwithſtanding. And alſo ſhall take examinations and bonds, as is aforeſaid, vpon euerie bailement by them or any of them to be made, and ſhall certifie euerie ſuch bailements, bonds, and examinations by them or any of them taken or made, at the nert Gaole deliuerie to be holden within the Shire, Citie, Borough, or Towne, wherein their ſeuerall iuriſdictions extendeth, vpon the like pain and forfeiture, as is before limited in this preſent Act. And be it &c. That no writs of Habeas corpus, or Certiorare, ſhall bee hereafter granted, to remoue any priſoner out of any gaole, or to remoue any recogniſance, except the ſame writs be ſigned with the proper hand of the chiefe Iuſtice, or in his abſence of one of the Iuſtices of the Court, out of the which the ſame writs ſhall be awarded or made, vpon paine that he that writeth any ſuch writs, not being ſigned, as is aforeſaid, to forfeit to our ſaid Soueraigne Lord the King and the Quéene, for euerie ſuch writ and writs, fiue pounds. An. 1. & 2. Ph. & M. cap. 13. See Priſon 6. An. 2. & 3. P. & M. cap 10. a like ſtatute for Priſoners that bee taken for ſuſpection of Felonie, and bee not bailed, concerning examination and taking of Recogniſances, and certifying of them.

Iuſt. of P.

Iuſt. of G. deliuerie

Examination

Fine

Eſtreat

Prouiſo

Iuſt. of P. Coroner London Middleſex Cities

Habeas corp. Certiorare

Chiefe Iuſt.

Fort.

*

Maintenance.

NOne of the Kings Clerks, nor of any Iuſticer, from henceforth ſhall receiue the preſentment of any Church, whereof there is any plee of debate in the Kings Court, without ſpeciall licence of the King, and this the King forbiddeth vpon paine to loſe the Church and his ſeruice. And that no Clerke of any Iuſticer or Sherife, take part in any quarels or matters depending in the Kings

Clerkes Preſentmẽt to a church

Licence

Clerks

Fraud

Court, nor shall worke any fraud whereby common right may be delayed or disturbed, and if any so do, he shalbe punished by the paine aforesaid, or more grieuously, if the trespasse doe so require. West. 1. cap. 28. Añ 3. Ed. 1.

✲ ☞

2 Because the King desireth that common right be ministred to all persons, as well poore as rich, he commaundeth & defendeth, that none of his counsellors, nor of his house, nor none of his other ministers, nor no great man of the Realme, by himselfe, nor by other, by sending of letters, nor otherwise, nor none other in his land, great nor small, shall take vpon them to maintaine quarrels, nor parts in the countrey, to the let & disturbance of the Common Law. Añ 1. Ed. 3. cap. 14. Parliamento 2.

Great men Quarrels

✲ See this confirmed here after 6. and 7.

☞

3 We haue commaunded and vtterly defended, That none of our house, nor of them that be about vs, nor other which be toward our deare beloued companion the Quéene, or our sonne Prince of Wales, or towards our Courts, nor Prelates, Earles, Barons, nor other great nor small, of the land, of what estate or condition they be, shall not take in hand quarrels, other then their owne, nor ỳ same maintaine by them nor by other, priuily nor apertly, for gift, promise, amitie, fauor, or hatred, nor for none other cause in disturbance of Law, or hinderance of right and reason, vpon the paines aforesaid. (That is, that bodie, goods, and land shall be at the Kings pleasure, as it appeareth by the 1. cap. of the same Parliament.) But that euery man may be free to sue for, & defend his right in Courts and elsewhere, according to the Law: And wee haue straitly commanded our said sonne & diuers Earles and other great men, being before vs, that they on their behalfe shall doe to be kept this Ordinance, without default, and that they suffer none which be towards them to attempt against this Ordinance by any way. Añ 20. Ed. 3. cap. 4.

Kings houshold

Quarrels

✲ ☞

4 For that many handlers and maintainers of quarrels and sides in the Countrey be borne out by Lords, and are thereby the more incouraged, so that many men are disherited & delayed of their right, or vniustly condemned, or otherwise disturbed or oppressed: Be it &c. That all the great men from henceforth shall void from their retinue, fées, and robes, all such handlers & maintainers in the countrey, without shewing to them from henceforth any aid, fauour, or comfort in any manner. And moreouer, we haue ordained to doe come before vs at a certaine day, or before them whom we shall depute of our Counsell, such handlers & maintainers of diuers Counties, and them doe to be diligently examined and charged, that they from henceforth void them of such maintenance, or other procurements making in the Countrey, in damage of our people: And that vpon grieuous paines which to them shall be shewed. Anno 20. Ed. 3. cap. 5.

Examine

✲ ☞

5 None of the Kings Counsellors, officers, or seruants, nor none other person within ỳ Realme of England, of whatsoeuer estate or condition they be, shall from henceforth take or sustaine any quarrell by maintenance in the countrey, nor elswhere, vpon a grieuous paine, that is to say, ỳ said Counsellors, and the Kings great officers, vpon a paine which shal be ordained by the King himselfe, by the aduise of the Lords of his Realme, and other lesse officers & seruants of the King, as well in the Chequer and all his other Courts, as of his owne meanie: vpon paine to lose their offices and seruices, and to be imprisoned, and from thence to bee ransomed at the Kings will, euery of them after their degree, estate, and desert. And all other persons through the Realme, vpon paine of imprisonment, and to be ransomed as other aforesaid. Añ 1. R. 2. cap. 4.

Kings Counsell

Imprisonment ✲

☞

6 For the grieuous complaint that is made of maintainers of quarrels, and Champertors, it is ordained & assented, that the Statutes thereof made in the 1. and 4. yere of King Edward, grandfather to our Soueraigne Lord the King that now is (before 2. And after Nisi prius 5.) & also in the 1. yeare of our Soueraigne Lord the King that now is (before 5.) shalbe holden & kept, and duely executed in all points. Añ 7. R. 2. cap. 15.

Champertors

✲

7 For that nothing within the Realme conserueth the Subiects in more quietnesse and concord, then the due ministration of Lawes, and the indifferent tryall of titles & issues, which are now greatly hindered by Maintenance, Imbracerie, Champertie, subornation of witnesses, sinister labour, buying of titles and pretensed rights of persons, not being in possession, whereby great perill, trouble, oppression & disinheritance haue followed: Be it &c. That all Statutes heretofore made concerning Maintenance, Champertie, and Imbracerie, or any of them, now standing and being in their full strength and force, shall be put in due execution, according to the tenors and effects of the same Statutes: And ouer that, be it &c. That no person or persons, of what estate, degree, or condition soeuer he or they be, shall from henceforth bargaine, buy or sell, or by any wayes or meanes obtaine, get or haue any pretensed rights or titles, or take promise, graunt or couenant to haue any right or title of any person or persons, in, or to any manors, lands, tenements, or hereditaments, but if such person or persons which shall so bargaine, sell, giue, graunt, couenant, or promise ỳ same, their antecessors, or they by whom he or they claime the same, haue béene in possession of the same, or of the reuersion or remainder thereof, or taken the rents or profits thereof, by ỳ space of one whole yere next before the said bargaine, couenant, graunt, or promise made, vpon paine that he that shall make any such bargaine, sale, promise, couenant, or graunt, to forfeit the whole value of the lands, tenements, or hereditamẽts so bargained, sold, promised, couenanted or graunted contrarie to the forme of this Act. And ỳ buyer or taker thereof knowing ỳ same, to forfeit also the value of the said lands, tenements or hereditaments, so by him bought or taken, as is aforesaid: The one halfe of ỳ said forfeture to be to the King, & the other halfe to the partie ỳ will sue for the same in any of the Kings Courts of Record, by action of debt, bill, plaint, or information, in which &c. no Essoins &c. And furthermore, that no manner

Champ. Imbr.

Buyer

Forf.

Buyer

Forf.

Suit

ner of perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, do hereafter vnlawfully maintaine, or cauſe, or procure any vnlawful maintenance in any action, demaund, ſuit, or complaint, in any of the Kings courts of the Chancerie, the Starre Chamber, White hall, or elſewhere, within the Kings Dominions of England or Wales, or Marches of the ſame, where any perſon or perſons haue, or hereafter ſhall haue authoritie by vertue of the Kings Commiſſion, Patent, or Writ, to hold plée of lands, or examine, heare or determine any title of lands, or any matter or witneſſe concerning the title, right, or intereſt of any lands, tenements, or hereditaments. And alſo that no perſon or perſons, of what eſtate, degrée, or condition ſoeuer he or they be, doe hereafter lawfully retaine, for maintenance of any ſuit or plée, any perſon or perſons, to imbrace any Freeholders, or Iurors, or ſuborne any witneſſe by letters, rewards, promiſes, or by any other ſiniſter labour or meanes, for to maintaine any matter or cauſe, or to the diſturbance or hinderance of Iuſtice, or to the procurement or occaſion of any manner of periurie, by falſe verdict, or otherwiſe, in any manner of Courts aforeſaid, vpon paine of forfeiture for euerie ſuch offence ten pounds. The one moitie thereof to the King &c. and the other moitie to him that will ſue &c. in which action no Eſſoine &c. (The penaltie againſt ſuborners of falſe witneſſe is much increaſed by 5. Elizab. cap. 9. which ſee in Periurie 2.) Prouided alway, and be it enacted &c. That it ſhall be lawfull to any perſon or perſons, being in lawfull poſſeſſion, by taking of the yearely farme, rents, and profits, of, or for any Manors, lands, tenements, or hereditaments, to buy, obtain, get, or haue, by any reaſonable way or means, the pretenſed right or title of any other perſon or perſons, hereafter to be made, to, of, or in ſuch Manors, lands, tenements, or hereditaments, whereof he or they ſhall ſo be in lawfull poſſeſſion: Any thing in this Act contained to the contrarie notwithſtanding. And for the due execution of this preſent Act, be it &c. That the Iuſtices of Aſſiſe of euerie circuit within this Realme, and elſewhere within the Kings Dominins, ſhall in euerie countie within their circuits, two times in the yeare, that is to ſay, in the time of their ſittings for the taking of Aſſiſes, or deliuerie of the gaoles, cauſe open Proclamations to be made, as well of this preſent Act, and euerie thing therein contained, as alſo of all other Statutes heretofore made againſt vnlawfull maintenance, champertie, imbracerie, or vnlawfull retainers, to the intent that no manner of perſon or perſons hearing the ſame, ſhould be ignorant or miſcogniſant of the daungers and penalties therein contained and ſpecified. Prouided alway, and be it &c. That this Act ſhall not extend to charge any perſon or perſons with any the penalties mentioned in the ſayd Act for any offence by him or them committed, contrarie to the ſaid Act, except the ſame perſon or perſons ſo offending, be ſued thereof by action of debt, bill, plaint, or information, in any of the Kings Courts, within one yeare next after the ſame offence by him or them committed, as is aforeſaid. Anno 32. H. 8. cap. 9.

Malt.

ANno 33. H. 6. cap. 4. An Act was made to prohibite the Brewers in Kent to make aboue an hundred quarters of Malt in one yeare. This continued onely fiue yeares.

2 Where diuers and ſundrie perſons, taking vpon them the Art and Myſterie of Malt making, and ſundry other perſons, tending more their owne priuate lucre, gaine, and profit, then the wholeſome victualling of the Kings Maieſtie, the Nobilitie of this Realme, and other his Graces ſubiects, haue now of late by their vnſatiable, couetous, and greedie minds, accuſtomably and commonly made much Malt, vnpure and vnſeaſonable, for that they haue made the ſame Malt in eight or nine dayes, where indeed the ſame cannot bee well and perfectly made, vnleſſe it haue the time and ſpace of twelue dayes in the making thereof. And where alſo diuers and ſundrie of the ſaid makers of Malt, commonly haue and doe ſlackly and deceitfully drie the Malt ſo by them made, for that they would haue an inordinate increaſe thereof, by the ſwelling of the ſaid Malt, whereby the ſame Malt not being ſufficiently dried, cannot bee kept any long time or ſpace, but it will be muſtie and full of weuels, whereby no wholeſome drinke for mans bodie can by any meanes thereof be made, which is not onely to the great perill and daunger of the Nobilitie, and other the Kings Highneſſe ſubiects, within this Realme, and alſo to the great loſſe and decay of the Commonwealth of the ſame, but alſo an vtter impoueriſhment of the Brewers of this ſaid Realm, for that the ſaid Brewers (ouer and beſides the vnwholeſomneſſe of the drinke, which is commonly made thereof) cannot make ſo much drinke of fiftie quarters of Malt, being ſo euill dried and made, as they might and can make of fortie quarters, being well and truely made. And alſo, foraſmuch as diuers and ſundrie perſons, minding and ſeeking their owne priuate and exceſſiue gaine and profit, forgetting thereby their duetie, and the order or charitie towards the Commonwealth and their neighbors in this behalfe, doe commonly vſe to put and mixe good Malt and euill Malt together, & after put the ſame Malt to ſale, as good Malt, whereby many of the Kings ſubiects haue been, & are like to be verie often deceiued, to their great loſſe and hinderance, contrary to the honeſt, ſeemely, and godly buying, ſelling, and commutation that ſhould and ought to be amongſt Chriſtian people, ſpecially in things concerning the ſuſtentation & ſuſtenance of mans bodie: For remedie whereof be it enacted &c. That no ſuch perſon or perſons at any time after the firſt day of March next comming, ſhal make any barley Malt (the monethes of June, July, and Auguſt only excepted) but that the ſame ſhal haue in making thereof, that is to ſay, in the fat, ſlowze, ſteeping, and ſufficient drying of the ſame Malt, three weeks at the leaſt, and that no ſuch perſon or perſons at any Making. 3. Weekes

time within the said monethes of June, July, and August, shall make any Barley Malt, except the same haue in the fat, stowe, steeping, and sufficient drying, the time and space of 17. dayes at the least, vnder and without which time and times, the said Malt cannot be well and perfectly made, nor wholesome for mans bodie: vpon paine to forfeit and lose for euerie quarter of Malt which shall bee made by any person or persons, contrarie to the tenor, purport, and true meaning of this Act v. shillings. And be it further enacted &c. That no person or persons, after the first of March nert comming, shall mingle, or put together any Malt, not being well and sufficiently made, or being made of mowe burnt, or spired Barley, with other good Malt, and after put the same so mingled to sale, vpon paine to forfeit and lose for euerie quarter so mingled and put to sale, v. s. And be it also further enacted &c. That if any person or persons after the last day of Januarie nert comming, shall put to sale any Malt which shall not be sufficiently and well troden, rubbed, and well fanned, whereby there may be conueniently fanned out of one quarter thereof halfe a pecke of dust or more, that then the person so putting the same to sale, shall forfeit and lose for euerie quarter so put to sale xx. d. The moitie of all which forfeitures to be to the King our Soueraign Lord, and the other moitie therof to the partie that will sue for the same by action of debt, bill, plaint, or information, in any of the Kings Courts, wherin no Protection, Wager of law, nor Essoine, nor Iniunction, shall be admitted or allowed. And be it further enacted &c. That the Iustices of peace in euerie of their Sessions, and also the Steward in euerie Leet, shall haue full power and authoritie by vertue of this Act, to inquire heare and determine as well by presentment of twelue men, as by accusation or information of two honest witnesses, of, for, and vpon, all and euerie the offences and forfeitures aforesaid, as well for the King, as for the partie that shall sue, procure, or cause the same to be presented, as is aforesaid. And that the Bailifes and Constables of euerie Borough, or Market Towne, or other Town where any such Malt shal be made, or put to sale, shall haue full power and authoritie from time to time to view, search, and survey all such Malt as shall be made, or put to sale, within any of the said Townes. And if any of them shall thereupon find any Malt so put to sale, being euill made, or mingled with euill Malt, contrarie to the tenor and true meaning of this present Act: That then the said Bailise or Constable so finding any such Malt euill made, or mingled as is aforesaid, with the aduise of one Iustice of P. within the same Shire, shall cause the same to bee sold to such person or persons, and at such reasonable price or prices, and vnder the common price of the Market, as to his discretion shall seeme necessarie and expedient. Prouided alwayes and be it enacted &c. That this Act nor any thing therein contained, shall not extend to charge, or be, to the making of Malt, for any mans owne prouision for his owne house or familie, neither preiudiciall to any person or persons, for, or concerning any of the offences or forfeitures aforesaid: Except he or they so offending, shall happen to be sued, presented, and accused for the same, in manner and forme aforesaid, within one yere nert after any such offence or offences to be done or committed: Any thing in this present Act to the contrarie notwithstanding. This present Act to continue vntill the end of the nert Parliament. An. 2. E. 6. ca. 10. And An. 7. E. 6. ca. 11. this Act was continued. And after 1. M. 1. Parl. cap. 13. it was continued vntill the last day of the next Parliament, and then it expired. And after, this Statute was reuiued by 27. Eliz. cap. 14. to haue continuance for three yeres, and so to the end of the next Parliament then following. And An. 35. Eliz. cap. 7. this Act is continued to the end of the next Parliament next ensuing. And in An. 39. Eliz. cap. 18. this Statute of 27. Eliz. was continued vntill the end of the next Parliament. And in An. 43. Eliz. ca. 9. this Act of 27. Eliz. for reuiuing of a Statute before made, for the true making of Malt, was continued vntil the end of the first Session of the next Parliament. And Anno 1. Iac. cap. 25. the Act of 27. Elizab. is continued vntill the end of the first Session of the next Parliament.

17. Dayes

Fort.

Mingle

Fanned

Dust

Fort.

Iustices

Leet

Bailifes Constables

Vnder rate

Owne prouision

3 Be it enacted, That from time to time, and at all times hereafter it shall and may be lawfull for the Iustices of peace within this Realme, in their open Quarter Sessions, or the more part of them by their discretions, to suppresse, discharge, or restraine the superfluous and vnnecessarie number of Maltsters, in part, or in the whole, and also to restraine such person and persons, as to their discretions shall seeme meet, from the buying of Barley to conuert into Malt, in part or in all, for such time or times as to their discretions shall seeme met, and if any person or persons shall refuse, disobey, or not performe such suppressing, discharging, or restraint, or any order whatsoeuer the said Iustices shall set downe touching the same: That then, and so often such person and persons being thereof duely conuicted before the said Iustices, or any two of them, by the testimonie of two witnesses, or by his owne confession, shall be by the said Iustices committed to the common gaole of the Countie, Citie, or Corporate towne, wherein the offence is committed, there to remain without baile or mainprise by the space of three daies, and from thence vntil he shall become bounden by recognisance in the sum of fortie pounds, to be taken to the vse of her Maiestie, before any Iustice of Peace, to stand to, performe, and obey such suppressing, discharging, or restraint, taken by the sayd Iustices as aforesayd. Prouided alwayes, That the sayd Iustices of Peace within any Countie of this Realme, shall not intromit or enter into any Citie, Borough, or Towne Corporate, for execution of any Article in this Act, except hee bee a Iustice of Peace also in the sayd Citie, Borough, or Towne Corporate, but that it shall be lawfull to the Iustices of Peace, Maiors, Bailifes, and other head Officers of those Cities, Boroughes, and Towns corporate where they keepe Sessions, to proceed to the execution of this Act, and euery article therof, with-

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in the precincts of their liberties, at ſuch time and times, and as often as to them ſhall ſeeme meet, in as large and ample manner, as the Iuſtices of peace in any Countie may doe. Prouided alſo, That it ſhall and may be lawfull, to and for euerie perſon and perſons, which ſhall haue of his owne any Barley or come growing, or any tithe corne, or rent corne, reſerued vpon any leaſe or demiſe, to conuert into Malt, all or any ſuch Barley or corne: Any thing in this preſent Act to the contrarie notwithſtanding. Prouided alſo, That no manner of perſon or perſons ſhall deale or meddle in the execution of this Act, that vſe to buy Barley to conuert to Malt, and to ſell the ſame againe. This Act ſhall not endure or continue any longer time, but vntill the end of the next Seſſion of the next Parliament. An. 39. Eliz. cap. 16. continued by An. 43. Eliz. ca. 9. till the end of the firſt Seſſion of the next Parliament. And by An. 1. Iac. ca. 25. continued further vntill the end of the firſt Seſſion of the next Parliament.

Marchants and Marchandiſes.

ALl Marchants (if they were not openly prohibited before) ſhall haue their ſafe and ſure conduit, to enter and depart, to goe and tarrie in the Realme as well by land as by water, to buy and ſell without any manner of euill tols by the old rightfull cuſtomes, except in time of warre. And if they be of the land making warre againſt vs, and be found in our Realme at the beginning of the warres, they ſhall be attached without harme of bodie or goods, vntill it be knowne vnto vs or our Iuſticers, how our Marchants be intreated there in the land, making warre againſt vs. And if our Marchants be well intreated there, theirs ſhall be likewiſe with vs. Mag. Char. ca. 30. 9. H. 3.

2 All Marchants ſtrangers, and Denizens, and all other, and euerie of them, of what eſtate or condition ſoeuer they be, that will buy or ſell corne, wines, auer de pois, fleſh, fiſh, and all other liuings, and victuall, wools, clothes, & all other things vendible, from whence ſoeuer they come, by forreines or Denizens, at what place ſoeuer it be, Citie, Borough, Towne, Port of the ſea, Faire, Market, or elſewhere within this Realme, within franchiſe or without, may freely without interruption, ſell them to what perſons it ſhall pleaſe them, as well to forreines as Denizens: Except alwayes the enemies of our Soueraigne Lord the King, & of his Realme. And if haply any diſturbance bee done to any Marchant ſtranger or Denizen, or any other for the ſale of ſuch things, in any Citie, Borough, Towne, Port of the ſea, or other place which hath Franchiſes, and the Maiors and Bailifes, or other which haue the rule of ſuch Franchiſe, being required by the ſaid Marchant, or other, thereof to prouide remedie, and doth not, and be thereof attainted, the Franchiſe ſhall be ſeiſed into the Kings hands. And neuertheleſſe he and the other which hath done this diſturbance againſt this Statute, ſhall be bound to yeeld and reſtore to the ſaid Marchant his double dammages which he hath thereby ſuſtained. And if ſuch diſturbance or interruption be done to ſuch Marchants, or to other in ſuch townes or places where no ſuch Franchiſe is, and the Lord if he be preſent, or his Bailife, Conſtable, or other ruler of the ſaid townes and places, in the abſence of the ſaid Lords, being therein required to doe right, and doth not, and thereof be attainted, they ſhall yeeld to the partie plaintife his double dammages, as afore is ſaid. And the diſturbers in the one caſe and the other, as well within the Franchiſe as without, if they be attainted, ſhall haue one yeares impriſonment: and neuertheleſſe to be ranſomed at the Kings will. An. 9. E. 3. cap. 1. Lord Bailife Conſtable Impriſ.

3 No Alien or Denizen vpon the ſame paine ſhal not be troubled, but that he may freely buy ſuch things aforeſaid in the ſaid places, and carrie them where it pleaſeth him, to his own vſe, or to the profit of the King, or of the great men, or the Commons of the Realm: Sauing that ſuch Marchants Aliens ſhall carrie no wine out of the ſame Realm, as is contained in their Charter. And it is enacted, That the things aforeſaid ſhall be ſurely obſerued and kept in euerie Citie, Borough, Towne, Port of the ſea, and other places within the Realme, notwithſtanding Charters of Franchiſe granted to them to the contrarie, nor vſage, nor cuſtome, nor iudgement giuen vpon their Charters, vſages, or cuſtomes, that they can alledge: Which Charters, vſages, & cuſtomes, if any be, our Soueraigne L. the King, his Prelates, Earles, Barons, great men, & the Commons aforeſaid, holdeth them of no force nor effect, as things granted, vſed, or accuſtomed to the deſtruction of the King, and of his Prelates, Earles, Barons, & great men of this realme, and to the oppreſſion of the Commons: ſaued alway to the King and to other, the cuſtomes due of the ſaid Marchandiſes. An. 9. E. 3. cap. 1. Alien Denizen Wine Charters

4 The Chauncellor, Treaſurer, & the Iuſtices aſſigned to hold the Kings pleas, where they come, ſhall inquire of ſuch diſturbances, & grieuances, & the ſame to punish according as is afore ordained. And neuertheleſſe the King ſhall aſſigne by Commiſſion of his great Seale, certaine perſons, where and when it ſhall pleaſe him, to inquire of ſuch diſturbance and grieuances, and the ſame to punish, as afore is ſaid. An. 9. E. 3. cap. 1. Chaunc'or Treaſurer Iuſtices Inquire

5 All Marchants, Denizens and forreines, except thoſe which be of our enmitie, may without let ſafely come into the ſaid Realme of England, with their goods and marchandiſes, and ſafely tarie, and ſafely returne, paying the cuſtomes, ſubſidies, and other profits reaſonably thereof due: So alwayes, that franchiſes and free cuſtomes, reaſonably granted by vs, and our auncetors, to the Citie of London, and other Cities, Boroughes, & good Townes of our Realme of England, be to them ſaued. An. 14. E. 3. ca. 2. Stat. 2. Denizens Cuſtomes London

6 After the ſaid feaſt of S. Michael, euerie Marchant of the Realm, & other, may freely ſell & buy, and paſſe the ſea, with their marchandiſes of wools, & all other things, paying the cuſtoms of old times vſed, according to the Statutes before this time made at the laſt Parliament holden at Weſtminſter in middle Lent. An. 15. E. 3. ca. 5. Stat. 3. Wools Cuſtome

7 That the ſaid Statute, that is to ſay, of 9. E. 3. cap. 1. (before 4.) in all points and articles contained in the ſame, be holden, kept, and maintained, and that if any Statute, Charter, Letter patent, Proclamation, or commandement, vſage, allowance, or iudgement be made to the contrarie, the ſame ſhall be openly repealed, void, and holden for none. And moreouer, that euery Marchant, and other, of what conditiõ he be, Alien or Denizen, that bring wines, fleſh, fiſh, or other victuals, clothes, woolfels, auoir de pois, or any other manner marchandiſes, or chaffer, to ỹ citie of London, or other Cities, Boroughes, and good Townes of England, or Ports of the Sea, may freely and without challenge or impeachment of any, ſel in groſſe, or at retaile, or by parcels, at his will, to all manner people that will buy the ſame, notwithſtanding any franchiſes, grants, or cuſtomes vſed, or any other thing done to the contrarie, ſithence that ſuch vſages and franchiſes be to the common preiudice of the King and his people. And that no Maior, Bailife, Catchpoll, Miniſter, nor none other, ſhal meddle with the ſale of any manner victuall vendible, brought to Cities, Boroughes, or other Townes, nor Faire nor Market, but onely he to whom the victuals be, & that proclamation be thereof made of the new, in all Counties of England, & in the Citie of London, and in all other Cities, Boroughs, good Townes, Ports of the ſea, and other places within the Realme of England, where need ſhall be. And that the King therupon do to be aſſigned his Iuſtices at all times that ſhall pleaſe him, and if need be, to require of all thoſe that ſhall come againſt this ordinance, or doe any thing againſt the ſame, and to puniſh them, according to the paine contained in the ſame Statute, the ſaid ix. yere. And that euerie perſon that will ſue againſt ſuch, ſhall haue a writ in the Chauncerie to attach him as a diſturber of the cõmon profit, to cauſe him to come, therof to make anſwer to the Kings Court. An. 25. E. 3. cap. 2. Stat. 4.

Mines Victuals — London — Groſſe ſale Retaile — Maior Bailife Catchpoll — Proclamation — Iuſtices — Writ

8 Whereas much people of the Realme, which haue made contracts with Lombards, that be named of the companies dwelling in the ſame realme, which Lombards, after that they haue made their Obligations to their creanſors, haue ſuddenly eſcaped out of the Realme, without agreement made to their creanſors, in deceit and great damnage of the people: It is accorded and aſſented, That if any Marchant of the companie knewledge himſelfe bound in that maner, that then the Companie ſhall anſwer the debt: ſo that another Marchant, which is not of the companie, ſhall not be thereby grieued nor impeached. An. 25. E. 3. cap. 23. Stat. 5.

Lombards

9 All Marchant ſtrangers, which be not of our enmitie, of what land or nation that they be, may ſafely and ſurely vnder our protection and ſafe conduct, come and dwell in our ſaid Realme and lands where they will, and thither to returne with their ſhips, wares, and all manner marchandiſes, and freely ſell their marchandiſes at the Staple, and elſwhere within the ſame Realme and lands, to any that will buy them, paying the cuſtomes thereof due. And more, to aſſure the Marchants ſtrangers and other, bringing goods and marchandiſes within the ſaid Realme and lands: We will and grant for vs, and for our heires and ſubiects, that nothing ſhal be taken ouer the cuſtomes aforeſaid, nor taken of them to our vſe by colour of ſale, nor in other manner againſt their will, nor by the Miniſter of vs, or of our heires, nor by the Miniſters of any the Prelats, Dukes, Earls, Barons, Lords, nor Ladies, nor of none other great nor ſmall. And if any Miniſter, or other by colour of his Office, or in other manner take any thing of them againſt their agreement, he ſhall be incontinently arreſted by the Maiors and Bailifes of the place, if it be out of the Staple, or by the Maiors or Miniſters of the Staple, if it be within the Staple. And ſpedie and readie Proces ſhall be made againſt him from day to day, and from houre to houre, according to the law of the Staple, and not at the common law, as well out of the Staple as within, at euerie mans complaint that ſo ſhall be grieued. And if he be therof attainted, he ſhall pay to the Marchant the double of that he hath taken, and as much to vs. And that no commiſſion be maye to take ſuch prices of the ſaid Marchant, and if any Commiſſion bee made, it ſhall be holden for none. An. 27. Ed. 3. cap. 2. Stat. 2.

Officers — Arreſt — Proces — Double

10 All Marchants as well Aliens as Denizens, may buy wools, leather, wolfels, and lead, through our Realm and lands, without couin or colluſion, to abate the price of the ſaid marchandiſes: ſo alwayes that they bring the ſame to the Staples. And that no Marchant Engliſh, Welſh, nor Iriſh, ſhall carrie any maner of wools, leather, woolfels, or lead out of the ſaid Realms and lands, vpon the paine of life and member, and of forfeiture of the ſaid marchandiſes, and of all their other goods and cattels againſt vs, and of forfeiture of all their lands and tenements againſt the chiefe Lords, and the chiefe Lords ſhall haue a writ of Eſcheat on the caſe. And that no ſtranger Marchants by couin betwixt them and Engliſh, Iriſh, or Welſh Marchants, ſhall bring the ſaid wares and marchandiſes of Engliſh, Iriſh, or Welſh Marchants, in part or in all. Nor that no Marchant, Engliſh, Iriſh, nor Welſh, nor other, make couin or colluſion with Marchants ſtrangers, to carrie their wols, leather, woolfels, or lead, to the parties beyond the ſea, out of the Realme and lands aforeſaid, vnder the name of Marchants ſtrangers, nor ſhall ſend nor hold their ſeruants, or other their Atturneyes, in the parts beyond the ſea, out of our ſaid Realme and Lands, for to ſell, or to ſurvey the ſale of their ſaid wols, leather, woolfels, and lead there, or to receiue the money comming of the ſale of the ſaid wools, leather, woolfels, and lead. Nor that no Engliſhman, Iriſhman, nor Welſhman, by himſelfe, nor by other, take paiment of gold, nor of ſilver, nor of other thing, in recompence or commutatiõ, or in the name of paiment in the parties beyond the ſea, out of the realm & lands aforeſaid, of marchandiſes ſold in England, Ireland, or in Wales, touching the Staple, but all ſuch paiment ſhall be made in gold, or in ſilver, or marchandiſes in England, Ireland, or Wales, where the contract was made,

Staple — Cuſtomes — Wools Woolfels Leather Lead — Gold Siluer

made, vpon the forfeitures and paines next aforeſaid. Nor that the Marchants ſtrangers nor denizens make betwixt them priuily nor apertly any companie or confederacie in fraud or deceit of this Ordinance: Nor that none maintaine the ſame for gaine, nor in other manner to doe any ſuch fraud or deceit, vpon the ſame paines & forfeitures. And alwayes it is to be vnderſtanded, That euery Engliſhman, Iriſhman, or Welſhman, may freely bring their owne Wolls, Leather, Woolfelles, and Lead to the Staple, to ſell there, without being compelled to ſell them in the Countrey. And that euerie Marchant that ſhall ſell his Woll at the Staple, be bound to warrant the packing of the ſame Wolls. Añ 27. Ed. 3. cap. 3. Stat' 2.

11 All Marchants aliens and denizens, and other, that doe bring Wines, & other wares or marchandiſes, whatſoeuer they be, to the Staples, Cities, Boroughes, and good Townes, or to Ports of the Sea, within our ſaid Realme and lands, may ſafely and without challenge and impeachment of any, ſell them in groſſe, or at retaile, or by parcels, at their will, to all manner people that will buy the ſame. And that no Marchant priuie nor ſtranger, nor other of what condition that he be, go by land, nor by water, againſt ſuch Wines, Wares, or marchandiſes comming into our ſaid Realme or Land, in Sea, or elſewhere, to foreſtall or buy them, or in other manner to giue earneſt vpon them, before that they come to the Staple, or to the Port where they ſhall be diſcharged, nor enter in the Ships for ſuch cauſe, till the marchandiſe be ſet to land to be ſold, vpon the paines & forfeitures contained in the ſame third Article aforeſaid. Añ 27. Ed. 3. cap. 11. Stat' Stapulæ.

12 If any Marchant priuie or ſtranger, be robbed of his goods vpon the Sea, and the goods ſo robbed come into any parts within our Realme and Lands, and will ſue for to recouer the ſaid goods, he ſhall be receiued to proue the ſaid goods to bee his owne, by his markes, or by his chart, or cocket, or by good and lawfull Marchants priuie and ſtrangers. And by ſuch proues the ſame goods ſhal be deliuered to the Marchants, without making other ſuit at the common Law. And in caſe that any Ships going out of the ſaid Realme and Lands, or comming to the ſame, by tempeſt or other miſfortune breake vpon the Sea bankes, and the goods come to the land, which may not bee ſaid Wrecke, they ſhall be forthwith without fraud or deceit deliuered to the Marchants, to whom the goods be, or to their ſeruants, by ſuch proue as before is ſayd, paying to them that haue ſaued and kept the ſame conenable for their trauaile, that is to ſay, by the diſcretion of the Shiriſes & Bayliſes, or other our miniſters, in ỳ places guildable, where other Lords haue no Franchiſe, and by the aduiſe & aſſent of iiij. or vj. of ỳ beſt or moſt ſufficient diſcreet men of the Countrey. And if that it be within the Franchiſe of other Lords, then it ſhall be done by the Stewards and Bayliſes, or Wardens of the ſame Franchiſes, and by the aduiſe of iiij. or vj. diſcreet men of the Countrey, as afore is ſaid, without any delay. Añ 27. Ed. 3. cap. 13. Stat' 2.

13 No Marchant ſtranger be impeached for anothers treſpaſſe, or for anothers debt, whereof he is not debtor, pledge, nor mainpernor. Prouided alwayes, That if our liege people, Marchants or other, be indamaged by any Lords of ſtrage lands, or their ſubiects, and the ſaid Lords (duely required) faile of right to our ſaid ſubiects, we ſhall haue the Law of Marque, and of taking them againe, as hath beene vſed in times paſt, without fraud or deceit. And in caſe that debate doe riſe (which God defend) betwixt vs and any Lords of ſtrange lands, we will not that the people and Marchants of the ſaid lands be ſuddenly ſubdued in our ſaid Realme and lands becauſe of ſuch debate, but that they be warned, and Proclamation thereof publiſhed, That they ſhall void the ſaid Realme and lands with their goods freely, within xl. dayes after the warning & Proclamation ſo made. And that in the meane time they be not impeached nor let of their paſſage, or of making their profit of the ſame marchandiſes, if they will ſell them. And in caſe that for default of wind, or of ſhip, or for ſickneſſe, or for other euident cauſe, they cannot auoid our ſaid Realme and lands within ſo ſhort time, then they ſhall haue other xl. dayes, or more if need be, within which they may paſſe conuenably with ſelling their marchandiſe, as afore is ſaid. Añ 27. E. 3. cap. 17. Stat' 2.

Marque

Proclamation

xl. dayes warning

14 It is contained in the Charter of our grandfather, graunted to the Marchants ſtrangers, and by vs confirmed, that of marchandiſes which they ſhall bring into our ſaid Realme and lands, and whereof iij. ſ. of the pound ought to be payed by the ſaid Marchant ſtrangers, according to ỳ ſame graunt, faith, and credence ſhall be giuen to them vpon the value of the ſaid marchandiſes, by letters, which they may ſhew of the ſame goods of their Lords and companions. And if they haue no letters, they ſhall be beleeued by their oath in this behalfe. And now of late it is done vs & our Councell to vnderſtand, by the complaint of the ſaid Marchants, That albeit they haue letters teſtifying the value of their marchandiſes, the Shirife, Mayors, Bayliſes, and miniſters of many places doe conſtraine them to ſweare for the ſaid marchandiſes, againſt the forme of their ſaid Charter, and neuertheleſſe after the oath made, inſeale their barrels, fardels, and bales for which they haue made their oath, and the ſame let lye iiij. or vj. dayes ſo inſealed, before that they will ſee the ſame, and ſo they take away from the ſaid Marchants the ſale of their goods, to their great damage: We not willing that the Marchants ſtrangers, that come with their marchandiſes into our ſaid Realm and lands, for the common profit of the ſame, ſhall be in ſuch manner grieued, will, graunt, and ſtabliſh, That the ſaid Charter be holden, and that the barrels, fardels, and bales, and the other goods of the ſaid Marchants, for which they haue ſhewed their letters that be not ſuſpicious, or made the oath as is contained in the ſame Charter, immediatly after the oath made, or ſuch letters ſhewed, their goods ſhalbe deliuered to them without delay, thereof to doe their profit, without any thing taking of them

Letters

Oath

Shirifes

Customes Mayors Bailifes Imprison. 4. damages

them ouer the custome of iij. d. of the pound: So that the Shiriues, Mayors, Baylifes, or other ministers, shall meddle no more of the same goods, upon paine of imprisonment, and to pay to the partie grieued by this cause, his quadruple damages, and as much to vs: & vpon the same, right shall be done in our Chancerie at euery mans complaint. Anno 37. Ed. 3. cap. 26.

Repealed

An 37. Ed. 3. cap. 5. An Act was made, that Marchants should vse but one marchandise, but it was repealed by 38. Ed. 3. cap. 3.

Aliens Denizens

16 All manner of Marchants, as well aliens as denizens, may sell and buy all manner of marchandises, & freely carrie them out of this Realme, paying the Customes and Subsidies thereof due: Except that the English Marchants shal not passe out of this Realme with Woll or Woollfels. Anno 38. Ed. 3. cap. 2.

Wooll Woollfels

Aliens

17 All Marchants aliens, of what Realmes, Countries, or Seignories that they come, which be of the amitie of the King and of this Realme, may from henceforth safely and surely come within the Realme of England, and in all manner Cities, Boroughes, Ports of the Sea, Faires, Markets, or other places within the same Realm, within Franchise & without, and abide with their goods and all manner marchandises, vnder the safegard & protection of the King, as long as shall please them, without disturbance, or denying of any person. And that as well those Marchants aliens and denizens, and euery of them, that will buy or sell Corne, Flesh, Fish, and all manner other vitailes & sustenance, & also all manner of Spiceries, Fruit, Furre, and all manner of small wares, as Silke, Gold wyer, or Siluer wyer, Couerchiefes, & other such small wares, may from henceforth freely, and without denying, or any manner disturbance, as well in the Citie of London, as in all Cities, Boroughes, Ports of the Sea, Faires, Markets, and other places within the Realm, sell & buy in grosse, and by parcels, to whom, & of whom them please, denizen or forraine, except the Kings enemies: Except that all manner of Wines, as wel sweet as other, shall be sold by the said strangers in grosse, & by whole vessels, as they be brought into ỳ Realm, and not at retaile, by any in the said Cities, Boroughes, and other Townes franchised, but onely by the inhabitants & freemen in the same. And as to all other great wares, as cloth of Gold & Siluer, Silke, Sendall, Naperie, Linnen Cloth, Canuas, or other such great wares, & also all manner of other great marchandises, not aboue expressed, whatsoeuer they be, from henceforth as well aliens as denizens, as well in the City of London, as in other Cities, Boroughes, Ports of the Sea, Townes, Faires, Markets, and elsewhere through the said Realme, within Franchise & without, may sell the same in grosse to euery person forraine or denizen, that will buy ỳ same freely & without any denying (except to the Kings enemies) as well by the bale, cloth, or by the whole peces, at their pleasure, and not at retaile, vpon paine of forfeiture of the same marchandises, but onely the Citizens & Burgesses in their owne Citie & Boroughes, and other good Townes franchised, to whom (and to none other strange Marchant of their Franchise) they may. And it shall be lawfull to them without impeachment to vnfold, vndoe, & cut in the same their proper Cities & Boroughes, the great marchandises, and other great wares aforesaid, & as well ỳ same, as Wines and their marchandises, there to sell in grosse, & at retaile, at their pleasure, paying all the Customes & Subsidies due, notwithstanding any Statutes, Ordinances, Charters, Judgements, Allowances, Customes, & Usages, made or suffred to the contrarie: Which Charters & Franchises, if any there be, they be vtterly repealed & annulled as a thing made, vsed, or granted against the common profit or oppression of the people: Sauing alwaies to Prelates and Lords of the Realme wholly their Liberties & Franchises, that they may make their purueyances & buyings of victuals, & of their necessaries, as they were wont to doe in old time, and sauing that the Ordinances made before this time of the Staple of Caleis, be holden in their force and vertue. And it is not the Kings mind, that ỳ Marchants strangers & denizens, that will buy and sell their Wolls, Woolfelles, Wares, Clothes, Yron, and other marchandises at Faires & Markets in the Countrey, should be restrained or disturbed by this Statute, to sell or buy freely, in grosse, or at retaile, as they were wont to doe heretofore. And if it so happen, that from henceforth disturbance be made to any Marchant, alien or denizen, or other vpon the sale of such things in Citie, Borough, Towne, Port of the Sea, or other place that hath franchise, against the forme of this Ordinance, and the Mayor, Bailifes, or other that haue the keping of such franchise, required by the said Marchants, or other in their name, thereof to make remedie, do not the same, & thereof be attainted, the franchise shalbe seised into the Kings hands. And neuertheless, they that haue done such disturbance against this Statute, shalbe holden to restore & yeld to the plaintife his double damages that he hath suffered by this occasion. And if such disturbance be made to such Marchants, or to other in Townes or places where no franchise is, and the Lord if he be present, or his Bailife, Constable, or other Warden of the said Townes & places, in absence of the Lords, thereof required to doe right & doe not, and thereof be duely attainted, they shall yeld to the plaintife his double damages, as afore is said, and the disturbers in ỳ one case & the other, as well within franchises as without, if they be attainted, shall haue one yeres imprisonment, & be ransomed at ỳ kings will. And it is ordained & stablished, that the Chancelor, Treasorer, & Justices assigned, to hold plees of the King, in places where they come, shall diligently inquire of such disturbances & grieuances, and doe punishmẽt according as afore is ordained. And neuertheless, the King shall assigne by Commission certaine people, where & when shall please him, to inquire of such disturbances & grieuances, and to punish the offendors in this partie, as before is said. An. 2. R. 2. cap. 1.

Cities Faires Markets Grosse Forf.

Customes Subsidies Statute Wooll Woollfels Yron Faires Disturbance Disturbers Chancelor Treasorer Justices

18 All Marchants of Jene, Venice, Catelogne, Aragon, and other Realmes, Lands, & Countries towards

towards the Weſt, being of the Kings amitie, that will bring to Hamton, or elſewhere within the Realmes, Carrakes, Ships, Gallies, or other veſſels charged or diſcharged, may freely ſell their marchandiſes to whom pleaſe them, by the manner as afore is ſaid, and there recharge their veſſels of Wolls, Leather, Woollfels, Tinne, and of other marchandiſes of the Staple, and freely bring them into their countrey towards the Weſt, paying at the Ports where they charge them, all manner of Cuſtomes & Subſidies, and other duties of Calais, as much as they ſhould pay, if they ſhould bring the ſame marchandiſes to the Staple of Calice, ſo that they find ſufficient ſuretie, that they ſhall bring the ſame towards the Weſt, and to no place elſewhere, towards the Eaſt, but to the Staple of Calice, if percaſe they will goe, vpon paine of the forfeiture ordained before this time. Anno 2. R. 2. cap. 3.

19 All manner of Marchants ſtrangers, of whatſoeuer Nation or Countrey they be, being of the amitie of the King and of his Realme, ſhall be welcome, and freely may come within the Realme of England, & elſewhere within the Kings power, as well within Franchiſes as without, and there to be conuerſant to marchandiſe, and tarrie as long as them liketh, as thoſe whom our ſaid Soueraign Lord the King, by the tenour hereof, taketh into his Protection & ſafegard, with their goods, marchandiſes, & all manner familiars. And for ſo much the King will & commandeth, That they and euery of them be well, friendly, and marchantlike intreated and demeaned in all parts within his ſaid Realme and power, with their marchandiſes & all manner goods, and ſuffered to goe and come into their proper Countrey, peaceably to returne, without diſturbance or impeachment of any. Anno 5. R. 2. cap. 1. Stat.

20 The ſaid Statutes of Añ 9. Ed. 3. cap. 1. 2. 3. (before 2. 3. 4.) and Añ 25. Ed. 3. ca. 2. (before 7.) ſhalbe from henceforth firmely holden, kept, maintained, and fully executed in all points and articles of the ſame: notwithſtanding any Ordinance, Statute, Charter, Letters Patents, Franchiſes, Proclamation, Commaundement, Vſage, Allowance, or Judgement made or vſed to the contrarie. And that if any Statute, Ordinance, Charter, Letters patents, Franchiſe, Proclamation, Commaundement, Vſage, Allowance, or Judgement be made or vſed to the contrarie, it ſhall be vtterly repealed, auoided, and holden for none. Añ 11. E. 3. cap. 7.

21 Marchants ſtrangers repairing into the Realme of England, ſhall be well and courteouſly and rightfully intreated, and gouerned in the ſaid Realme, to the intent that they ſhall haue the greater courage to repaire into the ſame. Añ 14. R. 2. cap. 9.

22 No Marchant ſtranger ſhall alien, ſell at retaile, nor buy, nor marchandiſe within this Realme, with another ſtrange Marchant alien, to ſell againe, nor y no ſtrange Marchant alien ſhall ſet to retaile within the ſame Realme, nor ſhall put to ſale no manner of wares, nor marchandiſes (except Liuings and Vitailes) and alſo that all aliens ſhall ſell Wines by whole veſſels, and Spiceric by whole veſſels and bales, and in no other manner. And that no manner of Spicerie, after that it be brought into the Realme, ſhal be carried out of the ſame Realme, by alien, nor by denizen, vpon paine of forfeiture of the ſame. And moreouer the King will, That the ſaid Statutes of Añ 9. Ed. 3. cap. 1. (before 1.) and Añ 25. Ed. 3. cap. 2 (before 7.) and Añ 11. R. 2. cap. 8. (before 20.) in all articles and points ſhall be firmely holden and kept. Añ 16. R. 2. cap. 1. Vitailes. Wines. Spicerie. Forf. Statutes.

23 The ſaid Statute of Añ 2. Ed. 3. (which is in Staple 21.) ſhalbe holden and kept in all points, and duely executed, notwithſtanding any Ordinance or Vſage to the contrarie. Anno 20. R. 2. cap. 4.

24 All the Marchant ſtrangers and denizens, which bring marchandiſes into this Realme of England, & the ſame do ſell within the Realme, and receiue Engliſh money for the ſame: that they ſhall beſtow the ſame money vpon other marchandiſes of England for to bring the ſame out of the Realm of England, without carrying any gold or ſiluer in coyne, plate, or maſſe, out of the ſaid Realme, vpon paine of forfeiture of the ſame: ſauing alwaies their reaſonable coſts. Añ 4. H. 4. cap. 15. Denizens. Money. Gold Siluer. Forf.

25 All the Marchant ſtrangers, of what eſtate or condition that they be, comming, dwelling, or repairing within the Realme of England, ſhall be intreated or demeaned within the ſame Realme, in the manner, forme, and condition, as the Marchants denizens be or ſhalbe intreated or demeaned in the parts beyond the Sea, vpon paine of forfeiture to the King all the goods and cattels of ſuch Marchants ſtrangers, and vpon paine of impriſonment of the body of ſuch Marchants ſtrangers. Añ 5. H. 4. cap. 7. Impriſ.

26 For the better keeping of Gold and Siluer within the Realme of England, & for the increaſe of the commodities of the ſaid Realme: It is ordained and ſtabliſhed, That the Statutes thereof made at the laſt Parliament, ſhal be holden & kept, and put in due execution: ioyned to the ſame, That the Cuſtomers and Controllers of our ſoueraigne Lord the King, and all the Ports of England ſhall take ſufficient ſureties for all manner marchandiſes, brought by the Marchants aliens & ſtrangers, comming and repairing to the ſaid Ports, to the intent that the money taken for the ſaid marchandiſes ſhal be imployed vpon the commodities of the Realme: Sauing their reaſonable coſtes, as in the ſame Statute more fully is contained. And moreouer it is ordained & ſtabliſhed, That the ſaid Marchants aliens & ſtrangers, ſhall ſell their ſaid marchandiſes ſo brought within the ſaid Realme within a quarter of a yeare next after their comming into the ſame. And alſo that the money which ſhall be deliuered by exchange in England, be imployed vpon the commodities of the Realme, within the ſame Realme, vpon paine of forfeiture of the ſame money. And that no Marchant, alien or ſtranger, ſell no manner of marchandiſe to any other Marchant, alien or ſtranger, vpon paine of forfeiture of Gold Siluer. Money. Sell. Exchange. Forf. Forf.

the

the ſame marchandiſe. And alſo it is ordained and ſtabliſhed, That in euery Citie, Towne, and Port of the ſea in England, where the ſaid Marchants, aliens or ſtrangers be, or ſhall be repairing, ſufficient Hoſtes ſhalbe aſſigned to the ſame Marchants by the Mayors, Shiriffs, or Baylifes of the ſaid Cities, Townes, and Ports of the Sea. And that the ſaid Marchants, aliens and ſtrangers, ſhall dwell in none other place, but with their ſaid Hoſtes ſo to be aſſigned, and that the ſame Hoſtes ſo to be aſſigned, ſhall take for their trauaile in the manner as was accuſtomed in old time. Anno 5. H.4. cap.9.

Hoſtes
Mayor
Shirife
Bailife

27 The ſaid Ordinance of Añ 5.H.4. cap.9. (before 26.) be vtterly void and adnulled for euer. And that the ſame Marchants, aliens and ſtrangers, be at their liberall diſpoſition to ſell their marchandiſes, in the manner as they did before the making of the ſaid Ordinance: Sauing alwaies the Franchiſes and Liberties of the Citie of London. And alſo prouided alwayes, That the ſaid Marchants, aliens and ſtrangers, ſhall not carrie, nor doe to be carried out of the Realme, any marchandiſes brought within the Realme by the Marchants aliens and ſtrangers aforeſaid. Añ 6.H.4. cap.4.

London

28 Whereas at the grieuous complaint made by the Commons it is ſhewed, how that in old time it was vſed and accuſtomed, that as wel the Clothmakers and Clothſellers, of whatſoeuer place of the Realme they were, repairing and hauing recourſe to ỹ Citie of London, as other Marchants, with diuers marchandiſe, as Wine, Yron, Oyle, and Wax, & other things pertaining to marchandiſe, exerciſing, repairing, and hauing recourſe to the ſaid Citie, haue bought & ſold in groſſe, as well with aliens as with denizens, of the clothes and other marchandiſes aforeſaid, at their will & pleaſure, paying in this behalfe onely the cuſtomes and other deuoires thereof reaſonably due, and neuer in all the ſaid time were diſturbed, or in any manner let to ſell or buy in groſſe with Marchants aliens, or denizens, of ſuch clothes and marchandiſes at their will and pleaſure, but onely to retaile: And now of late as well the ſame Clothmakers, as other the Marchants aforeſaid, by the Mayor, Shiriffes, Aldermen, Drapers, and Marchants of London, be daily diſturbed and let to ſell & buy in the manner aforeſaid, as well in groſſe, as in retaile, and grieuouſly and continually conſtrained to ſell their ſaid clothes & marchandiſes onely to ỹ Marchants and inhabitants of the ſaid Citie, to the ſingular profit & aduantage of them of London, as well to the damage & loſſe of the Lords Spirituall & Temporall, and the Commons of this Realme, as of the ſaid Clothmakers & Marchants ſo grieued, an euident enſample and occaſion to ſuch Clothmakers & Marchants ſo grieued, to withdraw themſelues from the ſaid Citie from henceforth, if remedie be not rather prouided in this behalfe: It is ordained and ſtabliſhed, That as well the Clothmakers and Clothſellers, as other Marchants, with their ſundry marchandiſes, as of Wine, Yron, Oyle, and Wax, & other things pertaining to marchandiſe, ſhall be free to ſell in groſſe their Clothes, Yron, Oyle, and Wax, and other their marchandiſes, as well to all the Kings liege people, as to the Citizens of London, notwithſtanding any Franchiſe or Libertie graunted to the contrarie. Anno 7. H.4. cap.9.

Clothiers
London
Cloth
ſellers
Wine
Iron
Oyle
Wax
Cuſt. in.

29 Añ 4.H.5. cap.5. It is enacted, That the Statute of Añ 5.H.4. cap.7. (before 25.) concerning the treating of Marchant ſtrangers: And the Statute of Añ 5.H.4. cap.9. (before 26.) concerning the Hoſtes of Marchant ſtrangers, ſhall be kept and put in execution.

30 No Marchant alien ſhall conſtraine or bind any of the Kings liege people, by promiſe, couenant, nor league, to make him payment in Gold for any manner of debt, which to him may be due, nor refuſe to receiue payment in Siluer for any manner of ſuch dutie or debt, vpon ỹ paine of double the value of the ſame. And alſo to eſchew the great loſſes which diuers perſons of this Realme of England haue had, and alſo be likely ſo for to haue for their loanes made of their marchandiſes to Marchants aliens, which haue fled with the ſame, and daily take Sanctuaries: It is ordained, That no Engliſhman ſhall ſell within this Realm, nor do to be ſold from henceforth to any Marchant alien, any manner of marchandiſes, but onely for ready payment in hand, or elſe in marchandiſes for marchandiſes, to be payed and contented in hand, vpon paine of forfeiture of the ſame. Añ 8.H.6. cap.24.

Gold
Siluer
Ready payment
Forf.

31 Añ 9.H.6. cap.2. It was enacted to indure at the Kings will, that Engliſh Marchants might ſell their Clothes to Marchant ſtrangers vpon lending, ſtō vj. moneths to vj. moneths, notwithſtanding the Statute of Añ 8.H.6. cap.24.

Lon
Mon

32 Anno 18.H.6. cap.4. An Act was made to indure for ſeuen yeares, concerning Marchant ſtrangers to haue Hoſtes and Surueyors, and to ſell their wares within eight moneths, and to imploy the money thereof vpon Engliſh goods &c. See Cuſtome Anno 2c.H.8. cap.5. That Cuſtomers and other Officers ſhall not occupie marchandiſe.

Hoſtes
Surueyors
Mony
Cuſtomers

33 Añ 27.H.6. cap.2. An Act was made to indure to the next Parliament, againſt bringing of marchandiſes, made or growing in the lands of the Duke of Burgonie, except they reforme an Ordinance made againſt vttering of Engliſh Clothes in his Countrey.

34 Añ 27.H.6. ca.3. An Act was made to indure to the next Parliament, for Marchant ſtrangers bringing in of vitailes, to imploy ỹ mony vpon the commodities of the Realme, & not to carrie out any mony, gold or ſiluer, receiued for any ſuch vitailes.

Victuals
Mony
Gold
Siluer

35 Añ 28.H.6. cap.1. An Act was made to indure for ſeuen yeares, againſt bringing in of marchandiſes, made or growing in the Ilands of the Duke of Burgonie, except he reforme an Ordinance made againſt vttering of Engliſh Clothes in his Countrey.

36 See Extortion 4. Of Impoſitions & Taxes taken by officers of Marchants, & of puniſhment for the ſame.

37 Ann 4.Ed.4. cap.5. It was enacted, That no marchandiſe made or growing in the Duke of Burgundies land, and in other countries beyond the Sea, there named, ſhould be ſold or brought into England, vpon paine of forfeiture, vntill the Duke of Burgundie ſhould make reformation of an Ordinance that he had made, for banifhing of Engliſh Clothes out of his Countries: This Act to endure at the Kings will: Sauing the liberties of the Stillyard.

38 Añ 4.Ed.4. cap.6. An Act was made to endure to the nert Parliament, concerning Cuſtomers & Controllers, to take ſuretie of Marchant ſtrangers, for imploying of the money that they ſhould receiue for their marchandiſes, vpon Engliſh commodities.

39 No Marchant borne ſubiect of our ſaid Soueraigne Lord the King, denizen nor ſtranger, nor other perſon after the Feaſt of Saint Michael the Archangell next comming, ſhall bring, ſend, nor conuey, nor doe to be brought, ſent, nor conucyed into this Realme of England, and Seignorie of Wales, any of theſe chaffers, or wares vnderwritten, that is to ſay, any Woollen Caps, Woollen Clothes, Laces, Corſes, Ribands, Fringes of ſilke & of thread, Laces of thread, Silke twined, Silke in any wiſe embrodered, Laces of gold, of Silke or Gold, Saddles, Stirrops, or any Harneis pertaining to Saddles, Spurres, Bolles for bridles, and Iron Greedirons, any manner of Lockes, Hammers, Pinſors, Firetongs, Drippingpannes, Dice, Tennice balles, Points, Purſes, Gloues, Girdles, Harneis for girdles of Yron, Latten, Steele, Tinne, or of Alcumine, any thing wrought of any tawed Leather, any tawed Furres, Buſkins, Shoes, Galoches, or Corkes, Kniues, Daggers, Woodkniues, Bodkins, ſheeres for Tailors, Scillors, Raſors, Chellemen, playing Cardes, Combes, Pattens, Packnoodles, & painted ware, Forcers, Caſkets, Rings of Copper, or of Latten gilt, Chaffingdiſhes, hanging Candleſtickes, chaſing Balles, ſacring Belles, Rings for Curtaines, Ladles, Scummers, counterfeit Baſins, Ewers, Hats, Bruſhes, Cards for Woll, or any white Wyer, or any of thoſe wares or chaffers, to be vttered & ſold within the ſame Realme of England, or in the countrey of Wales, by the way of marchandiſe, vpon paine to forfeit the ſame marchandiſes at euery time, and as often as they may bee found in the hands of any perſon or perſons to be ſold: The one halfe of the ſame forfeiture to be payd to the vſe of our ſoueraigne Lord the King, and the other halfe to him which will firſt ſeiſe the ſame for the King: The ſame halfe ſo ſeiſed for our Soueraigne Lord the King, to be deliuered by the ſaid ſeiſor thereof to the Eſcheator of the countrey or place where the ſame ſeiſin ſhal be, by indenture betwixt them made, duely to anſwere thereof in his accompt. Prouided alwayes, That if any of the ſaid wares or chaffers, made out of this land, be taken vpō the ſea without fraud or colluſion, or cometh into this Realme of England, or in the countrey of Wales, by way of Wracke, that thoſe be in no wiſe taken within this Ordinance or Statute, but that they may be ſold within this Realme of England or Wales, this Ordinance or Statute notwithſtanding. Prouided alſo, that all wares & chaffers, made & wrought in the land of Ireland or Wales, may be brought & ſold in this Realme of England, as they were wont before the making of this Statute, this Ordinance or Statute notwithſtanding. Alſo our Soueraigne Lord the King hath ordained & eſtabliſhed by the aſſent & authoritie aforeſaid, that the Maſters & Wardens for the time being, of euery Craft & Myſterie, in euery Citie, Borough, Towne & Village, where any ſuch Craft or Myſterie is vſed or occupied, ſhall haue ſufficient power & authoritie in euery ſuch Citie, Towne, Borough & Village, where they for ỳ time being ſhall be Wardens or Maſters of any ſuch Craft or Myſterie: And the Mayor of ſuch Citie, Borough, Towne, or Village for the time being, if any Mayor be, or ỳ Bailife or Bailifes of any ſuch Citie, Borough, Towne or Village, for ỳ time being, if any Bailifes or Bailife there be, & no Mayor or Serieant: or any other officer to them aſſigned by ỳ ſaid Mayor, Bailifes or Bailife, in euery ſuch Citie, Borough, Towne & Village where any ſuch Craft or Myſterie is vſed or occupied, where no ſuch Maſters nor Wardens of any ſuch Craft or Myſterie be, that the Maſters or Wardens of the Crafts & Myſteries of the City, Town, Borough, or Village next adioyning to the ſame, & the Conſtable of ſuch Citie, Borough, Towne, or Village, ſhall haue power & authority to ſearch in their own Crafts & Myſteries, as in all other Crafts & Myſteries, vttering by way of ſale any ſuch chaffers, as well within Cities, Boroughs, Townes & villages of the ſame Realme of England, & of the countrey of Wales, as within ỳ liberties & franchiſes of the ſame Cities, Boroughs, Townes & villages, at all times reaſonable by their diſcretion, at Faires and Markets, Shops open, & Warehouſes, all maner wares, chaffers, & marchandiſes, pertaining to euery of their proper Crafts & Myſteries, which ſhalbe made by any alien artificer, man or woman, or any other perſon or perſons within the ſame Realm of England or Wales, or which at any time ſhall be occupied by any of the ſaid Crafts or Myſteries, in whoſe hands ſoeuer they may be found. Prouided alſo, that the ſaid Maſters, Wardens, & other named in the ſaid Ordinance to be ſearchers, ſhal not enter in any place exempt by priuiledge, franchiſe, or cuſtome, to make in the ſame any ſearch, as is aforeſaid, but by the ſurueying of ſome officer of euery ſuch place ſo exempt, where any ſuch ſearch ſhall happen to be made. And if the ſaid ſearchers by the ſaid ſearch do find, that ſuch chaffers, ware, or marchandiſes, or any part thereof, be not pure, lawfull, and able chaffers, wares, or marchandiſes, & rightfully wrought & made, as they ought to be, and that duely proued: that then it ſhall be lawfull to ſuch ſearchers to take & ſeiſe all ſuch chaffers, wares and marchandiſes which ſhal ſo be found not good, pure, lawfull, or able, not rightly wrought, as a thing forfeit: The one halfe of the ſame forfeit to be payed to the vſe of our ſaid Soueraigne Lord the King, and the other halfe thereof to ſuch Maſters & Wardens

Ireland

Wardens

Mayor

Bailife

Officer

Faires Markets

Searchers

Places priuiledged

Seiſe

Forf. Boitie

which

which ſo ſhall make ſearch, and find the ſame. And that this preſent Ordinance or Statute cõcerning the ſaid artificers ſtand and be in his force, as long as ſhall pleaſe our Soueraigne Lord the King. Prouided allwaies, That this Ordinance and Act, nor none other Ordinance or Act, made or to be made in this preſent Parliament, ſhall not extend nor in any wiſe be preiudiciall or hurtfull to Robert Stillington Clerke, Deane of the free Chappell of our Soueraigne Lord the King of S. Martin the graund of London, nor to his ſucceſſors of the ſaid Chappell hereafter for the time being in any manner, nor to the ſaid Robert, Deane and Chapter of the ſame Chappell, as in & for all manner Priuiledges, Liberties, Franchiſes, Rights, & Cuſtomes, in any manner pertaining to them before this Parliamẽt: Nor to any perſon or perſons dwelling or inhabiting, or which ſhall hereafter inhabite & dwell within the Sanctuarie or Precinct of the ſame Chappell, & eſpecially within the Lane, commonly called Saint Martins Lane. Anno 3. Ed. 4. cap. 6.

S. Martin

Franchiſes

Sanctuarie

Alien Vitailer

40 Euery Marchant alien, and euery Vitailer and other ſtranger, not being denizen, which ſhall reſort into any place or Port of this Realme or Wales, after the ſaid Feaſt of Eaſter, ſhall duely imploy all the money to be receiued by him within any part of the ſame Realme or Wales, vpon the marchandiſes or other cõmodities of this Realme, or without any fraud he ſhall put the ſame in due payment to the Kings liege people within this Realme, the ſame imployment in payment duely to be proued by the Marchant alien, Vitailer, or other ſtranger before his departing out of the ſame Port, by writing to ſuch Marchant or marchants, to whom ẏ ſaid Marchant alien, Vitailer, or other ſtranger hath imployed or payed his money by him receiued for his marchandiſes brought into this land, witneſſing that he hath ſo done by ſuch perſons as ſhall ſeeme reaſonable to the Cuſtomer or Controller of the ſame Port, and Mayor, Baylife, or other chiefe Gouernor of any ſuch Citie, Borough, or Towne where ſuch Port ſhall be, vpon paine of forfeiture of all his goods being within this Realme, and to haue one yeares impriſonment: ſauing allwaies to euery ſuch Marchant vitailer, and ſtranger, his reaſonable coſtes by the ouerſight of the ſaid chiefe Gouernor of ẏ Port or place where ſuch Marchant vitailer or ſtranger ſhall arriue: The ſame forfeiture to be deemed, iudged, executed, and departed in like manner & forme, by like actions, proces, & execution, as is limited of other forfeitures in this Act before declared. And becauſe that many forfeitures touching the foreſaid Statutes made before this time, haue fallen before the ſaid Feaſt of Eaſter, and by likelyhood will more fall by perſons doubting to offend and breake the Law, which perſons ought by reaſõ to be puniſhed in diſcouraging of other hereafter to offend: It is ordained by the authoritie aforeſaid, that the Juſtices of Peace ſhall haue power to heare & determine all manner defaults and forfeitures touching euery of the premiſſes, had or done before the Feaſt of Eaſter next enſuing, to be had and done againſt the forme of any ſtatute before this time thereof made: The ſame forfeiture & euery of them to be iudged, deemed, & deputed in like maner and forme, by like action, proces, and execution, as before is limited & declared, of, & for the ſaid forfeitures before rehearſed in this preſent Act and Ordinance. Prouided alwayes, that this Act extend not to any Embaſſador or other ſtranger, commen or to come into this Realme, or to paſſe out of the ſame by the Kings licence, as for any money of gold and ſiluer, plate, or veſſell or iewell, or any ornament of ſiluer or gold concerning his perſon, brought by him into this Realme, or to any Embaſſador of the Kings, Herauld, Purſeuant, or Meſſenger, which ſhall paſſe out of this Realme beyond the Sea by the Kings licence, or to any Marchant going ouer the Sea to buy any Wine to be brought into this Realme, as for to carrie with him onely a little cup called a taſter for Wine. Prouided alſo, that this Act extend not to any of ẏ inhabitants, denizens or ſtrangers, to come or goe to and from the Towne of Calice or the marches of the ſame, nor to the dwellers & trauailers of the ſame, for any money by them or any of them to be conueyed or carried to any place or countrey out of the ſaid Towne & Marches, other then the money of this Realme, or money of other countries to be carried out of this Realme. And to the intent that due notice may be hereof had to the Kings liege people in this part, letters of Proclamation vnder ẏ Kings ſeale vpon this Ordinance ſhalbe made to euery Countie of this Realme, and other places neceſſarie in all good haſt. This Ordinance to endure from the ſaid Feaſt of Eaſter till the end of 7. yeares then next following. Prouided alſo, that this Act as for the part of any forfeiture contained in the ſame, which may pertaine to the King, ſhal not extend to giue him any ſuch part of ſuch forfeiture to be had or made within ẏ Principalitie of Wales, the Duchie of Cornwall, nor the Earledome & Counties Palantines of Cheſter and Flint, nor of any of them. Alſo it is ordained by the authoritie aforeſaid, That the noble & excellent prince Edward, ẏ Kings firſt begotten ſonne, Prince of Wales, Duke of Cornewall, & Earle of Cheſter, ſhall haue, perceiue and enioy, and to his heires Princes of Wales, Dukes of Cornewall, & Earles of Cheſter, being the firſt begotten ſonnes of the King of England, all and euery ſuch part of forfeitures which ſhall be made or forfeited within the ſaid Principalitie, Duchie, Earledome, Counties Palantines, or any parcell of any of thẽ, in as ample & large forme as the king ought or may haue ſuch part of forfeiture in any other place, by reaſon of any other Act made in this Parliament: any Act made or to be made in this preſent Parliament to the contrarie notwithſtanding. Prouided alſo, that this Act for the diuiſion & partition of any forfeiture therein cõtained, ſhal not extend to or for any forfeiture to be had or made within ẏ liberties or franchiſes of William Biſhop of Durham. And it is ordained by the ſaid authority, ẏ William Biſhop of Durham & his ſucceſſors, Biſhops of Durham, ſhall haue all ſuch partitions and forfeitures which ſhal happẽ within ẏ ſaid liberties & franchiſes, in

Forf.

Impriſon.

Juſt. of P. Oier & ter.

Proclamation

Cornewall

Cheſter

Flint

Prince of Wales

Durham

in as large and ample forme as the King ſhould or ought to haue in any other place by force of this act. Prouided alwayes, that this act, nor none other act or ſtatute made or to be made in this preſent parliament, ſhall extend tobe preiudiciall or hurtful to the Abbot of the monaſterie of Weſtm. for the time being, or to the Abbot and Couent of the ſame Monaſtery for the time being, nor to any perſon for the time dwelling, reſiant or being within the ſame monaſtery, or within anie place pertaining to the ſame monaſtery, or within any place within the precinct, fee or franchiſe of the ſaid Abbot, or of the ſaid Couent, or to any of the rights, priuiledges, liberties, franchiſes, immunities, or other things graunted by the King or by anie of his progenitours or poſſeſſours of the Royall Eſtate and Crowne of England, to the Abbot and Couent of the ſaide Monaſterie and their Succeſſours ioyntly or ſeuerally in any manner heretofore pertaining. Prouided alſo, that the Abbot of the ſaide monaſtery and Couent of the ſaid Monaſtery, and their ſucceſſors, ſhall haue, holde, and enioy freely and effectually, all the ſaid rights, liberties, priuiledges, and franchiſes, immunities, and all other things in the forme aforeſaid to them graunted, by whatſoeuer name or names they be named or called, ioyntly or ſeuerally in any letters or writing thereupon made: Anie Act or Ordinance made or to be made in other maner or thing to the contrarie notwithſtanding. Prouided alwayes, That this Act nor none other Act, Ordinaunce, or Statute, made or to be made in this preſent parliament, ſhal be in anywiſe preiudiciall or hurtful to the Deane for the time being of the Kings free Chappell of S. Martins le graund in London, nor to the Deane and Chapter for the time being of the ſame chappel, nor to any perſon or perſons for the time dwelling, reſiant or being within the ſame Chappell, or within any place or places within the precinct, fee or franchiſe of the ſaid Deane, or Deane & Chapter, nor to any of the ſaid rights, priuiledges, liberties, franchiſes, immunities or other things by the K. or by any of his progenitors, predeceſſors, or poſſeſſors of the royall eſtate & crowne of Eng. to the Deane & Chapter of the ſaid chappel & their ſucceſſors, ioyntly & ſeuerally in any maner grãted or in any maner heretofore pertaining. And alſo prouided that the deane of the ſaid chappelll, and Deane & Ch. of the ſaid chappell, haue, hold, and enioy, entirely, freely, & effectually, al the rights, priuiledges, liberties, franchiſes, immunities, and all other things in forme aforeſaid to them graunted by whatſoeuer name or names they be named or called, ioyntly or ſeuerally in any Letters or writing thereupon made, anie act, ordinance or ſtatute, made or to be made in any other maner or thing, to the contrary notwithſtanding. Anno 17. Ed. 4. cap. 1.

41 Añ 1. R. 3. ca. 9. An Act was made that marchants of Italy ſhould ſel their marchandiſes within 8 months and employ the money vpon Engliſh marchandiſes, and that no Marchant ſtranger ſhould hoſt or ſoiourne with any ſtranger of an other countrey &c. vpon a penaltie: and there is articles againſt buying of buying woll and cloth &c. And Añ 1. R. 3. cap. 8. is a part of an Act againſt ſtrangers for buying of wolls: but ſmuch of theſe two acts, as concerne thoſe matters, be repealed by 1. H. 7. cap. 10. Woolles

42 No Marchant ſtranger, after the Feaſt of Eaſter next comming, ſhall bring into this realme of England to be ſolde, any maner girdles, nor no harneis wrought for girdles, points, leather, laces, purſes, pouches, pinnes, gloues, kniues, hangers, tailors ſheares, ſciſſors, andirons, cobbards, tongs, fireforks, gridirons, ſtocklocks, keys, hinges & garnets, ſpurs, painted glaſſes, painted papers, painted forcers, painted images, painted clothes, beaten gold, or beaten ſiluer wrought in papers for painters, ſaddles, ſaddletrees, horſeharneis, bowts, bits, ſtirrops, buckles, cheines, lantorneils, with iron chaunks, furnets, hanging candleſticks, holy water ſtops, chafingdiſhes, hanging lauers, curtaine rings, cardes for woll, Roane cardes, claſpes for garments, ſheres, buckles for ſhoes, brouches, bels, hawks bells, except tinnen and leaden ſpoons, wier of latten and yron, yron candleſticks, grates, horns for lanternes, or any of the ſaid wares made and wrought pertaining to the crafts aboue ſpecified, or any of them, vpon paine to forfeit al the ſaid wares ſo brought into this realme contrary to this Act, or the value of the ſame, in whoſe hands they or anie of them ſhall be found. The one halfe of ſuch fines and forfeitures to be to the king, and the other halfe to him or them that ſhall ſeiſe or purſue for the ſame by action of debt, by writ, or bil at the common law, or by bill or plaint after the cuſtome of the Citie or Towne where any ſuch fines, forfeitures and penalties ſhal hereafter happen to be or fall: And that the defendant in ſuch actiõ be not admitted to wage his law: Nor that any protection or eſſoine in the Kings ſeruice ſhall be allowed in the ſame for anie ſuch defendant. Añ 1. R. 3. cap. 12. Forreine wares. Forf. Bottle

43 Except reſerued only to the King to be at liberty, to haue and enioy all maner ſeiſures, forfeits and penalties in the ſaid Acts (s Añ 1. R. 3. cap. 8. 9. before 41.) ſpecified. And that it ſhall be lawfull to the King to graunt to the ſaid beſeechers, marchants of Italie, his letters of ſafeconduct, and Letters Pat. ſurely to be enioyed according to the tenors thereof, the aboueſaid act and acts notwithſtanding, in as ample wiſe as though they had neuer bene had nor made. Añ 1. H. 7. cap. 10. Forf. Safeconduct

44 The ſaid Act made in the 17. yeare of King E. the 4. (s. cap. 1. before 40.) with all thinges comprized in the ſame touching the premiſſes (s. in the ſaid act of 17. Ed. 4. ca. 1. before 40.) and euery prouiſion made in the ſame, be good, and effectuall, and to endure for euer. Alſo it is enacted by the ſaid authoritie, that euery marchant of Ireland, Jenella, and Garneſa, that bringeth any marchandiſe into this reolme, ſhall imploy the mony receiued for the ſame Marchandiſe (his reaſonable expences deducted) vpon the cõmodities of this land, or elſe without fraud put the ſame mony in due paiment within this realme The ſaid imployment or paiment to be proued as is afore (s. in the ſaid Act of 17. Ed. 4. cap. 1. before 40.) vpon paine of forfeiture of the value of the Marchaundiſe ſo brought into this Money Forf.

land. And it is ordained by the ſaid authority, that
Cuſtomer euery cuſtomer or controller ſhall take ſufficient ſurety, for euery of the ſaid marchants, vitailer or other ſtranger, to employ the value of the ſame marchandiſe, or to put the ſame mony for the marchandiſes receiued in due payment (his reaſonable expences alway deducted) vpon paine of forfeiture of
Forf. Wolty the valúe of the ſame marchandiſes, the one halfe of the ſaid forf. to the king, the other halfe to the party that will ſue. This to begin & take effect at the feaſt of Chriſtmas next comming. Añ 3.H.7.cap.8.

45 Euery Engliſh man being the kings true liegeman from henceforth haue frée paſſage, reſort, courſe, and recourſe into the ſaid coaſts of Flaunders, Holland, Zeland, Brabant, or other places thereto nigh adioyning, vnder the obeiſance of the
Warts ſaid Archduke, to the Warts there, hereafter to be holden, with his or their marchandiſes, goods, and wares, there to buy and ſel and make their Exchanges freely at his or their pleaſure without eraction, fine, impoſition or extortion or contribution, to be had, leuied, taken or perceiued of them, or of any of them, to, for or by any Engliſh perſon or perſons, to his or their own vſe, or to the vſe of ỳ ſaid fraternitie or fellowſhip, or of any other like, except one-
r. Markes ly ten markes ſterling. And that no perſon Engliſh, as is afore rehearſed, hereafter take to his
Felowſhip owne vſe, or the vſe of the ſaid fraternitie or fellowſhip thereof, of anie other Engliſh perſon, of what eſtate, degrée or condition that he be of (ſo alway that he be the kings true liegeman) any
Fine eraction, impoſition or contribution for his libertie or frédome to buy or ſell any goods, wares, or marchandiſes, in or at any of the ſaid Warts more or auoue the ſumme of ten marks ſterling onely, vpon
Forf. paine of forfeiture to our ſaid ſoueraigne Lord for euery time that he doth the contrary of this act xx.li. and alſo to forfeit to the party grieued in this behalfe ten times ſo much as he contrary to this preſent act taketh of him. And that the parties ſo grieued ſhall
Action of debt haue in this behalfe an Action of Debt for the ſaide forf. of tenne times, in anie of the kings Courts within this Realme, by writ, bill, plaint, or information. And ſuch proceſſe to be made in the ſame,
Proces as is or ought to be made in or vpon an Action of Debt, at the common law, and the triall thereof to be had in ſuch ſhire, citie, towne or place where the ſaid Action is commenced or ſued. And that the defendant in any ſuch action be not admitted to wage his Law, nor none eſſoine, or protection be for ſuch defendant admitted or allowed in that behalfe. Añ 12.H.7.cap.6.

46 Anno 26.H.8.cap.10. It is enacted, That
Proclamation Letters P. the K. during his life, might by proclamation by his Letters Patents, as wel repeale the Act made, Añ 23.H.8.ca.7. for the bringing in of Wines, and all Statutes made ſince the beginning of the Parliament for the reſtraint of Engliſh marchandiſes to be carried out of this realme, and for the reſtraint of outward Marchandiſes to be brought into this realme, as alſo reuiue thoſe Statutes, &c.

47 That it ſhal not be lawfull to or for any perſon or perſons whatſoeuer, from, and after the firſt day of Sept. next comming, to lade or put, or cauſe to be laden or put, of or from any wharfe, key, or other place on the land into any ſhip, veſſell, crayer, lighter, or bottome, any goods, wares or marchandiſes, whatſoeuer (fiſh taken by your Highneſſe ſubiects onely excepted) to be tranſported into anie place of the parts beyond the ſea, or into the realme of Scotland, or to take vp, diſcharge & lay on land, or cauſe or procure to be taken vp or diſcharged, out of any lighter, ſhip, crayer, veſſell, or bottome (being not in a leak or wracke, and laid on land) any goods, wares or marchandiſes whatſoeuer (fiſh taken by any of your Highneſſe ſubiects, & ſalt only excepted) to be brought from any the parts beyond the ſea, or the Realme of Scotland by way of marchandiſes, but onely in the day light, that is to ſay, from the first day of March, vntill the laſt of September, betwixt the Sunne riſing and the Sunne ſetting, and from the laſt of September, vntill the firſt of March, betweene the houres of ſeuen in the morning, and foure at the afternoone, and in, and vpon ſome ſuch open place, key, wharfe, places, keys, or wharfes, as your Highneſſe, your heyres or ſucceſſors ſhall on this ſide the ſaid firſt day of September, therefore aſſigne and appoint by vertus of your Highneſſe commiſſion or commiſſions, within your Graces ports of London, Southhampton, Briſtow, Weſtchester, Newcaſtle, and the ſuburbs of the ſame and euery of them, and in ſome open place, key, or wharfe, places, keys, or wharfes, in all other ports, creekes, hauens, or roads, (Hull onely excepted) where a cuſtomer, comptroller and ſearcher of ſuch ports, hauens, creeks, or roads, and euery of them, or the ſeruants of any of them haue by the ſpace of x. yeres laſt paſt béene accuſtomably reſident, or hereafter ſhalbe reſident, vpon paine of forfeiture of all ſuch goods, wares or marchandiſes ſo laden or diſcharged cõtrary to the true meaning of this act, or the value therof. And be it &c. That no perſon or perſons, after the ſaid day, ſhal receiue or take into any ſhip, craier, or other veſſel, any goods, wares, or marchãdiſes (except before excepted) to be tranſported into any place beyond the Sea, or into the realm of Scotland, by way of marchandiſe, nor ſhall diſcharge & lay on land out of any ſhip, crayer, or other veſſell, any goods, wares, or marchandiſes (except before excepted) being brought from anie place beyond the ſea, or out of the Realme of Scotland, by way of marchandiſe in any other place or places, or at any other houres, or time then is before limited & appointed, vpon paine that the owner or owners, maſter or maſters, or other perſon or perſons, which ſhal take charge or guiding of any ſuch ſhip, crayer, or veſſell, or of the marchants goods, during, and for the voyage, ſhall forfeit and loſe for euery ſuch offence a C.li. of lawfull money of England. And be it &c. that no maſter, ſhipper, or purſer, or other perſon or perſons taking charge of voiage, or of the marchants goods, ſhall after the ſaid day receiue or take into any ſhippe, crayer, or other veſſell anie goods, wares, or other marchandiſe (except before excepted) to be carried or tranſported into any of the parts beyond the Sea, or into the realme of Scotland, before he ſhall haue ſignified to the Cuſtomer of the port where he ladeth, and

Lading & vnlading marchandiſes

Day light March Septem.

Rents Wharfs

London

Cuſtomer

Forf.

Forf.

Scotland

Forf.

other

other Officers there in the open Cuſtome houſe (if any ſuch there be) or elſe, where the ſaide Officers, their deputies or ſeruants, or any of them be or ſhal be vſually reſident, that he intendeth to lade, and to what place he intendeth to paſſe, or ſhall after his or their full lading, depart out of the port, creekes, or ſtreame where he ſhall ſo lade, before he doe in like maner ſignifie vnto the Cuſtomer, and other Officer as is aforeſaid, of his lading, & what Marchants and other perſons ſhall haue lading with him, or in his ſhip, crayer, veſſell, or bottome: And further truly do anſwer to ſuch queſtions as ſhall be miniſtred to him or them by the Cuſtomer or other Officers concerning ſuch wares and marchandiſes as he ſhall haue laden, being examined vpon his or their Oath, or otherwiſe in the open Cuſtome houſe, or otherwiſe as is aforeſaid, vpon paine to forfeit for euery ſuch default not truly aduertiſing nor anſwering as is aforeſaid, a C.l. And be it further enacted by the authority aforeſaid, That no Owner, Maſter, Purſer, or other perſon taking charge of any ſhip, crayer, veſſel, or bottome, wherein any goods, wares, or marchandiſes (except before excepted) ſhall be laden and brought into the parts beyond the ſea, or the realme of Scotland, ſhall after that ſaid day diſcharge into any Lighter or bottome, and lay on land, or procure, cauſe, or willingly ſuffer to be diſcharged, into anie Lighter or bottome, and to be layed on land, out of ſuch ſhip, crayer, veſſell or bottome, any goods, wares or marchandiſe whatſoeuer, before ſuch owner, maſter or purſer, or other perſon or perſons, taking charge of the ſhip, crayer, bottome or veſſell, or the marchants goods for the voyage, ſhall haue ſignified and declared to the Cuſtomer or other Officer of the port, hauen, or creeke where he arriueth, the names of euery of the marchants or ladors, and ſhall haue truely anſwered to ſuch queſtions and Interrogatories, touching, or concerning ſuch goods, wares or marchandiſe, as ſhalbe then laden in anie ſuch ſhippe, veſſell, or bottome, as ſhalbe to him miniſtred by ſuch Cuſtomer or other Officer, openly in the Cuſtome houſe, or in ſuch other places, as is aforeſaid, vpon his or their oath, if need ſo require: vpon pain that euerie ſuch maſter, purſer or other perſon or perſons taking charge of ſuch ſhip, crayer, or other veſſell, for the voyage, ſhal forfeit and loſe for euery ſuch default not truely aduertiſing nor anſwering, as is aforeſaid, an C.l. And be it &c. That from and after the ſaid day, no perſon denizen ſtranger doe take vpon him to enter, or do or cauſe to be entred into Books of anie Cuſtomer or other Officer or Officers, of anie Port or Hauen within this realme, or his or their deputie or deputies, ſeruant or ſeruants, any maner goods, wares, or marchandiſes whatſoeuer, comming or brought into your highnes realme, from any the parts beyond the ſea, or from the Realme of Scotland, or going, or to be tranſported out of the ſame your Highnes realme, into any the parts beyond the ſea, or into the realme of Scotland, in the name or names of any other perſon or perſons then the very true owner or owners of the ſame goods, wares, or marchandiſes, being not ſold, bargained, or contracted for, to or with any other perſon or perſons, before ſuch entrie, or before the arriuall of goods, wares or marchandiſe in the parts beyond the ſea, vpon pain of forfeiture of the value of the goods ſo entred. And be it &c. That if any wharfinger, crane-keeper, ſearcher, lighterman, weighter, or other officer pertaining to the ſubſidy, cuſtome, or cuſtome houſe, doe at any time after the ſaid day, conſent or know any offence or thing to be committed or done contrary to the true meaning of this Act, or any article therein contained, & doe not within one month next after knowledge thereof had, diſcloſe the ſame to the chiefe Cuſtomer or other Officer of the port, where, or within whoſe office or charge, any ſuch offence ſhall be committed or done, or elſe to the Lord Treaſorer, Chancellor, vnder Treaſorer, or one of the barons of the Eſchequer, or the Atturney generall for the time being: ſhall for euerie ſuch concealement, or not diſcloſing ſuch offence as is aforeſaide, forfeit and loſe a C. l. of good and lawfull money of England. And be it &c. that the Cuſtomer of Hull ſhall haue a ſeruant or deputy continually reſident at the City of Yorke, and euery other Cuſtomer, Comptroller, and Searcher of euery port, ſhall from and after the day aforeſaid, aſſigne and appoint, to and in euery of the places aboue mentioned, and in all and euery port, creeke, or road, where the ſeruant or any of them haue beene continually reſident by the ſpace of ten yeares or hereafter ſhall be as is aforeſaid, one able and ſufficient deputie or ſeruant at the leaſt, and that as well all and euery of the cuſtomers, comptrollers, and ſearchers, as all and euery his or their deputy or deputies, ſeruant and ſeruants, ſhall from time to time doe his and their diligent attendance at the hours, times and places aforeappointed, as well in the Cuſtome houſe, or elſewhere, as it ſhalbe moſt expedient and conuenient for the ſpeedy diſpatch of the Marchant and his goods, wares and marchandiſe, and for the due execution of this Act, in ſuch things as to him or them ſhall appertaine, without concealement or conſenting to any thing or things, which may be to the hurt or damage of your Highneſſe, your heyres or ſucceſſors, in the iuſt anſwering of your Highneſſe due cuſtomes and ſubſidies: vpon paine that euerie ſuch cuſtomer, comptroller, and ſearcher, ſhall forfeit and loſe for euery offence by him or them committed or done in his or their ſeuerall office or offices an C.l. of lawfull money of England, the moitie of all which forfeitures ſhall be to your Highnes, your heires & ſucceſſors: and the other moity to him or them that will ſue for the ſame in anie your Highneſſe Courts, wherein no eſſoine, protection, wager of Lawe, or iniunction ſhall be admitted and allowed. And where of late yeares there hath beene much greater quantitie of ſweet wines brought into this Realme then in times paſt hath beene accuſtomed, which beene alſo brought from the ſame place, where the Wine commonly called Malueley, is brought, and is of the ſame nature of grape, and neuertheleſſe, either by negligence, ignorance, or corruption of the Officers, there hath not beene ſuch Cuſtome, and ſubſidie receiued for the ſame to the vſe of your Highneſſe,

Fort.

Wharfinger Officers of the Cuſtom houſe

L. Treaſorer Chancellor Barons of the Eſcheq. K. Atturney

Fort.

Yorke

Deputis

Fort.

Moitie

Sweet wines

and your Progenitors, as is due, and ought of very right to be payed for ſuch ſweet wines comming through the Streits commonly called the Streits of Marrocke, otherwiſe Malegay, to the great loſſe and hinderaunce to your Highneſſe, and the burthen of vs your loving ſubiects: For the anoyding of all ambiguitie and doubts, and to the intent the officers may more certainly know what they ought to receiue for ſuch kinde and nature of Marchandiſe: be it enacted and declared by this preſent Act, and by authority aforeſaid, the like cuſtome and ſubſidie is of very right to be payed, and ſhall from henceforth be payed for ſuch ſweet Wine as is aforeſaide, as is, and hath béene accuſtomed to be payed for Malueleys: Any negligence, non-payment, vſage, or cuſtoms to the contrary in any wiſe notwithſtanding. Sauing to all and euery Lord Marcher and other perſon or perſons whatſoeuer, bodie politique or corporate, all and euery ſuch right, title, and intereſt, as they or any of them, haue, and of right ought to haue, in the payment, or hauing of any Franchiſe, Libertie, cuſtome, & ſubſidy, or any of them, any thing in this Act to the contrarie notwithſtanding. Prouided alwayes, and be it &c. That it ſhall be lawfull to ſhippe, lade, and tranſport into the parts beyond the Sea, all maner of Corne and Graine out of the Counties of Norffolke and Suffolke, and either of them at ſuch places as heretofore hath béene accuſtomed, and betweene the houres in this Act appointed, when the ſame Corne and Graine ſhall not exceed the ſeuerall prices mentioned in the ſtatute made in the firſt and firſt yeare of our late ſoueraigne Lord King Edward the firſt, intituled, An Act againſt Regrators, Foreſtallers, and Ingroſſers, the cuſtoms & ſubſidies thereof due, being wel and truly paid, any thing in this Act, or any other Act or Statute to the contrarie notwithſtanding. Prouided alwayes, That this Act, nor any thing therein contained, be not preiudiciall or hurtfull to the Ile of Angleſey, the ſhires of Carnaruan and Flint in North Wales, but that the Inhabitants thereof, and euery of them, may receiue, lade, and diſcharge according to their olde ancient vſe, Cuſtomes or Liberties granted to them or any of their Predeceſſors, by the late King of famous memorie King Henry the eight, or any other his Progenitors: ſo that they and euerie of them pay the Cuſtomes and Subſidies that ſhall be due, diſcharge, and lade within the times and houres before mentioned: Any thing in this preſent Act to the contrary notwithſtanding. Anno 1. Eliz. cap. 12.

Marrocke

Cuſtome

Malueleys

L. Marcher

Bodies politique

Corne

Cuſtome

48 It may be it enacted &c. That it ſhall not be lawful to or for any maner perſon or perſons whatſoeuer, from and after the firſt daie of Maie next comming, to make any pelts, that is to ſay, to pull, sheare, clippe or take away the woll of any ſheepe ſkin or lambe ſkin, or to buy any ſkin of any ſtag, hinde, bucke, doe, goat, fawne or kid, or the pelts or ſkins of any of them, vnleſſe ſuch perſon or perſons ſo making any pelts or buying ſuch ſkins as is aforeſaid, doe make or cauſe to be made thereof, tawed or lawfully tanned leather or parchment, or otherwiſe conuert the ſame into ſeimettes, panels, or other their owne neceſſarie vſes, vpon paine that euery perſon ſo making pelts, or buying any of the ſkins or pelts aforeſaid, contrary to the meaning of this Act, ſhall forfeit and loſe the value of all ſuch pelts, or ſkins ſo made & bought, and xl. ſ. vj. d. for euery ſkin or pelt ſo bought, or pelt ſo made as is aforeſaid. And be it &c. that it ſhall not be lawfull, to, or for any perſon or perſons whatſoeuer, from and after the feaſt aforeſaid, to ſhippe or conney, or cauſe or procure to be ſhipped or conueyed, in, or to any ſhip, boat, or veſſell, in or vpon the ſea, or in, or vpon any hauen, riuer, créeke or place, within this realme of England and Wales, or either of them, any maner of ſheep ſkins, wools, shorelings, morelings, or the ſkins of any ſtagge, hinde, bucke, doe, goat, fawne or kid, or the pelts or ſkinnes of any of them, or the leather made of them or any of them, to the intent to tranſport or carrie the ſame into anie the parts beyond the ſeas, there to be vttered, bartred, or ſold, by way of Marchandiſe or otherwiſe, vpon pain of forfeiture of all ſkins or pelts, bought, laden, ſhipped, or tranſported contrary to the true meaning of this Act, or the value of them, and alſo xl. ſ. vj. d. of lawfull money of England, for euerie fell, shoreling, moreling, pelt, or ſkinne aforeſaid, bought, laden, ſhipped, or tranſported, contrary to the true meaning of this preſent Act, the moitie of all which forfeitures ſhall be to our ſoueraigne Lady the Queénes Maiеſtie her heires and ſucceſſors, and the other moity to him or them that will ſue for the ſame, by action, bill, plaint, information or otherwiſe, in any of the Queéns Maieſties courts: In which action, no eſſoine, &c. ſhall be admitted, or allowed. Prouided alway, that it ſhall and may be lawful to the Marchant of the Staple, the Marchant of Newcaſtle vpon Tine, Hartiepole, and Barwicke, their ſeruants, factors, and attorneys, & of euerie of them, to carrie and tranſport all ſuch lawfull Wares as heretofore they haue béene accuſtomed and lawfully might, any thing in this Act to the contrary notwithſtanding. Anno 5. Elizab. cap. 2.

Pelts

Skinnes

Leather Parchment

Foyl.

Otter.

Otter. Mouldw.

Leather

Tanned

Foyl.

Pelts

Marchants of the Staple. Marchants of Newcaſtle vpon Tine, Hartiepole, and Barwicke.

49 Be it declared and enacted &c. That the ſaid firſt Braunch of the ſaid ſtatute (5. Eliz. cap. 2. for the making of pelts) being not againſt the ſaid entercourſe, ſhall from henceforth be put in due execution. And be it &c. That ſo much of the ſaid ſtatute as concerneth the tranſporting of tawed leather, to be made of ſheepe ſkins and lambe ſkins, ſhall from henceforth as touching onely the tranſporting of ſuch tawed leather, be repealed and made voyde: Anie thing in the ſaid Statute to the contrary notwithſtanding. Anno 8. Elizabethæ cap. 14.

Tawed leather

Repeal.

50 Whereas it hath béene time out of mind an vſage amongſt Marchants, both of this Realme and of forreine nations, when they make any great aduenture (ſpecially into remote parts) to giue ſome conſideration of mony to other perſons (which commonly are in ſo ſmall number) to haue from them aſſurance made of their goods, marchandiles, ſhips, and things aduentured, or ſome part thereof, at ſuch rates, and in ſuch ſort, as the parties aſſurers & the partie aſſured can agrée, which courſe of dealing

is

as commonly termed, a Policie of Aſſurance, by meanes of which policies of Aſſurance it commeth to paſſe, vpon the loſſe or periſhing of anie ſhippe, there followeth not the vndoing of anie man, but the loſſe lighteth rather eaſily vpon many then heauily vpon few, and rather vpon them that aduenture not then thoſe that doe aduenture, whereby all Marchants, ſpecially of the yonger ſort are allured to venture more willingly, and more freely: and whereas heretofore, ſuch aſſurers haue vſed to ſtand ſo inſtly and preciſely vpon their credites, as few or no controuerſies haue riſen thereupon, and if any haue growen, the ſame haue from time to time been ended and ordered by certaine graue and diſcreet Marchants, appointed by the Lord Maior of the citie of London, as men by reaſon of their experience fitteſt to vnderſtand and ſpeedily to decide thoſe cauſes, vntill of late yeares, that diuers perſons haue withdrawn themſelues from that arbitrarie courſe, and haue ſought to draw the parties aſſured, to ſeeke their moneys of euery ſeuerall aſſurer, by Suites commenced in her Maieſties Courts, to their great charges and delayes. For remedy whereof, be it &c. That it be lawfull for the Lord Chancellor or Lord Keeper of the great ſeale of England, for the time being, to award vnder the great Seale of England, one generall or ſtanding Commiſſion, to be renewed yearely at the leaſt, and otherwiſe ſo oft, as to the ſaid L. Chancellor or Lord Keeper ſhall ſeeme good, for the hearing and determining of cauſes ariſing, and policies of aſſurances, ſuch as now are, or hereafter ſhall be entred within the office of Aſſurances within the Citie of London, and whereof no ſuite ſhall be depending in the laſt day of this ſeſſion of Parliament, in any of her Maieſties Courts. Which Commiſſion ſhall be directed vnto the Iudge of the Admiraltie, for the time being, the Recorder of London, for the time being, two Doctors of the Ciuill Lawe, and two common Lawyers, & eight graue and diſcrete Marchants, or to any fiue of them; which Commiſſioners, or the greater part of them, which ſhall ſit and meete, ſhall haue by vertue of this preſent Act full power and authoritie to heare, examine, order and decree all and euerie ſuch cauſe and cauſes concerning policies of aſſurances, in a briefe and ſummarie courſe, as to their diſcretions ſhall ſeeme meete, without formalities of pleadings or proceedings. And be it &c. That it ſhall be lawfull for the ſaid Commiſſioners, as well to warne any of the parties, to come before them, as alſo to examine vpon oath anie Witneſſe that ſhall bee produced, and to commit to priſon without baile or mainprize anie perſon that ſhal wilfully contemne or diſobey their finall orders or decrees. And that the ſaid Commiſſioners ſhall once euery weeke at the leaſt meet and ſit vpon the execution of the ſaid Commiſſion, in the Office of Aſſurances, or in ſome other conuenient publique place by them to be aſſigned. And that no Perſon by vertue of this Act may claime or exact anie Fee for anie matter or cauſe concerning the execution of the ſaid Commiſſion. And be it &c. That if anie perſon ſhall bee grieued by Sentence or Decree of the ſaide Commiſſioners, that ſuch Perſon ſo grieued, may at anie time within two moneths of the ſaid Decree ſo made, exhibite his Bill into the High Court of Chauncery, for the reexamination of ſuch Decree, ſo as euery Perſon Complainant, before he ſhall exhibite any ſuch Bill, doe either execute and ſatiſfie the ſaid Sentence ſo awarded, or at the leaſt lay downe In Depoſito with the ſaid Commiſſioners ſuch ſummes of money as he ſhall be awarded to pay, and that vpon ſo doing, the ſaid Complainant ſhall be inlarged of his Imprizonment: and that the Lord Chauncellour, or Lord Keeper, for the time being, ſhall haue full power and authoritie by vertue of this Act, vpon euerie Complaint made (in order as aforeſaid) to reuerſe or affirme euery ſuch Sentence or Decree, according to Equity and Conſcience. And that the ſaide Lord Chancellor, or L. Keeper in euery ſuch ſuit brought before him as aforeſaid, by ſuch aſſurers, and decreed againſt the ſaid aſſurers, ſhall award double coſts to the partie aſſured. Prouided neuertheles, that no Commiſſioner ſhall intermeddle in the execution of any ſuch commiſſion, in any cauſe or matter of aſſurance, where himſelfe ſhalbe either a party aſſurer, or aſſured, in the ſame aſſurance which is brought in queſtion. Nor that any Commiſſioner (other then the ſaid Iudge of the Admiraltie, and the Recorder of London) ſhall deale or proceede in the execution of any ſuch Commiſſion, before he haue taken his corporall Oath before the L. Maior & Court of Aldermen of the Citie of London, to proceed vprightly and indifferently betweene party and party. Anno 43. Eliz. ca. 12.

51 Whereas diuers Marchants haue of late obtained from the Kings moſt excellent Maieſtie vnder the great Seale of England, a large Charter of Incorporation for them and their Companie to trade into the Dominions of Spaine and Portugall, and are alſo moſt earneſt Suiters to obtaine the like from his ſaid Maieſtie for France, whereby none but themſelues, and ſuch as they ſhall thinke fit, as being meere Marchants, ſhall take benefit of the ſaid Charter, diſabling thereby all others his Maieſties louing ſubiects of this Realme of England and Wales. For remedie whereof, be it enacted &c. That it ſhall and may be lawfull to and for all his Maieſties ſubiects of this his Highneſſe Realme of England and Wales, from henceforth at all times to haue free libertie to trade into, and from the Dominions of Spaine, Portugall, and Fraunce, in ſuch ſort, and in as free manner as was at any time accuſtomed ſithence the beginning of this his Highneſſe moſt happy reigne in this his Realme of England, and at any time before the ſaide Charter of Incorporation was graunted, paying to the Kings moſt excellent Maieſtie, his Heyres, and Succeſſours, all ſuch Cuſtomes, and other duties, as by the Lawes and Statutes of this Realme ought to be payed and done for the ſame: The ſaide Charter of Incorporation, or anie other Charter, Grant, or anie thing elſe heretofore made or done, or hereafter to bee done to the contrarie, in anie wiſe notwithſtanding. Prouided alwayes, That this Acte, or

Spaine Portugall France

Cuſtomes

any thing therein contained, ſhall not be of force to enable or giue libertie to any perſon or perſons to goe ouer Seas without licence, who, by the lawes and ſtatutes of this Realme, or by anie Statute hereafter to be made, ſhall be reſtrained from going beyond the Seas without licence, any thing to the contrarie notwithſtanding. Anno 3. Iac. ca. 6. See here 53.

Goo ouer ſea Licence

52 Be it enacted &c. that no perſon or perſons after the end of three months next enſuing after the end of this preſent Seſſion of Parliament, vſing the trade of Marchandize, or any other, ſhall dreſſe, or cauſe to be dreſſed, in his or their houſe, or houſes, or by any workman appointed by them for that purpoſe (thoſe workmen not being Artizan Skinners, and vſing the trade of the Artizan Skinners) any of the blacke cony Skinnes of this kingdome, nor ſhall tranſport or carry beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, ſhall not packe, ſhip, or lade, to the intent to tranſport or carry beyond the Seas any blacke Cony ſkinnes of the breed of this realme, vnleſſe the ſame ſkinnes ſhall firſt be tawed, and duely and perfectly wrought, dreſſed, and packed within this realme, by thoſe that are Artizan Skinnes, or Tawers vnder the ſaide Artizan Skinners, according to the Science, Art, and Facultie of the Artizan Skinners, vpon paine of forfeiture of ſuch Skinnes ſo packed, ſhipped, laden, and tranſported, contrarie to this Act, or the iuſt and full value thereof. And be it further enacted &c. That no perſon or perſons vſing or exerciſing the trade of a Marchant, ſhall after the end of the ſaid three moneths next enſuing after the end of this preſent Seſſion of Parliament, buy, bargaine, or contract, or cauſe to be bought, bargained, or contracted for anie Conie ſkinnes, or Lambe ſkinnes, commonly called Worlkins, of the breede of this Realme, or being within this Realme, vnder the number of a thouſand blacke cony ſkinnes, or three thouſand grey Cony ſkinnes, or two thouſand Lambe ſkinnes, called Worlkins, at a time, and thoſe not to be bought or contracted for, in, or by parcels, but to be contracted for, bargained, and deliuered at one time entirely together, and not by parcels, (except it be of the Artizan Skinners) nor ſhall vtter or ſell the ſame againe, nor any part thereof, to anie perſon or perſons within this Realme in ſmall parcels: that is to ſay, vnder the number of one thouſand blacke Conie ſkinnes, and three thouſand of grey Cony ſkinnes, and two thouſand of Worlkins at a time, vnleſſe it be to the Artizan Skinner, vpon paine of forfeiture of the ſaid Skins, or the full value of the ſame. And be it further enacted &c. That after the end of the ſaid three months next inſuing after the end of this preſent ſeſſion of Parliament, no perſon or perſons ſhall take, retaine, or keepe any Seruant, Journeyman, or Apprentice, to ſerue or worke with him therein, except the ſaid perſon ſo vſing or ſetting vp the ſaid trade, myſterie, or occupation, haue ſerued ſeuen yeares at the leaſt as an Apprentice therein, and doe vſe the trade and handicraft of a Skinner, vpon paine of forfeiture of the double value of all ſuch Skins or Furres, as ſhall be dreſſed or wrought by ſuch perſon or perſons, his or their Seruants, Journeymen, or Apprentices, contrary to the intent of this Act. And be it &c. That all forfeitures and penalties, which by force of this Act ſhall ariſe or grow, ſhalbe vnited and diſtributed in maner and forme following: That is to ſay, The one moitie of the ſaid penalties and forfeitures afore mentioned, ſhall be to our Soueraigne Lord the Kings Maieſtie, his heyres, and ſucceſſors: and the other moitie thereof to ſuch perſon or perſons, as ſhall ſeize the ſaid Skinnes or Furres ſo forfeited, or ſhall ſue for the ſame penalties and forfeitures, by Action of Debt, Bill, Plaint, or Information, in any Court of Record: In which Suites, no Eſſoine, Protection, or Wager of Law ſhalbe allowed. This Act to endure vntill the end of the firſt Seſſion of the next Parliament. Anno 3. Iacobi cap. 9.

Skinners

Cony ſkins Tranſport

Forf.

Marchant

Cony ſkins Lamb ſkins

Forf.

7. Yeares Apprentice

Forf.

53 Be it enacted, explaned, and declared &c. That the generall Lawe (made 3. Iacobi capit. 6. before 51.) neither doth nor ſhall diſſolue, annihilate, or impeach the Charter of Incorporation, graunted by the late Quéene Elizabeth to certaine Marchants therein named, and their ſucceſſours (being Citizens and Inhabitants of the Citie and Countie of Excester) bearing date 17. die Iunij Anno ſecundo Elizabethæ. or the ſaid Company in any their Priuiledges, Liberties, or Immunities graunted vnto them by the ſaid Charter: Any thing in the forſaid generall Act to the contrarie thereof in any wiſe notwithſtanding. Anno 4. Iac. cap. 9.

Marches.

FOraſmuch as the Miniſters of the Wardens of the Marches adioyning vnto Scotland, called the Eaſt March and the Weſt March, haue of late taken vpon them to attach men out of the Counties of Northumberland, Cumberland, and Weſtmerland, and the towne of Newcaſtle vpon Tine in the Countie of Yorke, and other places, to anſwere in the Warden Courts of the ſaid Marches, and Indictments there contrary to olde cuſtome: Be it &c. That if any Miniſter of any of the ſaide Courts, attach any perſon by his bodie, or by his goods, out of any of the ſaid Counties of Northumberland, Cumberland and Weſtmerland, or the towne of Newcaſtle, to anſwere in any of the ſaid Courts, by colour or cauſe of any manner of Preſentment, taken or to be taken in anie of the ſaide Courts: That it ſhall be lawfull to euery perſon, which ſhall happen ſo to be attached, to make reſiſtance, and not to obey any ſuch attachment. And if any perſon be indamaged, or grieued by anie ſuch attachment, he ſhall haue in this behalfe an Action of Treſpaſſe, or falſe impriſonment againſt them, which ſhall make or doe to be made hereafter anie ſuch attachment, and in the ſame to recouer treble damages, if in any of the Actions the matter pleaded, paſſe or be iudged for the plaintife in the ſame. And the def. to haue two yeres impriſonment, and moreouer

Arreſt

Treſpaſs Falſe impriſonment

3. treble

Impriſ.

moꝛeouer to pay to the King an hundꝛed ſhillings. And that the Iuſtices of Peace in their ſeſſions of Peace, Shiriſes in their turnes, and alſo Stewards of Leetes in their Leetes by them to be holden, ſhall haue power to inquire of all ſuch attachments made oꝛ to be made out of any of the ſaid counties of Weſtmerland, Cumberland, oꝛ Noꝛthumberland, oꝛ the towne of Newcaſtle, & therein, and vpon the ſame, to do and pꝛoceed, as they may do and pꝛoceed vpon pꝛeſentments taken beꝛe them in their Seſſions of Peace, turnes oꝛ Leets of treſpaſſe, oꝛ of frayes made againſt the K. peace. Anno 31. H. 6. ca. 3.

Mariners.

BEcauſe that diuers Mariners, after that they be arreſted and reteined foꝛ the kings ſeruice vpon the Sea in the defence of the Realme, and thereof haue receiued their wages pertaining, doe flie out of the ſaid ſeruice without licẽce of the Admirals oꝛ of their Lieutenants, to the great damage of the King and his Realme, and hinderance of the ſaid voyages: It is oꝛdeined and eſtabliſhed, that all thoſe Mariners which from henceforth ſhall do in ſuch manner, and that truely found and pꝛoued beꝛe the Admirall oꝛ his Lieutenant, ſhall be holden to reſtoꝛe to our ſaid ſouereigne Loꝛd the king, the double of that they haue taken foꝛ their wages, and neuertheleſſe ſhall haue one yeares impꝛiſonment without being deliuered by mainpꝛiſe, baile, oꝛ by other way. And the king will and commandeth to all Shiriſes, Maiоꝛs, and Bailifes, within Franchiſes and without, that at the certification of the ſaid Admirals oꝛ their Lieutenants, by their letters thereof to be made, teſtifying the ſaid pꝛoſe, ſhall incontinent without tarying, make another commandement of the King our Soueraigne Loꝛd, to take and attach all fugitiue Mariners by their body, within their Baliwikes, within Franchiſes & without, & put the in pꝛiſon, there to abide in good and ſure keeping, till they haue made gree to the king, as is afoꝛeſaid, and thereof haue a ſpeciall commandement of our Soueraigne Loꝛd the K. of their deliuerance. And like puniſhment ſhall be made of Sergeants of Armes, maſters of ſhips, and all other that ſhall be attainted by inquirie beꝛe the Admirall oꝛ his Lieutenant afoꝛeſaid, that they haue any thing taken of the ſaid Mariners, foꝛ to ſuffer them to goe at large out of the ſaid ſeruice, after that they haue bẽn arreſted foꝛ the ſame ſeruice. Anno 2. R. 2. cap. 4.

2 Be it enacted &c. that the foꝛeſaid Maſter, Wardens, and Aſſiſtants of the Trinity houſe of Deptꝛd ſtrond afoꝛeſaid, being a company incoꝛpoꝛated as beꝛe, ſhal and may lawfully by vertue of this act, from time to time hereafter at their wils, and pleaſures, and at their coſts, make, erect, & ſet vp, ſuch, and ſo many Beacons, markes & ſignes foꝛ the Sea, in ſuch place oꝛ places of the ſea ſhoꝛes and vplands nẽre the Sea-coſtes, oꝛ foꝛelands of the Sea, onely foꝛ Sea markes, as to them ſhall ſeme moſt met, needfull and requiſite, whereby the daungers may be auoided and eſcaped, & ſhips the better come to their Poꝛts without perill. And that all ſuch Beacons, markes and ſignes ſo to be by them oꝛ their Aſſignes, erected, made, & ſet vp at the coſts and charges of the ſaid Maſter, Wardens and Aſſiſtants, ſhall and may be continued renued, and be maintaind from time to time, at the coſts and charges of the ſaid maſter, wardens, and Aſſiſtants, any thing to the contrary hereof notwithſtanding. And be it further oꝛdeined and enacted by the authoꝛity afoꝛeſaid, that no Steꝛples, Trees, oꝛ things now ſtanding, as Beacons oꝛ markes foꝛ the ſea (whereof to the owner oꝛ occupier of the place where the ſame doth grow oꝛ ſtand, beſoꝛe the firſt day of March next comming, notice ſhall be giuen by the Quẽnes Maieſties Letters vnder her Signet) ſhall at any time hereafter be taken down, felled oꝛ otherwiſe cut down, vpon paine that euery perſon by whoſe pꝛocurement oꝛ conſent ſuch offence ſhall be committed, ſhall foꝛfeit the ſum of one hundꝛed pounds, whereof the one moity to the Quẽnes Maieſty, and the other moity to be to the maſter, Wardens and Aſſiſtants of the ſaid Trinity houſe. And if the ſaide perſon oꝛ perſons ſo offending, be not of the value of one hundꝛed pounds, then the ſame perſon and perſons to be deemed conuict of outlawꝛy, ipſo facto, to all conſtructions and purpoſes. And further be it enacted by the authoꝛity afoꝛeſaid, that all mariners and ſea-faring men dwelling about the ſaide Riuer of Thames, being theꝛto licenced by the ſaid Maſter, Wardens and Aſſiſtants, and hauing ſufficient certificate, of ſuch licence from the ſaid Maſter and Wardens, aſwell betwẽne their voyages, as at other times at their wils and pleaſure, by foꝛce thereof, (the better to kẽpe and reſtraine themſelues from follie, idelneſſe, and lewd company, and foꝛ the reliefe of them their wiues and Childꝛen) ſhall and may freely and quietly exerciſe and row in their owne Whirries, oꝛ any other mens Whirries, by them to be hired, oꝛ wherein they ſhall be hired to woꝛke vp and downe the ſaid Riuer of Thames, to apply and follow the oꝛdinary palling & carrying of the Quẽnes Maiſties people to and fro, as other watermen, commonly called whirry men, of the ſame Riuer, vſe and accuſtome to do, without impeachment, hinderance, oꝛ let to the contrarie. And that ſuch Sea-faiꝛing men ſhall not thereby be drawne vnder any other gouernment, then vnder the ſaide Maſter, Wardens and Aſſiſtants, as they were beꝛe: any act, ſtatute, pꝛouiſion, Pꝛoclamation, oꝛdinance, oꝛ cuſtome heretofoꝛe againſt the pꝛemiſſes oꝛdeined oꝛ made, in any wiſe notwithſtanding. Anno 8. Eliz. cap. 13.

Steeple Trees

Foꝛk. Wottle

Thames

Whirries

Whirrimã.

Marſhalſey.

COncerning the authoꝛity of the Stewards & Marſhals, and of ſuch plẽs as they may hold, & in what maner: It is oꝛdeined that from henceforth they ſhal not hold plẽs of freehold, noꝛ of debt, noꝛ of couenant, noꝛ of any contract made betwẽne the Kings people, but onely of treſpaſſe done within the Kings houſe, oꝛ within the Cherge, and of ſuch

such contracts & couenants that one of the K. house maketh with another of the same house & within the house, & none other where. And they shal pleade no plée of trespas, except the party were attached by them before the K. departed frō the place where the Trespasse was committed, and shall plead them spedily from day to day, so that they may be pleaded and determined before that the king depart out of the limits of the same Mierge where the Trespasse was done. And if it so chance that they cannot be determined within the limits of the same Mierge: then shall the same plées cease before the Stewarde, and be matters determinable at the common law. And from henceforth the Stewarde shall not take cognisance of debts, nor of other thing, but of such onely as be of the kings house, nor shall hold none other plée by obligation made at the dises of the Stewarde or the Marshall. And if they attempt any thing contrary to this ordinance, it shall be holden as void. And for as much as heretofore many felonies that haue béene committed within the Mierge haue béene vnpunished, and all because the Coroners of the country hath not béen authorized, to inquire of felonies done within the Mierge, but onely the Coroner of the kings house, which neuer continueth in one place, by reason whereof there can be no triall made in due maner, nor the felons put in erigent nor outlawed, nor no thing thereof presented in the Eire, the which hath béene aswell to the great damage of the King, as to the disturbance of his peace: It is ordeined that from henceforth in cases of the death of men, whereof the Coroners office is to make a view & inquest, it shall be commanded to the Coroner of the countrey that he with the Coroner of the kings house shall doe as belongeth to his office, and inroll it. And that thing that cannot be determined before the Steward, because the felons cannot be attached, or for other like cause shall be remitted to the common law, so that erigends, outlawries & presentments shall be made thereupon in the Eire by the Coroner of the Countrey, aswell as of other felonies done out of the Mierge: neuertheless, they shall not omit reason hereof, to make attachments freshly vpon the felonies done. Artic. super char. cap. 3. Anno 28. Ed 1.

Trespas

Debts

Void

Felony Coroner

Attachment

2 And that in euerie case, where inquests be to be taken before the Steward and the Marshall of the kings house, that such inquests to be taken by men of the countrey there about, and by no men of the kings house, except it be of the contracts, couenants or Trespasses made by men of the kings house of either part, and that in the same house, according to another Statute thereof made, in the time of the said Edward the Grandfather (before 1.) Anno 5. Ed. 3. cap. 2.

Inquests

Kings houshold

3 In euery case, where Inquests be to be taken before the Steward or Marshall of the kings house, the same inquests shall be taken by people of the Countrie thereabout, and not by the people of the Kings house, except it be of contracts, couenāts or trespasses made by the people of the same house, according the Statute thereof made in the time of the same King the Grandfather. Anno 10. Ed. 3. cap. 2. Stat. 2.

Inquests

K. seruants

4 Priestes and other people of the holy church taken in the Marshalsey of the Kings houses, shall pay such fées as lay people pay reasonably, and no more. Anno 9. R. 2. cap. 5.

Priests

Fees

5 The Court of the Steward, and Marshall of the Kings house, nor also the iurisdiction of them shall not passe, the space of twelue miles to be counted about the towell of our said Soueraigne Lord the King. Anno 13. R. 2. cap. 3. Stat. 1.

6 Whereas the Marshall of the Marshalsey of the Court of our Soueraign Lord the kings house, in the time of King Edward, Grandfather to our Soueraigne Lord the king that now is, was wont to take the fées as hereafter followeth, ỳ is to say, of euery person that cōmeth by Capias to the saide Court foure pence, and if he be let to mainepryse till his day two pence more, & of euerie person which is impleaded of trespasse, and findeth two mainepernors to kéepe this day till the end of the plée, to take for that cause two pence of the defendant, and of euery person committed to prison by iudgement of the Steward, in whatsoeuer maner the same be, foure pence, of euery person deliuered of felony, and of euerie felon let to mainepryse by the Court foure pence, which fées were wont to be taken and paied in ful Court, as the king hath well perceiued by the complaint of the said Commons thereof made in the said Parliament: The same our Soueraigne Lord the King, to auoide all such duresses and oppressions to be done to his people, against the good customs and vsages made and vsed in the time of his Progenitors, by the aduice and assent of the Lords Spirituall and Temporall, and at the supplication of the said Commons, hath ordeined and established, that if the said Marshall or his ministers vnder him, take other fées then aboue is declared, that the same Marshall & euery of his said Ministers shall lose their Offices, and pay treble damages to the party grieued, and that the party grieued haue his suite before the Steward of the said Court for the time being. And also it is ordined and established, that no Seruitor of billes that beareth a staffe of the same Court, shall take for euery mile from the said court to the place where he shall doe his seruice, no more then one peny, and so for twelue miles twelue pence, and for to serue a Venire facias duodecim &c. or a Distringas, out of the same court, the double. And if any of the said Seruitors of Billes doe the contrary, he shall be punished by imprisonment, and make a fine to the King after the discretion of the Steward of the same Court, and also be foriudged the Court. And the same Steward shall haue power to make Proclamation at his comming to the said Court in euery Country from time to time of all the articles aforesaid, and thereof to make punishment as is aforesaid. Anno 2. H. 4. cap. 23.

Oppress

Lawful

Office

Fees

Proclamation

7 Because the Stewards and Marshals of the the Kings house, doe vse to hold plées between parties which be not of the same house, making mention in their Records, that the Plaintifes and Defendants were of the said house, against the will of the Defendants and against law. Wherfore it enacted &c. that

that in any ſuite from henceforth by the ſaid defendants to be taken, they ſhall not be ſtopped by ſuch Record, to ſay, that they themſelues or the Plaintifes in the ſame record ſpecified, were not at the time of the ſaid plee or ſuit thereof commenced, of the kings Houſe, as by the ſame Record is ſuppoſed, but the Defendants ſhal haue their auerment, to ſay, that they themſelues or the ſaid Plaintifes were not of the ſame houſe at the time of ſuch plee or ſuit commenced: The ſaid Record or other matter within the ſame conteined, notwithſtanding. Anno 15. H. 6. cap. 1.

Marſhes and Fennes.

ANno 4. Iac. cap. 8. an Act was made for winning from inundation the drowned Grounds and Marſhes of Leſnes and Fants in the County of Kent, by the tenth day of October 1609. whereof ſee the ſtatute at large.

2 Anno 4. Iac. cap. 13. An Act was made authoriſing certaine perſons, for the ſpace of ſeuen yeares, to draine the Fennes and low grounds ſubiect to hurt by ſurrounding, in the Iſle of Ely, containing about 6000. acres, compaſſed about with certaine bankes commonly called the King of Waldereſey and Colobam: For which alſo, ſee the ſtatute at large.

3 Be it ec. That the Lord Chancellour of England, or Lord Keeper of the great Seale of England, for the time being, ſhall from time to time vpon ſuit made vnto him in that behalfe, award Commiſſions vnder the great Seale of England, to the Lord Biſhop of the Dioceſſe of Norwich for the time being, and to any eleuen or more Iuſtices of the Peace of the ſaid County of Norfolke, and fiue or more Iuſtices of the Peace of the ſaid County of Suffolke as to him ſhall ſeeme good. And if there ſhall then be no Biſhop of the ſaid Dioceſſe, then to ſuch other as aforeſaid, onely after ſuch tenour & effect as hereafter followeth, that is to ſay: Rex &c. Reuerendo in Chriſto Patri, A. Epo Norwic. ac nonnullis A.B.C. D. ſaltem Sciatis, quod aſſignauimus vos & quoſlibet, ſex, ſiue plures veſtrum, ad omnia & ſingula ſuperuidenda, perluſtranda, mandanda, facienda, perfor manda, exequenda, & peragenda, in quodam actu, in Parliamento Domini Iacobi, Dei gratia Regis Angliæ, &c. nono die Februarij, Anno Regni ſui Angliæ, Franciæ & Hiberniæ, ſeptimo, & Scotiæ quadrageſimo tertio, per diuerſas prorogationes, apud Weſtmonaſterium tenco, edito, inſtituto, an act for the ſpeedy recouery of many thouſand of Acres of Marſh Grounds, and other grounds within the Counties of Norfolke and Suffolke, lately ſurrounded by the Sea in diuers parts of the ſaid Counties, and for the preuention of the danger of like ſurrounding hereafter, ſpecificata, ſecundum tenorem, vim, formam, effectum, & veram intencionem eiuſdem Actus: In cuius rei teſtimonium &c. Teſte &c. And be it ec. That the ſame Commiſſioners to whome ſuch Commiſſion ſhall be directed, or any fiue or more of them by vertue of the ſame Commiſſion, and of this preſent Act, ſhall haue full power and authority to view, ſee and ſuruey the ſaid Lands and grounds ſo ſurrounded, decaied, and ouerflowen, within the aforeſaid Townes and Pariſhes in the ſaid Counties of Norfolke and Suffolke, or either of them, and the places & breaches betweene the ſaid townes of great Yarmouth and Happiſhborow aforeſaid, where the ſaid ouerflowings, breaches, or decaies are now happened, or ſhall or may hereafter happen, as alſo all other places of daunger within the limits aforeſaid, where the like breaches & decaies hereafter ſhall or may happen. And to enquire by the othes of good and lawfull men of the ſaid County or Counties, aſwell within Liberties as without, and by their owne view and iudgement, and by all other waies and meanes, whereby the truth may be diſcerned or knowen, if any certaine perſon or perſons ought to ſuſtain or repaire the ſame, and by whoſe default, or by what meanes the ſaid breaches, decaies, and ouerflowings of the Sea haue happened. And who hath, or holdeth any Lands, Meadowes, Marſhes or low grounds common of Paſture, profit of Fiſhing, or any other benefit or commoditie in the Townes and Pariſhes aforeſaid, wherein he or they by the ſaide breaches, decaies and ouerflowings already made, or by any other breaches, decaies or ouerflowings hereafter to be made by any maner of meanes hath already receiued, or may or are like at any time hereafter to receiue any loſſe, preiudice, hurt, or dammage. And all thoſe perſons and euery of them, and the ſaid Lands, Meadowes, Marſhes, Low grounds, or other the premiſſes lying within any the Pariſhes or Townes aforeſaid, ſubiect to ouerflowings, danger or decay, as aforeſaid, to tax, Rate, aſſeſſe and charge with ſuch ſumme and ſums of money aſwel for the preſent repaire of the ſaid Breaches and decaies already made, and hereafter to be made, as for the recouery, defending, and draining of the Lands, Grounds, & Leuels by the ſame now or hereafter Drowned, Decaied, ſurrounded, or annoyed, or in danger to be drowned, decaied, ſurrounded, or annoyed; As alſo for the making and erecting, keeping and maintaining of Peres, Wals, Ietties, Piles, Strengthes, Fortifications, defences and other things whatſoeuer, to withſtand and breake the rage and violent beating of the Sea, thereby to preuent the like Breaches, Decaies and Ouerflowings hereafter, or for all or any of the ſaid purpoſes, in ſuch ſort, as to them, or any fiue or more of them in their diſcretions ſhall be thought fit and neceſſary, hauing reſpect in proportioning of the Taxing or Aſſeſſing as aforeſaid, aſwell to the then preſent loſſe & danger, as to the future loſſe and danger, that euery ſame perſon or perſons, ground or grounds, and other the premiſſes did, ſhall, and may ſuſtain and beare by reaſon of the ſaid breaches, decayes, and ouerflowings. And that the ſaid Commiſſioners, or any fiue or more of them, ſhal and may make and appoint diligent and faithful Surueyors, Collectors, Receiuors, Treaſorers, Expenditors, Bailifes, and ſuch other Miniſters and Officers, as they ſhall then be fit, to ſuruey the ſaid workes, and to leuy, receiue, and lay out the money to be leuied

and

and expended in and about the ſame, and to do and execute whatſoeuer ſhall bee needfull and expedient to be done therein, according to the direction and orders to be from time to time preſcribed by the ſaid Commiſſioners, or any fiue or more of them as aforeſaid. And alſo within the ſaide Counties of Norfolke and Suffolke or either of them (except in that part of the ſaid County of Norfolke, commonly called Marſhland, and the hundred of Freebridge in Marſhland) to take workemen, Labourers, Carts and Carriages, Timber, Wood, and all other ſtuffe and neceſſaries, for the effecting and performance of the ſaid workes, for reaſonable wages and prices to be ſet by the ſaid Commiſſioners or any fiue or more of them, according to their good diſcretions. Prouided alwaies, that they ſhal not take any Timber or Wood of any Trees, growing or being in or about any Orchard or Garden, or within two furlong of the Scite of any manſion or dwelling houſe, whereunto it belongs. And alſo that it ſhall and may be lawfull to the ſaid Commiſſioners, or any fiue or more of them, by warrãt vnder their or any fiue or more of their hands and ſeales, to commit to the common Gaole of the ſaide County reſpectiuely, all ſuch workemen and Labourers, and Owners or poſſeſſors of Carts, Horſes or Carriages, as being commanded or required by Warrant from the ſaid Commiſſioners, or any fiue or more of them, to worke or ſerue in the ſaid workes, hauing ſuch conuenient and reaſonable hire and wages, as ſhall be ſet by the ſaid Commiſſioners, or any fiue or more of them, paid or tendred vnto them as aforeſaid. And likewiſe all ſuch as ſhall reſiſt or withſtand the taking of any Timber, Wood, or other ſtuffe or neceſſaries appointed as aforeſaid, to be taken for the effecting and performing of the ſaid workes, hauing ſuch conuenient and reaſonable prices, as ſhall be ſet by the ſaid Commiſſioners, fiue or more of them, paid or tendred to them, as aforeſaid, there to remaine by the ſpace of two Monethes without Baile or Mainprize. And alſo to punith the ſaid Workemen and Labourers, owners and poſſeſſors of Carts, Horſes, and Carriages, and Reſiſters, and withſtanders to take Stuffe, Wood, or Timber, for refuſing, or not doing, or withſtanding as aforeſaid, by impoſing vpon them, or any of them ſuch reaſonable and competent Fines or Amerciaments, as the ſaid commiſſioners, or any ſix or more of them, ſhall in their wiſdomes thinke fit: which fines and amerciaments ſhall by authority hereof be leuied by diſtreſſe and ſale of the goods of ſuch Offendor, and for default thereof, his or they to be by warrant vnder the hands and Seales of the ſaid Commiſſioners, or any fiue or more of them, committed to the common Gaole of the ſaid County, there to remaine vntill they ſhall pay the ſame. And be it &c. That it ſhall and may be lawfull for the ſaid Commiſſioners, or any fiue or more of them, as aforeſaid, by warrant vnder their hands and ſeales, to giue authority to any perſon or perſõs, to leuy the ſaid ſums of money by them from time to time to be aſſeſſed vpon the ſaid perſons, or vpon the ſaide Lands, Meadowes, Marſhes, Low-grounds, or other the premiſſes charged or chargeable with the ſame, by diſtreſſe & ſale of ỳ goods of ſuch perſon or perſons, ỳ ſhall not pay, or refuſe to pay the ſame, & the ouerplus of the value riſing vpõ ſuch ſale, ſhal reſtore to the ſaid Owner of the ſame. And in default of ſuch diſtreſſe to be taken and ſold, it ſhall & may be lawfull to the ſaid Commiſſioners, or any fiue or more of them, as aforeſaid, to commit him or them ſo not paying or refuſing to pay the ſame to the common Gaole of the ſaid County, there to remaine without baile or mainprize, vntill they ſhall willingly pay the ſaid ſumme or ſummes of money ſo taxed, rated or aſſeſſed by him or them to be paid as aforeſaid. Prouided alſo, & be it &c. that if it ſhal happen, that any the ſaid grounds or other things ſo drowned, decaied, or indammaged, or in danger to be drowned, decaied, or indammaged by the ſaid decaies and breaches paſt or to come, ſhall be in the hands of the Leſſees or Farmors vnder a rent, that then in ſuch caſes, what part ſoeuer of the charge ſhall be ſet vpon the perſons, to whome ſuch rents ſhall be to be paid, or vpon the Lands ſo held in Farme or Leaſe, if the ſame be leuied vpon the Occupier, Farmor, or Leſſee, he ſhall or may retaine ſo much of his ſaid rent in ſatisfaction thereof, as by the ſaid Commiſſioners, or any fiue or more of them in writing vnder their hands & ſeales ſhall in their diſcretions be ſet down and declared; hauing reſpect vnto the length or ſhortneſſe of his Terme, and the great or ſmal rent that he is to pay for the ſame: which retainer ſhall be a ſufficient diſcharge againſt the ſaid Leſſors, and euerie of them, their heires, ſucceſſors and aſſigns, for and concerning the ſame rent, that ſhall be ſo retained, and of and for all other paines, penalties and forfeitures for not paiment thereof. Prouided alwaies, that the ſaid Leſſees, Farmors, and euerie of them, ſhal pay and ſatiſfie the reſidue which ſhall not be retained by vertue of this Act, and order of the ſaide Commiſſioners vnder ſuch paines, penalties, and forfeitures, as they ſhould or ought to haue paide the ſame, as if this act, or any ſuch order had not bin had or made. And be it &c. that the ſaid Commiſſioners, or any fiue or more of them, ſhall haue power and authority by vertue of this preſent act, from time to time, to make, declare and ſet downe lawes, ordinances, decrees and prouiſions, for the ſafegard, preſeruation and ſafe keeping of the Cliffes and high grounds, lying betweene the ſea & the ſaid Inlands, within the limits aforeſaid, frõ the rage & violence of the ſea, & frõ the breaches, decaies, flowings & ouerflowings thereof, and for the defending, draining and drawing away of the waters, that ſhall or may ouerflow or hurt the Lands, Paſtures, or marſhes in the townes & pariſhes aforeſaid, or any of them. And the ſaid lawes, ordinances, decrees and prouiſions, from time to time to repeale, reform, or amend, as occaſion ſhall ſerue and require. Which Lawes, Ordinances, Decrees and Prouiſions ſo made and declared, (ſo long as they ſhall remaine in force) ſhall be well and truely obſerued, performed and kept, by all ſuch whome they ſhall concerne, or to whome they ſhall appertaine. And that the ſaid Commiſſioners,

ſtoners, or any fiue or more of them, ſhall and may ſet and impoſe ſuch reaſonable and competent Paines, Penalties and Forfeitures, vpon ſuch perſon and perſons, as ſhall willingly or wilfully breake, or not obey, obſerue and performe the ſaide Lawes, Ordinances, Decrées and Prouiſions, as they ſhall thinke conuenient. And that the ſaid paines, penalties and forfeitures, ſo ſet and impoſed, ſhall be leuied by diſtreſſe, and ſale of any the Offendors goods, or Impriſonment in ſuch ſort, as any other ſumme or ſummes of money, leuiable by this Act, ſhall or may be had or leuied, and that the Surpluſage ariſing of ſuch Sales ſhall be reſtored to the Owner. Prouided alwaies, that all and ſinguler fines, paine, penalties, forfeitures, and ſummes of money to be ſet, impoſed, paid or leuied by vertue of this act, ſhall be imployed in and about the making, repayring, fortefying & ſtrengthning of the ſaid Cliffes and higher grounds, lying betweene the Sea and the ſaid Inlands, within the limits aforeſaid, and for the draining of the waters that ſhall flow into the ſaid Lands, paſtures and Marſhes in the Townes and Pariſhes aforeſaid, and to none other vſe whatſoeuer. Sauing that it ſhall be lawfull to the ſaid Commiſſioners, or any ſix or more of them, out of the ſame to allow to euerie day that ſhall ſit or trauell about the execution of the premiſſes, the ſum of foure ſhillings a peece; And to the Collectors, Surueyors, Receiuers, Treaſurers, Expenditors, Bailifes and other Officers and Miniſters, which ſhall be imployed in & about the premiſſes, ſuch reaſonable allowance as to the ſaid Cõmiſſioners, or any ſixe or more of them, in their diſcretions ſhall be thought neceſſary. And it is further ordained and enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſixe or more of them, ſhall and may rate, tare and aſſeſſe, all ſuch perſon and perſons as be Tenants, Farmors, or occupiers of any manors, lands or tenements, Commons, or other profits or hereditaments of our Soueraigne Lord the King, his heires or ſucceſſors, within the townes & Pariſhes aforeſaid, to pay and contribute, for and towards the Iettes, Walles, and other the premiſſes aforeſaid, as farre as any other, according to their good diſcretions. And that the ſaid Lawes, Ordinances, Decrées, Orders and Prouiſions to bee made and ordeined by the ſaid Cõmiſſioners, or any ſixe or more of them, in or about any thing, touching or concerning the premiſſes, ſhall binde aſwel the Lands, tenements, & hereditaments of our ſaid Soueraigne Lord the king, his heires and ſucceſſors, and his & their Tenants, farmors, & Leſſees as aforeſaid, as al and euery other perſon and perſons, and their heires, for ſuch their intereſt, as they ſhall fortune to haue in any lands, tenements, hereditaments, or other profit, aduantage or commodity whatſoeuer they ſhall be, whereunto the ſaid Lawes, Ordinances, Decrées, Orders and Prouiſions ſhall in any ſort extend, according to the true purport, meaning and intent thereof. And be it &c. That in caſe where any warrant or precept ſhall be made or directed to any Officer or Miniſter, to leuy the ſaid ſums of money, of any the ſaid perſon or perſons, aforeſaid, or to take his or their body or bodies, or both of them, as the caſe ſhall require; if ſuch Officer or miniſter ſhall make returne to the ſaid Commiſſioners, or any ſixe or more of them, that there are not found goods ſufficient of the perſon or perſons, who ſhal be tared or charged, or whoſe Lands, Meadowes, Marſhes or other the premiſſes, ſhall be rated, tared, or aſſeſſed with the payment of any ſumme of money as aforeſaid, by diſtreſſe and ſale whereof, the ſaide ſums of money to be tared, rated and aſſeſſed, may be leuied in ſuch of the ſaid Counties of Norfolke or Suffolke, wherein the Grounds, Meadowes, Marſhes, or other the premiſſes, for, or in reſpect whereof, ſuch tare or charge ſhall be made, ſhall lie or be, nor that the body of ſuch perſon or perſons can be found in that County, then the ſaid Commiſſioners, or any ſixe or more of them, ſhall & may from time to time, make Warrants vnder their hands and Seales, vnto the Shiriſes of the ſaide Counties of Norfolke or Suffolke, on which the ſaid Lands, Meadowes, Paſtures or other the premiſſes, for or in reſpect whereof the ſaid tare or charge was made as aforeſaid, to be directed, thereby commanding the ſaid Shirife in the next County Court, to be holden after the deliuerie of ſuch Warrant, openly by Proclamation, to call ſuch perſon or perſons, and to command him or them to render him or themſelues to the ſaid Shirife, at or before the next County Court after ſuch Proclamation made to be holden, or at or before the ſaide nert Court, to deliuer vnto the ſaid Shirife, ſuch ſumme or ſummes of money, as he or they ſhall bee charged withall, or ought to pay as aforeſaid. And if the ſaid perſon or perſons ſhal after the ſaid Proclamation, & before the ſaid next County court, pay the ſaid ſum & ſums of money vnto the ſaid ſhirife, then ỳ ſaid ſhirife ſhall pay ouer the ſame vnto the ſaid Cõmiſſioners, or any ſix or more of them: And if the ſaid perſon or perſons ſhall render him or themſelues before the ſaid next County court, then the ſaid Shirife ſhall kéepe and detain him or them in priſon, in the common Goale of the ſaid County, in ſuch ſort as is before appointed by vertue of this Act, for not payment of any Rate, Tare, or ſumme of money: And if the ſame perſon or perſons ſhall not vpon ſuch Proclamation, render him or themſelues, or deliuer ſuch ſumme or ſums of money as aforeſaid, at or before the ſaid next Countie Court, that in euery ſuch caſe the ſaid Commiſſioners, or any ſixe or more of them, ſhall thenceforth haue full power and authoritie, & ſhall and may by vertue of this Act, ſell, grant, or demiſe the Lands, Meadowes, Marſhes, and other the premiſſes ſo rated, charged, tared, or aſſeſſed with the paiment of any ſumme or ſummes of money as aforeſaid, or ſuch part thereof, and for ſuch Eſtate, as to the ſame Commiſſioners, or any ſixe or more of them, ſhall ſéeme good, and for the beſt and higheſt prices, that they can get for the ſame, to any perſon or perſons that will buy or take the ſame, and to their heires, or otherwiſe, by Déed indented, to be made betwéene the ſaid Commiſſioners, or any ſixe or more of them, and the ſaid Purchaſers,

ſers, and to be acknowledged, and enrolled within the Countie, where the ſaid Lands, Meadowes, Marſhes, and other the premiſſes ſo to be ſold, grãted, or demiſed doe lie, before two Iuſtices of the Peace of the ſaid Countie, whereof one to be of the Quorum, and the Clerke of the Peace of the ſame County: Vpon which ſaid ſale, graunt or demiſe, the ſaid Commiſſioners, or any fiue or more of them, ſhall and may by vertue of this act, take and reteine to the vſes and for the purpoſes aforeſaid, ſo much as ſhall amount to the ſumme and ſummes that ſhall be rated, tared or aſſeſſed, and not paide as aforeſaid: And if there ſhall be any remaine vpon ſuch ſale, the ſame ſhall be reſtored to the Owner & owners of the lands ſo ſold, graunted or demiſed; And that all and euery ſuch ſale, grant and demiſe ſo made, ſhall be good and effectuall to all and euery Purchaſer and Purchaſers, his and their heires and aſſignes, according to the purport and effect thereof; And the ſaid Purchaſers, their heires and aſſignes, ſhal and may by vertue thereof, and of this Act, haue, hold and inioy the ſame againſt the ſaid perſon and perſons, for whoſe default, neglect or offence, the ſame were ſold, granted or demiſed, and againſt his heires, and againſt all and euerie perſon and perſons, that ſhall ſtand, or be ſeiſed or poſſeſſed thereof, to the vſe or behoofe of ſuch perſon or perſons, or in truſt for them, or to the intent that the ſame ſhall remaine or be at the diſpoſall of the ſaid perſon or perſons. Prouided allwaies, that if the ſaid perſon or perſons, who ſhall haue made ſuch default of payment, or rendring of him or themſelues, ſhall at any time before ſuch ſale made, pay, or cauſe to be paid to the ſaide cõmiſſioners, or any fiue or more of them, the ſaid ſummes of money, and all paines and penalties before that time ſet or impoſed vpon him or them by force of the ſaid Commiſſion, and of this Act, and then not paid or ſatiſfied, That then it ſhall not bee lawfull for the ſaid Commiſſioners or any of them, for, or in reſpect of ſuch default, to make ſale of any of his or their ſaid Lands or premiſſes, any thing in this Act conteined to the contrarie in any wiſe notwithſtãding. Sauing to all other perſon and perſons, bodies politike and corporate, their heires & ſucceſſors, executors, and aſſignes, all ſuch right, title, eſtate, intereſt, and demaund, as they or any of them had, or ſhould or ought to haue, of, in, to, or out of any ſuch Lands, Meadowes, Marſhes, and other the premiſſes ſo to be ſold, granted or demiſed as aforeſaid, as if no ſuch ſale, graunt or demiſe had euer bin had or made; Any thing in this preſent act conteined to the contrary in any wiſe notwithſtãding. And be it &c. that the ſhiriſes of the ſaid counties of Norffolke & Suffolke, & either of them, ſhall cauſe to come before the ſaid Commiſſioners, or any fiue or more of them, at ſuch times and places, as the ſaid Commiſſioners, or any fiue or more of them, ſhall appoint ſuch and ſo many good men of their ſeuerall Bailiwickes aſwel within Liberties as without, to whom the truth may be beſt knowen, to inquire of the premiſſes mentioned in this Act, which men for their ſeuerall defaults, ſhall loſe and forfeit ſuch Iſſues and ſummes of money, not exceeding the ſumme of ten ſhillings of lawfull money of England, for one default, as by the ſaid commiſſioners, or any fiue or more of them, ſhall be ſet or impoſed vpon them, which ſhall and may be leuied by Diſtreſſe and ſale of goods onely; and for refuſing to make inquirie, and for other contempts ſhall forfeit and loſe ſuch reaſonable fines & ſums of money, as by the ſaid Commiſſioners, or any fiue or more of them, ſhal be impoſed vpon them, which ſhall and may be leuied by diſtreſſe, ſale of goods and impriſonment, in ſuch maner and forme, as for the leuying of the ſummes of money to be rated tared or aſſeſſed, is before limited and appointed. And that all Shiriſes, Bailifes, Officers and Miniſters whatſoeuer, of our ſaid Soueraigne Lord the King, his heires and Succeſſors, within the counties aforeſaid, aſwel within liberties as without, ſhall be from time to time attendant, ayding, and aſſiſting to the ſaid Commiſſioners, and euery fiue or more of them, for and concerning all ſuch things, as ſhall concerne their ſeuerall Offices and places reſpectiuely, in or about the execution of all things conteined in this Act: Vpon paine to forfeit ſuch paines, penalties, fines and ſummes of money as ſhall be ſet or impoſed vpon them, or any of them by the ſaid Commiſſioners, or any fiue or more of them, for, or in reſpect of their or any of their contempts, miſdoing or negligences in that behalfe. Which ſaid paines, penalties, fines and ſummes of money, ſhall and may be leuied by diſtreſſe, ſale of goods, and Impriſonment, as the ſaid ſummes before mentioned to be Tared, Rated or Aſſeſſed, are appointed to be leuied. And the ſaid iſſues, paines, penalties, fines and ſummes of money ſet or impoſed, vpon the ſaid good men, Shiriſes, Bailifes, officers and other Miniſters, ſhal be imploied and diſpoſed of, in ſuch maner and forme, as the ſaid ſummes to be tared, rated, or aſſeſſed, are before appointed to be imployed and diſpoſed of. And be it &c. that the ſaid Cõmiſſioners, or any fiue or more of them, ſhall haue power & authority by force & vertue of this preſent act, to cal before thẽ, or any fiue or more of them, the Collectors, Receiuors, Treaſorers, Expenditors, Bailifes, and other Officers and Miniſters, which ſhall be imployed, or haue dealing in and about the ſaid workes, or any other thing concerning this preſent Act, or the execution thereof in any ſort, and to require and take of them, and euerie of them Accompts vpon their Oathes, of all their & euerie of their Receipts, Collections, Payments, diſburſments, and other doings concerning the ſame. And if the ſaid Collectors, Receiuors, Treaſorers, Expenditors, Bailifes, or any other the Officers and Miniſters aforeſaid, ſhall happen to be found in Arrerages either in Moneys or Materials receiued, or otherwiſe, That then in ſuch caſe they ſhall make payment, and giue ſatisfaction in that behalfe, according to ſuch order and direction, as by the ſaid Cõmiſſioners, or any fiue or more of them in writing vnder their hands and Seales, ſhall be made and ſet downe. And in default of performance thereof, ſuch Officers and Miniſters ſhall be by warrant vnder the hands and Seales of the ſaid Commiſſioners,

missioners, or any fiue or more of them, distreined by their goods and Chattels, and the same to bee sold as aforesaid; And in default of such distresse to be found, it shall be lawfull for the said Commissioners, or any fiue or more of them, to cõmit such Offendor or Offendors, to the common Gaole of the said County there to remaine, until they haue paied all such Arrerages and summes of money, and other things so found to be remaining in their hands, according to the Order of the said Commissioners, or any fiue or more of them, to be made as aforesaid. And be it &c. that if any of the said Collectors, Receiuors, Treasurers, or other Officers or Ministers which ought to account, by the true meaning of this act, shall die before his or their account shall be made as aforesaid, that in euery such case the said Commissioners, or any fiue or more of them, may call before them, or any fiue or more of them, the Executors and Administrators of such Collectors, Receiuers, Treasurers, Expenditors, Bailifes, and other Officers and Ministers, and to require and take of them and euery of them Accompts of all and euerie the said Receipts, Collections, Payments, Disbursments and other doings concerning the same; And if vpon the same accompts, any thing shall be found in Arrerages, or if the said Collectors, Receiuers, Treasurers, Bayliffes, or other Officers, or Ministers hauing made his or their accompt shall die before such time as the Arrerages that shall be found vpon the same accõpt shall be paid or satisfied, then in euerie such case the said Arrerages, by warrant of the said Cõmissioners, or any fiue or more of them shall and may be leuied by distresse and sale of the goods and Chattels that were the said Collectors, Receiuors, Treasurers, Expenditors, Bailiffes, or other Officers or Ministers, at the time of their seuerall deathes: And if the said Executors, or Administrators, or any of them shall haue wasted the goods and Chattels that were the said collectors, Receiuers, Treasurers, Expenditors, bailifes or other officers or Ministers, then so much of the said Arrerages as the said goods and Chattels so wasted shall amount vnto, shall and may be leuied by distresse and sale of the proper goods and Chattels of the said Executors or Administrators as aforesaid; And if the said Executors or Administrators, shall haue no goods or Chattels of their owne in the said Counties of Norfolke or Suffolke, or one of them, whereby the same arrerages may be leuied, as aforesaide, Then it shall and may be lawful for the said Commissioners, or any fiue or more of them, by warrant vnder the hands and Seales of any fiue or more of them, to commit the same Executors or Administrators, to the common Goale of the said Counties of Norffolke or Suffolke, there to remaine without Baile or Mainepryse, vntill they shall haue paide and satisfied so much, as the said goods or chattels so wasted shall amount vnto, according to the order of the same Commissioners. And bee it &c. That if the said Collectors, Receiuors, Treasurers, Bailifes, Ministers, or other Officers, their Executors, Administrators, or any of them, being required by the said Commissioners, or any fiue or more of them, or by any other being thereunto authorized by warrant of the said Commissioners, or any fiue or more of them, shall refuse or neglect to render such accompt as aforesaid, then from time to time it shall and may be lawfull to and for the said Commissioners, or any fiue or more of them, vnder their hands and Seales to commit the person and persons, so refusing or neglecting, to the common Goale of the saide Counties of Norfolke or Suffolke, there to remaine without baile or mainepryse, vntill he or they shall haue made such Accompt as aforesaid. And be it &c. that if the said Collectors, Receiuers, Treasurers, Expenditors, Bailifes, or other Officers or Ministers, or any of them, shal die hauing any sum or sums of mony, or other things in his or their hãds, which ought to be imployed in or about the workes aforesaid by vertue of this act; & wherof he or they hath not or haue not accompted, or hauing accompted was found in arrerages, & any action or suit for any debt due by him or them, shalbe prosecuted against ỹ executors or administrators of them or any of them, before such time as such sums of money and other things shall be satisfied & paid, according to the true meaning of this Act, the same executors or administrators may pleade, that the party deceased, whose Executors or Administrators they are, had in his hands at the time of his death such sums of money or such thinges of a certain value, & shew how much which ought to be employed according to this act, And that the same are not accõpted for, or are accõpted for & not paid, or answered for. And that ouer & aboue those sums they haue no goods or chattels ỹ were ỹ said persõs deceased, at the time of his death, or goods & chattels but of a certain value, not amoũting to ỹ sũ demãded, which plea shall be allowed good in law, in soe much as the deceased was but a kæper of those sũs & other things, & therfore the same ought not to be liable to his debts: And in case such action or suit shal be commenced after paiment and satisfaction of the said sums & other things by the said Executors or Administrators, then the said executors or administrators may pleade ỹ they haue fully administred all the goods & chattels ỹ were the said persons deceased, And that they haue no goods or chattels, or no goods or Chattels besides such goods & Chattels of a certaine value, not amounting to the summe demaunded, as their cases shall respectiuely require, without shewing or alleaging this act, or any other particularitie or circumstance in that behalfe: Upon which Pleas issue may be ioyned, and vpon triall of the same Issue the whole matter shall be giuen in Euidence on both parts, according to the very truth thereof: And if vpon the same triall it shall be found, that the said Executors or Administrators haue paid such sums as aforesaid, the same shall be allowed as a good & lawful administration: or if it be found that they haue no other goods or chattels then as aforesaid, thereupon in such cases the said Executors, or administrators shal haue such iudgement,

as in the like caſes vpon Triall of the like Iſſues is accuſtomed by the ordinary courſe of the common law; Any debts of what kind ſoeuer ỹ were owing by the ſaid perſons deceaſed notwithſtanding. And be it &c. That if any Action of Treſpaſſe, or other ſuit, ſhall happen to bee attempted, and brought againſt any perſon or perſons, for taking of any Diſtreſſe, making of any Sale, impriſoning of any perſon or perſons, or any other thing doing by authority of this preſent act, the defendant or defendants in any ſuch action or ſuit, ſhall and may either plead not guilty, or otherwiſe make Auowrie, Cogniſance or Juſtification, for the taking of the ſaid diſtreſſes, making of ſale, impriſoning, or other thing doing by vertue of this Act, alleaging in ſuch Auowrie, Cogniſance or Juſtification, that the ſaid Diſtreſſe, ſale, Impriſonment, or other thing, whereof the Plaintife or Plaintifes ſhall complaine, was done by authority of this Act, and according to the tenor, purport, and effect of this act, without any expreſſing or rehearſall of any other matter of circumſtance, contained in this preſent act, to which Auowry, Cogniſance or Juſtification the plaintife ſhall be admitted to reply, That the defendant did take the ſaid diſtreſſe, make the ſaid ſale or Impriſonment, or did any other act ſuppoſed in his declaration, of his owne wrong, without any ſuch cauſe alleaged by the ſaid Defendant, whereupon the Iſſue in euerie ſuch Action ſhall be ioyned to be tried by verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall actions; and vpon the triall of that iſſue, the whole matter to be giuen on both parts in Euidence, according to the very truth of the ſame, and after ſuch Iſſue tried for the Defendant, or non-ſuit or diſcontinuance of the ſuite of the party Plaintife after apparance, the ſame Defendant to recouer treble dammages, by reaſon of his wrongfull veration in that behalfe, with his coſts alſo in that part ſuſteined, and that to be aſſeſſed by the ſame Jury, or writ to enquire of the dammages, as the ſame ſhall require. Prouided alwaies and be it &c. That when and as often as any Rate, Tare, Aſſeſſement or charge ſhall be made by vertue of the ſaid Commiſſion, and this act or either of them, wherewith or whereby any Lands, Meadowes, Marſhes, or other premiſſes in the ſaid Countie of Suffolke, or any perſon or perſons, for or in reſpect of the ſame ſhall or ought to be charged, that in euery ſuch caſe, one or more Commiſſioner or Commiſſioners of the ſaid county of Suffolke, ſhall be preſent at the time of the ſame taxing, rating, aſſeſſing or charging, or ſhall haue warning giuen vnto him or them, or left for him or them at his or their dwelling houſe or houſes, of the time and place, when and where the ſaid Commiſſioners ſhall meet and aſſemble, in and about the execution of this Act, or elſe the ſame Rate, Tare, Aſſeſſement, & Charge, in, vpon, or in reſpect of the ſaid Lands, Meadowes, Marſhes, and premiſſes in the ſaid countie of Suffolke, ſhall be void and of none effect. This Act to continue during the terme of ſeuen yeares next enſuing the end of this preſent Seſſion of Parliament, and from thence to the end of the firſt ſeſſion of the then next Parliament, and no longer: And that neuertheleſſe, all things done and executed in the meane time by vertue of this act, and of the ſaid Commiſſion, ſhall ſtand and remaine in force and effect, and be iuſtifiable, as if this Act had ſtill remained in force and continued. Anno 7. Iac. cap. 20.

Maſons.

SUch Chapters and Congregations ſhal not be from henceforth holden. And if any ſuch be made, they that cauſe ſuch Chapters and congregations to be aſſembled and holden, if they thereof be conuict, ſhall be adiudged for Felons. And that all the other Maſons that come to ſuch Chapters and Congregations be puniſhed by impriſonment of their body, and make fine and ranſome at the Kings will. Anno 3. H. 6. cap. 1.

Congregations

Felony

Impriſ. Fine.

Matrimony and Mariage.

ANno 32. H. 8. cap. 25. An act was made concerning the diſſolution of the Mariage betweene the King and the Lady Anne of Cleue, declaring the mariage to be voide, and thereby are repealed all Letters Patents made for ioynture or dower. And that it is treaſon to maintaine that mariage, and therein is a pardon to all them that haue committed Treaſon or miſpriſion of treaſon in ſpeaking or doing againſt the mariage. See Crowne, Anno 25. H. 8. cap. 22. of degrees of mariage prohibited.

Anne of Cleue

Pardon

Treaſon

Degrees

2 An. 28. H. 8. cap. 7. Mariages within certain degrees there expreſſed, were prohibited. But by 1. and 2. Phi. & M. as much of that act as concerneth prohibition to marie within thoſe degrees is repealed.

Repealed

3 That from the firſt day of the Month of July next comming in the yeare of our Lord God 1540 al and euerie ſuch mariages, as within this church of England ſhall be contracted betweene lawfull perſons (as by this act we declare all perſons to be lawful, that be not prohibited by Gods law to mary) ſuch mariages being contract & ſolemnized in the face of the church, & conſummate with bodily knowledge of fruit of children or child, being had therein between the parties ſo married, ſhall be by authoritie of this preſent Parliament aforeſaid, deemed, iudged, & taken to be lawfull, good, iuſt and indiſſoluble, notwithſtanding any precontract or precontracts of matrimony, not conſumate with bodilie knowledge, which either of the perſons ſo maried, or both, ſhall haue made with any other perſon or perſons before the time of contracting the mariage which is ſolemnized & conſummate, or whereof ſuch fruit is inſued, or may inſue, as is aforeſaid: & notwithſtanding any diſpenſation, preſcription, law, or other thing granted or confirmed by act or otherwiſe. And that no reſeruation or prohibition (Gods law except) ſhall trouble or impeach any mariage without the Leuitical degrees.

Precontracts

Diſpenſation

And

And that no perſon of what eſtate, degrée, or condition ſoeuer he or ſhe be, ſhall after the ſaid firſt day of the month of July aforeſaid, be admitted in any of the ſpirituall Courts within the kings Realme, or any his graces other lands and dominions, to any Proceſſe, Plée, or allegation, contrarie to this aforeſaid Act, Anno 32. H.8. cap. 38. This Article in this Act, concerning precontracts, is repealed by 2. E.6. and the reſidue was repealed by 1. and 2. Phil. and Ma. But it is renued by 1. Eliz. cap. 1.

4 Anno 2. Ed.6. cap.21. It was enacted that all Lawes and ordinances poſitiue, prohibiting Prieſts Marriages, and all paines and forfeitures therein, ſhould be void. And after Anno 5. Ed. 6. cap.12. It was enacted, that Prieſts Marriages ſhould be lawfull, and their children ligitimate and inheritable, and the Prieſt to be tenant by the curteſie, and the wife to be indowed. But after, thoſe two Acts were in 1. M.1. Parliam. cap.2. repealed. But by 1. Iac. cap. 25. they are both reuiued and to ſtand in force for euer; the ſame Act of repeale 1. Mar. notwithſtanding. And the Children of Eccleſiaticall perſons in the ſaid Act mentioned, ſhall be and continue legitimate and inheritable to all intents and purpoſes in ſuch ſort as children of Lay perſons do inioy and may inherit: any Canon or conſtitution to the contrary notwithſtanding.

5 All and euery decrée, ſentence, & iudgement of diuorce and ſeparation, betwéene the ſaid King your father, and the ſaid late Quéene (s. Queene Katherine) your mother, and all the proces commenced, followed, giuen, made, or promulged by the ſaid Tho. Cranmer then Archbiſhop of Canterbury, or by any other perſon or perſons whatſoeuer, whereby the ſame moſt iuſt, pure, and lawfull Marriage, betwéene the ſaid late king your father and the ſaid late Quéene your Mother, was, or is pronounced, or in any wiſe declared to be vnlawfull, or vniuſt, or againſt the law of God, be, & ſhall be from the beginning, and from henceforth of no force, validity, or effect, but be vtterly nought, voide, fruſtrate, and annihilate, to all intents, conſtructions, and purpoſes, as if the ſame had neuer bén giuen or pronounced. And be it &c. that aſwel the ſaid act of Parliament, intituled, An act declaring the eſtablithmẽt of the ſucceſſion of the kings moſt royall Maieſtie of the Imperiall Crowne of this Realme, made in fiue and twentieth yeare of the Raigne of the King your father (s. cap. 22.) be repealed, and be void, and of none effect, as alſo all and euery ſuch clauſes, articles, branches, and matters conteined and expreſſed in the aforeſaid Act of Parliament, made in the ſaid eight and twentieth yeare of the Reigne of the ſaide late King your Father (s. cap.7.) or in any other Act or Acts of Parliament, as whereby your Highneſſe is named or declared to bée illegitimate, or the ſaide Marriage betwéene the ſaid King your father, and the ſaid Quéen your Mother, is declared to be againſt the word of God, or by any meanes vnlawfull, ſhall bee, and be repealed, and be voide, and of no force nor effect, to all intents, conſtructions, & purpoſes, as if the ſame ſentence or Act of Parliament had neuer béene had ne made. And that the ſaid mariage had and ſolemnized betwéene your ſaid moſt noble Father King Henry, and your ſaid moſte noble Mother Quéene Katherine ſhall be definitiuely, clearely and abſolutely declared, déemed, & adiudged to be and ſtand with Gods law and his moſt holy word, and to be accepted, reputed, and taken of good effect and validity to all intents and purpoſes. Anno 1. M.1. parl. ca. 1. Seſſ. 2.

6 Be it enacted &c. that if any perſon or perſons within his Maieſties dominions of England and Wales, being maried, or which hereafter ſhal marry, do at any time after the end of the ſeſſion of this preſent Parlia. mary any perſon or perſons, the former huſband or wife being aliue, that then euery ſuch offence ſhall be Felony, & the perſon and perſons ſo offending, ſhal ſuffer death as in caſes of felony: & the party & parties ſo offending, ſhall receiue ſuch & the like proceéding, trial & execution in ſuch County where ſuch perſon or perſons ſhal be apprehended, as if the offence had béene committed in ſuch County, where ſuch perſon or perſons ſhal be taken or apprehended. Prouided alwaies, that this Act, nor any thing therein contained, ſhall extend to any perſon or perſons, whoſe huſband or wife ſhall be continually remaining beyond the ſeas by the ſpace of ſeuen yeres together, or whoſe huſband or wife ſhal abſent him or herſelfe the one from the other, by the ſpace of vij. yeres together, in any parts within his Maieſties Dominions, the one of them not knowing the other to be liuing within that time. Prouided alſo & be it enacted &c. That this act, nor any thing herein contained, ſhal extẽd to any perſon or perſons that are or ſhall be at the time of ſuch mariage diuorced by any ſentence had, or hereafter to be had in the Eccleſiaſt. court, or to any perſõ or perſons where the former mariage hath bin or hereafter ſhal be by ſentence in ỳ Eccleſiaſtical court declared to be void & of none effect: nor to any perſon or perſons, for or by reaſon of any former Mariage had or made, or hereafter to be had or or made within age of cõſent. Prouided alſo, that no attainder for this offence made felony by this act, ſhall make or worke any corruption of bloud, loſſe of Dower, or diſinherition of heire or heires. Anno 1. Iacob. cap. 11.

Felony

Triall

Beyond ſeá

Abſent 7. yeares

Diuorced

Former mariage void

Within age of conſent

No corrupti. of bloud. Loſſe of Dower Diſinheritiõ

Meſne.

WHen chiefs Lords diſtraine in their fée for cuſtomes & ſeruices to them due, & there is a meane which ought to acquite the tenant, ſithence it lieth not in the mouth of the tenant, after ỳ he hath repeleuied the diſtres, to deny ỳ demand of the chief L. which auoweth in the K. Court, that the diſtreſſe is lawfully taken vpon his tenant, which is vpon the meane, & many haue béene ſore grieued by ſuch diſtreſſes, in ſo much as the meane (notwithſtanding that he hath ſufficient, whereby he may be diſtreined) doth make long delaies before hée will come into the Court to anſwere for his tenant vnto the writ of meane, and moſt hard of all when the meane had nothing: In caſe alſo

Diſtreine

when the tenant was ready to doe his ſeruices and cuſtomes vnto his L. and the chiefe L. would refuſe to take ſuch ſeruices & cuſtomes by the hands of any other then of his next tenant, and ſo ſuch tenants in demeane loſt ſomewhiles the profits of their lands for a time, & ſomewhiles for their whole time, and hitherto no remedy hath beene prouided in this caſe: A remedie is prouided, & ordeined in this forme, that ſo ſoone as the tenant in demeane (hauing a meane betweene him and the chiefe Lord) is diſtreined, incontinent the tenant ſhall purchaſe his writ of meane. And if the mean hauing land in the ſame county, abſent himſelfe vntil ỳ great diſtreſſe be awarded, the plaintife ſhall haue ſuch day giuen him in his writ of great diſtres afore the comming whereof two coũties may be holden, & the ſhirife ſhal be commanded to diſtraine the mean by the great diſtres, like as it is contemned in the writ. And neuertheleſſe the ſhirife in two ful counties ſhall cauſe to be proclaimed ſolemnly, that the mean do come at a day contained in the writ, for to anſwere his tenant, at which day if he come, the plée ſhall paſſe betweene them after the common vſage. And if he doe not come, then he ſhall léeſe the ſeruices of his tenant & from thencefoorth the tenant ſhal not anſwer him in any thing, but the ſame meane being excluded, he ſhal anſwer vnto the chiefe L. for ſuch ſeruices and cuſtoms as the mean vſed to do before ỳ time. Neither ſhal the chiefe L. haue power to diſtrein, ſo lõg as the aforeſaid tenant doe offer him the ſeruices & cuſtomes due. And if the chiefe L. exact more then the meane ought to do, the tenant in ſuch caſe ſhall haue againſt him all ſuch exceptions as the meane ſhould, & if the mean haue nothing within ỳ K. dominion, the tenant ſhall neuertheleſſe purchaſe his writ of meſne to the ſhirife of the ſame ſhire, wherin he is diſtreined, & if the ſhirif return, that he hath nothing whereby he may be ſummoned, then ſhall the tenant ſue his writ of attachment, & if the ſhirif return, ỳ he hath nothing to be attached by, he ſhal neuertheles ſue his writ of great diſtres, & proclamation ſhalbe made in forme aboueſaid. And if the mean haue no land in the ſhire, where the diſtres is is taken, but hath land in ſome other ſhire, then a writ original ſhal iſſue to ſummõ ỳ mean, vnto the ſhirif of the ſame ſhire (where the diſtres is taken) & when it is returned by the ſhirif, that he hath nothing in his ſhire, a writ iudiciall ſhall iſſue to ſummon the meane, vnto the ſhirife of the ſame ſhire, in which it ſhall be teſtified that he hath land, and ſuit ſhal be made in the ſame ſhire vntill they haue paſſed vnto the great diſtreſſe, and proclamation as aboue is ſaid, where the mean hath lãd in the ſame ſhire, in which the diſtres is taken. And neuertheles ſuit ſhalbe made in ỳ ſame ſhire, where he hath nothing, as aboue is ſaid, of the meane, that hath nothing, vntill the proces come to the great diſtres & proclamation, and ſo after proclamatiõ made in both counties, the meane ſhall be foreiudged of his fée & ſeruice. And where it happeneth many times, that the tenant in demeane is infeoffed to hold by leſſe ſeruice, then the meane ought to doe vnto the chiefe L. when after ſuch proclamation the tenant hath atturned to the chiefe L. & the meane being excluded, the tenant muſt of neceſſity anſwere to the chiefe L. for all ſuch ſeruices & cuſtoms as the mean was wont to do to him. And after that the meane is come into the Court, and hath confeſſed, that he ought to acquite his tenant, or bée compelled by iudgement to acquite, if after ſuch confeſſion or iudgement it is complained, ỳ the meane doth not acquite his tenant, then ſhall iſſue a writ iudicial ỳ the ſhirife ſhal diſtreine the meane to acquit the tenãt & to be at a certain day before the Iuſticers, for to ſhew why he hath not acquited him before, and when they haue proceéded vnto the great diſtreſſe, the plaintife ſhall be heard. And if the plaintife can proue that he hath not acquited him, he ſhall recouer damages, & by award of the court, the tenant ſhall goe quite from the meane, & ſhall atturne vnto the chiefe Lord. And if he come not at the firſt diſtres, a writ ſhall goe forth to diſtreine him againe, and proclamation ſhal be made, & as ſoone as it is returned, they ſhall proceéd in iudgement as before is ſaid. And it is to be vnderſtood, that by this ſtatute tenãts are not excluded, but they ſhal haue a warranty of the meanes & their heirs, if they be impleaded for their tenements, as they haue had before: nor alſo the tenãts be excluded, but ỳ they may ſue againſt their meanes, as they vſed heretofore, if they ſée that their praces may be more auaileable by the old cuſtome, then by this eſtatute. And it is to wit, that by this eſtatute no remedy is prouided to any Meanes, but onely in caſe where there is but one onely Meane betweéne the Lord that diſtraineth, & the tenãt, & but in ſuch caſe where the mean is of full age, and but in ſuch caſe where the Tenant may attourne vnto the chiefe Lord, without preiudice of another then of his Meane, which is ſpoken for women, holding in dower, & tenants by the curteſie or otherwiſe for terme of life or in taile, vnto whõe, for certaine cauſes, remedy is not yet prouided, but (God willing) there ſhal be at another time. Weſt. 2. cap. 9. Anno 13. E. 1.

Tenant

Diſtreine

Proclamation

Chiefe L.

Foreiudge

Dum

Iudg

Fol.

Monaſteries, Abbeys, Priories, Colledges, Free-chappels, Hoſpitals, Chauntries, and their Abbots, Priors, and Gouernours, and the lands, poſſeſſions and goods of the premiſſes, and religious houſes.

IF any wrongs or extortions be done to Abbots or other Prelates of the Church, and they haue ſued their right for ſuch extortions, and be preuented with death before iudgement be giuen therein, their ſucceſſors ſhall haue actions to demaund the goods of their church out of the hands of ſuch Treſpaſſes. Moreouer the ſucceſſors ſhall haue like action for ſuch things as were lately withdrawen by ſuch violence from their Houſe and Church, before the death of their predeceſſors, though it ſo be, that the ſaid predeceſſors did not purſue their right during their liues. And if any intrude into the Lands or Tenements of ſuch Religious perſons in time of vacation of which Landes their Predeceſſors died ſeiſed, as in the right of their Church, their ſuc-

Mony Cont

Goods

Intrus Lands Chaun Priuat ſaid.

ſucceſſors ſhal haue a writ to recouer their ſeiſin, and damages ſhall be awarded them, as in aſſiſe of Nouel diſſeiſin is wont to be. Marl. cap. 28. An. 52. H. 3.

1 Where an Act of Parliament, made the one and thirtieth yeare of King Henry the eight, for and concerning the enablement of profeſſed and religious perſons, to purchaſe to them and to their heires in fee ſimple, fee taile, for terme of life, for yeares, or at will, maners, lands &c. and other hereditaments, and things whatſoeuer, &c. Since which time there hath béene certaine ambiguities and doubts growen & riſen, and are like to growe, whether the ſaid religious perſons might or ſhould as heires, be inheritable to their anceſtors, of al and euery things deſcended vnto them after their departing out of Religion, yea or no: Be it therefore ordained &c. that all and euery of the ſame late Religious and profeſſed perſon and perſons, ſhall and may by authority of this act, be enabled to all intents, conſtructions, and purpoſes, at al time and times hereafter to be taken, déemed, and iudged, as heire or heirs, & inheritable to al & euery their anceſtor or anceſtors, & to haue, challenge, or enioy, reteine, & take, all manors, lands, tenements, & hereditaments, and euery other thing and things, to them or any of them fallen, come, growen or deſcēded from any their anceſtors, by any manner of waies, ſince the time of their ſeuerall deraignements, or departing out of their religion, in as ample and large maner, forme, & condition, as they had neuer béene profeſſed nor entred into Religion, the ſame profeſſion or Religion, or any law, cuſtome, or vſe within this Realme, to the contrary notwithſtanding. Prouided &c. that nons of the ſaid religious perſons ſhall or may by vertue of this act, at any time hereafter, be taken, déemed or iudged for heirs or heires, or inheritable to any perſon or perſons, to any conſtruction or intent in the law, by reaſon of any former right, title, intereſt, matter or cauſe had, made, don, deſcended or growen to any reſpect or purpoſe, before their ſaid ſeuerall deraignements or departing our of their Religion, any thing before this act, or in the ſaid former act contained to the contrary hereof in any wiſe notwithſtanding. Anno 5. Ed. 6. cap. 13.

2 The King willeth and commandeth, that the Peace of holy Church, and of the Land be well kept and maintained in all points: And that common right be done to all, aſwell poore as rich, without reſpect of perſons. And becauſe the Abbots, & the Religious of the land, haue béens ouercharged and ſore grieued by the reſort of great men and others, ſo that their goods haue not béene ſufficient for themſelues, whereby they haue béene greatly hindred and impouerished, that they cannot mainteine themſelues, nor ſuch charity, as they haue béene accuſtomed to doe: It is prouided, that none ſhall come to eate or lodge in any houſe of Religion of any other Foundation then of his owne, at the coſts of the houſe, vnleſſe he be required by the Gouernour of the houſe before his comming thither. And that none of his owne coſts, ſhall enter and come to lie there againſt the will of them that be of the houſe. And by this ſtatute the King intendeth not, that the grace of Hoſpitalitie ſhould be withdrawen from ſuch as néede, nor the founders of ſuch Monaſteries ſhould ouercharge or grieue them by their often cōming. It is prouided alſo, that none, high nor low, by colour of kinred, affinity or alliance, or by any other occaſion, ſhall courſe in any parke, nor fiſh in any pond, nor come to eate or to lodge in the houſe or manor of a Prelate, or any other religious perſon, againſt the will of the Lord or his Bailife, neither at the coſt of the Lord, nor at his owne. And if he come in, or enter with the good will, or againſt the will of the L. or his Bailife, he ſhall cauſe no doore, locke, nor windowe, nor nothing that is ſhut, to be opened or broken by him ſelfe, nor any other, nor no maner of victuall, nor other thing ſhall take by colour of buying nor otherwiſe. And that none ſhall threſh corne nor take corne, nor any maner of victuall, nor other goods of Prelate, man of Religion, or any other Clerke, or lay perſon by colour of buying nor otherwiſe, againſt the will & licence of him, to whome the thing belongeth, or of the keeper, be it within market towne or without. And that none ſhal take horſes, Oxen, Ploughs, carts, Ships, or Barges, to make carriage without the aſſent of him to whome ſuch things belong. And if he doe it by the aſſent of the party, then incontinent he ſhall pay according to the conenant made betweene them. And they that offend againſt theſe acts, and thereof be attainted, ſhal be committed to the K. priſon, & after ſhall make fine, & be puniſhed according to the quantity & maner of the treſpaſſe, and after as the K. in his Court ſhall thinke conuenient. And it is to be knowen, that if they, to whom ſuch treſpaſſe was done, will ſue for damages, they ſhalbe thereto receiued, & ſhal be awarded & reſtored to the double. And they that haue done the treſpaſſe ſhall be likewiſe puniſhed in the maner aboueſaid. And if none will ſue, the King ſhal haue the ſuit, as for a thing committed againſt his commandement, & againſt his Peace. And the K. ſhall make inquiry from yere to yere, what perſons doe ſuch treſpaſſes, after as he ſhall thinke neceſſary & conuenient. And they ỳ be inuited by ſuch inquеſts ſhall be attached & conſtreined by the great diſtres, to come at a certaine day conteining the ſpace of a moneth, in the K. Court, or where it ſhall pleaſe the king: And if they come not at the day, they ſhall be diſtreined againe of new by the ſame diſtreſſe, for to come at another day, conteining the ſpace of fiue weekes at the leaſt: and if they come not then, they ſhal be iudged as attainted, & ſhal yeeld double damages (at the kings ſuit) to ſuch as haue taken hurt or damages, and ſhall make a grieuous fine after the maner of the treſpaſſe. And the King forbiddeth and commandeth that none from henceforth do hurt, damage, or grieuance to any Religious man, or perſon of the Church, or any other becauſe they haue denied meat or lodging vnto them, or becauſe ỳ any cōplaineth in the K. court, that he hath bin grieued, in any of the things aboue mentioned: And if any do, & therof be attainted, he ſhal incur ỳ paine aforeſaid. And it is further prouided, ỳ

Hunting Fiſhing

Purueyors

Impriſt.

2. damages

Enquiry

Indict Enqueſts

Diſtraine

2. Damages

Attaint

the points aforeſaid ſhall as well bind our Counſellors, Juſticers of forreſts, and other our Juſticers, as any other perſons, and that the foreſaid points be maintained, obſerued and kept. Likewiſe the King forbiddeth vpon grieuous forfeit that no Prelate, Abbot, man of Religion, or Bailife of any of them, or of other, receiue any man contrarie to the form aforeſaid. And ỹ none ſhal ſend to ỹ houſe or manor of a man of Religion, or of any other perſon, his men, horſe, or dogs to ſoiourn, nor none ſhall them receiue, and he that doth (ſeeing the king hath commanded the contrarie) ſhall be grieuouſly

Spirites Lodge

puniſhed. Yet it is further prouided, that ſpirites from henceforth ſhall not lodge with any perſon, with any moe then fiue or ſixe horſes: And that they ſhall not grieue Religious men, nor other by often comming or lodging, neither at their houſes, nor their manors. Weſt. 1. cap. 1. An. 13. Ed. 1.

3 It is deſired that our Soueraigne Lord the King, and the great men of the Realme doe not charge Religious houſes, and ſpirituall perſons for corrodies, penſions, or ſoiourning in religious houſes and other places of the church, or with taking vp horſe and carts, whereby ſuch houſes are impoueriſhed, and Gods ſeruice diminiſhed: and by reaſon of ſuch charges, prieſts and other Miniſters of the church, deputed vnto diuine ſeruice, are oftentimes compelled to depart from the places aboueſaid. The anſwere. The kings pleaſure is, that vpon the contents in their petitiõ, from henceforth they ſhall not be vnduely charged. And if the contrary be done by great men or other, they ſhall haue remedie after the forme of the Statutes made in the time of King Edward, father to the king that now is. And like remedie ſhall be done for corrodies and penſions exacted by compulſion, whereof mention is made in the ſaid Statute. Artic. cleri cap. 11. Anno 9. E. 2.

Corrodies Penſions

Penſions

4 An. 35. E. 1. A ſtatute was made intituled, Stat. De aſportat. religioſorum edit. An. 35. E. 1. apud Carlielen. In which it was enacted that no payment or tare ſhould be paid or ſent by any Religious houſe to any Superior out of England, nor that any Religious ſhould goe out to a viſitation, nor that any Religious out of England, ſhould ſet any tare or paine vpon any Religious houſe in England, vpon forfeiture of all that they may forfeit, ſauing to Religious aliens their viſitations in England &c. And in that Act, is matter concerning the ſeales of Abbots of Ciſtercienſes & Premonſtratenſes.

Tare

Viſitation

Forf.

Seales

5 Whereas Archbiſhops, Biſhops, Abbots, Priors, Abbeſſes, and Prioreſſes, haue beene before this time ſore grieued by the Kings deſires and his progenitors, which hath deſired them by great threates for their Clerks and other ſeruants, for great penſions, prebends, churches, & corodies, ſo that they might nothing giue or doe to ſuch as had done them ſeruice, nor to their friends, to their great charge & damage: the K. granteth that from henceforth he will no more ſuch thinges deſire, but where he ought. An. 1. Ed. 3. ſtat. 2. cap. 10.

Corrodies

6 This ſtatute late made and affirmed at Carlile (that is to ſay, Anno 35. Ed. 1. before 4.) that religious perſons ſhould make no carriage beyond the ſea, ſhall be maintained, and kept and obſerued in all points. Anno 4. Ed. 3. cap. 6.

Carriage

7 The Statute made at Carlile in the time of the ſame King (that is to ſay, An. 35. Ed. 1. before 4.) wherein is conteined that Religious men ſhall make no carriage out of the realme, ſhal be holden, kept and maintained in all points. Anno 5. Ed. 3. cap. 3.

Carriage

8 Anno 4. H. 5. cap. vlt. It is enacted, that the king ſhall haue the poſſeſſions of Priors Aliens, if they be no couentuals.

9 His Maieſtie ſhal haue and enioy to him and his heires for euer, all and ſinguler ſuch Monaſteries, Priories, and other Religious houſes of Monks, Canons and Nunnes, of what kinds of diuerſities of habites, rules, or Order ſoeuer they be called or named, which haue not in lands, tenements, rents, tithes, portions, and other hereditaments, aboue the clere yerely value of 200. pound. And in like maner ſhall haue and enioy all the ſites and circuits, of euerie ſuch Religious houſes, and all and ſinguler the Manors, Granges, Peces, lands, tenements, rents, reuerſions, ſeruices, tithes, penſions, Churches, chappels, aduowſons, Patronages, Annuities, Rights, Conditions, and other hereditaments, appertaining or belonging to euery ſuch Monaſtery, Priory, or Religious houſe, not hauing as is aforeſaid, aboue the ſaide cleare yearely value of two hundred pound, in as large and ample maner, as the Abbots, Priors, Abbeſſes, and other Gouernours of ſuch Monaſteries, Priories, and other Religious houſes, now haue or ought to haue the ſame, in the right of their houſes. And that alſo his Highneſſe ſhall haue to him and to his heires, all and ſinguler ſuch Monaſteries, Abbeys and Priories, which at any time within one yeare next before the making of this Act, hath beene giuen and graunted to his Maieſtie, by any Abbot, Prior, Abbeſſe or Prioreſſe, vnder their Couent Seale, or that otherwiſe hath beene ſuppreſſed or diſſolued, and all and ſinguler the manors, Lands, Tenements, Rents, Reuerſions, Tithes, Penſions, Portions, Churches, Chappels, Aduowſons, Patronages, Rights, Entries, Conditions, and all other intereſts and hereditaments to the ſame Monaſteries, Abbeys, and Priories, or to any of them appertaining or belonging: To haue and to hold all and ſinguler the premiſſes, with all their rights, profits, Juriſdictions, and commodities, vnto the K. Maieſtie and his heres & aſſignes for euer, to do and die therewith his and their owne wils to the pleaſure of almighty God, & to the honour and profit of this Realme. And be it &c. that all and euery perſon and perſon and bodies politike, which now haue or hereafter ſhall haue any Letters Patents of the Kings Highneſſe of any of the ſites, circuits, manors, lands, tenements, reuerſions, ſeruices, tithes, penſions, portions, churches, chappels, aduowſons, patronages, tithes, entries, conditions, intereſts, or other hereditaments, which appertained to any monaſteries, abbeys, or Priories,

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pꝛioꝛies heretofoꝛe giuen oꝛ graunted to the Kings Highneſſe, oꝛ otherwiſe ſuppꝛeſſed oꝛ diſſolued, oꝛ which appertaineth to any of the monaſteries, abbeis, pꝛioꝛies, oꝛ other religious houſes that ſhal be ſuppꝛeſſed oꝛ diſſolued by the authoꝛitie of this Act, ſhall haue and inioy the ſaid ſites, circuits, manoꝛs, lands, tenements, rents, reuerſions, ſeruices, tithꝭ, penſions, poꝛtiõs, churches, chappels, aduowſons, patronages, tithes, entries, conditions, intereſts, and all other hereditaments, contained and expꝛeſſed in their Letters Patents now being thereof made, and to be contained and ſpecified in anie Letters Patents hereafter to be made, accoꝛding to the Tenour, purpoꝛt, and effect of anie ſuch Letters Patents: And ſhall alſo haue all ſuch Actions, Suites, Entries, and Remedies, to all intents and purpoſes, foꝛ any thing oꝛ things contained in euery ſuch Letters Patents now made, oꝛ to be contained in ſuch Letters hereafter to be made, in like manner, foꝛme, and conditions, as the Abbots, Pꝛioꝛs, Abbeſſes, Pꝛioreſſes, and other chiefe Gouernoꝛs of any religious houſes, which had the ſame, might oꝛ ought to haue had, if they had not beene ſuppꝛeſſed oꝛ diſſolued. Sauing to euerie perſon and perſons, & bodies politike, their heires and ſucceſſoꝛs (other then the Abbots, Pꝛioꝛs, Abbeſſes, Pꝛioꝛeſſes, oꝛ other chiefe Gouernoꝛs of the ſaid religious houſes, ſpecified in this Act, and the Couents of the ſame and their ſucceſſoꝛs, & ſuch as pꝛetend to be Founders, Patrons, oꝛ Donoꝛs of ſuch religious houſes, of any lands, tenements, oꝛ hereditaments belonging to the ſame, and their heires and ſucceſſoꝛs) all ſuch right, title, intereſt, poſſeſſions, leaſes foꝛ yeares, rents, ſeruices, annuities, commodities, fees, liberties, and liuings, pentions, poꝛtions, coꝛrodies, ſinodies, pꝛoꝛies, and all other pꝛofits, as they oꝛ any of them hath, ought oꝛ might haue had, in oꝛ to any of the ſaid Monaſteries, Abbeys, Pꝛioꝛies, oꝛ other Religious houſes, oꝛ in, oꝛ to any manoꝛs, lands, tenements, rents, reuerſions, tithes, penſions, poꝛtions, oꝛ other hereditaments, appertaining oꝛ belonging, oꝛ that appertained to any of the ſayd Monaſteries, Pꝛioꝛies, oꝛ other religious houſes, as if the ſame Monaſteries, Pꝛioꝛies, and other religious houſes, had not beene ſuppꝛeſſed by this Act, but had continued in their eſſentiall bodies and ſtates that they now be oꝛ were in. Pꝛouided alwaies and be it enacted, That foꝛaſmuch as diuers of the chiefe Gouernoꝛs of ſuch religious houſes, &c. haue lately fraudulently & craftily made feoffements, eſtates, gifts, grants, & leaſes, vnder their Couent ſeales, oꝛ ſuffered recoueries of their manoꝛs, lands, tenements, and hereditaments, in fee ſimple, fee taile, foꝛ term of life oꝛ liues, oꝛ foꝛ yeers, oꝛ charged the ſame with rents, oꝛ coꝛrodies, to the great decay and diminution of the houſes: that all ſuch crafty and fraudulent recoueries, feoffments, eſtates, gifts, grants, and leaſes, and euery of them made by any of the ſaid chiefe Gouernours of ſuch religious houſes, vnder their Couent ſeales, within one yeare next before the making of this Act, ſhal be vtterly voide and of none effect. Pꝛouided alwayes, That ſuch perſon and perſons as haue leaſes foꝛ terme of life and yeares, whereupon is reſerued the old Rents and Farmes accuſtomed, and ſuch as haue any Offices, fees, oꝛ coꝛrodies, that haue been accuſtomed oꝛ vſed in ſuch religious houſes, and haue bought any liuerie oꝛ liuing in anie ſuch houſes, ſhall haue and enioy their ſaid leaſes, offices, fees, coꝛrodies, liberties, liueries, & liuings, as if this Act had neuer beene made. And it is &c. That the Kings Highneſſe ſhall haue and enioy to his owne pꝛoper vſe, all ſuch oꝛnaments, iewels, goods, cattels, and debts, which appertained oꝛ belonged to any of the chiefe Gouernours of the ſaid monaſteries oꝛ Religious houſes in the right of their ſaid monaſteries, oꝛ houſes at the firſt day of March, in the yeare of our Loꝛd God 1535. oꝛ any time ſithen whereſoeuer, oꝛ to whoſe poſſeſſion ſoeuer they ſhall come oꝛ be found, except onely ſuch beaſts, graine, and woods, and ſuch other like cattell and reuenues as they haue ſold before the ſaid firſt day of March, oꝛ ſithen, foꝛ the neceſſaria oꝛ reaſonable Expences oꝛ Charges of any of the ſaid Monaſteries oꝛ houſes &c. And be it &c. That the Kings highneſſe ſhall haue and enioy accoꝛding to this Act, the actuall and reall poſſeſſion of all and ſinguler ſuch Monaſteries, Pꝛioꝛies and other Religious houſes, as ſhall appeare by the ſaid certificate remaining in the K. Eſchequer, not to haue in lands, tenements, rents, tithes, poꝛtions, and other hereditaments, aboue the ſaid cleare yeerely value of CC.l: So that his Highneſſe may lawfully giue, graunt, and diſpoſe them, oꝛ any of them at his will and pleaſure to the honour of God, and the wealth of this realme, without further inquiſitions oꝛ offices to be had oꝛ found foꝛ the ſame. Pꝛouided alwayes, That this Act oꝛ any thing therein contained, ſhall not extend oꝛ be pꝛeiudiciall to any Abbots, oꝛ Pꝛioꝛs of any Monaſteries oꝛ Pꝛioꝛies, being certified into the Kings Eſchequer, to haue in poſſeſſions and pꝛofits ſpirituall and tempoꝛall aboue the ſaid cleare yearely value of CC. l. foꝛ, oꝛ concerning ſuch celles of Religious houſes, appertaining oꝛ belonging to their Monaſteries oꝛ Pꝛioꝛies, in which celles the Pꝛioꝛs oꝛ other chiefe gouernours thereof be vnder the obedience of the Abbots oꝛ Pꝛioꝛs, to whom ſuch celles belong, as the Monks, oꝛ Chanons of the Couent of their Monaſteries oꝛ Pꝛioꝛies, and cannot ſue noꝛ be ſued by the lawes of this Realme, oꝛ by their owne pꝛoper names, foꝛ the poſſeſſion oꝛ other things appertaining to ſuch celles, whereof they be Pꝛioꝛs and Gouernoꝛs, but muſt ſue and be ſued in and by the names of the Abbots and Pꝛioꝛs, to whom they be now obediencers, and to whom ſuch celles belong: And alſo the Pꝛioꝛs oꝛ Gouernoꝛs, datiue oꝛ remoueable from time to time, and account of the pꝛofits of ſuch celles at the onely pleaſure and will of the Abbots and Pꝛioꝛs to whom ſuch Celles belong: But that euerie ſuch Cell ſhall be, and remaine vndiſſolued in the ſame eſtate, qualitie, and condition, as if this Act had neuer beene made, any thing in this act to the cõtrarie hereof notwithſtanding. Sauing alwayes, and reſeruing vnto euery perſon oꝛ perſons, being Founders, Patrons oꝛ Donoꝛs of any Abbeys, Pꝛioꝛies, oꝛ other Religious

Leaſes
Offices
Fees
Coꝛrodies

Ornaments
Jewels
Goods
Cattels
Debts

Cattell

Poſſeſſion

Certificate

200. pound

Celles

Pꝛofits

Founders
Patrons

Right

gious houses that shall be suppressed by this Act, their Heyres and Successours, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons and all other profits whatsoeuer they be, which any of them haue or should haue had without fraud or coueine by any maner of meanes, otherwise then by reason or occasion of the dissolution of the said Abbeys, Priories or other Religious houses, into, or vpon any of the said Abbeys, Priories, or other Religious houses, whereof they be Founders, patrons, or Donors, or into or vpon any lands, tenements, or other hereditaments appertaining or belonging to the same, in like maner, forme, and condition as other persons or bodies politike be saued by this Act, as is afore rehearsed, and as if the said Abbeys, Priories, or other Religious houses had not bene suppressed and dissolued by this Act, but had continued still in their essentiall bodies and Estates as they be now, any thing in this Act to the contrarie hereof notwithstanding.

And further be it &c. That all and singuler persons and bodies politique and corporate, to whom the Kings Maiesty, his heyres or successors hereafter shall giue, grant, let or demise any site, or precinct, with the houses thereupon builded, together with the demeanes of any Monasteris, Priories or other Religious houses that shall be dissolued or giuen to the Kings Highnesse by this Act, his heyres, successors, or assignes, euery such person, body politique and corporate, shalbe bounden by authoritie of this Act vnder the penalties hereafter, to kepe or cause to be kept, an honest continuall house and household in the same site or precinct, and to occupie yearely asmuch of the demeans in plowing and tilling of husbandrie, that is to say, asmuch of the said demeanes, which hath bene commonly vsed to be kept in tillage by the Gouernours, Abbots, or Priors of the same houses, monasteries, priories, or by their farmer or farmers, occupying the same within the time of twenty yeares next before this Act. And if any person or persons, bodies politique or corporate, that shalbe bounden by this Act, doe not kepe an honest household of husbandry and tillage, in manner and forme as is aforesaid, that then he or they so offending, shal forfeit to the Kings highnes for euery moneth offending vj.li. xiij.s. iiij.d. to be recouered to his vse in any of his courts of Record.

And ouer that it is &c. That all Iustices of Peace in euery shire, where any such offence shall be committed and done, contrary to the true meaning and intent of this present Act, shall in euery Quarter and Generall Sessions within the limit of their commission, inquire of the Premisses, and shall haue full power and authority to heare and determine the same, and to taxe and assesse no lesse fines for euery of the said offences, then is afore limited for the same offence, and estreats thereof to be made and certified into the Kings Eschequer, according and at such time & forme, as other estreats of fines, issues and amerciaments bene made by the same Iustices. Anno 27.H.8. in an Act by it selfe not printed. See Husbandry 7. And in this Act be certaine Articles, that the abbots & priors &c. of these houses and their sureties, be discharged of their first fruits. And that the king will prouide pensions for them, & that the Couents shall haue capacities, or be put into great houses. And that the Bishops and other chargeable for the collection of the Tenths of Spiritualties shall be discharged of collection of the tenths for the houses. And that the K. shall pay all the true debts of these houses, and that the K. may declare by Letters Pat. which of their houses shall continue, &c. And other matters be in this Act, which I leaue out, because the time of this is past, or else they concerne certaine particular persons.

10 Vpon all and singuler Letters Pat. to be made vnder the great seale of England of any manors, lands, tenements, and hereditaments, belonging or appertaining to any of the said Houses comprised in the said Act (s. An 27.H.8. before 9.) & committed to the surney of the said court (s. Augmentations) to any person or persons, or body politike for any estate of Inheritaunce, there shall be alwayes reserued to the Kings highnesse, his heyres and successours, a tenure by Knights seruice in Capite, and a yerely rent of the tenth part of the yerely value of the lands to be comprised in euery such letters patents, according to such rate, as the same manors, lands, and tenements giuen shalbe expressed to be of yerely value in the same Lett. Pat. anie thing or clause contained in warrant to the contrary thereof notwithstanding. And that the said rent so reserued vpon any such estate, shall be contein and paied to the officers of the said Court to the K. vse, according as other reuenues there shalbe paid. And that none auerment shalbe made or admitted by or for the K. or any other person, that the same manors, lands, tenements be of more yerly value, then in the same Lett. Pat. shall be declared. Anno 27.H.8.cap.27.

11 Where diuers and sundry Abbots, Priors, Abbesses, Priorelles, and other Ecclesiasticall gouernours and gouernelles of diuers monasteries, abbathies, priories, nunneries, colledges, hospitals, houses of Friers, and other religious and ecclesiasticall houses & places, within this our soueraigne lord the Kings realme of Eng. and Wales, of their owne free and voluntary mindes, good willes, and assents, without constraint, coaction or compulsion of any maner of person or persons sithen the 4. day of Februarie, the seuen and twentieth yeare of the reigne of our now most dread soueraigne Lord, by the due order and course of the common Lawes of this Realme of England, and by their sufficient writings of Record vnder their Couent and common Seales, haue seuerally giuen, granted, and by the same their writings seuerally confirmed al their said Monasteries, Abbathies, Priories, Nunnies, Colledges, Hospitalls, houses of Friers, and other religious and ecclesiasticall houses and places, and all their sites, circuites, and precincts of the same, and all and singuler their manors, lordships, granges, meses, lands, tenements, meadowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, churches, chappels, aduowsons, patronages, annuities, rights, entries, conditions, commons, leets, courts, liberties, priuileges and franchises, appertaining, or in anie wise belonging to anie

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Houshold

Husbandrie

Tillage

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Generall sessions Enquire Perq̃ter.

Estreats

Eschequer

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Letters P.

Letters P.

Court of Augmen.

Knights seruice Rent

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Annu.

Grant Confir.

any such monastery, abbatie, priorie, nunrie, colledge, hospital, house of friers, and other religious & ecclesiast. houses & places, or to any of thē, by whatsoeuer name or corporation, they or any of thē were then named or called, and of what order, habite, religion, or other kinde of quality soeuer, they or anie of them then were reputed, knowen, or taken: To haue and to hold al the said monasteries, abbathies, priories, nunries, colledges, hospitalles, houses of Friers, and other religious and ecclesiasticall houses and places, sites, circuites, precincts, manors, lands, tenements, medowes, pastures, rents, reuersions, seruices, and all other the premisses, to our said Soueraigne lord, his heyres and successors for euer: and the same their said monasteries, abbaties, priories, nunries, colledges, hospitals, houses of friers, and all other religious and ecclesiasticall houses and places, sites, circuites, precincts, manors, lordshippes, granges, meases, lands, tenements, meadowes, pastures, rents, reuersions, seruices, and other the premisses voluntarily, as is aforesaid, haue renounced, left and forsaken, & euery of them hath renounced, left and forsaken. Be it therefore &c. That the King our soueraigne Lord shall haue, hold, possesse, and enioy, to him his heyres and successors for euer, all and singuler such late monasteries, abbathies, priories, nunries, colledges, hospitalls, houses of friers, and other religious and Ecclesiasticall houses and places, of what kindes, natures, qualities, or diuersities of habites, rules, professions or orders, they or any of them were named, knowen, or called, which sith the said fourth day of February the seuen & twentieth yeare of the reigne of our said Soueraigne Lord, haue beene dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meane come to his Highnesse, and by the same authoritie, and in like maner shall haue, hold, possesse, and enioy all the sites, circuits, precincts, manors, lordships, graunges, meases, lands, tenements, meadowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, parsonages appropried, vicarages, churches, chappells, aduowsons, nominations, patronages, annuities, rights, interests, conditions, commons, leets, courts, liberties, priuiledges, franchises, and other whatsoeuer hereditaments, which appertained or belonged to the said monasteries, abbathies, priories, nunries, colledges, hospitalls, houses of friers, and other religious or ecclesiasticall houses and places, or to any of them, in as large and ample maner and forme, as the late Abbots, Priors, Abbesses, Prioresses, and other Ecclesiasticall gouernors and gouernesses of such late monasteries, abbathies, priories, nunries, colledges, hospitalls, houses of friers, and other religious and Ecclesiasticall houses and places, had, held, or occupied, or aright ought to haue had, holden, or occupied in the right of their said late monasteries, abbathies, priories, nunries, colledges, hospitalls, houses of friers, and other religious or ecclesiasticall houses or places, at the time of the said dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or by any other maner of mean, comming of the same to the Kings highnesse, sithen the fourth day of February aboue specified. And it is &c. That not onely all the said late monasteries, abbathies, priories, nunneries, colledges, hospitalles, houses of friers, and other religious and ecclesiasticall houses and places, sites, circuites, precincts, manors, lordships, graunges, meases, lands, tenements, meadowes, pastures, rents, reuersions, seruices, and all other the premisses, forthwith immediatly and presently, but also all other Monasteries, Abbathies, Priories, Nunneries, Colledges, hospitalls, Houses of Friers, and all other Religious and Ecclesiasticall Houses and Places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by anie other meane come vnto the Kings Highnesse, and also all the sites, circuites, precincts, manors, lordships, granges, meases, lands, tenements, meadowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, parsonages appropriate, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, leetes, courts, liberties, priuiledges, franchises, and other hereditaments whatsoeuer they be, belonging or appertaining to the same, or to any of them, whensoeuer, and assone as they shall be so dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meane come vnto the Kings Highnesse, shall be vested, deemed, and adiudged by authority of this Vesting
present Parliament, in the very actuall and real seisin and possession of the King our Soueraigne Lord his Heyres and Successours for euer, in the state & condition as they now be, and as though all the said late Monasteries, Abbathies or Priories, Nunneries, Colledges, Hospitalles, Houses of Friers, and other Religious and Ecclesiasticall Houses and Places, so dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the Kings Highnesse, as is aforesaide, as also the said Monasteries, Abbathies, Priories, Nunneries, Colledges, Hospitalles, Houses of Friers, and other Religious and Ecclesiasticall Houses and Places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come vnto the Kings Highnesse, sites, circuites, and precincts, Manors, Lordshippes, Graunges, Lands, Tenements, and other the premisses whatsoeuer they be, and euery of them, were in this present Act specially and particularly rehearsed, named and expressed by expresse wordes, names, titles and faculties, and in their natures, kinds, and qualities. And be it &c. That all the saide late Monasteries, Abbathies, Priories, Nunneries, Colledges, Hospitalles, Houses of Friers, and other Religious and Ecclesiasticall Houses and Places, which bin dissolued, suppressed, renounced, relinquished, giuen vp, or come to the Kings Highnesse by anie maner of meanes, as is aforesaid, and all the manors, lordships, granges, lands, tenements, and other the premisses (except such thereof as be come to the K. hands by Attainder or Attainders of treason.) And all the said Monasteries, Abbathies, Attainder Treason

Priories, Nunries, Colledges, Hospitals, Houses of Friers, and other Religious and Ecclesiasticall houses and places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come vnto the Kings highnesse, and all the manors, lordships, graunges, lands, tenements, medowes, pastures, rents, reuersions, seruices, woods, tithes, portions, pensions, parsonages appropriate, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, Leets Courts, leets, courts, liberties, priuiledges, franchises, and other hereditaments whatsoeuer they be, belonging to the same, or to any of them, (except such thereof which shall happen to come to the K. Highnesse by Attainder or Attainders of treason) shall be in the order, suruey, and gouernance of our said soueraigne Lord the K. Court of Augmentations Augmentation of the reuenues of his Crowne, and of the Chauncellor, Officers and Ministers of the same. And all the farmes, issues, reuenues, and profites, comming and growing of the premisses, and euery part thereof (except before excepted) shall be ordered, taken and receiued to the Kings vse by the said Chauncellor Chancellor, Ministers and Officers of the same court, in such & like maner and forme, as the monasteries, priories, scites, circuites, manors, granges, meases, lands, tenements, rents, reuersions, seruices, tithes, pensions, portions, aduowsons, patronages, rights, entries, conditions, and other hereditaments, late appertaining or belonging vnto the monasteries, abbathies, priories, and other religious houses, late by authoritie of Parliament suppressed, bene ordered, surueyed and gouerned. Bodies politike Sauing to all and euery person or persons, bodies politike, and their heyres and successors, and the heyres and successors of all and euery of them, other then the said late Abbots, Priors, Abbesses, Prioresses, and other Ecclesiasticall gouernours, and gouernesses of the said late Monasteries, Abbathies, Priories, Nunries, Colledges, Hospitalles, houses of Friers, and other religious and Ecclesiasticall houses and places, and their successors, & the successors of euerie of them, & such as pretend to be Founders Patrons founders, patrons, or donors of such monasteries, abbathies, priories, nunries, colledges, hospitalls, houses of friers, & other eccles. houses and places, or of any manors, messuages, lands, tenemts, or other hereditaments belonging to the same, or to anie of them, they, heyres and successours, and the heyres and successours of euery such founder, patron, or donour, and the now Abbots, Priors, Abbesses, Prioresses, and other Ecclesiasticall Gouernours, and Gouernesses of such Monasteries, Abbathies, Priories, Nunries, Colledges, Hospitals, Houses of Friers, and other Religious and Ecclesiasticall Houses and Places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or to come to the Kings Highnesse, and such as pretend to be founders, patrons, or donours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other Ecclesiasticall houses and places of any manors, messuages, lands, tenemts, or other hereditaments to the same belonging, or to any of them, they, heyres and successors, and the heyres and successours of euerie of them: all such right, title, claime, interest, possessions, rents, Right charges, annuities, leases, farmes, offices, fees, liueries and liuings, portions, pensions, corrodies, commons, stipendes, priories & other profits, which they or any of them haue, claime, ought, may, or might haue had, in or to the premisses, or to anie part or parcell thereof, in such like manner, forme and condition, to all intents, respects, constructions, and purposes, as if this Act had neuer bin had ne made, rents seruices, rents secke, and all other Rents Services seruices and suits only except. Prouided alwayes and be it &c. that if any late Abbot, Prior, Abbesse, Prioresse, or other Ecclesiasticall Gouernour or Gouernesses abouesaid, within one yeare nert before the dissolution, suppression, denouncing, relinquishing, forfeiting, giuing vp, or comming to the Kings Highnesse of his late monasterie, abbathie, priorie, nunrie, colledge, hospitall, house of friers, and other religious or Ecclesiastical house or place, hath made any lease or graunt vnder his couent or Leas Grants comunon seale, or otherwise, for terme of life, or for terme of yeares, of the site, circuite, and precinct of his said late monasterie, abbathie, priorie, nunrie, colledge, hospitall, house of friers, or other religious or Ecclesiasticall houses or place, or of any part thereof, as of any manors, messuages, graunges, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditaments, which belonged or appertained to his said late monastery, abbathie, priorie, nunry, colledge, hospitall, house of friers, or other religious or Ecclesiasticall house or place, which manors, messuages, granges, lands, tenements, parsonages appropriat, tithes, pensions, portions, or other hereditaments, were not before the same Lease commonly vsed to be set nor let to farme, but kept and reserued in the manurance, tillage or occupation of the said gouernor or gouernelle for the maintenance of Hospitalitie and good housekeeping, or within one yeare, as is abouesaid, Dur hath made any Lease or graunt for terme of life, or Leas for term of yeres, of any manors, messuages, lands, tenements, medowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chappels, or other hereditaments whatsoeuer they be, whereof, or in the which an estate or interest for terme of life, yere or yeres, at the time of making of any such grant or lease, that had his being or continuance, and then was not determined, finished or expired: or within the time of one yere, as is aboue said, hath made any lease or grant for term of life, or for terme of yeres, of any manors, messuages, lands, tenements, medowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chappels, or other hereditaments whatsoeuer they be, vpon the which leases and graunts, the vsuall & old rents and farmes accustomed to be yelden, & reserued by the space of xx. yeares nert before the first day of this present Parliament, is & be not thereupon reserued & holden. Or if any such gouernor or gouernelle hath made any bargaine or sale of Mad his woods within j. yere, as is afore limited, which

woods

woods be yet growing and ſtanding: that then all and euery ſuch leaſe, graunts, bargains and ſale of wood or woods, ſhall be vtterly void and of none effect. And it is &c. That all feoffements, fines, and recoueries, had, made, knowledged or ſuffred by any gouernor or gouernelle, without the Kings licence vnder his great Seale, within one yeare next before the diſſolution, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings Highnelle of his ſaid monaſtery, abbathy, priory, nunry, colledge, hoſpitall, houſe of friers, and other religious or Eccleſiaſticall houſe and place, of anie manors, meaſes, lands, tenements and other hereditaments whatſoeuer they be, which the ſaid late abbot, priour, abbelle, priorelle, and other Eccleſiaſticall gouernor or gouernelle, or any of them, or any of their predeceſſors had, or held, of the gift, grant, or confirmation of our ſaid ſoueraigne Lord, or any of his Highnes progenitors, or of the which monaſteries, abbathies, priories, nunneries, colledges, hoſpitalls, houſes of friers, or other religious and Eccleſiaſticall houſes or places, our ſaid Soueraigne Lord was founder or patron: or which manors, meaſes, lands, tenements or other hereditaments were of the auncient or olde foundation or poſſeſſion of the ſaid late monaſteries, abbathies, priories, nunneries, colledges, hoſpitalles, houſes of friers, or other religious or Eccleſiaſticall houſes or places: ſhalbe vtterly void and of none effect. And it is &c. that if any abbot, priour, abbelle, priorelle, or other Eccleſiaſticall gouernour or gouernelle of any monaſterie, abbathie, priorie, nunrie, colledge, hoſpitall, houſe of friers, or other religious or Eccleſiaſticall houſe or place, which hereafter ſhall happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come to the K. Highnelle within one yeare, next before the firſt day of this preſent parliament, haue made, or hereafter doe make any leaſe or graunt, vnder his Couent or common Seale, or otherwiſe for terme of yeares, or life, or liues, of the ſite, circuite, and precinct of his ſaid monaſterie, abbathie, priorie, nunrie, colledge, hoſpitall, houſe of friers, or other religious or eccleſiaſticall houſe or place, or of any part thereof, or of any manors, meſuages, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments, belonging, or appertaining to the ſaid monaſtery, abbathie, priorie, nunrie, colledge, hoſpitall, houſe of friers, or other religious or Eccleſiaſticall houſe or place, which manors, meaſes, granges, lands, tenements, parſonages appropriate, tithes, penſions, portions or other hereditaments whatſoeuer they be, were not before the ſame Leaſe commonly vſed to be ſet nor let to farme, but kept & reſerued in the manurance, tillage, or occupation of the ſaid gouernor or gouernelle for the maintenance of Hoſpitalitie and good houſe keeping, or now be in the manurance, tillage, or occupation of the ſaid gouernor or gouernelle, for the maintenance of hoſpitalitie and good houſe keeping, or within .j. yere next before the firſt day of this preſent Parliament, hath made, or hereafter ſhall make any leaſe or grant for terme of life, or for term of yers, of any manors, meaſes, lands, tenements, medowes, paſtures, woods, parſonages appropriate, tithes, penſions, portions, churches, chappels, or other hereditaments whatſoeuer they be, whereof and in the which anie eſtate or intereſt for terme of life, yere or yeres, at the time of making of anie ſuch graunt or leaſe then had his being or continuance, or hereafter ſhall haue his being or continuance, and then was not determined, finiſhed, or expired, or that the time of any ſuch leaſe to be made, ſhall not be determined, finiſhed, or expired. Or within one yere next before the firſt day of this preſent parliament hath made, or hereafter ſhall make any leaſe or graunt for terme of life, or for terme of yeres, of any manors, meſuages, lands, tenements, medowes, paſtures, woods, parſonages appropriate, tithes, penſions, portions, churches, chappels, or other hereditaments whatſoeuer they be, vpon the which leaſes, and graunts, the vſuall and olde rents, and farmes accuſtomed to be yelden and reſerued by the ſpace of xx. yeares next before the ſaid firſt day of this preſent Parliament, is or be not, or hereafter ſhall not be thereupon reſerued and yelden. Or if any ſuch gouernor or gouernelle of any ſuch monaſtery, abbathy, priory, nunry, colledge, hoſpitall, houſe of friers, or other religious or eccleſiaſticall houſe or place, which hereafter ſhall happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come to the kings Highnelle, within one yeare next before the firſt day of this preſent Parliament, hath made, or hereafter ſhall make any bargaine or ſale of his woods, which woods be yet growing and ſtanding: that then all and euery ſuch leaſe, graunt, bargaine and ſale of wood or woods, ſhall be vtterly voide and of none effect. And it is &c. that all feoffements, fines & recoueries, had, made, knowledged, or ſuffred within one yeare next before the firſt day of this preſent parliament, or hereafter to be had, made, knowledged, or ſuffered by any gouernour or gouernelle of any monaſtery, abbathie, priorie, nunrie, colledge, hoſpitall, houſe of friers, or other religious or Eccleſiaſticall houſe or place, which hereafter ſhall happen to be diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or come to the Kings highnes, without the kings licence vnder his great Seale, of any manors, meaſes, lands, tenements, or other hereditaments whatſoeuer they be, which the ſaid abbot, priour, abbelle, priorelle, and other Eccleſiaſticall gouernors or gouernelles, which hereafter ſhall happen to be diſſolued, ſuppreſſed, relinquiſhed, forfeited, giuen vp, or come vnto the Kings Highnelle, as is aforeſaid, or any of them, or any of their predeceſſours, had or held, or haue and hold of the gift, graunt, or confirmation of our ſaid Soueraigne Lord, or any of his Highnelle Progenitors, or of the which Monaſteries, Abbathies, Priories, Nunries, Colledges, Hoſpitalles, Houſes of Friers, or other Religious or Eccleſiaſticall houſes and places, our ſaid ſoueraigne Lord is Founder or Patron, or which manors, meaſes, lands, tenements, or other hereditaments, were or be of the auncient or old foundation or poſſeſſion of the ſaid monaſteries, abbathies, priories, nunries, colledges, hoſpitalls, houſes of Friers, or other religious

One yeare

Leaſe Graunt

Old rents

One yeare

Wood ſales

Feoffments Fines Recoueries One years

K. licence

Founder Patron

Old foundation

ligious or Eccleſiaſticall houſes or places, ſhall be vtterly void and of none effect. Prouided alway &c. That if any abbot, prior, abbeſſe or prioreſſe, or other gruernor or gouernelle abouelaid, within one yeare next before the firſt day of this preſent Parliament, or if any late abbot, prior, abbeſſe, prioreſſe, or other late Gouernor or Gouernelle abouelaid, within one yeare next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings Highneſſe, of the premiſſes, or of anie parcell thereof, as is aforeſaid, haue made any demiſe, leaſe or graunt, to any perſon or perſons for terme of yeares, of anie manors, meaſes, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments aforeſaid, which perſon or perſons at the time of the ſaid demiſe, leaſe, or graunt, had, and held the ſame to farme for terme of yeares then not expired: that then the ſaide perſon or perſons to whom any ſuch demiſe, leaſe or grant hath beene ſo made, ſhall haue and hold the ſame for terme of xxj. yeeres, only from the time of the making of the ſaid demiſe, leaſe or graunt, if ſo many yeeres be by the ſame demiſe, leaſe or graunt ſpecified, limited and expreſſed, or elſe for ſo many yeares as in ſuch demiſe, leaſe or graunt bin expreſſed, ſo that the old rent be thereupon reſerued, and ſo that the ſame leaſe or leaſes exceed not xxj. yeares. This Act or any thing therein contained to the contrarie notwithſtanding. Prouided alſo, and be it &c. That if any Abbot, Prior, Abbeſſe, Prioreſſe, or other late gouernour or gouernelle, within one yeare next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting giuing vp, or comming vnto the kings Highneſſe of the premiſſes, or of any parcell thereof, as is aforeſaid, haue made any demiſe, leaſe, or grant to any perſon or perſons for terme of life or liues, of any manors, meaſes, lands, tenements, parſonages appropriat, tithes, penſions, portions, or other hereditaments aforeſaid, which perſon or perſons, or anie of them at the time of the ſaid demiſe, leaſe, or graunt had and held the ſame for terme of life, or liues, or for terme of yeares then not expired: That then the ſaid perſon or perſons, to whom any ſuch leaſe or graunt hath beene ſo made, ſhall haue and hold the ſame for terme of their life or liues, ſo that the old rent be thereupon reſerued. This Act or any other thing therin contained to the contrary thereof notwithſtanding. Prouided alſo, and be it &c. That all and ſinguler Leaſes and Graunts, made by copie to any Perſon or Perſons of anie of the ſaid Meſuages, Lands, Tenements, Parſonages appropriate, tithes, penſions, portions, or other hereditaments aforeſaid, for terme of life or liues, which by the Cuſtome of the Countrey hath beene vſed to be demiſed, letten or graunted by Copie of court Roll, ſhall be good and effectuall in the Lawe, ſo that the olde Rent be reſerued by and vpon euerie ſuch Leaſe and Leaſes: this Act or any thing therein contained to the contrarie in any wiſe notwithſtanding. Prouided alwayes and be it &c. That all Leaſes heretofore made of anie the Premiſſes by authoritie of our Soueraigne Lord the Kings Court of Augmentations of the reuenues of his Crowne, and all ſuch Leaſes, Feoffements, and Woodſales made by the ſaid Gouernors and Gouernelles, or any of the, vnder their couent ſeales, or vnder their couent or common ſeale, or any of them, within one yeare next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming to the Kings Highneſſe, of the ſaid Monaſteries, Abbathies, Priories, Nunries, Colledges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall houſes or places, which ſayd Leaſes, Craunts, Feoffements and Woodſales habe beene examined, enrolled, decreed, or affirmed in our ſaid Soueraigne Lord ye Kings Court of Augmentations, and the decree of ye ſame put in writing, ſealed with the ſeale of the ſayd Court of Augmentations, ſhall be good & effectuall, according to the ſame decree: any clauſe or act heretofore in this preſent Act to the contrarie notwithſtanding. Prouided alwayes, and be it enacted &c. That if any perſon or perſons haue iuſtly and truly, without fraud or couin, payed or giuen any ſumme or ſummes of money to any the ſayd late Gouernors or Gouernelles, for the bargaines and ſales of any woods, being and growing in or vpon any manors, lands, tenements, or hereditaments, which appertained or belonged to the ſaid late Monaſteries, Abbathies, Priories, Nunries, Colledges, Hoſpitals, houſes of Friers, or other religious or Eccleſiaſticall places, or vnto any of the, which bargaine and ſale by authoritie of this Act is made void and of none effect, and by meane thereof the Kings Highneſſe may haue and take the commoditie and profit of ſuch woods ſo bargained and ſold, that then the Chauncellour and other officers of our ſaid Soueraigne Lord the Kings Court of Augmentations, or iij. of them, whereof the Chancellor for the time being, ſhalbe one, of our ſaid Soueraigne Lord the Kings treaſure, remaining in the treaſury of the ſame Court, ſhall ſatiſfie and recompence euery ſuch perſon and perſons ſuch ſumme of money, or other recompence, as the ſame Chancellor and Officers, or three of them, whereof the ſaid Chauncellor ſhall be one, ſhall thinke meet and conuenient. And if any other perſon or perſons ſhall happen to take profite and commoditie, by reaſon of auoyding of ſuch wood-ſales by authoritie of this Act: that then euery perſon or perſons which may or ſhall take any ſuch profit, ſhalbe ordered for ſatisfaction to be made to the parties that ſhall happen to be grieued by this Act, by the ſaid Chauncellour, and other the Officers of the ſame Court. Prouided alſo &c. That all and euery perſon and perſons, their heyres and aſſignes, which ſith the ſaid fourth day of Febr. by licence, pardon, confirmation, releaſe, aſſent, or conſent of our ſaid ſoueraigne Lord the K. vnder his great Seale heretofore ginen, had or made, or hereafter to be had or made, haue obtained or purchaſed, by Indenture, fine, feoffment, recouery or otherwiſe, of the ſaid late abbots, priors, abbeſſes, prioreſſes, or other gouernor or gouernelles, of any ſuch monaſteries, abbathies, priories, nunries, colledges, hoſpitalls, houſes of friers, or other Religious or Eccleſiaſticall houſes

Void

One yeare

Diſſolued

Leaſe Graunt

21. yeares

Old rent

One yeare

Leaſe Graunt

Liues Old rent

Leaſes Graunts Copyhold

Cuſtome

Old rent

Leaſes

houſes or places, any Monaſteries, Priories, Colledges, Hoſpitals, manors, lands, tenements, meadowes, paſtures, woods, Churches, Chappels, Parſonages, tythes, penſions, portions, or other hereditaments, ſhall haue and enioy the ſame, according to ſuch writings and aſſurances, as bin thereof before the day of this preſent Parliament, or hereafter ſhall be had or made: Sauing to all and euery perſon & perſons, and bodies politicke, their heires & ſucceſſors, and to the heires & ſucceſſors of euery of them (other then the ſaid late Abbots, Abbeſſes, Priors, Prioreſſes, and other Gouernours and Gouerneſſes, and their ſucceſſors, and the ſucceſſors of euery of them, and ſuch as pretend to be Founders, Patrons, or Donours of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, and other religious or Eccleſiaſticall houſes or places, or any of them, or of any manors, meſuages, lands, tenements, or other hereditaments, late belonging to the ſame, or to any of them, and their heires, ſucceſſors, and the heires and ſucceſſors of euery Founder, Patron, or Donor) all ſuch right, title, intereſt, poſſeſſion, rents, annuities, commodities, offices, fees, liueries, and liuings, portions, penſions, corrodies, ſynodies, pories, & other profits, which they or any of them haue, ought, or mought haue had, in or to any the ſaid Monaſteries, Abbathies, Priories, Colledges, Hoſpitals, manors, lands, tenements, rents, ſeruices, reuerſions, tythes, penſions, portions, or other hereditamẽts, at any time before any ſuch purchaſe, Indentures, Fines, Feoffements, Recoueries, or other lawfull meane betweene any ſuch parties had or made, as is aboueſaid: This Act or any thing therein contained to the contrary notwithſtanding. And where our ſaid Soueraigne Lord, ſith the iiij. day of Februarie, the ſaid xxvij. yeare of the raigne of our ſaid Soueraigne Lord, hath obtained and purchaſed, as wel by exchanges, as by Gifts, Bargaines, Fines, Feoffements, Recoueries, Deeds inrolled, and otherwiſe, of diuers and ſundry perſons, many ſundry and diuers Honors, Caſtles, manors, lands, tenements, medowes, paſtures, woods, rents, reuerſions, ſeruices, & other hereditaments, and hath not only payed diuers and ſundry great ſummes of money for the ſame, but alſo hath giuen and graunted for the ſame, vnto diuers and ſundry perſons, diuers & ſundry manors, lands, tenements, & hereditaments, and other recompences, in & for full ſatisfaction of all ſuch Honours, Caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, and other his hereditaments, by his Highneſſe obtained or had, as is aboueſaid: Be it therefore enacted by the authoritie aboueſaid, That our ſayd Soueraigne Lord the King, his heires & ſucceſſors, ſhall haue, hold, poſſeſſe, & enioy all ſuch Honors, caſtles, manors, lands, tenemẽts, and other hereditaments, as his Highneſſe ſith the ſaid iiij. day of Februarie, the xxvij. yere aboueſaid, hath obtained & had, by way of exchange, bargaine, purchaſe, or other whatſoeuer meane or meanes, according to the true meaning & intent of his highneſſe bargaine, exchange, or purchaſe, miſrecitall, miſnaming, or nonrecitall, or not naming of the ſaid Honours, Caſtles, manors, lands, tenements, and other hereditaments, compriſed or mentioned in the bargaines or writings made betweene the Kings Highneſſe, and any other partie or parties, or of the Townes or Counties where the ſaid Honours, Caſtles, manors, lands, tenements, and hereditaments, lie and bene, or any other matter or cauſe whatſoeuer it be in any wiſe notwithſtanding. Sauing to all and euery perſon and perſons, and to their heires, bodies politicke and corporate, and to the ſucceſſors, and to euery of them, other then ſuch perſon and perſons, and their heires, and their wiues, and the wiues of euery of them, bodies politicke and corporate, and their ſucceſſors, and euery of them, of whom the Kings Highneſſe hath obtained by Exchange, Gift, Bargaine, Fine, Feoffement, Recouerie, Deed inrolled, or otherwiſe, any ſuch Honours, Caſtles, manors, lands, tenements, & other hereditaments, as is aforeſaid, all ſuch right, title, vſe, intereſt, poſſeſſion, rents, charges, annuities, commodities, fees, and other profits (rents ſeruices, & rents ſeckes onely except) which they or any of them haue, might, or ought to haue had, in or to the premiſſes ſo obtained and had, or in or to any parcell thereof, if this Act had neuer bene had nor made: this preſent Act or any thing therein contained to the contrary notwithſtanding. And where it hath pleaſed the Kings Highneſſe of his moſt aboundant grace & goodneſſe, as well vpon diuers & ſundry conſiderations, his Maieſtie ſpecially moouing, as alſo otherwiſe, to haue bargained, ſolde, changed, or giuen and granted by his Graces ſeuerall Letters Patents, Indentures, or other Writings, aſwell vnder his Highneſſe Duchie of Lancaſter, and the Seale of the Office of the Augmentations of his Crowne, vnto diuers and ſundry of his louing and obedient ſubiects, diuerſe and ſundry Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, Lands, Tenements, Rents, Reuerſions, Seruices, Parſonages appropriated, Aduowſons, Liberties, Tithes, Oblations, Portions, Penſions, Franchiſes, Priuiledges, Liberties, and other hereditaments, commodities and profites, in fee ſimple, fee taile, for terme of life, or for terme of yeares. For auoyding of which ſaid Letters Patents, and of the Contents of the ſame, diuers, ſundry, and many ambiguities, doubts, and queſtions might hereafter ariſe, be moued and ſtirred, aſwell for miſ-recitall or non-recitall, as for diuerſe other matters, things, or cauſes to be alleaged, obiected or inuented, againſt the ſaid Letters Patents: as alſo for lacke of finding offices or inquiſitions, whereby the title of his Highneſſe therein, ought to haue bene found, before the making of the ſame Letters Patents, or for miſ-recitall or non-recitall of Leaſes, aſwell of record as not of record, or for lacks of the certainty of the values, or by reaſon of miſnaming of the honors, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, & other hereditaments, compriſed and mentioned within the ſame letters patents, or of the townes & counties where the ſame Honors, Caſtles, Manors, Monaſteries,

Bodies politicks

Letters Pt. Lancaſter

Fee ſimple

Doubts

Miſrecitall Nonrecitall

Offices Inquiſitiõs

Leaſes

Value Miſnaming

Abbathies, Priories, lands, tenements, rents, and other hereditaments, lyen and beene, as for diuers and ſundry other ſuggeſtions and ſurmiſes, which hereafter might happen to be moued, ſurmiſed, and procured againſt the ſame Letters Patents, albeit the words in effect contained in the ſaid Letters Patents, be according to the true intent and meaning of his moſt royall Maieſtie: Be it therefore enacted by the authoritie of this preſent Parliament, That as well all and euery the ſaid Letters Patents, Indentures, or other writings, and euery of them, vnder the ſeale or ſeales aboueſaid, or any of them made or graunted by the Kings Highneſſe, ſithen the ſaid fourth day of February, the ſaid xxviij. yeare of his moſt noble raigne, as all and ſingular other his Graces Letters Patents, Indentures, or other writings to be had, made, or graunted to any perſon or perſons within iij. yeres nert after the making of this preſent Act, of any Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, or of other religious or Eccleſiaſticall houſes or places, ſites, circuits, precincts, lands, tenements, parſonages, tythes, penſions, portions, aduowſons, nominations, & all other hereditaments & poſſeſſions, of what kind, nature, or quantitie ſoeuer they be, or by whatſoeuer name or names they or any of them be named, knowne, or reputed, ſhall ſtand and be good, effectuall, & auailable in the Law of this Realme, to all reſpects, purpoſes, cõſtructions & intents againſt his Maieſtie, his heires or ſucceſſors, without any other licence, diſpenſation, or tolerance of the Kings Highneſſe, his heires or ſucceſſors, or of any other perſon or perſons whatſoeuer they be, for any thing or things contained or hereafter to be contained in any ſuch Letters Patents, Indentures, or other writings; any cauſe, conſideration or thing materiall to the contrary in any wiſe notwithſtanding. Sauing to all & ſingular perſons, bodies politike & corporate, their heires & ſucceſſors, and the heires & ſucceſſors of euery of them, other thẽ his Highneſſe, his heires and ſucceſſors, and the ſaid Gouernours & Gouernelles, their ſucceſſors, donors, founders, and patrons aforenamed, and their heires and ſucceſſors, and all other perſons claiming in their rights, or to their vſe, or in the right, or to the vſe of any of thẽ, all ſuch right, title, claime, intereſt, poſſeſſion, reuerſion, remainder, offices, annuities, rent, charges, & commons, which they or any of them haue, ought, or might haue had, in, or to any of the ſayd Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, lands, tenements, & other hereditaments in the ſaid Letters Patents made, or hereafter to be made, compriſed at any time before ỹ making of the ſaid or ſuch Letters Patents: This Act or any thing therein contained to the contrarie notwithſtanding. And where diuers and ſundris Abbots, Priors, Abbeſſes, Prioreſſes, & other Eccleſiaſticall Gouernours and Gouernelles of the ſaid late Monaſteries, Abbathies, Priories, Nunries, Colledges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, haue had, poſſeſſed, and enioyed diuers and ſundry Parſonages appropriate, tythes, penſions, and portions, and alſo were acquited and diſcharged of and for the payment or payments of Tythes to be payed out, or for their ſaid Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, manors, meſuages, lands, tenements, and hereditaments: Be it therefore enacted by the authoritie aboueſaid, That as well the King our Soueraigne Lord, his heires and ſucceſſors, as all and euery ſuch perſon and perſons, their heires & aſſignes, which haue or hereafter ſhall haue any Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, or other Eccleſiaſticall houſes or places, ſites, circuits, or precincts of the ſame, or of any of them, or any manors, meſuages, Parſonages appropriate, tythes, penſions, portions, or hereditaments whatſoeuer they be, which belonged or appertained, or which now belong or appertaine vnto the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, or other religious and Eccleſiaſticall houſes or places, or vnto any of them, ſhall haue, hold, retaine, keepe and enioy as well the ſaid Parſonages appropriate, tythes, penſions, and portions, as the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, and other religious and Eccleſiaſticall houſes and places, ſites, circuits, precincts, manors, meaſes, lands, tenements, and other hereditaments, whatſoeuer they be, and euery of them, according to their eſtates and titles, diſcharged and acquited of payment of tythes, as freely, and in as large and ample manner, as the ſayd late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſticall Gouernors and Gouernelles, or any of them had, held, occupied, poſſeſſed, vſed, retained, or enioyed the ſame or any parcell thereof, at the dayes of their diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfaiting, giuing vp, or comming to the Kings Highneſſe of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, and other religious or Eccleſiaſticall houſes or places, or at the day of the diſſolution, ſuppreſſion, renouncing, relinquiſhing, giuing vp, or comming to the Kings Highneſſe of any of them: this Act or any thing therein contained to the contrarie notwithſtanding. Sauing to the Kings Highneſſe, his heires and ſucceſſors, all and all manner of rents, ſeruices, and other duties what ſoeuer they be, as if this Act had neuer beene had nor made. And be it &c. That ſuch of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, houſes of Friers, or other religious and Eccleſiaſticall houſes or places, and all Churches & Chappels, to them or any of them belonging, which before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giuing vp, or comming into the Kings hands, were exempted from the viſitation or viſitations, and all other iuriſdiction of the Ordinarie or Ordinaries, within whoſe Dioces they were ſituate or ſet, ſhall from

Letters P. Indentures

Thyrteene yeres

Right

Tythes

Rent duties

shall henceforth be within the iurisdiction and visitation of the Ordinaries, within whose dioces they or any of them be situate and set, or within the iurisdiction and visitation of such persons, as by the Kings Highnesse shall be limited or appointed: this Act or any other exemption, libertie or iurisdiction to the contrarie notwithstanding. And where before this time it hath pleased the Kings Maiestie, at the contemplation and humble petition of the right noble Thomas Duke of Norfolke, to giue his royall assent and licence by his Graces word, without any manner of Letters Patents or other writings, to purchase and receiue to him and to his heires, for euer, of William Flatbury, late Abbot of the Monasterie of Sipton, in the Countie of Suffolke, and Couent of the same late Monasterie, now being dissolued, all the same Monasterie, together with all and singular Manors, Lordships, lands, tenements, Woods, Waters, Commons, Courts, Leets, Aduolosons, Patronages, Parsonages, Vicarages, Chauntries, free Chappels, Tythes, portions of Tythes, Pensions, Annuities, Rents, Suits, Seruices, Reuersions, Remainders, and all other things which were the hereditaments, or the possessions of the said late Monasterie, whersoeuer they lay or were within the Realme of England: And in likewise our sayd Soueraigne Lord gaue like Licence by his Graces word vnto the right Honourable George Lord Cobham, to purchase and receiue to his heires for euer of the late Maister and Brethren of the Colledge or Chauntrie of Cobham, in the Countie of Kent, now being vtterly dissolued, the site of the same Colledge or Chauntrie, and all and singular their hereditaments and possessions, as well Temporall as Ecclesiasticall, whersoeuer they lay, or were within the Realme of England: Be it therefore enacted by the authoritie of this present Parliament, That the Act aboue written, or any thing therein contained, shall not in any wise be preiudiciall or hurtfull to the sayd Duke and Lord Cobham, or to either of them, or to the heires or assignes of either of them, but that the same Duke and Lord Cobham, and either of them seuerly, and the heires and assignes of either of them, shall and may haue, hold, receiue, and enioy the premisses by them seuerly purchased or receiued, according to the purports and effects of such Euidences, Writings, and Conueyances, as they or any of them seuerly haue caused to be deuised & made to them or to their vses for the same. Sauing alwayes and reseruing to all and singular persons and bodies politike, and to their heires and successors, other then the said late Abbot & Couent, and their successors, and the said late Maister and Brethren, and their successors, and the Founders of the same Monasterie, or y said Colledge or Chauntrie, and the heires of either of them, and all Donors, Grauntors, or Augmentors of them, or of either of them, and the heires and assignes of either of them, all such rights, titles, possessions, rents, seruices, fees, annuities, corrodies, liueries, leases, and all other their such interests, profits, & commodities, as they or any of them had, should, or ought to haue, of, to, or in any of the premisses seuerly purchased or receiued by the sayd Duke or Lord Cobham, if this present Act had neuer beene had ne made: Any thing in the same Act to the contrarie being in any wise notwithstanding. Anno 31. H. 8. cap. 13.

12 An 37. H. 8. cap. 4. An Act was made, That all Colledges, Chantries, Freechappels, &c. shal be in the Kings disposition during his life: in which Act be diuers articles cõcerning those Chantries, &c. King Henry during his life did not much by force of that Act, therefore I doe not put that Act here. Colledges Chantries Freechappels

23 All maner of Colledges, Freechappels, and Chauntries, hauing being, or in esse, within fiue yeares next before the first day of this present Parliament, which were not in actuall and reall possession of the said late King, nor in the actuall and reall possession of the King our Soueraigne Lord that now is, nor excepted in the said former Act, in forme aforesaid, (See 37. H. 8. cap. 4. before 12.) other then such as by the Kings Commissions, in forme hereafter mentioned, shall be altered, transposted or changed, & all manors, lands, tenements, rents, tythes, pensions, portions, and other hereditaments, and things aboue mentioned, belonging to them, or any of them: and also all manors, lands, tenements, rents, and other hereditaments, and things aboue mentioned by any manner of Assurance, Conueyance, Will, Deuice, or otherwise, had, made, suffered, knowledged, or declared, giuen, assigned, limited, or appointed to the finding of any Priest to haue continuance for euer, and wherewith or whereby any Priest was sustained, maintained, or found, within fiue yeares next before the first day of this present Parliament, which were not in the actuall and reall possession of the said late King, nor in the actuall and reall possession of our Soueraigne Lord the King that now is: And also all annuall rents, profits, and emoluments, at any time within fiue yeares next before the beginning of this present Parliament employed, payed, or bestowed toward or for the maintenance, suppostation, or finding of any stipendarie Priest, intended by any act or writing to haue continuance for euer, shall by the authoritie of this present Parliament, immediatly after the feast of Easter next comming, be adiudged and deemed, and also be in the very actuall and reall possession & seisin of the King our Soueraigne Lord & his heires and successors for euer, without any office or other inquisition thereof to be had or found, and in as large & ample manner and forme, as the Priests, Wardens, Maisters, Ministers, Gouernors, Rulers, or other Incumbents of them, or any of them, at any time within fiue yeares next before the beginning of this present Parliament had, occupied, or enioyed, or now hath, occupieth, or enioyeth the same, & as though all & singular the said Colledges, Freechappels, Chauntries, Stipends, Salaries of Priests, & the said manors, lands, tenements, & hereditaments, & other the premisses whatsoeuer they be, & euery of them, were in this present Act specially, particularly, & certainely rehearsed, named, and Altered Will Priest Rents Profits K. possession Office Inquisition v. yeares

expressed by expresse words, names, surnames, corporations, titles, and faculties, and in their natures and qualities. And ouer that be it enacted &c. That
Lands where any manors, lands, tenements, tythes, pensions, portions, rents, profits, or other hereditaments, by any manner of assurance, conueyance, will, deuise, or otherwise at any time heretofore had, made, suffered, knowledged, or declared, were giuen, assigned, or appointed, to or for the maintenance, sustentation, or finding of one
Priest Priest, or of diuers Priests, for terme of certaine yeares yet continuing, and that any Priest hath beene maintained, sustained, or found with ỳ same, or with the reuenues or profits thereof, within fiue yeares last past: that the King from the said feast of Easter next comming, shall haue and enioy in euery behalfe, for, and during all such time to come, euery such and like things, tenements, hereditaments, profits, and emoluments, as the Priest or Priests ought or should haue had, for, or toward his or their maintenance, sustenance, or finding, and for no longer or further time, nor for any other profit, aduantage, or commoditie thereof to be taken. Prouided alwayes, &c. That when and as soone as the time assigned for the maintenance, sustentation, or finding of that Priest or Priests shall
Expiration be expired and runne, that then it shall be lawfull to euery person or persons, to whom any manors, lands, tenements, tythes, portions, pensions, rents, and other hereditaments, or any of them should haue belonged, or appertained, if the sayd former Act and this Act had neuer beene had or made, to enter into, take, or perceiue, haue & enioy
Liuerie Ouster le maine Petition the same, without any manner of Liuerie, Ouster le maine, petition, or other suit to bee made to the King, in like manner, forme, and condition, to all intents, constructions, and purposes, as though the said former Act and this Act had neuer been had or made, and as though the King had neuer had any seisin or possession thereof: Any thing in this Act to the contrarie in any wise notwithstanding. And be it &c. That the King our Soueraigne Lord, his heires and successors, from the said feast of Easter next comming, shall haue, hold, perceiue and enioy for euer all lands, tenements, rents, or other hereditaments, which by any manner of Assurance, Conueyance, Wills, Will, Deuise, or otherwise, at any time heretofore had, made, suffered, knowledged, or declared, were giuen, assigned, or appointed to goe or be imployed wholly to
Anniuersarie Obite Lampe Light the finding or maintenance of any Anniuersarie, or Obite, or other like thing, intent or purpose, or of any Light or Lampe, in any Church or Chappell, to haue continuance for euer, which hath
v. yeares beene kept or maintained within fiue yeares, next before the said first day of this present Parliament. And also that where but part of the issues or reuenues of any manors, lands, tenements, rents, or other hereditaments hath by any of the wayes or meanes aboue said beene giuen, assigned, or appointed, to be bestowed or employed to the finding or maintenance of any Anniuersarie, or Obite, or other like thing, intent, or purpose, or of any Light or Lampe in any Church or Chappell, and to haue continuance for euer: that then our Soueraigne Lord the King shall King from the said Feast of Easter next comming, for euer haue, perceiue and enioy euery such summes of money, that in any one yeare within fiue yeares next before the first day of this present Parliament hath beene expended and bestowed about the finding or maintenance of any such Anniuersary or Obite, or other like thing, intent, or purpose, of any Light, or Lampe, to him, his heires and successors for euer, as a rent charge to bee payed Rent yearely at the feasts of Saint Michael the Archangell, and the Annunciation of our Ladie Saint Marie the Virgin, by euen portions, in the Kings Court of the Augmentations and reuenues of his Crowne, or in any other Court or Courts, as the King hereafter shall appoint. And that it shall be lawfull to our said Soueraigne Lord the King, his heires and successors, for nonpayment of any such summe or summes of money, to distraine in Distraine the said manors, lands, and tenements of the issues and reuenues, whereof the said Anniuersarie or Obite, or other like thing, or any such Light or Lampe was found, sustained, or maintained. And that for lacke of sufficient distresse in or vpon any of the premisses, whereof any of the said yerely rents or summes of money shall be payed by the space of one moneth next after that any of the said rents should be payed, and be not payed, within the said moneth: that then it shall be lawfull to and for our Soueraigne Lord the King, his heires and successors, by vertue of this present Act, to enter into, and to haue and possesse as much Entre lands of the landes, tenements, and hereditaments, Rents whereof the said rent or rents should bee issued or payd out of the same, as doth or shall amount or come to in yearely value, and the same lands, tenements, and hereditaments to hold and keepe, and to haue to our sayd Soueraigne Lord the King, his heires and assignes for euer, or for such Use estate as our Soueraigne Lord the King, his heires or successors, had, or ought to haue had, of, or in the said rent or rents. And be it also enacted &c. That our Soueraigne Lord the King shall from the said feast of Easter next comming haue, perceiue, and enioy all and singular such summes of money, profits, commodities, and emo- Profits luments, which by vertue of any manner of Assurance, Conueyance, Composition, Will, Deuice, or otherwise heretofore haue beene giuen, assigned, limited, or appointed to haue continuance for euer, which in any one yeare within fiue v. yeares next before the beginning of this present Parliament haue beene payed, bestowed, or imployed, by any manner of Corporations, Guilds, Corporations Fraternities, Companies, or Fellowships of Mysteries or Crafts, or any of them, being in England, Fraternities Companies Wales, and other the Kings dominions, or by the Crafts Maisters & Wardens, Gouernors, or other officers Masters or ministers, or by ỳ Maister, Warden, Gouernor, Wardens or other officer or minister of them, or any of ỳ Governors toward or about the finding, maintenance, or sustentation of any Priest or Priests, of any Anniuersarie, or Obite, Lampe, Light, or Lights, Priests Anniuersaries Obites Lampes Lights or Lights

or other like thing, as is aforeſaid, to our ſaid Soueraigne Lord the King, his heires and ſucceſſors for euer, to be payed yearely as a rent charge at the Feaſt of S. Michael the Archangell, and the Annunciation of our Ladie, by euen portions, in the Kings Court of Augmentations and reuenues of his Crowne, or in any other Court or Courts, as the King hereafter ſhall appoint. And that it ſhall be lawfull to our ſaid Soueraigne Lord the King, his heires and ſucceſſors, for nonpayment of any ſuch ſumme or ſummes of money, profit, commoditie, or emolument, or for nonpayment of any of them, to diſtraine in all the manors, lands and tenements of euery ſuch Crafts, Corporations, Guilds, Fraternities, Companies, or Fellowſhips of Myſteries, or Crafts, or any of them, by whom, or by the Maſters, Wardens, Gouernors, or other officers or miniſters, or Maſter, Warden, Gouernour, or Miniſter, of the which any ſuch ſummes or ſumme of money, profit, commoditie, or emolument, haue or hath beene payed, beſtowed, or imployed. And that all and euery of the ſaid ſummes of money, profites, commodities, and emoluments ſhall from the Feaſt of Eaſter next comming, without any manner of inquiſition, or office to be had or found, be iudged and deemed to be in the actuall and reall poſſeſſion of our ſaid Soueraigne Lord the King, in like manner and forme, to all intents, conſtructions, and purpoſes, as if the ſame had beene particularly & ſpecially mentioned in this preſent Act. And furthermore be it &c. That the King our Soueraigne Lord ſhall from the ſaid Feaſt of Eaſter next comming haue and holde to him, his heires and ſucceſſors for euer, all Fraternities, Brotherheads, and Guildes, being within this Realme of England and Wales, and other the Kings dominions, and all the manors, lands, tenements, and other hereditaments, belonging to them or to any of them, other then ſuch Corporations, Guilds, Fraternities, Companies, and Fellowſhips of Myſteries or Crafts, and the manors, lands, tenements, and other hereditaments pertaining to the ſayd Corporations, Guilds, Fraternities, Companies, & Fellowſhips of Myſteries or Crafts aboue mentioned, and ſhal by vertue of this Act be iudged and deemed in actuall and reall poſſeſſion of our ſaid Soueraigne Lord the King, his heires and ſucceſſors, from the ſaid Feaſt of Eaſter next comming, for euer, without inquiſitions or office thereof to be had or found. And alſo be it &c. That our ſaid Soueraigne Lord the King, his heires and ſucceſſors, at his and their will and pleaſure, may direct his and their Commiſſion and Commiſſions vnder the great Seale of England, to ſuch perſons as it ſhall pleaſe him. And that the ſame Commiſſioners, or two of them at the leaſt, ſhall haue full power and authoritie, by vertue of this Act, and of the ſaid Commiſſion, as well to ſurney all and ſingular lay Corporations, Guilds, Fraternities, Companies, & Fellowſhips of Myſteries or Crafts incorporate, & euery of them, as all other ỳ ſaid Fraternities, Brotherheads and Guilds, within the limits of their Commiſſion to them directed: And all the euidences, compoſitions, bookes, and accompts or other writings of euery of them, to the intent thereby to know what money and other things was payed or beſtowed to the finding or maintenance of any Prieſt or Prieſts, Anniuerſarie, or Obite, or other like thing, light, or lampe, by them, or any of them: As alſo to inquire, ſearch, & trie, by all ſuch wayes and meanes as to them ſhall be thought meet and conuenient, what manors, lands, tenements, rents, and other hereditaments, profits, commodities, emoluments, and other things be giuen, limited, and appointed to our ſaid Soueraigne Lord the King by this Act, within the limits of their Commiſſion. And alſo that the ſame Commiſſioners, or two of them at the leaſt, by vertue of this Act, and of the Commiſſion to them directed, ſhall haue full power and authoritie to aſſigne, and ſhall appoint (in euery ſuch place, where Guild, Fraternitie, the Prieſt or Incumbent of any Chauntrie in eſſe, the firſt day of this preſent Parliament, by the foundation, ordinance, or firſt inſtitution thereof, ſhould or ought to haue kept a Grammar ſchoole, or a Preacher, and ſo hath done ſithen the Feaſt of S. Michael the Archangell laſt paſt) lands, tenements, and other hereditaments, of euerie ſuch Chauntrie, Guild, and Fraternitie, to remaine and continue in ſucceſſion to a Schoolemaſter or Preacher for euer, for & toward the keeping of a Grammar ſchoole or preaching, and for ſuch godly intents and purpoſes, and in ſuch manner and forme, as the ſame Commiſſioners, or two of them at the leaſt, ſhall aſſigne or appoint. And alſo to make and ordaine a Vicar to haue perpetuitie for euer, in euery parith Church, the firſt day of this preſent Parliament, being a Colledge, Freechappell, or Chantrie, or appropriate, annered, or vnited to any Colledge, Freechappell, or Chauntrie, that ſhall come to the Kings hands by vertue of this Act, and to endow euery ſuch Vicar ſufficiently, hauing reſpect to his cure and charge: the ſame endowment to be to euery ſuch Vicar, and to his ſucceſſors for euer, without any other Licence or Graunt of the King, the Biſhop, or other officers of the Dioceſſe. And alſo the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue authoritie, by force of this Act, to aſſigne in euery great Towne or Parith where they ſhall thinke neceſſarie to haue moe Prieſts then one, for the miniſtring of the Sacraments within the ſame Towne or Parith, lands and tenements belonging to any Chauntrie, Chappell, or ſtipendarie Prieſt, being within ỳ ſame Towne or Parith the firſt day of this preſent Parliament, to be to ſuch perſon or perſons, as the ſaid Commiſſioners, or two of them at the leaſt, ſhall aſſigne or appoint, to continue in ſucceſſion for euer, for, and towards the ſufficient finding and maintenance of one or moe Prieſts within the ſame Towne or Parith, as by the ſaid Commiſſioners, or two of them ſhall be thought neceſſarie or conuenient. And as well to make ordinances and rules concerning the ſeruice, vſes, and demeanour of euery ſuch Prieſt and Schoolemaſter, as is aforeſaid, to be appointed, as alſo by what name or names he and they ſhal from henceforth be named and called.

Accompts

Prieſts

Inquire

Commiſſioners

Grammar ſchoole

Preacher

Schoolemaſter

Vicar

Endow

Miniſtration of Sacraments

Rules

Commiſſioners

And alſo that the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue full power and authoritie by vertue of this Act, and of the ſaid Commiſſion to them directed, to aſſigne as well to euerie Deane, Maſter, Warden, Prouoſt, and other Incumbent, and Miniſter of any of the ſaid Colledges, Frœchappels, or Chaunteries, being within the limits of their Commiſſion, which hereafter ſhall be diſſolued or determined by vertue of this Act, and to euery ſtipendarie Prieſt & other Prieſt, whoſe ſalarie the King ſhall be intituled vnto by this Act, as to euery fellow and poore perſon, hauing yearely reliefe out of any of the ſaid Colledges, Frœchappels, or Chantries, being within the limits of their Commiſſion, ſuch ſeuerall yearely annuities, penſions, or other recompences, during their ſeuerall liues, as to the ſame Commiſſioners, or two of them, ſhall be thought meet and conuenient. And ouer that the ſaid Commiſſioners, or two of them at the leaſt, ſhall haue full power & authoritie by vertue of this Act, and of the Commiſſion to them directed, to inquire and trie by ſuch waies and meanes as they ſhall thinke meet and conuenient, what money, profit, and benefit any poore perſon or perſons, by vertue of any Conueyance, Aſſurance, Compoſition, Will, Deuiſe, or otherwiſe heretofore had or made, intended, or meant to haue continuance for euer, had or enioyed within fiue yeres next before the beginning of this preſent Parliament, out of any Colledge, Frœchappell, or Chauntrie, and other the premiſſes, giuen, limited, or appointed to the King by this Act, being within the limits of their Commiſſion. And thereupon to make aſſignements and orders in ſuch manner and forme, as all and ſingular ſuch ſaid money, profit, and commoditie ſhall be payed to poore people for euer, according to ſuch ſaid Aſſurance, Compoſition, Will, Deuice, or other thing had or made for the ſame, and to aſſigne and appoint lands, tenements, or other hereditaments, parcell of the premiſſes, for the maintenance and continuance of the ſame for euer, and alſo appoint to Fraternities, Brotherheads, and Guilds, lands, tenements, and hereditaments, parcell of the premiſſes, toward, and for the maintenance of Peeres, iutties, walls, bankes, againſt the rages of the Sea, Hauens, and Creekes. And that all and ſingular annuities, penſions, and other recompences, ſhall be halfe yearely payed to the perſons, to whom the ſame ought to be payed by the Kings Receiuer for the time being, of his lands, commonly called the ſuppreſſed lands, or other his reuenues, lying in the Countie or Citie, where ſuch Colledge, Frœchappell, or Chantrie, or other the premiſſes, giuen, limited, or appointed to the King by this Act, the firſt day of this preſent Parliament, were or remained, without any fee or reward therefore to be payed: The firſt payment to begin at the Feaſt of Saint Michael the Archangell next comming. And that euery ſuch Receiuer, vpon his accompt ſhall haue full and due allowance of all ſuch annuities, penſions, and other recompences by him payed, by vertue of any ſuch aſſignement to be made by the ſaid Commiſſioners, or two of them at the leaſt. And be it &c. That the ſaid Commiſſioners and euery of them that ſhall take vpon him the execution of any of the ſaid Commiſſions, ſhal be bound as he will anſwer before God, to execute the Commiſſion to him and other directed, beneficially towards the Deanes, Maſters, Wardens, Prouoſts, and other Incumbents and miniſters aforeſaid, and towards the poore people concerning the ſaid aſſignements, and alſo toward the maintenance of piers, iutties, walls, or bankes, againſt the rages of the Sea, Hauens, and Creekes. And that all manner of Aſſignements and Ordinances to be made by the ſaid Commiſſioners, or two of them at the leaſt, and certified vnder their ſeales, or the ſeales of two of them at the leaſt, into the Kings Court of the Augmentations and reuenues of his Crowne, or to any other Court or Courts, by the Kings Maieſtie to be made or aſſigned, ſhal by vertue of this Act, and of the ſaid Commiſſions, be good and effectuall in the Law, to all intents, conſtructions, and purpoſes, as though the ſame had beene aſſigned and ordained by authoritie of this preſent Parliament, by expreſſe and apt words, termes, and ſentences. Prouided alſo, that ſuch annuities, penſions, and other recompences, that the ſaid Commiſſioners, or any of them, ſhall aſſigne or appoint to be payed yearely to any ſuch Deane, Maſter, Warden, Gouernor, or other Incumbent, Fellow, or Miniſter, ſhall not extend to any more cleare yearely value, then ſuch Deane, Maſter, Warden, Prouoſt, Gouernour, or other Incumbent, Fellow, or Miniſter, or his predeceſſor lafully had or enioyed in money, meat, drinke, liuerie, or allowance of the ſame yearely, within fiue yeares next before the beginning of this preſent Parliament. Prouided alſo, that if any of the ſaid Maſters, Wardens, Prouoſts, Gouernours, or other Incumbents, Fellow, or Miniſter, ſhall at any time hereafter during his life be promoted by the King to any Benefice, or other ſpirituall promotion, being of a better cleare yearely value then his ſaid annuitie or penſion, or other recompence ſhall be of, that then the annuitie, penſion, or recompence that any ſuch Deane, Maſter, Warden, Gouernour, Prouoſt, or other Incumbent, Fellow, or Miniſter, that ſo ſhal be promoted, ſhall haue, ſhall immediatly after ſuch promotion had, ceaſe, and vtterly determine. And be it &c. That the ſaid Commiſſioners, or two of them at the leaſt, to whom any Commiſſion by vertue or meane of this Act, ſhalbe directed and deliuered, ſhall be bound vpon the forfeiture euery of them of a hundred pounds, to make certificate vnder their ſeales, or the ſeales of two of them at the leaſt, into the ſaid Court of Augmentations and reuenues of the Kings Crowne, or into any other Court, as is aforeſaid, within one yeare next after the Cõmiſſion to them directed, of all manors, lands, tenements, rents, tythes, portions, penſions, hereditaments, and recompences, by the ſame Commiſſioners, or two of them, aſſigned or appointed to any of the vſes, intents, or purpoſes aboue mentioned. And alſo be it &c. That our Soueraigne Lord the King ſhall haue and inioy

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al such goods, cattels, iewels, plate, ornaments, and other moueables, as were, or be the common goods of euery such College, Chantrie, free chappels, or stipendarie Priest, belonging or annexed to the furniture or seruice of their seuerall foundations, or abused to any of the said corporations in the abuses aforesaid, the propertie whereof was not altered nor changed before the eight day of December, in the yeere of our Lord God 1547. And it is ꝛc. that all such debts and summes of money as ought or should without fraud or coun hereafter be paid of the money or goods of any of the said Colledges, due or payable by reason of any cõtract, specialty, or promise, had or made before the same eight day, shall truely & fully be paid by the Treasurer of the kings Court of augmentations and reuenues of his Crowne, or by the Treasurer or receiuer of any other court, to which any of the premisses shall be appointed, of the kings treasure, being in his or their hands, with as conuenient spæd as the same may be payed. Prouided alwaies, that this act, or any article, clause, or matter conteined in the same, shall not in any wise extend to any College, Hostell, or Hall, being within any of the Universities of Oxford and Cambridge: nor to any Chantrie founded in any of the Colledges, hostels, or hals, being in the same Universities: nor to the free Chappell of Saint George the Martyr, situate in the Castle of Windsor: nor to the Colledge called S. Mary Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham: nor to the Colledge of Eaton: nor to the parish Church, commonly called the Chappell in the sea of Newton, within the Isle of Ely, in the Countie of Cambridge: nor to any manors, lands, tenements, or hereditaments, to them or to any of them pertaining or belonging: Nor to any Chappell made or ordeined for ỹ ease of the people dwelling distant from the parish Church, or such like Chappell, whereunto no more lands or tenements then ỹ churchyard, or a little house or close doth belong or appertain: Nor to any Cathedrall Church or Colledge, where a Bishops see is, within this realme of England, or in Wales, nor to the manors, lands, tenements, or other hereditaments, of any of them, other then to such chantries, obits, lights, and lamps, or any of them, as at any time within fiue yeeres, next before the beginning of this present Parliament, haue bene had, vsed, or maintained within the said Cathedrall Churches, or within any of them, or the illues, reuenues, or profits of any of the said cathedrall Churches, to which chantries, obites, lights, and lampes, it is ment by the authoritie aforesaid, that this Act shall extend. And it is ꝛc. that our soueraigne Lord the king, at any time during his life, (which God long preserue) may at his will and pleasure, alter and change the name or names of all and singuler chantries, and the foundations of the same, being in any of the Colledges, hostels, or halls, of any of the said Universities, according as to his godly discredome, shall be thought meete and conuenient. Sauing to all and euery person or persons, bodies politike and corporate, their heires and successors, and the heires and successors of euery of them, other then the Maisters, Wardens, ministers, gouernors, rulers, priests, incumbents, fellowes, and brethren of the said colledges, chauntries, free chappels, and other the premisses, giuen, limitted, or appointed to the king by this act, and the successors of them, and other then such as be or pretend to be founders, patrons, or donors of the premisses, or any of them, or of any part or parcell thereof, and the heires, successors and assignes of euery or any of them, and other then such as be or were feoffees, recouerers, conisees, grantees, or deuisees, to or of any the premisses, to or for any of the vses, purposes, or intents aboue mentioned, or to the vse of any the said Colledges, free chappels, chauntries, or other the premisses, giuen, limitted, or appointed by this act to the king, or to the intent to imploy the rents or profits therof to the vse of maisters, rulers, incumbents, or ministers of them or any of them, and other then such person and persons, and bodies politike & corporate, their heires, successors and assignes, as claim or pretend to haue estate, right, title, interest, vse, possession or condition, of, in or to the premisses, or any part or parcell thereof, by reason of any feoffement, fine, bargaine & sale, or by any other waies, meanes or conueyance to them made, of any estate of inheritance, without ỹ said late kings licences, assent, consent, or agreement, and without the licence, assent or agreement of the kings Maiestie that now is, by any of the said Deanes, Maisters, Wardens, Ministers, gouernours, rulers, priests, or incumbents, or by the founders, donors, or patrons of them, or of any of them: all such right, title, claim, possession, interest, rents, annuities, commodities, commons, offices, fees, leases, lineries, linings, pensions, debts, duties, and other profits, which they or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any the premisses, or in, of, or to any part or parcell thereof, in such like maner, forme & condition, to all intents, respects, constructions and purposes, as if this act had neuer bene had or made, & as though the said chauntries, colledges, and other the said promotions had still continued and remained in their full being, and sauing to all and euery patron, donor, founder or gouernour of any such colledge, chauntrie, free chappell, stipendarie priests, and other the premisses, giuen, limitted or appointed to the king by this act, and the donor, feoffor, and giuer of the foresaid lands, tenements, or hereditaments, to them, or any of them, or to any vses or purposes before mentioned, all such rents seruices, rents secke, rents charges, fees, annuities, profits, and offices, and also leases for terme of life, lines and yeeres, whereupon the accustomed rent or more is reserued, as they or any of them lawfully had, perceiued, & enioyed in, out, or of any the said promotions, or out of any the sayd lands, tenements, or hereditaments, before the first day of this present Parliament. And ouer that it is ꝛc. That all and euery person and persons being in life, which haue or hath, for any summe of money to him or them paid, bargained, or sold any manors, lands, tenements,

Colledges Chantries
Free chappels
Founders Patrons
Feoffees Recouerers
Rents
Right
Feoffement Sale
Licence
Patron
Founder
Rents
Leases Old rent
Sold lands

nements, or other hereditaments aforesaid, whereunto the King our Soueraigne Lord is intituled by vertue of this Act, shall repay to such person as so bought any of the said manors, lands, tenements, or other hereditaments, or to his executors or assignes, vpon a request thereof made, or within three monethes then next ensuing the same request, as much money as he or they receiued for the sale of any thing so by him or them sold. And for non paiment thereof, such person and persons as purchased or bought the said lands, tenements, and other the premisses, or any parcell thereof, and their executors and administrators, shall be enabled by the authoritie of this present Parliament, to sue and maintaine an action of debt at the common lawes of this Realme against such person or persons as so bargained or sold to him or them, or to their testator, any of the premisses belonging to any Colledge, Chauntrie, free Chappell, or other promotion spirituall, in which action of debt, none Essoine, Protection, or Wager of law shall be admitted or allowed. And be it &c. That all and euerie of the said Chauntries, Colledge, & free Chappels, and other the premisses, giuen, limited, or appointed to the King by this Act, and all the mansion houses, manors, lands, tenements, possessions, and hereditaments, and other the premisses, whatsoeuer they be, giuen, limited, and appointed to the King by this Act, and euerie part and parcell of them, which by authoritie and vertue of this Act, beene vested, adiudged, and deemed, or shall bee in the Kings Maiesties possession & hands, or which the King shall be intituled vnto by vertue of this Act, shall be in the order, suruey, and gouernance of our said Soueraigne Lord the Kings Court of the Augmentations and reuenues of the Crowne, or in such other Court, as the King at any time hereafter shall assigne, name, or appoint, and so shall and may be graunted, letten, and set to ferme by the Chauncellor, Officers, and Ministers of the same Court, or of any other Court so to be appointed, in such manner and forme as other Manors, lands, tenements, appointed to the same Court of Augmentations and reuenues of his Graces Crowne, or other Court to be appointed, beene to be granted or letten. And that all the fermes, issues, reuenues, and profits, comming and growing of the same premisses, and of euerie part thereof, shall be taken & receiued to the Kings vse, by the Officers and Ministers of the same Court or Courts, in such manner and forme as is vsed and had of other manors, lands, & tenements, and of the issues, reuenues, and profits of the same, committed to the order, rule, suruey, and gouernance of the said Court of the Augmentations and reuenues of the Kings Crown, or any other Court so to be appointed: Any Act, Statute, ordinance, custome, or vse, heretofore had, made, or vsed to the contrarie notwithstanding. And it is &c. That if any of the said Master, Wardens, Ministers, Rulers, Gouernors, Priests, Incumbents, or owners of any such Colledge, Chauntrie, free Chappell, or of any the premisses, giuen, limited, or appointed to the King by this Act, or of any of them, sithence the three and twentieth day of November, in the twentie seuenth yeare of the raigne of the sayd late King, haue made any lease vnder his or their common seale, or otherwise for terme of yeares, life or liues, of the said Colledges, Chauntries, free Chappels, or of other the same premisses, or of any manors, lands, tenements, possessions, or hereditaments whatsoeuer they be, to them, or to any of them vnited or annexed, belonging or appertaining, vpon the which leases the vsuall and old rents and fermes accustomed to be yelden and reserued, or more, by the space of fiuentie yeares, next before the sayd three and twentieth day of November, not to be reserued and yelden, shall be vtterly void and of none effect: And that all other leases and grants heretofore made of any the premisses, giuen, limited, or appointed to the King by this Act, shall be as good, available, and effectuall in the law, to all intents, constructions, and purposes, as if this Act had neuer beene or made: Any thing in this Act, or any other Act heretofore had or made to the contrarie thereof in any wise notwithstanding. Prouided alwayes, and be it &c. That this sayd Act, or any thing therein contained, shall not extend to any mannors, lands, tenements, possessions, or hereditaments, which the said Masters, Wardens, Ministers, Chauntrie Priests, Incumbents, or other the said Gouernors, Officers, Ministers, or Rulers of the premisses, or any of them, hath, or is, or hereafter shall haue, or be possessed or seised in fee simple, fee taile, generall or speciall, for terme of life, terme of yeares, or otherwise to his or their own proper vses, by inheritance or purchase, and not being at any time vnited or annexed to his or their sayd Colledges, free Chappels, Chauntries, or other the premisses, giuen, limited, or appointed to the King by this Act: nor shall extend to any manors, lands, tenements, possessions, rents, annuities, and yearely pension or pensions, or to any yearely summe or summes of money, being not vnited, or parcell of any the said Colledges, and other the premisses aforesayd, or of any of them heretofore giuen or graunted by the said late King, or giuen or granted, or hereafter to be giuen or granted by the King our Soueraigne Lord, to any of the said Deanes, Masters, Wardens, Ministers, Chantrie Priests, Incumbents, Gouernours, or Rulers of the premisses, or of any of them, for terme of life onely, vnder his great Seale of England, vnder the Seale of the Court of the Augmentations and reuenues of the Kings Crownes, or any other of the Kings Seales, of any of his Courts: Any thing contained in this Act to the contrary in any wise notwithstanding. Prouided alway &c. That as well all and euerie Patron, Donor, Founder, and giuer of any of the said promotions or premisses, or giuer, donor, or feoffor of any their lands, tenements, possessions, or other hereditaments, as all and euerie person and persons, bodies politike and corporate, which before the making of this Act, lawfully without fraud or couin, had or enioyed any maner of rent, or other yearely profits to be taken, perceiued, or had, of any Chauntries, Colledges, free Chappels, or other the

Repay

Executors Administrators

Augmentation

Profits

Lord

Old rents

20. Pur

Gift

Deans Masters

the premisses, giuen, limited, or appointed to the King by this Act, or out of any manors, lands, tenements, or other possessions of them, or any of them, shall haue and enioy the same in like maner and forme as they should and ought to haue done, if the said Colledges, Chauntries, free Chappels, and other the premisses, giuen, limited, or appointed to the King by this Act, had still remained and continued in Esse, and full being: Any thing in this Act mentioned to the cõtrary in any wise notwithstanding. Prouided also &c. That if any such Gouernor, Ruler, Warden, Master, Incumbent, Minister, or other, hauing any of the said spirituall promotions, or Incumbents, haue, or shall compound for the first fruits of any such spirituall promotions, according to the Lawes and Statutes of this Realme, and the dayes of paiment of any part thereof, not expired before the first day of this Parliament, that all summes of money so to be due and payable sithence the first day of this Parliament, shall cease and be not payed, asked, or demaunded: Any bond, recognisance, suretie, or other thing had or made to the contrarie notwithstanding. Prouided allwayes, and be it &c. That all such rents, seruices, issues, profits, and other summes of money payable out of, or for any of the premisses, or any of them, in the Kings Court of his Exchequer, shall continue, and be continually and yearely leuied, charged, or payd in the same Court, in such maner and forme as heretofore hath beene vsed: Any Law, custome, vnitie of possession in the Kings Highnesse, or other thing to the contrarie notwithstanding, and as though the said promotions, manors, lands, tenements, and other the premisses, had not come to the Kings hands and possession. And be it &c. That all and euerie Letters Patents made by the said late King Henrie the eight, or by the Kings Maiestie that now is, or hereafter to be made by his Highnesse, to any person or persons, or to any Archbishop or Bishops of any of the sayd Colledges, Chantries, free Chappels, or other the premisses, or any part or parcell of them, or of any lands, tenements, or hereditaments, belonging or appertaining, or that did belong or appertaine to them, or to any of them: And all fines, gifts, grants, feoffements, recoueries, and all other assurances and conueyances therof had or made by the assent, consent, or licence vnder the great Seale of England, of the said late King Henrie the eight, or of the Kings Maiestie that now is, to any person or persons, bodies politike or corporat, by any Chantrie Priest, Master, Warden, Minister, Ruler, Gouernour, or other hauing any of the said promotions, of any of the said Colledges, Chauntries, free Chappels, or other the premisses, or of any of them, or of any part or parcell, or member of the same, shall stand and be in their force and effects, and shall be good and effectuall in the law, for such estates and interests, giuen, granted, limited, or appointed in any of the gifts, graunts, assurances, or conueyances thereof had or made, according to their purports, forme, and matter, and according to the true intent and meaning of the same assurances, and shall be by authoritie of this Act, good, perfect, and auailable, as well against the King, his heires and successors, as against the said Chauntrie Priests, Wardens, Masters, Rulers, Gouernours, and other, hauing any of the sayd promotions, and their successors, and the successors of euerie of them, as also against the Founders, Donors, and Patrons of the same, and Ordinarie of them, and euerie of them, and the heires and successors of euerie of them: Any Law, Statute, or ordinance, or other thing to the contrarie thereof notwithstanding. And where diuers and sundrie Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Chauntrie Priests, Masters, Prouosts, Rulers, Gouernours of any Deaneries, Archdeaconries, Treasurerships, Prebends, free Chappels, Chauntries, or Colledges, within this Realme of England, and other the Kings Maiesties Dominions, or any of the Patrons, Founders, Donors of any of the Bishoprickes, Treasurerships, Deaneries, Chauntries, free Chappels, or other the sayd spirituall promotions, of their voluntarie wils and minds, for diuers good and reasonable causes and considerations, by deed or deeds inrolled, or by other writings or conueyances heretofore giuen and granted to the said late King of famous memorie Henrie the eight, late King of England, and to his heires, or to our Soueraigne Lord the King that now is, and to his heirs, diuers of their Deaneries, Archdeanries, Treasurerships, Prebends, Chappels, Chauntries, and Colledges, or any other Ecclesiasticall or Spirituall promotions last before remembred, and all or some part of the Manors, lands, tenements, tithes, pensions, annuities, rents, reuersions, and other reuenues, hereditaments, possessions, emoluments, and profits to the same Bishoprickes, Deanries, Archdeaconries, Treasurerships, Prebends, Chappels, Chantries, Colledges, and other like promotions, benefices, offices, and dignities, or to any of them belonging, appertaining, vnited, and annexed, or which the sayd Bishops, Deanes, Archdeacons, Treasurers, Chauntrie Priests, Masters, Prouosts, Rulers, Gouernours, and other Ecclesiasticall or spirituall Officers or Ministers of any of the said Patrons, Owners, or Foundors of any of them, had or enioyed in the right, or by reason of any of the same promotions, offices, or dignities: Be it &c. That all and euerie gifts and grants heretofore made to the sayd late King, and to his heires, or to our Soueraigne Lord the King that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasurer, Prebendarie, Master, Prouost, Gouernour, or other the said Ecclesiasticall or spirituall person or persons, or by any Patrons, Donors, or Foundors of any of the sayd Deaneries, Chauntries, or other of the said Spirituall or Ecclesiasticall promotions, or of all, or of any of the Manors, lands, tenements, tithes, rents, reuenues, pensions, portions, annuities, or other hereditaments, reuenues, emoluments, profits, or commodities, to any of the said benefices, offices, prebends, promotions, or dignities belonging, appertaining, vnited, or annexed, or which any of the same Archbishops, Bishops, Deanes, Archdeacons,

Bishops Deanes Archdeacons

Founders Patrons

Deanries Archdeanries

Gifts Grants

cons, Treasurers, Maisters, Prouosts, Prebendaries, Rulers, Gouernours, Officers, or Ministers, Patrons, Founders, Donors, had or enioyed, or haue or enioy, or ought to haue or enioy, in the right, or by reason or means of any of the same promotions, offices, or dignities, shall be good and effectuall in the law, to all intents and purposes. Saning to all and euerie person and persons, and bodies politike and corporate, their heires, successors, and assignes, and the heires, successors, and assignes of euerie of them (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouernors, Wardens, Prouosts, giuers, and granters of any of the premisses, and their heires, successors, and assignes, and other then such Ecclesiasticall or Spirituall persons, bodies politike or corporate, as are or pretend to be Founders, Donors, Patrons, or Ordinaries of the premisses, or any of them, such

Rights

rights, titles, interests, claimes, entries, reuersions, remainders, fées, offices, annuities, lands, tenements, hereditaments, profits, commodities, and emoluments, as they or any of them haue, or should, or ought to haue had, of, in, or to the premisses next aboue mentioned, or any part thereof) as if this Act had neuer bene had or made: Any thing in this Act to the contrarie in any wise notwithstanding. Prouided alwayes, That this Act, or any thing therein contained, shall not in any wise

Make good Gift Grant Vicar

extend to make good or effectuall, any gift, graunt, bargaine, sale, or alienation made by any Parson or Vicar, of their Parsonages, Vicarages, or of any part or parcell thereof, or of any thing to them, or any of them belonging or appertaining. Prouided also, That this Act, or any thing therein contained, shall not in any wise extend to hinder or

L. Cobham

preiudice George Brooke Knight, Lord Cobham, his heires or assignes, for, or concerning the late

Colledge of Cobham

Colledge, of Cobham, in the Countie of Kent, or the Manors, lands, tenements, and possessions thereof: Any thing aboue mentioned to the contrarie in any wise notwithstanding. Prouided also, That this present Act, or any thing therein contained, shall not in any wise extend or be preiudiciall or hurtfull to the generall Corporation of any

Corporatiõ of Cities Boroughs

Citie, Borough, or Towne, within this Realme, or any other the Kings Dominions, ne shal extend to any the lands or hereditaments of them, or any of them: Any thing herein contained to the contrarie in any wise not withstanding. Prouided also, &c. That all such of the said Colledges, free Chappels, Chauntries, and other the premisses, being appointed and giuen to the Kings Highnesse, by the authoritie of this Act, as be within the Duchie of Lancaster, and all Manors, lands, tenements, and hereditaments, pertaining or belonging to the same Colledges, free Chappels, and Chauntries, shall after the sayd Feast of Easter next comming, be within the survey and order of the Court of the

Lancaster

Duchie of Lancaster, in such manner and forme as other the premisses be aligned or appointed by the authoritie of this Act, to be in the survey and order of the Court of the Augmentations and reuenues of the Kings Crowne, or other Court by the King to be aligned. And that all Commissions that hereafter shall be awarded by vertue and force of this Act, concerning such Colledges, free Chappels, Chauntries, and other the premisses, as be within the said Duchie of Lancaster, shalbe awarded vnder the great Seale of England, and shalbe certified into the same Court of the Duchy of Lancaster: Any thing aboue sayed to the contrarie in any wise notwithstanding. Prouided alwayes, &c. That this Act, ne any thing therein contayned, shall not extend to the Colledge or Chauntrie of Attilborough, in the Countie of Norfolke, which the late King Henrie the eight gaue to Robert late Earle of Suffer, and to his heires, but that Henrie now Earle of Suffer, sonne and heire to the sayd late Earle, his heires and assignes, shall and may by the authoritie of this Act, haue and enioy the said Colledge and Chauntrie, and all Manors, lands, tenements, aduowsons, tithes, pensions, portions, and other hereditaments thereunto belonging or appertaining: Any thing in this Act to the contrarie in any wise notwithstanding. Prouided alwayes, &c. That the Kings Maiestie at any time when it shall seeme to him good, may giue authoritie to certaine his Graces Commissioners, to alter the nature and condition of all manner of Obits, as well within the Universities of Oxford and Cambridge, as in any other place within this his Graces Realme of England and Wales, being not suppressed ne adnihilate by vertue of this present Act, and the same obits so altered to dispose to a better vse, as to the releefe of some poore men being Students or otherwise. Prouided also &c. That it shall not be lawfull to any person or persons, bodies politike or corporate, by reason of any remainder, vse or condition, to enter into, claime, or challenge any lands, tenements, or hereditaments, for the non doing, not naming, or non finding of any such Priest or Priests, or poore folkes, as is afore said, obit, anniuersarie, light, or lampe, from henceforth to be founded or done: Any thing therein contained to the contrarie in any wise notwithstanding. Prouided alwayes, That this Act, nor any thing therein contained, shall in any wise extend to any lands, tenements, possessions, or hereditaments whatsoeuer, that any Master Deane, Prebendarie, Warden, or Chauntrie, or any Stipendarie Priest of any Colledge, Chauntrie, Prebend, Fraternitie, Guild, or any other Corporations, haue or held of any person or persons, by copie of Court roll, or at Will, according to the custome of any Manor or Manors, nor giue or grant any Copihold lands to the Kings Highnesse. And also prouided, That the Kings Highnesse, his heires and successors, shall not in any wise haue, hold, enioy, or take, by vertue of this Act, or any article therein contained, any manner of Copihold lands, tenements, possessions, or hereditaments whatsoeuer they be, but that all and euerie the said persons and incumbents shall haue, hold, and enioy the same, during their liues, towards their pension and yearely liuing, paying their rents, and doing their customes and services thereof due and accustomed: Any thing in this Act to the contra-

Commissions

Attilborough

Earle of Suffer

Commissioners

Alteration Oxford Cambridge

Challenge

No finding of Priest

Obit Anniuersarie Light Lampe

Deane Prebendarie Warden Fraternitie Guild Chauntrie

Copihold

Copihold lands

Rents Seruices

rie

rie notwithstanding. Prouided allwayes, That this Act shall not extend to any lands, tenements, or hereditaments, assigned, appointed, or intended for the finding or maintenance of any Chauntrie Priest, or any Stipendarie Priest, which by any former right, & good title, without fraud or couin, were lawfully recouered from the possession of any such Chauntrie Priest, or Stipendarie Priest, before the first day of October, the said thirty seuenth yeare of the raigne of the said late King Henrie the eight, which lands, tenements, and hereditaments were not charged, nor chargeable to the paiment of the perpetuall Tenth: Any thing in this Act to the contrarie hereof notwithstanding. Prouided allwayes, & be it &c. That all and singular grants, licences, confirmations, and Letters Patents, which our late Soueraigne Lord King Henrie the eight, or our Soueraigne Lord the King that now is, haue made vnder the great Seale of England, to any person or persons, bodies politike or corporate, of any Colledge, Chappel, or Chauntrie now being in Esse or standing, or now not being in Esse or not standing, or of any Lordships, Mannors, lands, tenements, and hereditaments, annexed, vnited, belonging or appertaining to any Colledge, Chappell, or Chauntrie, now being in Esse or standing, or now not being in Esse or not standing, or of any other thing or things mentioned or expressed in this Act, and all and euerie matter and things mentioned, expressed, or contained in any such grant, licence, confirmation, or letters patents, shall from henceforth be deemed, taken, expounded, and adiudged good and effectuall in the law, according to the words, sentences, meanings, intents, name, and effects of the same grants, licences, confirmations, and letters patents, to all intents, constructions, and purposes, as if this Act, and the said Act made in the thirtie seuenth yeare of the said late King Henrie the eight (s.cap.4.before 12.) had neuer beene had ne made. And that this Act, or the said Act made in the said thirty seuenth yeare of the raigne of our said late Soueraign Lord King Henrie the eight, (s cap.4.before 12.) or any clause, article, sentence, or other thing therin contained, shal not extend to any Colledges, Chappels, Chauntries, or other thing or things mentioned in this Act, now being in Esse, or not standing, or to any Mannors, lands, tenements, possessions, reuenues, or hereditaments, annexed, vnited, belonging, or appertaining to any Colledge, Chappell, Chauntrie, or other thing mentioned in this Act, now being in Esse or standing, or now not being in Esse or not standing, or to any other thing or things mentioned or expressed in this Act, which any person or persons, bodies politike or corporate, haue had, or obtained by the assent, licence, confirmation, grant, or letters patents of the said late King, or of the Kings Maiestie that now is, or shall extended any manors, lands, tenements, reuenues, possessions, hereditaments, or other thing or things mentioned, expressed, or contained in any such licence, confirmation, grant, or letters patents: but that euery such person and persons, bodies politike and corporate, their heirs, successors, and assignes, and the heires, successors, and assignes of euerie of them, shall haue, hold, and enioy all and euerie the same Colledges, Chappels, Chauntries, Manors, lands, tenements, reuenues, possessions, and other hereditaments, and all and euerie other thing and things whatsoeuer, so by them had or obtained, by assent, licence, confirmation, grant, or letters Patents of the said late King, or of the Kings Maiestie that now is, according to the words, sentences, forme, effect, meaning, and intent of the same licences, confirmations, grants, and letters Patents: This Act, or the said Act made in the said thirtie seuenth yere of the raigne of the said late King Henrie the eight, or any clause, article, sentence, matter, or thing mentioned, expressed, or contained in any of the same Acts, to the contrarie thereof notwithstanding. Anno 1.Ed.6.cap.14.

Money.

AGainst the perils and dammages which are of late come, and which hereafter may come of the money of England: It is thus ordained, That it be cried and defended on the Kings behalfe through the whole Realme, in all the Marchant Townes, that no man vpon grieuous forfeiture, be so hardie to dispend, receiue, or send money, of other coyne then of the coyne of the King of England, Ireland, and Scotland. And also that it bee defended of the Kings behalfe, that none bring money into this countrey, but onely for his expences, neither that he be so hardie to arriue into England, if the force of tempest doe not inforce him, by good witnesse, but at Douer, or at Sandwich, at London, and at S. Botolph, and at Southampton, and to other common Ports. And when he shall come to any of these places, he shall well and lawfully shew his money to him, that shall be assigned by the King, without any concealement, vpon paine of forfeiture of his bodie, and that which he hath, and that from thence he carrie not, nor essoine the same by himselfe nor by other, vntill that his money be viewed and examined by him whom the King shall assigne. And further, That it be cryed and defended on the Kings behalfe, vpon paine of forfeiture of his bodie and that which he hath, that no man be so hardie to send money betweene clothes, in fardels, or in bales, or in other manner, whereof suspition may be of any concealement. And if there be any such found, he which found the same, shall haue foure pence of the pound, and the rest to be to the King. And also that it be cryed and commaunded on the Kings behalfe, that if any find money coyned of any other coyne then of the coyne of the King of England, Ireland, or Scotland, or rounded money, that he breake the same, and that none be so hardie to gainesay the same, vpon payne of grieuous forfeiture, & he which findeth the same false, shall breake the same, the broken money shall be giuen to him who oweth it, and the false money shall be pierced without reskoing it, and the bodie of him in whose hands the false or clipped money appeareth to be found, be taken and holden, vntill such

Other coine. Bring. Arriue. Douer. Shew. Forf. Forf. In clothes. Other coine. Breake. Imprif.

such time as he can find suretie, if he be a suspitious man. And because that many of the poore and rich people cannot know the light and clipped money, now it is ordained, That hereafter he which ought to receiue or pay money, shall receiue and pay the same by weight of fiue shillings of euen weight by the Tumbrell, deliuered by the Warden of the Eschange, marked with the Kings marke, as the measures are, and it shall be lawfull to any man to pierce the money which shall not weigh the Tumbrell: and the money of other coyne then of the coyne of the King of England, Ireland, and Scotland, the weight shall be as well deliuered and marked by the Warden of the Eschange, as the Tumbrell: the viewer and the Warden of the money which shall come from beyond the Sea, when hee shall haue any, he shall haue regard vnto the age thereof, and shall weigh the same, and if he find of the new money, that the pound weigheth not xx.s. by the number of foure pence, then he shall haue regard by the Tumbrell, where the default shall bee, and if he see money which is much vsed, if in the whole pound of twentie shillings it want but vj.d. then it shall be deliuered to him who brought the same, without gainsaying, and if it want more it shall be done of them as of the rest. And let the Warden aforesayd take good heed that he take no gift nor allowance, to make any meanes of sport, nor make any extortion, nor giue any maner of delay, as he will saue himselfe and his goods. The Statute of great money.

Light
Eschange
Pierce Weight
Weight
Tumbrell

2 Edward by the grace of God King of England, Lord of Ireland, and Duke of Aquitaine, to the Sherife of Lincolne greeting. Because that strange Marchants, and also some Marchants Denizens of our Realme, from day to day bring into the same our Realme, from the parts beyond the Sea, our money clipped, and other money of diuers coynes, counterfeited and mingled with our money, trafficking and buying with the same money, to the great losse of vs, and all our people, and also to the subuersion of all our money: We hereupon willing to prouide a remedie, vnlesse peraduenture by longer sufferance a greater daunger might ensue, commaund you, That in your full Countie, and in all your Cities and Marchant Townes of the same Countie, you cause straitly to be forbidden, and openly proclaimed, That no strange Marchant, nor any other from henceforth bring into the Realme any such money of ours rounded, or any other counterfeited of straunge coynes, or else vse the same in buying or trafficking, and if they doe, at the first time wherein they shall be taken therewith, they shal lose such rounded money, or any other counterfeit. And if they shall be againe found in the like offence, they shall lose such money, and other goods found with them. And if the third time they commit the like offence, and bee taken therewith, their bodies, and also all their goods and cattels shall be forfeited vnto vs: But others which shall not be Marchants, and shal haue such rounded money, or other counterfeit money, shall presently pierce the same, and send it to our Eschange, to be new coyned vnder our coyne: Or

Warchants
Bryng
Proclaime
Bring
Rounde
Forf.
Impriſ.
Rounde
Counterfeit
Pierce
Exchange

other wise, in whose hands such money shall bee found, shall be vnto vs wholly forfeited. And if you doe not fully execute this our commaundement, we will grieuously amerce you and yours. T. W. of Marchia, our Treasurer, the xxj. day of June, in the twentieth yeare of our raigne. The Statute of small money.

Forf.

3 In the second volume of the old Statutes is a title, intituled, Articuli de moneta, vnder which be seuen articles concerning false money.

Falſe

4 No religious man, nor other shall carrie any sterling out of the Realme of England, nor siluer in plate, or in vessell of gold, nor of siluer, vpon paine of forfeiture of the money or vessell that hee shall so carrie without our speciall licence. Anno 9. E. 3. cap. 1.

Carrie gold
Forf.

5 That no false money nor counterfeit sterling be brought into our Realme, nor elsewhere within our power, vpon paine of forfeiture of such money. Prouided alwayes, That all manner people, of what Realme or Dominion they be of, may safely bring to the Exchanges, and to no place else, bullion, siluer in plate, vessell of siluer, and all manner money of siluer, of what value soeuer it be, so that that be no false money, and sterling counterfeit, and there they shal receiue good & conuenient exchange. An. 9. Ed. 3. cap. 2.

Falſe
Exchange

6 No sterling halfepenie nor farthing be molten, for to make vessell or any other thing by Goldsmithes nor other, vpon forfeiture of the money to be molten, and that the Goldsmith or other which hath so molten such money, shall be committed to prison, there to remaine till he hath yelded vnto vs the one halfe of that that he hath so molten, notwithstanding any Charter or Franchise graunted or vsed to the contrarie. An. 9. E. 3. ca. 3.

Gold
Forf.
Impriſ.

7 All manner of blacke money, which haue bin commonly currant of late in our Realme and obeisance, be vtterly excluded, so that none such shalbe currant after a moneth next after the crie thereof made, vpon paine of forfeiture of the same money. An. 9. E. 3. cap. 4.

Blacke
Forf.

8 Euerie man that will sue for vs against those that commit any fraud against this ordinance, shal be thereto receiued. And he to haue the fourth peny of that that shall be so atchieued at his suit to our profit. An. 9. E. 3. cap. 5.

9 Maiors and Bailifes in euerie Port where Marchants and ships be, shall take an oath of the Marchants and Maisters of the ships, going and comming againe, ỹ they shall do no fraud against this prouision in any point. Anno 9. Ed. 3. cap. 6.

Oath

10 God and strait ward be made in all places vpon the Sea coasts, in Hauens, and elsewhere, where any arriuall is, by good men and lawfull thereto sworne, ỹ in our name they shall make diligent search, that no man of what estate or condition he be, shall carrie out of the Realme sterling money, siluer, or plate, nor vessell of gold nor siluer, without our licence, nor shall not bring into our said Realme and power any false money and counterfeit sterling, as afore is said, vpon the paine and forfeitures aforesaid. And that the money, plate, or vessell so forfeit, be deliuered at the Exchanges

Forf.

changes by Indenture, whereof the one part shall remaine with the Searchers, and be deliuered at the Exchequer, and thereby the Warden of the Exchange shall be charged of that that he hath receiued. An. 9. E. 3. cap. 9.

11 The Searchers shall haue of our gift the fourth penie for their labour, of as much as they shall find so forfeit. And if any such Searchers make any release, or do dispence with any, & ther of be attainted, they shall forfeit all their goods. An. 9. E. 3. cap. 10.

12 The Hostlers in euerie Port where any passage is, shall be sworne to search their chests in the same manner, as the Searchers do, and they to haue the fourth peny of that they shall find so forfeit to vs, as the Searchers should haue. And it is our intent and meaning, that the said Searchers shall haue power to search the Hostries, and to instruct themselues of the Hostlers acts. And in case such Hostlers be found defectiue in any article aforesaid, they shall be punished, and that they shall runne in the said forfeitures. An. 9. E. 3. ca. 11.

13 No man be compelled to take the new money of gold and siluer, which our Soueraigne Lord the King hath ordained to goe in paiment at a certaine price, within the summe of twentie shillings. And also that money of gold and siluer be made in the citie of Yorke, and elsewhere, the King will it ordaine, in the manner as it is made in the Tower of London. An. 18. E. 3. cap. 6.

14 The money of gold and siluer which now remaineth, shall not be impaired in weight nor in allay, but as soone as a good way may be found, that the same be put in ancient estate as in the sterling. An. 25. E. 3. cap. 13.

15 The moneyers and other Wardens & Ministers of the money shall receiue plate of gold and siluer by the weight, and in the same manner shall deliuer the money when it shalbe made by weight, and not by number, without any tarrying. An. 25. E. 3. cap. 20.

16 That none carrie out of the Realme gold nor siluer in plate, nor in money, sauing the victuailes of fish, that fish the Herring and other fish, and they that bring fish within the Realme in smal vessel, which are not medlers with other marchandizes, and that according to the arbitrement of the Chauncellor. An. 38. E. 3. cap. 2.

17 It is accorded, That the Scottish groat shal be currant for the value of three pence. And of lesse money according to the quantitie: And if percase the Scottish money be impaired, the money so impaired shall be set at a lesse price after the quantitie of the impairing. An. 47. E. 3. cap. 2.

18 The King defendeth to all manner of people, Marchants, Clerkes and other, as well Straungers as denizens, of what estate or condition they be, vpon paine of as much as they may forfeit, that none of them vpon the said paine priuily nor apertly, send nor bring, nor doe to be sent or brought out of the said Realme, any gold nor siluer in money, bullion, plate, or vessell, nor by exchanges to be made, nor in other maner, but the wages of Calice and of the other the Kings fortresses beyond the Sea, and especially excepted the Prelates, Lords, and other of the same Realme, to whom sometime it behoueth necessarily to make paiments beyond the Sea, that of the same paiments onely they may make exchanges in England by good and sufficient Marchants for to pay beyond the Sea, and first speciall leaue and licence had of the King, as well for the Exchangers as for the persons which ought to make the payments, containing expresly the summe which shall be so exchanged. And it is assented, That the Marchants that shall so make exchanges, shall be diligently examined and sworne in their proper persons, as often as they shall haue the said licence, that they shall not send beyond the Sea any manner of gold nor siluer vnder the colour of the same exchange. And if after proclamation of this ordinance, any person be from henceforth duely attainted, that he hath done to bee sent or carried beyond the Sea, any gold or siluer against this defence and ordinance, he shall forfeit to the King the same summe so carried or sent. An. 5. R. 2. cap. 2. But this statute is repealed Anno 4. Iac. cap. 1.

Licence. Marchants. Oath. Transport. Forf.

19 That the groat of the money of Scotland runne in the value of onely 4. d. English. And the halfe groat of Scotland of 2. d. English. And the 1. d. of Scotland of an ob. English. And the ob. of Scotland of a q. English. And if the money of Scotland be impaired, that the value thereof be abridged after the rate, and that Commissions bee made through the Realme to inquire of them that haue brought or sent the money of England into Scotland, to make bullion or money of Scotland, in preiudice and dammage of the King and his Realme. An. 14 R. 2. cap. 12.

Scottish coyne. Cõmissions. Enquirie.

20 The said ordinance (s. of An. 9. E. 3. cap. 3. before 6.) shall be firmely holden and kept. And moreouer it is ordained and assented, That no groat nor halfe groat shall be molten by no man to make vessell or other thing thereof, vpon the same paine. And that no gold nor siluer of Scotland, nor of other lands beyond the sea, shall runne in no manner of paiment within the Realme of England, but shall be brought to this Bullion, there to be molten in the coyne of England, vpon payne of forfeiture of the same, and of imprisonment, fine and ransome of him which doeth contrarie. And that no man shall bring nor send any English money into Scotland, for to change the same in money, or for Scottish money, vpon the paine next aforesaid. An. 17. R. 2. cap. 1.

Melting forbidden. Forreine coynes. Forf. Imprisõ. Transport.

21 If from henceforth any searcher of the King may find gold or siluer in coyne, or in masse in the keeping of any that is passing or vpon his passage, in any ship or vessell, for to go out of any port, hauen, or creeke of the Realme, without the kings speciall licence: That gold or siluer shalbe forfeit to ỳ king, sauing his reasonable expences which he shall bee bound to confesse & discouer incõtinently after ỳ he that to do be warned & charged by the same Searcher: or else all the said money so concealed, shalbe forfeited to the king. Prouided alwayes, That the Marchants strangers, that doe sell their marchandise within the Realme of England (and the

Searcher. Ship. Gold Siluer. Forf. Marchants Stranger.

one halfe of the money of England receiued for the same Marchandises, doe employ vpon other marchandises of the Realme) may freely carrie out from the same, the other halfe of the said money by the Kings licence, according to the Statute thereof made. An. 2. H. 4. ca. 5.

Carrie out

Licence

22 All the money of gold and siluer of the coyne of Flaunders, and of all other lands and countries beyond the Sea, and also of the land of Scotland, shall be voyded out of the Realme of England, or put to coyne to the bullion within the same Realm betwixt this and the Feast of Christmas next ensuing, vpon paine of forfeiture of the same. And that all the Marchants and other at Calice, which doe receiue any such gold or siluer of the coyne of Flaunders, or of other lands and countries beyond the Sea, or of the land of Scotland, shall put the same to Bullion at Calice, without bringing it in coyne within the Realm of England, and if the Marchants or any other from henceforth bring any such money within the Realme of England, they shall forfeit the same money to the King. And moreouer it is accorded, That a good and conuenient search bee made as well at Calice as on this side the Sea, in euerie Port and other places vpon the bringing of the money aforesaid. Ann. 2. H. 4. cap. 6.

Flaunders coyne

Forf. Marchants

Calice

Forf.

Search

23 That the third part of all the money of siluer, which shall be brought to the Bullion, shall be made in halfe pence and farthings, and that of this third part the one halfe be made in halfe pence, and the other halfe in farthings, and the same to doe and performe by the Coyner, sworne in speciall. And that no Goldsmith nor other person whatsoeuer he bee, doe to be molten any such halfe pence or farthings, vpon paine to pay to the King the quadruple of that that so shall be molten, against the forme of this Statute. An. 4. H. 4. cap. 10.

3. Part Bullion Halfe pence Farthings

Goldsmiths Melting forbidden

24 An. 4. H. 4. cap. 16. An Act was made to endure to the next Parliament, that money, gold, or siluer, carried ouer, should be forfeit.

Transport; Forf.

25 The sayd Gallie halfe pence shall neuer bee currant in paiment, nor in other manner within the Realme of England, vpon paine of forfeiture thereof. And moreouer, that the gallie halfe pence, in whose hands soeuer they be found, within the said Realme, shall be forfeit to our Soueraigne Lord the King, after the two monethes next ensuing the Proclamation of this Statute. And also the same our Soueraigne Lord the King, will that all the Statutes and ordinances made before this time by him and his noble progenitors not repealed, as well of money of Scotland, as of the money of other Realmes and parts beyond the sea, be holden and kept, and put in due execution. Anno 11. H. 4. cap. 5.

Gallie halfe pence Forf.

Statutes

26 Anno 13. Henr. 4. capitul' 6. It was enacted, That this last Statute of Anno 11. H. 4. capitul' 5. shall bee kept and put in execution.

27 Gallie halfe pence, and the money called Sulskin and Dotkin, and all manner of Scottish money of siluer shall be put out, and not to be currant hereafter, for any paiment in the Realme of England. Joyned to the same, that Proclamation be made through all the Counties of England, within the Franchises and without, and elsewhere, that all that haue Gally halfe pence, Sulskins, or Dotkins, shall bring them to the Kings Exchanges, betwixt this and the feast of Easter next ensuing, there to be broken, & that that is found good siluer, there to be stricken and coyned in English halfe pence. And all they which after the said feast of Easter, do make, coine, buy, or bring into the Realme of England, any Gally halfe pence, Sulskins, or Dotkins, to sell them or put them in payment in the same Realme, and thereof be attainted, they shall be iudged as Felons of our Soueraigne Lord the King, and shall forfeit all their lands and tenements, goods and Cattels. And that the Lords of whom such lands and tenements be holden, shall haue and enioy the forfeitures, as in other cases of Felony. And if any of the Kings Liege people or other person, put Gally halfepence, Sulskins, or Dotkins in payment, or them receiue in payment within the Realme of England, and thereof be duely attainted, they shall forfeit at euerie time that they make such payments or receite, 100. s. wherof our Soueraigne Lord the King shal haue the one halfe, and he that wil sue for the King, thereof to attaint them, shall haue the other halfe, and that as well the Iustices of Peace, within all the Counties of England, as Maiors and Bailifes within Cities, and Boroughs, and Stewards of Lords in their view of Frankpledge, shall haue power to enquire by good Enquests to bee taken before them, of all the matters aforesaid. And that the Maiors and Bailifes, after the said Enquests before them taken, shall send the same Inquisitions before the Iustices of Peace of the Counties, in which the saide Cities and Boroughes bee. And that the saide Iustices of Peace of the Counties, haue power as well of the said Inquisitions so taken before such Maiors and Bailifes, and sent before the said Iustices, (as afore is said) as vpon other Inquisitions before the same Iustices of Peace in their Sessions to be taken touching the said matters, to make proces, and to award the Capias and Exigent, and to heare and determine all the matters according to their discretion, as in other cases of felonies and trespasses hath beene vsed before this time. Anno 3. H. 5. Stat. 1.

Gallie halfe pence Scottish money

Forf.

Felonie Forf.

Forf.

28 That such clipping, washing, and filing, shal be iudged for treason, & they that so do clip, wash, and file the money of the land, shall be adiudged Traitors to the King, and to the Realm, and shal incurre the paine of Treason. Anno 3. H. 5. cap. 6. This Statute is repealed by 1. Marie session 1. treason 20. But the same offences be made Treason againe by 5. Eliz. cap. 11. which see in Treason 26

29 Whereas Counterfeiting, clipping, washing, and other falsitie of money of this Land is much more vsed, then it was wont to bee, because the punishment of the same (being Treason) pertaineth onely to the Iustices of the Kings Bench, or to speciall Commissioners thereunto assigned. Therefore be it ec. that

fore be it &c. that the kings Iuſtices aſſigned to take aſſiſes in all the Counties of England, ſhall haue power by the Kings Commiſſions, to heare and determine in their Seſſions, aſwell of the counterfeiting, and of the bringing of ſuch falſe money into the Realme, as of clipping, waſhing, and euerie other falſitie of the ſaid money. And that the Iuſtices of Peace through the realme, ſhal haue power by the kings Commiſſions, to enquire of al ſuch matters, and thereupon to make Proces by Capias, onely againſt thoſe, which before them ſhall bee there of indicted. Anno 3. H. 5. cap. 7.

30 An. 9. H. 5. ca. 6. An Act was made to indure at the Kings pleaſure, that a Mint ſhould bee at Calice.

31 From Chriſtmaſſe Euen next comming, none of the kings liege people ſhall receiue any money of Engliſh gold in payment, but by the kings weight thereupon ordeined. And foraſmuch as a great part of the gold now currãt in paiment, is not of rightfull weight, nor of good allay, the ſame ſhall be ſent to the coine, to the intent that it ſhall be newly coyned of iuſt weight and of good allay. And becauſe that ſhall be to the great loſſe and coſts of the kings ſubiects, vnleſſe it pleaſe him to relieue them in this caſe: Our Soueraigne Lord the King of his ſpeciall grace, hath remiſed and pardoned to all his liege people, which betwixt this and the ſaid feaſt of Chriſtmas, ſhall doe to be coyned of new at the kings coynage within the Tower of London, their mony of gold, that is not of iuſt weight nor of good allay, that is to ſay, all that to him pertaineth for this new coinage of ſuch gold as afore: Sauing alwaies to the maſter of the Mint, and to other officers of the ſame, that which to them reaſonably pertaineth. Anno 9. Henr. 5. cap. 11.

32 All the Statutes and ordinances, which haue beene made in the time of the kings noble progenitors, touching the good and lawfull gouernance of his money of gold and ſiluer not repealed, be well and firmely kept and holden in all points. Anno 9. H. 5. Stat. 2. cap. 1.

33 The king in aſmuch as he conueniently may, ſhall doe to be ordeined his eſchanges of the money of gold and ſiluer in the Citie of London, and elſewhere in the Realme, for the eaſe of his people, which ſhal be holden in open places in high ſtreetes. And that all they that will come to the Tower of London, there to haue money of new coyned, they ſhall haue money coyned, and thereof ſhall be deliuered within eight daies, according to the very value of that they ſhall bring thither, paying the ſeignorage and cunage of gold after the rate of fiue ſhillings for the pound of the Tower. And for the ſeignorage and cunage of euer fifteene pence for the pound, and no more. And that they ẏ will not goe to the Tower to doe the ſame, but will be thereof deliuered at the eſchanges, ſhall pay for the eſchange after the rate of a peny for the noble, and for the half noble, an halfe peny, and for the fourth part of the nobles a farthing, with the ſeignorage and cunage, as before is ſaid. Anno 9. H. 5. Stat. 2. cap. 2.

34 Item the Maſters and workers of the money, and alſo the ſtrangers in all places where money ſhall be coyned, made, or chaunged, ſhall bee holden to deliuer and pay all that that ought to pertaine to them; for ſuch exchange of good and lawfull money of England, by and of iuſt weight or by the number, at the election of him which ſhall receiue the ſame without any delay or difficultie. And if percaſe it happen, that any notable default in the weight of the money, or in the allay, be found (which God defend) vpon the deliuerie or paiment to be made at the ſaid Tower, or at the Exchanges aforeſayd, that then it ſhall be well and lawfull to euerie perſon that ſhall find ſuch default, to refuſe that that is defective, before that he depart the place where he the ſame ſhall receiue. And that the Maſter or the Changers be holden to deliuer to him ſufficient money for the ſame without delay, and to melt that that ſhall be found defective. An. 9. H. 5. Stat. 2. cap. 3.

35 Item, that they which ſhall be Wardens and Surueyors, and Miniſters of the Exchanges out of the Tower, ſhall be holden and bounden to bring all the gold and ſiluer that they ſhall receiue by way of exchaunge, or ſhall buy by colour of their Office, to the Tower of London, there to be molten and made in money, in augmentation and increaſe of the money, for the profit of the Realme, and eaſe of the people, without being ſold, alienedor put to any other vſe. Anno 9. H. 5. Stat. 2. cap. 4.

36 Item, that the Kings Mint be coyned and made at Calice, in the maner as it hath beene made and gouerned at the Tower of London. An. 9. H. 5. Stat. 2. cap. 5.

37. Item, that all the money of gold and of ſiluer, that ſhall be made at the Tower of London and at Calice, or elſewhere within the Realme of England by authoritie royall, ſhall be made of as good allay and good weight, as is now made at the Tower. An. 9. H. 5. Stat. 2. cap. 6.

38 The Lords of the Kings Counſell for the time being, may aſſigne by authoritie of the ſaid Parliament, Maſters and workemen to make money of gold and ſiluer, to hold the Exchaunges of money, as well in the Citie of Yorke, as in the townes of Writtold, and alſo in as many places as to the ſayd Lords ſhall ſeeme neceſſarie, after their good aduice & diſcretion, any Statute, or ordinance made to the contrarie notwithſtanding. Anno 1. H. 6. cap. 1.

39 The ſame Statute (5. H. 5. Statut. 2. cap. 5. before 8.) bee holden and kept, and put in due execution. And moreouer it is ordayned and eſtabliſhed, That no Gold nor Siluer ſhall be carried out of the Realme, contrarie to the ſayd Statute, vnleſſe it bee for payment of warres, and the Kings Souldiers beyond the Sea, vpon paine of forfeiture of the value of the Summe of Money ſo carried out of the Realme, to bee leuied of him that the ſame ſhall bring, carrie, or ſend out of the ſame Realme. And that he that the ſame eſpieth, and thereof giueth knowledge to the Counſell, or to

Mint maſter

Weight

Fault

Refuſe

Melt again

Wardens

Gold Siluer

Tower of London

Mint

Calice

Allay Weight

Counſell

Coyners

Yorke

Writtow

Gold Siluer Tranſported

Warres Souldiers Forſ.

4. Part the Treasorer of England, shall haue the fourth part of the forfeiture so due to the King, except the Raunsomes raunsomes for fines of English prisoners, taken and to be taken beyond the Sea, and the money that the Souldiers shall carrie with them for their reasonable costs, and also for Horses, Oxen, Sheepe, Horses Oxen Sheepe and other things bought in Scotlãd to be brought and carried to the parties adioyning, so that the money to bee sent for the Fines of the sayd Prisoners, or to be carried by the said Souldiers to the parts beyond the Sea, bee not made without the Licence Kings speciall licence. And because it is supposed, that the money of gold of the Realme is carried out of the same by Marchants Aliens: It Marchants Aliens Sureties Chaunterie is ordained and stablished, That the Marchants Aliens shall find Suretie in the Chaunterie, euerie Companie for them of their Companie, that none of them shall carrie out of the Realme no Gold Gold nor Siluer, against the forme of the said Siluer Fork. Statute, vpon paine of forfeiture of the same Gold or Siluer, or the value of the same. And if any of them doe the contrarie, and that duely proued, and he so doing bee gone ouer the Sea, then Sureties the Pledges of his Companie shall pay to the King the sayd forfeiture, whereof he that the same hath espyed, and thereof giuen notice to the Treasurer, or to the Kings Counsell, shall haue 4. Part the fourth part, as aboue sayd. Anno 2. H. 6. cap. 6.

Proclamation 40 That Proclamation be made through all the Counties of England, within Franchises and without, and within Cities, Townes, Boroughs, Blanks and elsewhere, that all the money called Blankes, shall be wholly voided out of the Realme before the Feast of Saint John Baptist next comming. And moreouer, that no man after the said Feast pay or receiue for paiment in any manner within the sayd Realme, the sayd money called Blankes, vpon the same paine contained and ordained by a Statute made in the third yeare of King Henrie, father to our Soueraigne Lord the King (which is before 27.) against all that pay or receiue for payment the money called Gallie halfe pence, Hulkins and Dotkins within the Realme. An. 2. H. 6. cap. 9.

Mint master 41 That the Master of the Mint shall kéep his allay in the making of white money according to ẏ forme of his Indenture. And that the same Master receiue of euery person that shall bring any siluer to the Mint, the same money at the true value as it is worth, according to the same allay, vpon ij. Damages paine to pay to the party his double damages. And also to the intent that this ordinance may the better and more iustly be obserued: It is ordained, That Assayer the Kings Assayer, which is a person indifferẽt betwixt the Master of the Mint and the Marchant, Controller and also the Comptroller of the Mint shall be present, when any Bullion of siluer is brought to the Bullion Mint, to the intent that the said Assayer may rightfully set the value of the same, according to the law, in case of variance betwixt the Master & the Marchant: and the Comptroller to controll as well siluer which is brought to the said Mint, as brought out of the same, euery two dayes, faithfully & indifferently to do their deuoir, without taking any reward other then the fée, which they shall take of the King, vpon the paine to yéeld double damages, as ij. Damages afore is said. And that the Assayer and Controller be credible, substantiall, & expert men, hauing perfect knowledge in the mystery of Goldsmithes and Goldsmithes of the Mint. And also that neither the Master of the Mint, nor the Changer for the time being, sell Changer nor do to be sold, nor alien to none other vse but to the coyne, no maner of gold nor of siluer, wrought, or vnwrought, coyned or not coyned, or Bullion which is brought to the Mint, or to the Eschange, but applie the same onely to the money, according to the forme of the said Indenture, vpon the paine contained in the same Indenture. And that the same Master of the Mint, cause to be stricken from time to time, halfe nobles, farthings of gold, groats, halfe groats, pence, halfe pence, and farthings, for the ease of the people, according to the tenor of the Indenture made betwixt the King & him, vpon the paine contained in the same, so that the common people may haue recourse to the Eschange for small Small exchange money gold and white money, as they reasonably shall need. An. 2. H. 6. cap. 12.

42 No person from the Feast of Easter shall carrie nor do to be carried out of this Realme of Carrie Wales, any maner mony of coyne of this Realm, nor of the coyne of other Realmes, lands, or Seignyories, nor no plate, vessel, masse, bullion, nor jewels of gold, wrought or vnwrought, or of siluer, Plate Bullion Jewels Licence without the Kings licence, except such persons as be dispensed with, in the aforesaid Statute made in the second yere of King Henrie the first (which is before 39.) and in other diuers Statutes, vpon paine of felonie, and to be adiudged and reputed as felonie. The same felonie to be heard and determined in like maner & forme, and before such person or persons as other felonies bee commonly heard & determined within this Realme. An. 17. E. 4. ca. 1. This Act was made to endure for seuen yeares. See this Stat. continued here following 43. 45.

43 The said Statute made in the said 17. yeare of King E. 4. ca. 1. be and stand a Statute good and effectuall, with all the premisses in the same, and be obserued, kept, and put in due execution, from the feast of ẏ Purification of our Ladie, that shall be in the yeare of our Lord 1489. and to endure vnto the end of twentie yeares next ensuing. And ouer that by the same authoritie it is ordained and enacted, That no person dwelling or inhabiting within this Realme, from the said feast of the Purification, pay or deliuer wittingly by way of exchaunge, or otherwise, to any Marchant or other Exchaunge person borne out of the Kings obeysance, for any Marchandises or wares, or in any otherwise, any manner péeces of gold coyned in this Realme, or any other Realmes, or any Plate, Masses, Plate Jewels Pall. Malles, Bullion, Jewels of gold wrought or vnwrought, to forfeit and lose the double summe, or double value of all such mony of gold coyned, plate, vessell, masse, bullion, or jewell of gold or siluer, payed, deliuered, or exchaunged contrarie to this Act. The one halfe of all the same forfeytures Moitie to bée to the King our Soueraigne Lord, and

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the other halfe to any of his subiects that will seise it, or sue for any such payment, deliuerance, or exchange made or to be made, contrarie to this Act: and that it be lawfull to the Kings subiects in this case, to sue for the said forfeiture by action of debt, by writ at the Common law, by bill or plaint, after the custome of the Citie, Port, or Towne, where it shall happen any forfeiture to fall and be, or by information to be made in the Kings Exchequer, and that no Protection nor Essoine be allowable in any such action or information. Anno 4. H. 7. cap. 23.

Whitten

Not currāt

Clipped

Change

Plate

Clipping

Gold

Scripture

Warden Comptroller.

Forfeckes

Bullion Siluer Gold Ireland Gold Fork. Imprisl.

Bringing out of Ireland

Fork.

Imprisl

Seise

Kings vse

Irish mony

Wottie

44 All manner of gold of the coyne of a Souereigne, halfe Souereigne, Royall, halfe Royall, and the fourth part of a Royall, the Angell, halfe Angell, and euerie of them, being gold, whole and weight, shall goe & be currant in paiment through all this Realme, for the summe that they were coyned for. And also as well all manner of groats of English coyne, and of the coine of other lands, now currant in this Realme for groats, or for iiij. d. being fluet and not clipped, minished, or otherwise impaired, except reasonable wearing, albeit they be cracked, as all manner of groats, or pence, or two pence of English coyne, or of the coyne of other lands now currant in this Realm, for halfe groats, or pence, or two pence, not clipped, minished, or otherwise impaired, being siluer, howbeit they be cracked, shall in likewise goe & be currant through all the same Realme, for the summe as they were coyned for. And ouer that, that all maner of pence being siluer, hauing the print of the Kings coyne, shall haue course and be currant for paiment as well to vs in all our receipts, as to all our Receiuers, and to all other Lords Spirituall and Temporall, and their Receiuers, and to all other within our Realme, without any manner of refusall or contradiction: except onely pence bearing diuers spurres, or the mullets, betwixt the barres of the crosse, and those pence so bearing the print of the spurre, or the Mullet, to haue course for halfe pence onely, and not aboue. If any person hereafter refuse any coyne afore rehearsed, to take it in paiment after the effect and tenor of this Act, that then he that so refuseth it, shall be compelled by the Maior, Sherife, Bailife, Constable, or chiefe Officer or Gouernour of the Towne, or place where any such paiment shall be refused, to accept & take the said paiment. And further more to be imprisoned, or otherwise punished by the discretion of the said Maior, Sherife, Bailife, Constable, or other chiefe Officer or Gouernour afore rehearsed. And if the said Maior, Sherife, Bailife, Constable, or chiefe Officer or Gouernour, refuse to take any such coyne in payment, as it is afore rehearsed, that then he so refusing the said paiment to be compelled by the Iustice of the Peace of the same countie where such paiment shall be refused, to accept and take the said paiment, and he so refusing the same, to be further punished for the said refusing by the discretion of the same Iustice. And also it is ordained by the said authoritie, That all manner of groats and halfe groats, or pence of two pence, as well English coyne as coyne of other lands, clipped, minished, or otherwise impaired (except reasonable wearing) shall not goe nor be in any wise currant for the paiment within this Realme, but vtterly be refused and forsaken in payment from henceforth: and that notwithstanding it shall not be lawfull to any person, hauing any such groates or pence of two pence clipped or minished, to bring the same to the Kings Mint, there to be changed after the custome of the said Mint, or conuert the same to plate, bullion, or otherwise sell or employ to his most profite & aduantage within this realme; Any other Act or Acts to the contrarie in any wise notwithstanding. And in eschewing and auoyding of such clipping in time to come, the King our Soueraigne Lord, by the aduise of his Councell, hath caused to be made new coynes of groats and pence of two pence, and that euerie piece of the same coynes shall haue a circle about the vtter part thereof. And also that all manner of gold hereafter to be coyned within this his Realme, shall haue the whole Scripture about euerie piece of the same gold, without lacking of any part thereof, to the intent that his subiects hereafter may haue perfect knowledge by the circle or Scripture, when the same coynes be clipped or impaired. And also it is enacted by the said authoritie, That if the Warden or Comptroller of the Kings Mint, hereafter duely executing their office, in searching the same coyne, find that it be not made perfect in forme as is aforesaid, before it passe from the Mint, that then the same Warden and Comptroller shall forfeit the said Office, and make fine for the same at the Kings pleasure. Moreouer, it is enacted by the said authoritie, That no manner of person shall carrie nor conuey, nor cause to be carried out of this Realme, any Bullion, Plate, or coyne of gold or siluer, into Ireland, ouer and aboue the summe of six shillings eight pence, nor conuey any such Bullion, Plate, or coyne, vnto any ship, boat, or other vessell, vpon paine to forfeit the said Bullion, Plate, or coyne, & to haue imprisonment, and make fine and ransome at the Kings will. And in likewise, that no manner person bring nor conuey, nor cause to be brought nor conueyed, any manner of coyne of gold or siluer, aboue the summe of three shillings foure pence, of the coyne of Ireland, into this Realme, vpon paine of forfeiture of all the same coyne aboue the said summe of three shillings foure pence, so brought into this Realm, and to haue imprisonment, and make fine and ransome at the Kings will. And that it shall be lawfull for euerie of the Kings subiects to take and seise all such money of the coyne of Ireland hereafter to be brought or conueyed into this Realme, ouer and aboue the said summe of three shillings foure pence, and to bring it into the Kings Mint, there to leuy the same vnto the Kings vse. And euerie person that so shall bring any such Irish money to the said Mint, shall haue the value of the one halfe of all such Irish money by him to brought to the said Mint, at the same time deliuered to him to his owne vse, by the Warden of the Mint for the time being. An. 19. H. 7. cap. 3.

45. Anno 1 H.8. cap. 13. and An. 3. H.8. cap. 1. two seuerall Acts were made to endure to the next Parliament, that the aforesaid Statute of 17. Ed. 4. cap. 1. (before 42.) should stand good, except the penaltie of Felonie, and that who should carrie any of the things specified in the Statute contrarie to thise Statutes, should forfeit the double value.

Coyners

46. All such Coyners as shall coyne and make any money at any Mint within this Realme of England, shall make and coyne of euerie hundred pounds weyth of gold, that they shall strike into coyne twentie pounds in the coyne of halfe Angels, commonly called pieces of gold of xl. pence.

100.l. gold

20.l halfe Angels

100.l. siluer

And of euerie hundred pounds weyth of bullion, plate, or siluer, that they shall strike into coyne, as many groats as shall amount to the summe of fiftie pounds sterling, as many halfe groats called pence of two pence; as shall amount to the summe of twentie pounds sterling, as many pence as shall amount to the summe of twentie pounds, as many halfepence as shall amount to the summe of tenne markes sterling, & as many farthings as amount to the summe of fiue markes sterling. And that any time that any Coyners in any Mint within the Realme, shall doe contrarie to this Act, the Maister and Keeper of that Mint for the time being, shall forfeit and loose 10.li. The one moitie thereof to be to the King our Soueraign Lord, the other moitie to the partie that shall sue for the same, by bill, information, action of debt, or otherwise, wherein the said Maister shall not be admitted to any his law, and no protection, nor essoine to be allowed for the defendant. And forasmuch as at this present time farthings and halfe pence be striken all with one coyne, so that the common people of the Realme many times take these that be farthings for halfe pence: Be it therefore enacted by authoritie aforesaid, That all such farthings that bee made within this Realme, shall haue vpon the one side thereof the print of the Port colice, and vpon the other side thereof the print of the Rose, with a crosse, vpon like paine. And furthermore be it enacted by the authoritie aforesaid, That all maner persons resorting to the said Mint with any Plate or Bullion, under the value aboue said, to be coyned, shall haue and receiue at the said Mint the tenth part of all such Plate and Bullion in halfe pence and farthings. Prouided alway, That this Act or any thing contained in the same, be not in any wise preiudiciall to the Coyners and Mint maisters of Yorke, Duresme, and Canterburie, nor to any of them, for any money to be coyned there, other then heretofore hath beene accustomed. This Act to begin to take effect at the Feast of S. Michael the Archangell next comming, and not before. An. 14. H. 8. cap. 12.

Mint maister

Port colice

Rose

Tenth part

Coyners Yorke Duresme Canterburie

47. See Exchange vj. that money sold aboue the value proclaimed shalbe forfeit.

48. Anno 7. Ed. 6. cap. 6. It is enacted, That the said Statute made Anno 17. Ed. 4. cap. 1. (before 42.) and euerie article, clause, sentence, or prouision therein contained, shall bee affirmed and enacted to be good and effectuall to the first day of May next comming, and to endure to the end of twentie yeares then next ensuing. Prouided alwayes, That if any of the Lords of the Parliament, or any of the Peeres of this Realme for the time being, shall fortune to be indicted of any of the offences limited in the said Act made in the seuenteenth yeare of King Edward the fourth, that then they and euerie of them shall haue his or their triall by their Peeres, as hath been vsed heretofore in cases of high Treason. Anno 6. E. 6. cap. 6.

L. of Parliament Peeres Iudicial

Triall

49. An. 17. Ed. 4. ca. 1. An Act was made for endure for seuen yeares, against Irish money to be current in England.

Irish money

50. In the new printed booke commonly called Magna Charta, late printed by Richard Tottel, An. 1556. fol. 167. is as followeth. Quia multorum Regum temporibus prouisum fuit, quod propter pauperes, denarius argenti, cestallanor, sterlingus, quoties necessitas expostulat, diuideretur in obolum; quadam ex parte Domini Regis districte præcipitur, quod quicunque in emptionibus & venditionibus obolum seu quadrantem legalis metalli, & debitam habentem formam recusare præsumpserit, tanquam Regiæ Maiestatis contemptor capiatur, & in carcerem deerudatur. Præceptum est etiam quod habeat iudicium pillorij.

51. Be it enacted &c. That if any person or persons hereafter falsely forge or counterfeit any kind of gold or siluer, as is not the proper coyne of this Realme, nor permitted to be current within this Realme, that then euerie such offence shall be deemed and iudged misprision of high Treason, and the offenders therein, their procurers, aiders, and abbetters, being conuict according to the Lawes of the Realme of such offences shall be imprisoned, and forfeit such lands goods, and cattels, as in cases of misprision of Treason, for concealement of high Treason. An. 14. Eliz. cap. 3.

Counterfeiting Coyne

Misprision of Treason

Imprisonment

Forfeiture

Moore-burnings.

WHereas many inconueniences are obiected to happen in diuers Counties of this Realm, by Moore-burnings, and by raising of fires in Welsh grounds and mountanous countries, for burning of Ling, Heath, Hather, Furres, Gorse, Turffe, Fearn, Whinnes, Broome, and the like in the Spring time, and Summer time: For asmuch as thereby happeneth yearely a great destruction of the brood of Wildfowle, and Moregame, & by the multitude of grosse vapors, & clouds arising from those great fires, the aire is so distempered, & such vnseasonable and vnnaturall stormes are ingendred, as that the corne & the fruits of the earth are thereby in diuers places blasted, & greatly hindered in their due course of ripening, and reaping: As also for that sometimes it hath happened, that by the violence of those fires driuen with the wind, great fields of corne growing haue bin consumed, and meadowes spoyled, to the great hurt and damnage of his Maiesties subiects: Which Moore-burnings nevertheless may bee vsed, and practised at some other conuenient times, without such eminent daunger, or preiudice:

Be

be it ꝛc. That from and after the last day of July, next ensuing the end of this present Session of Parliament, it shall not be lawfull for any person or persons whatsoever, in the monethes of April, May, June, July, August, and September, next in one of them, to cause, procure, or begin, as by cause, any Inclosure to be raised, hindred, or begun, any Fires or Kilnes burnings in the said Counties of Poole, Durham, Northumberland, Cumberland, Westmerland, Lancaster, Derby, Nottingham, Leicester, or in any of them, for burning of Lime, Heath, Brather, Furres, Gorse, Bushes, Fearne, Willowes, Brome, or the like, neither to make, further, nourish, nor continue the same. And that all and every person and persons, which from and after the said last day of July shall offend contrarie to the true intent and meaning of this Statute, the same offence being proved by confession of the partie, or by the testimonie of two sufficient witnesses upon oath, before one or more Justices of the Peace of the same County, Citie, or Towne corporate where the offences shall be committed, or the person or persons offending apprehended, shall be by the said Justice or Justices of the Peace for every such offence committed to the common Gaole of the County, Citie, or Towne corporate where the offence shall be committed, or the person or persons offending apprehended, there to remaine for the space of one moneth without bayle or mainprise. And further be it ꝛc. That all and every person and persons, which shall be so committed and imprisoned as aforesaid, shall not be enlarged from their said imprisonment, but shall there remaine after the said moneth expired, without bayle or mainprise, untill such time as every such offender respectively shall pay or cause to bee payed to the Churchwardens, or unto the Overseers of the poore of the Parish, or place where the same offence shall be committed, or the offendor or offendors apprehended, or unto some of them to the use of the poore of the said Parish or place, where the said offence shall be committed, the summe of xx. s. for every such offence committed or done contrary to this Act: This Act to continue untill the end of the first Session of the next Parliament. Anno 7. Iacob. cap. 17.

Mortdancester.

IF any heire after the death of his auncestor be within age, and his Lord have the ward of his lands and tenements, if the Lord will not render unto the heire his land (when hee commeth to his full age) without plea, the heire shall recover his land by Assise of Mortdancester, with the damage that hee hath sustained by such withholding, since the time that he was of full age. And if an heire at the time of his auncestors death be of full age, and be heire apparant, and knowne for heire, and be found in the inheritance, the chiefe Lord shall not put him out, nor take nor remove any thing there, but shall take onely simple seisin thereof, for the recognition of his Seigniorie, that he may be knowne for Lord. And if the chiefe Lord withholdeth such an heire out of the possession maliciously, whereby he is driven to purchase a Writ of Mortdancester, or of Coinage, then he shall recover his damages as in Assise of Nouel disseisin. And touching inheritances which be holden of the King in chiefe, this other shall be observed, that our Soveraigne Lord the King shall have the like seisin thereof, like as hee was wont to have before time. Neither shall the heire, nor any other intrude into that inheritance, before he hath received it out of the Kings hands, as the same inheritance hath bene wont to be taken out of his hands, and of his auncestors. And this must be understood of lands and fees, the which have accustomed to be in the Kings hands by reason of knights service, or Burrage, or right of Patronage. Marlebridge, cap. 16. An. 52. Hen. 3. Coinage Damages Knights service

It is provided also, that if a man die, having many heires, of whom one is sonne or daughter, brother, or sister, nephew, or niece, & the other be of a further degree, all the heirs shall recover from henceforth by a Writ of Mortdancester. Gloucester, cap. 8. Anno 6. Edw. 1.

Mortmaine.

IT shall not be lawfull from henceforth to any man to give lands to any Religious house, to take the same land again, to hold of the same house. Nor it shall not be lawfull to any house of Religion so to take the lands of any man, to deliver the same backe to him, of whom he received it to be holden: If any man from henceforth doe so give his lands to any Religious house, & thereupon be convicted, the gift shall be utterly void, and the land shall returne to the Lord of the fee. Magna Charta, cap. 36. Religious Take again Void gift Lord of the fee

No person Religious, nor other whatsoever he be, presume to buy or sell any lands or tenements, or under the colour of gift, or Lease, or by reason of any other title whatsoever it be, to receive of any man, or by any other craft or engine to appropriate to himselfe any lands or tenements, under paine of forfeiture of the same, whereby such lands or tenements may any wise come into Mortmaine: We have provided also, That if any person, Religious or other, doe presume either by craft or engine to offend against this Statute, it shall be lawfull to us, and other immediate chiefe Lords of the fee so aliened, to enter into the same within a yeare from the time of the alienation, and to hold it in fee and inheritance. And if the chiefe Lord immediate be negligent, and will not enter within the yeare, then it shall be lawfull to the next chiefe Lord immediate of the fee to enter into the same fee within halfe a yeare next following, and to hold it as before is said. And so every chiefe Lord immediate may enter into the same fees, if the next immediate Lord unto him be negligent to enter into the same fees, as is before said. And if all the chiefe Lords of such fees which be of full age, within the foure Seas, and out of prison, be negligent or slack in this behalfe, wee straight after the yeare accomplished Religious Lands Enter One yeare Chiefe Lord Ouer Seas Out of prison

plished from the time that such purchases, gifts, or appropriations happe to be made, shall take such lands & tenements into our hand, and shall inserre other therein, by certaine services to be done to vs for the defence of our Realme: Saving the chiefe Lords of the same fees, their wards, reliefes, and escheats, and other things to them belonging, and the services for the same due & accustomed. Anno 7. Edw. See after 8.

Wards Escheats Services

3 Whereas Religious men and other Ecclesiasticall persons doe implead any, and the partie impleaded maketh default, where he ought to lese the land, for asmuch as the Justices have thought hitherto, that if the partie impleaded make default by collusion, where the demaundant, by reason of the Statute (before v.) could not obtaine seisin of the land by title of gift, or other alienation, yet he shall obtaine it by reason of the said default, and so the Statute is defrauded: It is ordained by our Soueraigne Lord the King in this case, that after the default made it shall be inquired by the Countrey, whether the demaundant had right in the thing demaunded, or no, and if it be found that the demaundant had right, the iudgement shall be giuen for him, and he shall recouer seisin: and if he had no right, the land shall incurre to the next Lord of the fee, if he demaund it within a yeare from the time of the inquest taken. And if he doe not demaund it within the yeare, it shall incurre to the next Lord aboue, if he doe demaund it within halfe a yeare after the same yeare. And so euery Lord after the next Lord immediate, shall haue the space of halfe a yeare for to demaund it successiuely, vntill it come to the King, to whom at length through default of other Lords the land shall incurre. And to challenge the Iurors of the Inquest euery of the chiefe Lords of the fees shall be admitted, and likewise for the King they that will shall challenge. And after the iudgement giuen, the land shall remaine in the Kings hands vntill it be deraigned by the demaundant, or some other chiefe Lord, and the Shirife shall be charged to answere therefore at the Eschequer. West. 2. cap. 32. Anno 13. Edw. 1.

Implead Default By collusion Default Inquire Iudgement Demaund Lord King Challenge Shirife

4 It is to be vnderstanden, that the King ordained at Westminster the first day of Aprill, the 29. yeare of his raigne, That such as would purchase new Parkes, and men of religion, that would amortise lands or tenements, should haue writs out of the Kings Chauncerie, for to inquire vpon the points accustomed in such things, and that the enquests of lands or tenements that be worth yerely more then xx. s. by extent, be returned into the Eschequer, and there they to make fine for the amortisements, or for the hauing of the Parke, if the inquests doe passe for him that purchased them, and from thence it shall be certified vnto the Chancelor, or his Lieutenant, and that he take a reasonable fine therefore, according to the quantitie of the thing, and after to deliuer them. In like maner be it done for them, that will purchase lands or tenements holden of the King in chiefe. Also folke dwelling beyond the sea, that haue lands or tenements, or rents in England, and will purchase letters of Protection, or to make generall Attornies, they shall be sent into the Eschequer, and there shall make their fines, and from thence shall be sent vnto the Chancelor, or to his Lieutenant, for that that he ought to doe therein. In like manner they shall doe, that will purchase any Faire, Market, Warrein, or any other libertie. Also such as will purchase of tournament or chalment of their debts, shall be sent into the Eschequer. Also such as be not able to trauaile, and folke that dwell in farre Counties, which plead, or be impleaded, shall haue a writ out of the Chauncerie to some sufficient man, that shall retein their Attornies when need is. And for a remembrance of these things, be there an Indenture made, diuided into three parts, whereof one part to remaine in the Chauncerie, another in the Eschequer, and the third in the Gardrobe. Anno Edw. 1. Ordinatio de Libertatibus perquirendis. See the same Statute almost word for word in the volume of the old Statutes, fol. 92. intituled Statutum de terris & tenementis amortizand.

Protection Fairs Market Attornies Indenture

5 Touching the graunt of our Soueraigne Lord the King to be obtained vpon Enquests returned into the Chauncerie, for lands to be put into Mortmaine (before 4.) The King commaundeth, that nothing shall be done (where there be any Lords meane) except the Religious persons can shew to our Soueraigne Lord the King, their assent vpon their Patents, sealed with their seales. And that nothing shall passe, in case where the Donor reteineth nothing to himselfe. And likewise where Inquisitions be made & returned without warrant, that is to wit, without the Writ originall returned with the inquisition, and except that the Writ originall make mention of euerie thing according to the new Ordinance deuised by the King. Statute of Amortisement of lands. Anno 34. Edw. 1.

Enquests Lords meane Religious Donor Inquisitions

6 The Writ of our Lord the King in the Chancerie, to make inquisition, whether it be to the losse of our Lord the King, or of others, if he giue or assigne to any religious men, or others, any lands or tenements, according to the forme of the writ vsed in the Chancerie, shal not be graunted to any man, in case where those lands or tenements are to come to Mortmaine, but by petitions put vp in the full Parliament. And so that if those religious men, or other to whom such lands or tenements are to be granted, be so needie & poore, that they cannot liue of their owne: Our Lord the King hereupon (after due aduise had) shall doe as shall please his Grace. Statute of Writs for making Inquisitions of lands to be put to Mortmaine.

Writs Chancerie Enquests Escheker Fine Chauncelor Ad quod dampnum Parliament

7 If Prelates, Clerks beneficed, or Religious folke, which haue purchased lands, & the same haue put to Mortmaine, be impeached vpon the same before our Justices, and they shew to vs a Charter of Licence, and Proces thereupon made by inquest of Ad quod dampnum, or of our Grace, or by fine, they shall be freely let in peace, without being further impeached for the same purchase. And in case they cannot sufficiently shew, that they haue entred by due proces, after licence to them granted in generall, or in speciall, that they be gently receiued

Religious Licence Proces

ned to make a conuenient fine. And that the inquirie of this article shall wholly cease, according to the accord comprised in this Parliament. Añ 18. E. 3. pro Clero, cap. 3.

8 Whereas it is contained in the Statute De Religiosis, (7. Ed. 1. before 2.) that no religious, ne other whatsoeuer he be, doe buy or sell, or vnder colour of gift, or terme, or any other manner of title, receiue of any man, or in any manner, by craft or engine, cause to be appropriate vnto him any lands or tenements, vpon paine of forfeiture of the same, whereby the same lands and tenements in any manner might come to Mortmaine. And if any religious or any other doe against the said Statute by art or engine in any manner, that it be lawfull to the King, and to other Lords into the said lands and tenements to enter, as in the said Statute doth more fully appeare. And now of late by subtill imagion, and by art and engine, some religious Parsons, Vicars, and other spirituall persons, haue entred in diuers lands and tenements, which be adioyning to their Churches, and of the same lands by sufferance and assent of the tenants haue made Churchyards, & by Bulls of the Bishop of Rome, haue dedicate and hallowed the same, and in them doe make continually parochiall burying, without licence of the King and of the chiefe Lords: therefore it is declared in this Parliament, that it is manifestly within the compasse of the said Estatute. And moreouer it is agréed & assented, that all they that be possessed by feoffement, or in any other way, to the vse of religious persons, or other spirituall persons, of lands & tenements, fées, aduowsons, or any manner possessions, to the intent to amortise them, whereof the said Religious and Spirituall persons take the profites, that betwixt this and the Feast of S. Michael next comming, they cause them to be amortised by the licence of the King, and of the Lords, or else that they shall sell them, and alien them to some other vse, betweene this and the said Feast, vpon paine to be forfeit to the King, and to the Lords, according to the forme of the said Statute de Religiosis, as lands purchased by religious people. And that from henceforth no such purchase be made, so as such Religious or other Spirituall persons take thereof the profits, as afore is said, vpon paine aforesaid. And also that the same Statute extend and be kept of all lands, tenements, fées, aduowsons, and other possessions, purchased or to be purchased to the vse of Guilds or Fraternities. And moreouer it is assented, forasmuch as the Mayors, Baylifes, and Commons of Cities, Boroughes, & other Townes, that haue a perpetuall bodie, and others which haue offices perpetuall, and be as perpetuall as people of Religion, that from henceforth they shall not purchase to them, and to their Commons or Office, vpon the paine contained in the Statute de Religiosis. And also of that that others be possessed, or hereafter shall purchase to their vse, and they thereof take the profits, it shall be done in like manner as afore is said of people of Religion. Anno 15. Rich. 2. cap. 5.

9 Where by reason of Feoffements, Fines, Recoueries, and other Estates and Assurances made of trust, of manors, lands, tenements, and hereditaments, to the vse of Parish Churches, Chappels, Churchwardens, Guilds, Fraternities, Communalties, Companies, or Brotherheads, & erected and made of deuotion, or by common assent of the people, without any Corporation, and also by reason of Feoffements, Fines, Recoueries, Wills, and other acts made to any vses aforesaid, or to the vses and intents to haue Obites perpetuall, or any continuall seruice of a Priest for euer, or for threescore or fourescore yeares, founden of the issues & profits of the manors, lands, tenements, and hereditaments, whereof such Feoffements, Fines, Recoueries, Wills, and other acts beene made, or that feoffees, conusees, recouerers, or other persons, and their heires thereof seised, shall take, leuie, receiue, and perceiue, or cause, or suffer to be taken, leuied, and perceiued the issues, reuenues, and profits thereof, and the same to dispose, pay, conuert, or otherwise imploy, or suffer, or cause to be disposed, payed, conuerted, or imployed to any such vses, intents, or purposes, as beene aboue specified, or to any other like vses or intents, there groweth and ariseth to the King our Soueraigne Lord, and to the other Lords and subiects of the Realme, the same like losses and inconueniences, and is as much preiudiciall to them, as doth, and is in case where lands be aliened into Mortmaine: Be it therefore &c. That all and euery such vses, intents, and purposes, of what name, nature, or qualitie they shall be called, that shall be deuised, couenanted, made, declared, or in any wise ordained after the first day of March, in the xviij. yeare of the raigne of our Soueraigne Lord King Henry the eight, by any feoffee, recouerer, or conusee, or by any other person or persons, to whose vse any such feoffee, recouerer, or conusee, shall be seised of any manors, lands, tenements, or hereditaments, or of the issues, reuenues, and profits of them, or any of them, shall be vtterly void and of no strength, vertue, or effect in the Law. Prouided alway, That it shall be lawfull to euery person being seised of any manors, lands, tenements, or hereditaments, to his owne proper vse, or hauing feoffees, recouerers, or conusees, to his owne vse, to make, ordaine, or deuise, or cause to be made, ordained, or deuised, any of the vses, intents, or purposes aboue specified, in such manner as they mought haue done afore the making of this Act, and as if this Act had neuer been had ne made: So that none such vses, intents, or purposes to bee made, ordained, or deuised, after the said first day of March, be not in any wise made, ordained, deuised, or appointed to indure, continue, or abide, by any craft, colour, termes, sentences, clauses, words, or other meanes, aboue the terme of twentie yeres next after the first making and beginning of any such vses, intents, or purposes. And it is &c. That if any person or persons, in defraud of this Estatute, bind or ordaine any their heires or successors, or any other person or persons, that they shal suffer such vses, intents, or purposes, to indure and continue contrarie to this Act, vpon paines or penal-

Recoueries
Churches
Guilds Fraternities
Vses Obites Priest
Feoffees
Profits
Conuert
Vses
Void
xx. yeares
Defraud

penalties of losses of any other lands, tenements, or hereditaments, or of any other thing or things; or doe attempt or deuise by any colour, craft, or meanes, any thing or things, to make any such vses, intents, or purposes, to be declared, contrarie to the true meaning of this Act, to continue or abide for any longer time or season then is aboue limited for the same: That then euery such paine, penaltie, craft, colour, and euery other thing and things, of what kind, nature, or qualitie soeuer it be, that shall be so made, ordained, or deuised in defraud of this Act, shall be vtterly void in the Law to all intents. And that this Statute shall be alwayes interpreted and expounded, as beneficially as may be to the destruction and vtter auoiding of such vses, intents, and purposes therein aboue remembred, and of all other like vses and intents, otherwise then all onely after such manner, as afore by this present Act deuised. Prouided alway, That in such Cities and Townes corporate, where by their auncient customes they haue good and lawfull authorities to deuise into Mortmaine the lands, tenements, and hereditaments within the same Cities or Townes corporate, that this Act shall not be in any wise preiudiciall or hurtfull to any such custome. Prouided alway, That this Act, ne any thing therein contained, shall extend to be in any wise preiudiciall to hinder or impaire any such ordinances, deuises, or declarations of vses, as shall hereafter be made, declared in writing by the executors of the Testaments and last Willes of Robert, James, and John Tirrie, late Aldermen of the Citie of Norwich, now deceased, or by the executors of the suruiuor of the executors of either of them, of any lands, tenements, or hereditaments, not amounting in the whole aboue the cleare yearely value of fortie pounds, to be imployed and conuerted to and for the discharge of Tolles and Customes within the said Citie, and at the gates of the same, for the discharge of the poore people within the same Citie, of Tares and Tallages hereafter to be assessed and leuied, and for the cleansing of the stretes of the same Citie, or for any of the said good purposes, according to the true intents and meanings of the said last Willes & Testaments, and of either of them: so that the same ordinance, deuises and declarations be had, made, and certified in writing into the Kings Court of Chancerie, within two yeares next ensuing the sayd Feast of Easter next comming. Anno 23. H. 8. cap. 10.

Void

Cities Townes corporate

Uses

Executors

xl. pounds

Tolles Customes

Tares

Cleansing of streets

Mortuaries.

NO Parson, Vicar, Curate, nor parish Priest, ne any other Spirituall person, nor their farmers, baylifes, nor lessees, shall take, receiue, or demaund of any person or persons within this Realme, for any person or persons dying within the same, any manner Mortuarie, or Corse present, ne any summe or summes of money, ne any other thing for the same, more then is hereafter mentioned: Ne also shall conuent or call any person or persons before any Iudge spirituall, for the recouerie of any such Mortuaries or Corse presents, or any other thing for the same, more then is hereafter mentioned, vpon paine to forfeit for euery time so demaunding, receiuing, taking, or conuenting, or calling any such person or persons before any Spirituall Iudge, so much in value as they shall take aboue the summe limited by this Act. And ouer that forty shillings to the party grieued contrary to this Act, for the which forfeiture the party so grieued contrary to this Act, shall haue an Action of Debt, by Writ, Bill, Plaint, or Information, in any of the Kings Courts, wherein no Wager of Lawe &c. shalbe allowed. Item it is &c. That no maner Mortuary shall be taken or demaunded of any person whatsoeuer he be, which at the time of his death hath in moueable goods vnder the value of ten nemarkes. Also that no Mortuary shal be giuen or demaunded from henceforth of any maner person, but only in such place where heretofore Mortuaries haue beene vsed to be payed and giuen, and in those places none otherwise, but after the rate and forme hereafter mentioned. Ne that any person pay Mortuaries in moe places then one, that is to say, in the place of their most dwelling and habitation, and there but one Mortuary. Nor no Parson, Vicar, Curate, parish Priest, or other, shall for any person dying, or dead, and being at the time of his death of the value in moueable goods of ten marks, or more, clerly, aboue his debts payed, and vnder the summe of thirty pounds, take for any Mortuary more then three shillings foure pence in the whole. And for a person dying, or dead, being at the time of his death of the value of thirty pounds, or aboue, clerly aboue his debts payd in moueable goods, and vnder the value of xl. li. there shall no more be taken or demanded for a Mortuary then vj. s. viij. d. in the whole. And for any person dying or dead, hauing at the time of his death of the value in moueable goods of xl. pounds, or aboue, to any summe whatsoeuer it be, clearely aboue his debts payed, there shall be no more taken, payed, or demaunded for a Mortuarie then x. shillings in the whole. Prouided, that no woman being couert baron, nor child, ne for any person not keeping house, any Mortuarie be payed, ne that any Parson, Vicar, Curate, parish Priest, or other, alike, demaund, or take for any such woman, child, or for any person not keeping house, dying, or dead, any manner thing or money by way of Mortuarie, ne also for any wayfaring man, or other that dwelleth not, ne maketh residence in the place where they shall happen to die, but that the Mortuarie of such wayfaring persons be answerable in places where Mortuaries bee accustomed to bee payed, and in manner and forme, and after the rate before mentioned, & none otherwise, in the place or places where such wayfaring persons at the time of their death had their most habitation, house, and dwelling places, and no where else. Prouided alway, that it shall be lawfull to all manner of Parsons, Vicars, Curates, parish Priests, and other spirituall persons, to take and receiue any manner summe of money, or

Spirituall person

Corse present

Money

Conuent

Spirituall Iudge

Fort.

Action of debt

x. Mar.

xl. li.

xxx. l.

vj. s. viij. d.

xl. l.

x. s.

Mar. Child

Gen. Child

or other thing, which by any person dying, shall fortune to be disposed, giuen, or bequeathed vnto them, or any of them, or to the high Altar of the Church: This act, or any thing therein mentioned notwithstanding. And be it ꝛr. that no Mortuaries, nor corses present, ne any summe or sums of money, or other thing, for any Mortuarie or corse present shall be demaunded, taken, receiued, or had, in the partes of Wales, nor in the Marches of the same, nor in the Townes of Calice, or Berwike, nor Marches of the same, but onely in such partes and places of Wales, Marches and Townes aforesaid, where Mortuaries haue beene accustomed to be taken and paied. And in those partes and places no Mortuaries nor corse presents, ne any thing for Mortuarie or corse present from henceforth shall be demaunded, taken, receiued, or had, but onely after the forme, order, and maner aboue specified in this present act, and none otherwise, ne of any other person or persons then is limited by this present Act, vpon paine aboue conteined in this present Act. Prouided also, that it shall be lawfull to the Bishops of Bangor, Landaffe, S. Dauids, and S. Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the Priestes within the diocesse and iurisdictions, as heretofore hath beene accustomed. Prouided also, that in such places where Mortuaries beene accustomed to be taken of lesse value then is aforesaid, that no persons shall be compelled to pay in any such place any other Mortuarie, or more for any Mortuarie, then hath beene accustomed, ne that any Mortuarie in such place shall be demaunded, taken, receiued, or had, of any person or persons exempt by this Act, nor in any wise contrarie to this act, vpon the pain afore limited. An. 21. H. 8. cap. 6.

Mummers.

ANno 3. H. 8. cap. 9. An act was made to indure to the nert Parliament, against Mummers and disguised persons, and sellers & keepers of Misours.

Murder and Manslaughter.

IT shall not from henceforth be iudged Murder before our Iustices, where it is found misfortune only: but Murder shall take place in such as are slaine by felonie only, and not otherwise. Marlebridge cap. 25. Anno 52. H. 3.

2 Item the King remembring how Murders and slaying of his subiects daily increase in this land, the occasions whereof be diuers: one, that no men in Townes where such murders happen to fall and to be done, will attach the Murderer, where the Lawe of the land is, that if any man be slaine in the day, and the Felon not taken, the Towneshippe where the death or murder is done, shall be amerced. And if any man be wounded in perill of death, the partie that so wounded should be arrested, and put in suretie, till perfit knowledge be had, whether he so hurt should liue or die. And the Coroner vpon the view of the bodie dead, should inquire of him or them that had done that death, or murder, or their abetters, & consenters, & who were present whē the death or murder was done, whether man or woman, and the names of them that were present, and so found, to inroll and certifie, which law by negligence is disused, and thereby great boldnesse is giuen to slayers and murderers: And ouer this it is vsed, that within the yeere and day after any death or murder had & done, ỹ felon should not be determined at ỹ kings suit, for sauing of the parties suite: wherein the partie is oft time slow, and also agreed with, and by the end of the yeere all is forgotten, which is an other occasion of murder. And also he that will sue any Appeall, must sue in proper person, which suit is long and costly, that it maketh the partie appellant wearie to sue. For reformation of the premisses, the King ꝛr. will that euery Coroner exercise and doe his office, according to the Law, as is afore rehearsed. And that if any man be slaine or murdered, and therefore the slayers, murderers, abbetters, mainteiners, and comforters, of the same be endicted, ỹ the same slayers, & murderers, and all other accessaries of the same, be arraigned and determined of the same felony and murder, at any time of the kings suit within the yeere after the same felonie and murder done, and not tarie the yeere and day for any Appeall to be taken for the same felonie or murder. And if it happen any person named as principall or accessary, to be acquited of any such murder at the Kings suit within the yeere and day, that then the same Iustices before whom he is acquited, shall not suffer him to goe at large, but either to remit him againe to prison, or else to let him to baile after their discretion, till the yeere and day be passed. And if it fortune that the same Felons and Murderers, and accessaries so arraigned, or any of them to be acquited, or the principall of the said Felonie, or any of them, to be attainted, the wife or nert heires to him so slaine, as shall require, may take and haue their Appeall of the same death and murder, within the yeere and day after the same felony and murder done, against the said persons so arraigned & acquited, & all other their accessaries, or against the accessaries of the said principall, or any of them so attainted, or against the said principals so attainted, if they be on liue, and the benefit of his Clergie thereof before not had. And that the appellant haue such and like aduantages, as if the said acquitall or attainder had not beene, the sayd acquitall or attainder notwithstanding. And ouer that, the wife or heire of the said person so slaine or murdered, as cas shall require, may commence their appeall in proper person, at any time within the yeere after the said felony done, before the Sheriffe and Coroners of the Countie where the said felony and murder was done, or before the King and his Bench, or Iustice of gaole deliuerie. And the Appellant in any appeales of Murder of death of a man, where battell by the course of the common lawe lieth not, may make their Atturnies, and appeare by the same

Coroner
Inquire
Abbettors
Names
Certifie
Yeare & day
Appeale
Coroner
Indict
Accessaries
Within the yeare
Principall
Accessarie
Acquite
Iustices
Imprison.
Baile
Acquite
Attaint
Wife
Heire
Appeale
Yeare & day
Clergie
Wife
Heire
Appeale
Sheriffe
Coroner
K. Bench
Iust. of G.
Battell
Atturney

in

Murder in the day
Eſcape
Townſhip
Amerce
Cozoner

in the ſaid appeals after they be commenced to the end of the ſuit, and execution of the ſame. And if any perſon be ſlaine oꝛ murdered in the day, and the murderer eſcape vntaken, that the towneſhip, where the ſaid deed is ſo done, be amerced foꝛ the ſaid eſcape. And that the Cozoner haue authoꝛity to inquire thereof vpon the view of the body dead.

Inquire
Juſtices of P. Ceſſine

And alſo Juſtices of Peace haue power to inquire of ſuch eſcapes, and that to certifie afoꝛe the king in his bench. And that after the felony found, the Cozoners deliuer their inquiſitions afoꝛe the Juſtices of the next gaole deliuerie in the ſhire where inquiſition is taken, the ſame Juſtices to pꝛoceed againſt ſuch Murderers, if they be in the gaole. And elſe the ſame Juſtices put the ſaid inquiſitions afoꝛe the King in his Bench. And foꝛaſmuch as Cozoners had not, noꝛ ought any thing to haue by the Lawe foꝛ the office doing, which oft times hath bæne the occaſion that Cozoners haue bæne remiſſe in doing their office. It is oꝛdeined, that a Cozoner haue foꝛ his fée, vpon euery inquiſition taken vpon the view of the bodie ſlayne thirteene ſhillings foure pence, of the goods and cattels of him that is the ſlayer and murderer, if he haue any goods. And if he haue no goods, then the Coroner to haue his ſaid fée, of ſuch amerciaments, as ſhall foꝛtune any Townſhippe to be amerced foꝛ the eſcape of ſuch Murderers, as is afoꝛeſaid. (See this clauſe ſomewhat reſtrained by Anno 1. Hen. 8. cap. 7. before in Coroners 7.) And if any Cozoner be remiſſe, and make not his inquiſitions vpon the view of the body dead, and certifie not acꝛoding as is afoꝛe oꝛdained, that the Cozoner foꝛ euery default foꝛfeit to the King C. s. Anno 3. H. 7. cap. 1.

Cozoners Fee
Reg. 8. Hen. 8.

Foꝛf.

Muſters.

Where heretofoꝛe the ſeruice of Muſtering and leuying of able men to ſerue in the warres, hath bæne greatly hindered, aſwell by abſence from the Muſters, as by foꝛbearing of the likelieſt men, & chuſing other not mæt foꝛ the ſeruice, & yet many times by coꝛruption diſcharging thoſe againe, to the great perill of the Realme: Be it ꝛc. That if any perſon oꝛ perſons that ſhall be commanded at any time hereafter generally oꝛ eſpecially, to Muſter afoꝛe any ſuch as ſhall haue authoꝛitie oꝛ commaundement foꝛ the ſame, by oꝛ from the King and Quéenes Maieſties, oꝛ by the heires oꝛ ſucceſſoꝛs of the Quéens Maieſtie, oꝛ by any lieutenãt, warden oꝛ other perſon oꝛ perſons, authoꝛized foꝛ the ſame, do willingly abſent him oꝛ themſelues from the ſame muſters, hauing no true and reaſonable excuſe of ſickneſs, oꝛ other lawfull impediment, oꝛ at their appearance at ſuch muſters, doe not bꝛing with them ſuch their beſt furniture of array and armour, as he oꝛ they ſhall then haue foꝛ his oꝛ their owne perſon in readines: ſhall foꝛ euery ſuch default and offence haue & ſuffer impꝛiſonment by the ſpace of tenne dayes, without baile oꝛ mainpꝛiſe, by the commandement of ſuch as ſhall haue authoꝛitie, as is afoꝛeſaid, to take the ſame muſters, vnleſſe he oꝛ they ſo offending as is afoꝛeſaid, doe agree to oꝛ with the ſayd Commiſſioners, oꝛ two of them, to pay to the vſe of the King and Quéene our Soueraigne Loꝛd and Lady, oꝛ of the heires and ſucceſſoꝛs of the ſame our Soueraigne Lady, foꝛ euery ſuch offente foꝛtie ſhillings foꝛ a fine, which ſaid fine, after agreement foꝛ the payment of the ſame as is afoꝛeſayd, ſhal be certified & eſtreated into ẏ court of Exchequer at Weſtminſter, by ſuch as ſhall haue power to take the ſaid muſters, as is afoꝛeſaide, oꝛ by two of them, vnder their ſeales, oꝛ the ſeale of two of them, within the ſpace of two Moneths next after ſuch agrément to pay the ſaid fine had oꝛ made: and the ſame fine ſo eſtreated, to be leuyed in ſuch foꝛme as fines aſſeſſed by the Juſtices of Aſſiſe, oꝛ of gaole deliuerie in their circuits, are vſed to be leuied. And be it further enacted by the authoꝛitie afoꝛeſaid, that if any perſon oꝛ perſons, which at any time oꝛ times hereafter ſhall be commaunded oꝛ appointed by the King and Quéene our Soueraigne Loꝛd and Lady, oꝛ by the heires and ſucceſſoꝛs of the ſame our Soueraigne Lady by their cõmiſſion, Letters, oꝛ otherwiſe authoꝛiſed, to leuie, muſter oꝛ make any men to ſerue in their warres, oꝛ otherwiſe foꝛ the defence of this Realme, doe by any meane, exact, leuie, receiue oꝛ take, oꝛ cauſe to be taken any ſumme oꝛ ſummes of money oꝛ other reward oꝛ thing whatſoeuer, of any perſon oꝛ perſons, foꝛ ſeruice in the warres, oꝛ that ſhall be appointed, named, oꝛ muſtered to ſerue in any ſuch ſeruice, oꝛ foꝛ ẏ ſparing, releaſing, oꝛ diſcharging of ſuch perſon oꝛ perſons from the ſaid ſeruice: that then euery ſuch perſon that ſo ſhall offend in exacting, receiuing oꝛ taking by any wayes oꝛ meanes any ſumme oꝛ ſummes of money, oꝛ other reward oꝛ thing whatſoeuer, as is afoꝛeſaid, ſhall foꝛ ſuch offence foꝛfeit tenne times ſo much as he ſhall ſo receiue, exact, oꝛ take. (See in captaines 6. a penalty of twenty pownds ſet vpon them.) And be it further enacted by the authoꝛity afoꝛeſaid, that if any Captaine, pettie Captaine oꝛ other, hauing charge of men foꝛ ſeruice in warre, ſhall foꝛ any aduantage, lucre oꝛ gaine by him to be taken oꝛ receiued, diſcharge oꝛ licence any of the Souldiers, oꝛ men appointed to ſerue in the warres, vnder his rule oꝛ oꝛder, to depart from the ſame ſeruice, oꝛ ſhall not pay vnto his Souldiers, and to euery of them their full and whole wages, conduct and coat money, within ten dayes nert after ẏ ſuch Captaine, pettie Captaine, oꝛ other, hauing charge of men as is afoꝛeſaid, ſhall haue receiued the ſame: that then the party ſo offending in giuing any ſuch licence oꝛ diſcharge as is afoꝛeſaid, ſhal loſe and foꝛfeit foꝛ euery ſuch offence ten times the value of the thing ſo taken oꝛ receiued, (See in Captaines 6. a penaltie of twentie pounds ſet vpon them) and ſhall alſo pay to euery Souldier from whom hée ſhall ſo withhold any of the ſaid wages, conduct oꝛ coat money, treble the ſumme ſo withholden: the one moitie of all which foꝛfeitures (other then ſuch as afoꝛe in this act is limited oꝛ giuen to ẏ Souldier oꝛ Souldiers, as is afoꝛeſaid, foꝛ the wages, coat, oꝛ

Abſent
Lawfull excuſe
Beſt armes
Impriſon
Mainpꝛiſe

Roberd. Darby his booke

or conduct money withdrawne) shalbe to the King and the Quéenes Maiesties, and the heyres and successours of the Quéenes Maiestie, and the other moitie to him or them that will sue for the same by Action of Debt, Bill, Plaint, Information, or otherwise, in any Court of Record, in which Action or Suite, no Essoine, Protection, or Wager of Law shall be allowed. And be it further enacted by the authoritie aforesaid, that all Iustices of Assises in their circuites, and all Iustices of Peace within the limits of their Commission in their Assise and Sessions, and Stewards of Léetes, Lawdaies, and Liberties, at their Léets and Lawdaies, shal and may from time to time enquire, heare, and determine euery of the said offences, committed or done contrary to this Act, within the precincts of their Commission, Léete, or Libertie. And if anie person or persons shall be before the said Iustices of Assise, Iustices of Peace, or any of them, presented or indicted of any the offences aforesaid, that then the said Iustices of assise, or Iustices of peace, before whom such indictment or presentment shall be taken or had, shall and may by the authoritie of this Act, award such Processe against euery such person or persons so indicted, as vpon indictments of Trespasse is vsed and accustomed to be made: and if any such person or persons so indicted do appeare before the said Iustices, and confesse the same, or pleade to the same indictments, and after by verdict of twelue men, shall be of any the said offences contained in such indictment or indictments conuicted: that then the said Iustices before whom anie such conuiction shall be so had, shall and may award such person or persons so conuicted vnto prison, there to remaine without baile or mainprise, vntill such time as he or they haue payed or satisfied the moity of the forfeiture aboue said vnto the King and Quéenes Maiesties vse, and the other moitie thereof vnto him or them that shall come before the said Iustices, and giue euidence against the party to be conuicted at the time of the said conuiction, and by whose euidence hée shal be of the said offence conuicted. And if any such conuiction shall be had without any euidence openly giuen by any person or persons, that then the party conuicted, as aforesaid, shall remaine in prison, as is aforesaid, vntill he haue satisfied the whole forfeiture to the King and Quéenes vse. Prouided alwayes, and be it further enacted by the authority aforesaid, that if any the offences aforesaid, touching Captaines, petie Captaines, or other hauing charge of men, shall be cõmitted during the time that any army or number of men being vnder a Lieutenant, shalbe assembled, and continue together, or by any captaine, petie captaine, or other, hauing charge of men, that shal serue vnder any lord Warden, or other Chiefetaine: that then vpon complaint thereof, the Lord Lieutenant, or the lord Warden, or other Chiefetaine, during the time of any of his or their Commission, shall and may heare, order, and determine the same offences, by his or their discretions. Prouided alwayes, that this Act, ne any thing therein contained, shall not in any wise extend to take away or discharge any tenant or farmer, of his seruice or couenant towards his Lord, for the finding of horse, armour, or weapon, or for doing of seruice by himselfe, or by any other, which by the tenour of his land otherwise is bounden to do, before the making of this Act, but that he shall yéeld, doe, and pay the same in as ample maner and forme, as though this Act had neuer bene had or made. Prouided also, and be it further enacted by the authority aforesaid, that if any such captaine, petty captain, or other hauing charge of men, as is aforesaid, shall be at any time hereafter conuicted, or ordred by vertue of this Act, for any of his offences aforesaid: That then the same captaine, petty captaine, or other hauing charge of men, as is aforesaid, so conuicted, shall not otherwise or eftsones be vexed, troubled, sued, or conuicted for the same offence, whereof hée shall be so before conuicted or ordered. And where one Branch or Article contained in the statute made in the second and third yeare of the raigne of the late King Edward the first, intituled, An Act touching the true seruice of Captaines and Souldiors, (which see before in Captaines 6.) whereby the departure of any souldior (seruing, as in the said Act is expressed) without licence of the lieutenant, or other officer or officers named in the said Act, or in their absence, of their deputies, was made felony, is of no force, strength, ne effect, at this present, by reason of the Act of Repeale of certaine treasons, felonies and premunire, made in the first session of the parliament holden at Westminster, in the first yeare of the Quéenes Maiesties raigne: Be it for good and reasonable considerations enacted and established by the authoritie of this present parliament, That the said Branch or Article, and euery sentence and matter therein contained, be from henceforth wholly reuiued and continued, and be and remaine in full strength and effect to all intents, constructions and purposes, the said Act of Repeale notwithstanding. And that all and euery other Article, Clause, Prouiso, and matter contained in the same Act, shall stand, remaine, and be in their full force, strength, and effect: Anie thing in this Act contained to the contrarie notwithstanding. And yet neuertheless, where in the said Act is prouided, That no person or persons should be charged for the taking or receiuing of any gift or reward of his or their tenants or friends towards the relieue, aide, or help of the same persons being commanded to serue in warres, or otherwise to find men on horsebacke, or on foote, within this Realme or without, nor for the gift, reward, aide, or help reserued or couenanted to be payed or giuen to any person appointed to serue in warres, or to find horse or men to serue, by reason of any grant, couenant, reseruation, custome or tenure: Anie thing in the said Act to the contrarie notwithstanding, as by the said Act and Prouiso more plainly it doth and may appeare. Be it enacted by the authoritie of this present parliament, That no person or persons shall or may by colour of the said Prouiso, or of any words or matters therein contained, exact or demand, or leuy any summe or summes of money, horse, armour, or any other thing, other then shall bée employed forthwith in the present

Horse Armour Weapon

Prouiso

Captaine

Conuict

2. E. 6. cap 2

Felony

Repealed

Reuiued

Exact

seruice of those warres of the King and Quenes Maiestie, her heyres or successors, for which it is leuied: the which summe or summes of mony, horse, armour, or other thing, or as much thereof as shall not be spent, lost, or consumed in the said seruice, shall be rendred and restored to such person or persons as payed or deliuered the same: vpon the penalties and forfeitures contained in the said Act.

Prouiso — Prouided alwayes, That no person or persons, inhabiting within any City, Borough, or Towne

City — corporate, being a Countie of it selfe,

County — or in which any Justices of peace be or hereafter shalbe by charter, shall be compelled by vertue of this Act, to make his or their appearance with such furniture, as is aforesaid, at any Muster hereafter to be had or taken out of the suburbes, precinct, or liberties of the same City, Borough, or towne, nor before any person or persons, authorised by Commission,

Mayor — or otherwise, as is aforesaid, vnlesse the Mayor or other head Officer of such citie, borough, or towne,

Commissis — and one other discreet inhabitant of the same at the least, be ioyned in the same Commission, or other authoritie as is aforesaid, with the same other person or persons so authorised: any thing before mentioned to the contrary notwithstanding. Anno 4. & 5. Ph. & M. cap. 3.

Newcastle vpon Tine.

Meeles — All the Keeles which now be, and hereafter shall be in the said Port, (s. vpon Newcastle vpon Tine) shall be measured by certaine

Commissioners Marked Portage Port. — Commissioners thereto to be assigned by the King, and marked, of what portage they be, before that any carriage be made by the same, vpon paine of forfeiture to the King, all the vessels called Keeles, by

Coles — which any such coles shalbe carried, before that they be marked in the maner aforesaid. Anno 5. H. 5. cap. 10.

Marchant — 2 From henceforth anie Marchant or Marchants, or any other person or persons, shall not

Shippe Discharge — ship, load or vnload, charge or discharge any maner of goods, wares, or marchandises to be sold here within this your realme or elsewhere, in, to or from any ship or ships, or other vessels, in, or at any place or places within the said port, riuer, and hauen, betweene the said place called the Sparhawke, and the said place called Hedwinstreames, but onely at the said towne of Newcastle, and no where else,

Port. — vpon paine of forfeiture of all such goods, wares and marchandises to the King our said soueraigne lord, and to his heyres Kings of England. And that it

Mayor — shalbe lawfull vnto the Mayor, Burgesses, and Comminalty of the said towne of Newcastle, and

Officers — their successors, and al other the K. officers there for

Seise — the time being, for to take and seize all the said forfeitures, goods, wares, and marchandizes, to the

Eschequer — vse of our soueraigne lord the K. and of his heires, and the value therof to be answerable in his Eschequer. Be it &c. that euery owner, farmer, & occupier of the said weires, gores, and engines, and euery of the same, do abate, put downe, and put away the

Weires — same weires, gores, & engines, on this side the feast of Easter next cõming. And that no maner person or persons from henceforth arraise, lenie or make any maner weire, gore or engine in the said hauen betweene the said places called Sparhawke and Hedwinstreams, vpon paine of an hundred pound

Fort. — of lawfull English money, for euery time they doe

Waste — the contrary: whereof the one halfe shall be to our soueraigne lord the king, and the other halfe to him or them that wil sue therefore by Action of debt, bil, plaint, or information, in any of the Kings courts, wherein the party def. shall not wage his Law, nor in the action any essoine, licence, ne protection be allowed. And further it shalbe lawfull at all times after the feast of Whitsontide next comming, to the

Mayor — Maiors, Burgesses, and Comminaltie of the said towne of Newcastle, and their successours, to abate, plucke downe, and take away all and euerie

Weires — of the said weires, gores, and engines, that shall be then found standing in anie place within the said port and hauen, betweene the said places of Sparhawke and Hedwinstreames, and that hereafter shall be newly made, lenied and arrered any where within the same: without trouble, let or veration of any maner person or persons, by suits in the law or otherwise. Prouided alway, that this Act be not preiudiciall or hurtfull to anie person or persons, being the kings subiects, for buying, shipping, loading, or vnloading of any salt or fish, within the

Salt Fish — said riuer or port, or to any of them, or any other person or persons, repaying to the said port with ships and marchandises for selling or buying of any wares or marchandises, nedefull for the vitailing and amending of their said ships, at the time of their being within the said port. This Act or anie thing comprised in the same notwithstanding. An 21. H. 8. cap. 18.

Newes.

From henceforth none be so hardy to tell, publish, or counterfeit any false newes or tales,

Slaunder — whereby discord, or matter of discord or slaunder may grow betweene the King and his people, or the great men of this Realme. And hee that so doth,

Impris. — shall be kept in prison, vntill he hath brought him forth into the Court, which did speake the same. Westm. 1. ca. 33.

2 Of counterfeiters of false newes, and of horrible and false lyes, of Prelates, of Dukes, Earles,

Lies — Barons, and other nobles and great men of the Realme, and also of the Chauncellour, Treasorer, Clerke of the priuy Seale, Steward of the Kings house, Justices of the one Bench or of the other, and of other great Officers of the Realme, of things which by the said Prelates, Lords, Nobles, and officers aforesaid, were neuer spoken, touched, nor thought, to the great slaunder of the said Prelates,

Slaunder — Lords, and officers, whereby debates and discords might rise betwirt the said Lordes and Commons (which God forbid) and whereof great perill and mischiefe might come to all the realme, and quicke subuersion and destruction of the said Realme, if due remedie bee not prouided: It is straitly defended vpon grieuous paine, for to eschew the said dammages and perilles, that from henceforth none be so hardy to contriue, speake, or to tell any

false

ſalſe newes, lies, or other ſuch falſe things, of Prelates, Lords, and of other aforeſaid, whereof diſcord or any ſlaunder might riſe within the ſame Realme, and hee that doth the ſame, ſhall incurre and haue the paine an other time ordained thereof by the ſtatute of Weſtminſter firſt (that is to ſay, cap. 33. before 1.) which will, that he be taken and impriſoned, till he haue brought him forth that did ſpeake the ſame. An. 2. R. 2. cap. 5.

3 When any ſuch (that is to ſay, that is mencioned in the ſaid Statute of Weſtm. 1. cap. 33. before 1.) And anno 2. R. 2. cap. 5. before 2.) is taken and impriſoned, and can not bring him forth that did ſpeake the ſame, as is aforeſaid, that he be puniſhed by the aduice of the Councell, notwithſtanding the ſaid Statutes. An. 2. R. 2. cap. 11.

4 In Anno 1. & 2. Phil. & Mar. ca. 3. it is enacted that the foreſaid ſtatutes of Weſt. 1. ca. 33. An. 2. R. 2. cap. 5. Anno 12. R. 2. cap. 11. ſhall be and remaine in their full force, ſtrength and effect to all intents, conſtructions and purpoſes. And further, the Iuſtices of the Peace in euery ſhire, citie, and towne corporate, within the limits of their ſeuerall commiſſions, ſhall by authority of this preſent Act, haue full power to examine, heare, and determine the cauſes aboueſaid, in the ſaid two firſt Acts ſpecified. (See W. 1. cap. 33. before 1. & 2. R. 2. cap. 5. before 2.) and to put the ſaid two firſt eſtatutes, & euery branch in them contained, in due execution, that from henceforth condigne puniſhment be not deferred from ſuch offenders. And foraſmuch as diuers and ſundry malicious and euil diſpoſed perſons, maliciouſly, ſeditiouſly, rebelliouſly, and vnnaturally, contrarie to the duety of their fidelities and allegeances, haue now of late not onely imagined, inuented, practiſed, ſpoken and ſpread abroad, diuers and ſundry falſe, ſeditious and ſlaunderous newes, rumours, ſayings and tales, againſt our moſt dread ſoueraigne Lord and King, and againſt our moſt naturall ſoueraigne Lady and Queene, and againſt either of them, of whom we are forbidden to thinke euill, and much more to ſpeake euill, which offence ſoundeth, and is as well to the great diſhonour, reproch and ſlaunder of their moſt excellent Maieſties, as alſo to the great ſlaunder of this their Realme, and other their Dominions: but alſo haue deuiſed, made, written, printed, publiſhed, and ſet forth diuers hainous, ſeditious and ſlaunderous writings, rimes, ballads, letters, papers and bookes, intending and practiſing thereby to moue and ſtirre ſeditions, diſcord, diſſention, and rebellion within this Realme, to the great peril and danger of the ſame: For auoyding whereof, be it &c. That if anie perſon or perſons, after the twentieth day of February next enſuing, and after open Proclamation made of this Act, ſhall maliciouſly of his or their Imagination, ſpeake any falſe, ſeditious, and ſlaunderous Newes, Rumours, Sayings, or Tale of our ſaid ſoueraigne lord and K. or of our ſaid moſt naturall ſoueraigne Ladie and Queene, That then all and euery ſuch perſon and perſons ſo offending, being thereof conuicted or attainted, in forme hereafter in this Act expreſſed, ſhall (for euerie firſt offence, in the ſame market place within the Shire, Citie, or Borough, where or neere vnto the place where the ſaid words were or ſhall be ſpoken) be ſet openly vpon the pillorie, by the Sherife or his Miniſters, if it ſhall fortune to be without any citie or towne corporate: And if it happen to be within ſuch citie or towne corporate, then by the principall officer or officers of ſuch citie or towne corporate, or his or their Miniſters; and there to haue both his eares cut off, vnleſſe he pay one hundreth pounds to the King and Queenes Highneſſe vſe, within one moneth next after iudgement giuen of his ſaid offence, and alſo ſhall ſuffer impriſonment, by the ſpace of three moneths, after ſuch his or their execution. And it is &c. That all and euerie perſon and perſons, which after the ſaid day, and after Proclamation made of this Act, ſhall maliciouſly ſpeake any falſe, ſeditious and ſlaunderous newes, rumours, or tales, to the ſlander and reproach of our ſaid Soueraigne Lord the King, or of our ſaid moſt naturall Soueraigne Ladie the Queene, of the ſpeaking or reporting of anie other, That then all and euery ſuch perſon or perſons ſo ſpeaking and reporting, being thereof conuict or attainted in forme hereafter in this Act expreſſed, ſhall for euerieſuch Offence in ſome Market place within the Shire, Citie, Borough, or Towne, where, or neere vnto the places where the ſaid words were or ſhall be ſpoken and reported, be ſet openly vpon the Pillorie by the Sherife or his miniſters, if it ſhall fortune to be without any Citie or Towne Corporate. And if it ſhall happen to be within ſuch Citie, or Towne Corporate, then by the ſaid principall Officer or Officers of ſuch Citie or Townes Corporate, or his or their miniſters, and there to haue one of his eares cut off, vnleſſe hee pay one hundreth Markes to the Kings and Queenes Highneſſe vſe, within one moneth next after the Iudgement giuen of his ſaid Offence, and alſo ſhall ſuffer Impriſonment by the ſpace of one moneth after his or their execution. And be it &c. That if anie perſon or perſons, ſhall after the ſaid day, and after Proclamation made, as is aforeſaid, maliciouſly deuiſe, write, print, or ſet forth anie manner of Booke, Rime, Ballade, Letter, or Writing containing anie falſe matter, clauſe, or ſentence of ſlaunder, reproach and diſhonour of the King and Queenes Maieſties, or of either of them, or to the incouraging, ſtirring, or moouing of any inſurrection or rebellion within this realm, or any the dominiõs belonging to the ſame: Or whoſoeuer ſhall maliciouſly procure anie ſuch booke, rime, ballad, letter, or writing to be written, printed, or ſet forth, and the ſaid offence not being puniſhable by the Statute made in the fiue and twentieth yeare of the raigne of King Ed. the third, (S. ca. 2. which is in Treaſon 1. concerning treaſons or declaration of treaſon) that then and in euerie ſuch caſe the offender and offenders therein, after his or their conuiction or attainder, ſhall for his or their firſt offence, in ſome Market place within the Shire, Citie, or Borough, where the ſaid offence is, or ſhall be committed or done, by the Sherife, or his miniſters, if it ſhal fortune to be without

Pillorie Sherife

City

Eares cut off. 100. li.

Impriſ.

King

Queene

Pillorie

One eare cut off 100. markes.

Impriſon

Write Print Booke Ballads Letter Slaunder

Inſurrection Rebellion

Procure

Conuict

any Citie or Towne Corporate, and if it be within such City or Towne corporate, then by the principall Officer or Officers of such City or Towne corporate, or by his or their Ministers, haue his and their right hand stricken off. And be it &c. that if any person or persons, being once lawfully conuicted of any of the offences aforesaid, now prouided to be punished by the erection of losses of eare, eares, or hand, as is aforesaid, do afterwards eftsoones offend in any of the offences aforesaid, that then hee or they so offending, shall suffer imprisonment during his or theyr liues without bayle or mainprise, and forfeit and lose to the King and Queenes Maiesties, all his and their goods and cattells. And it is &c. That Iustices of Oyer Determiner, within the limits of theyr Commission, Iustices of Assise in theyr seuerall circuites, Iustices of gaole deliuery, and Iustices of peace, as well within the Liberty as without, within the limits of theyr seuerall Commissions, in theyr generall Sessions or other Sessions (which they or two of them, whereof one of them to be of the Quorum, may and shall appoynt at theyr pleasure, where and when neede shall require) shall by vertue hereof haue full power and authority to enquire, heare, and determine all and euery the offences aforesaid, as in cases and triall of Felony. And that the party indicted and arraigned, shall haue aduantage of all manner of challenges to the Iury (peremptory challenge onely except) as in triall of Felony. And also, that euerie Iustice of Peace within the limits of his Commission, shall haue full power and authority to commit any person being vehemently suspected of any of the said offences to ward, there to remaine without baile or mainprise, vntill hee shall be deliuered, according to this Act. Prouided alwayes, and be it &c. That no manner of person or persons shall be molested or impeached for any of the offences concerning speaking or reporting, as is aforesaid, vnlesse hee or they be thereof accused and conuicted within three moneths next after his or their said offence so committed or done. And in case any person shal be imprisoned for any of the sayd offences, concerning speaking or reporting, and not thereof conuicted within iij. moneths next after his offence supposed to be by him done and committed, that then the person so imprisoned, shalbe set at liberty, and no longer detained in prison. Prouided also, and be it &c. That euery such Mayor or Mayors, Bailifes and other head Officer and Officers, of cities, boroughs, & townes corporate, which haue or hereafter shall haue iurisdiction and authority within the seuerall limits of theyr office or offices to hold and keepe Sessions as Iustice or Iustices of the Peace, shall and may by authoritie hereof, as well Arrest and Commit to Ward all and euery Person and Persons, being vehemently suspected of any of the Offences aforesaid, as also to proceed in the discussion, hearing, and determining of euery of the said Offences, and to see, and make due execution thereof, according to the purport, meaning, and effect of this present Act: Any thing in the same Act heretofore made to the contrarie notwithstanding. Prouided alwayes, that the said Iustice of Peace, as well within liberties as without, the which shall for any the offences aforesaid commit any person or persons to Ward, as is aforesaid, shall within tenne dayes next after such committing, with one other Iustice, whereof one of them to be of the Quorum, direct their precept to the Shirife or Shirifes of the Countie, where the offence shall be committed, or to other ordinarie officer, if it bee within any Citie or Towne corporate, where the Shirife cannot intromit, commaunding him or them by the same to impanell and returne, as they shall assigne foure and twentie good and lawfull men of his or their Bayliwike or Bayliwikes, to enquire of the said offence or offences, the which any such person or persons shall be so imprisoned for. And thereupon within one moneth after the date of the said precept to proceed and determine, as aboue is expressed. Euery one of the same Iustices, vpon paine of x. l. to be payed to the Kings and Quenes Highnesse, as often as they shall be found in default of any the same. Prouided also, and be it enacted, That this Act shall be proclaimed in all the Shires within the Realme, before the twelfth day of Februarie next comming, to the intent that all persons may haue notice thereof, and auoid the perill and danger that might ensue by offending against the same. And this Act to be onely in force vntill the end of the next Parliament, & no longer. Prouided alwayes, and be it &c. That none of the Peeres of this Realme shalbe arrested or imprisoned for any of the said offences, but onely by order or commaundement giuen from the King and Quenes priuie Councell, or of the heyres of the Quene, and that the said Peeres, and euery of them that shall hereafter fortune to be indicted of any of the offences aforesaid, shall be tried by their Peeres, as before hath beene accustomed in cases of Treason or Felony. Anno 1. & 2. Phil. & Mar ca. 3. And after Anno 2. & 3. Phil. & Mar ca. 21. it was continued to the last day of the next Parliament. And after Anno 4. & 5. Phil. & Mar cap. 9. it was continued to the last day of the next Parliament. And after Anno 1. Elizab. capit. 7. this Act was made to extend to the Queene, as followeth.

5 Be it declared, ordained and enacted by authority of this present parliament, That the sayd Act and Statute made in the said first and second yeares of the raignes of the saide late King and Quene, and continued, as is aforesaid, and all and euery branch, article, words, sentences, clauses, prouisions, and things therein contained, shal from henceforth by authority of this present parliament be expounded, iudged, taken and deemed in all things to extend to the Quenes highnes that now is, as fully and largely to all intents, constructions, and purposes, as though the same Act had by expresse words extended to the heires and successors of the said late Quene, any question, ambiguity, or doubt, growen, risen, or made, or hereafter happning to grow, rise or to be moued to the contrarie in any thing notwithstanding. And that al and euery person and persons, which hereafter shall maliciously vtter

Hād cut off. Impriſon. Mayntpriſe Fort. Ju. of Oier and Term. Juſt. of aſſ. Ju of gaole deliuere Juſt. of P. Generall ſeſſions Quorum Inquire Oyer & ter. Challenge Juſt. of P. Suſpect Impriſon Maynptile 3. Moneths Liberty Mayor Baylifes Seſſions Juſt. of P. Peeres Trial Quene

vtter or speake any false, seditious, or slaunderous newes, rumours, sayings, or tales of the Quéenes Highnes that now is, or of the heires of her bodie, being Kings or Quéens of this Realme, or shall commit or doe any the offences exprssed in the said Act, against our said soueraigne Lady the Quéene that now is, or the heires of her body being Kings or Quéens of this Realme, and being thereof conuicted or attainted, according to the forme and order in the said former act exprssed, shal from henceforth incurre such paines and penalties, and haue such and the same triall, iudgement and punishment for the same offences, as in the said Act is limited and appoynted, and according to the forme, tenour, and effect of the same Act, and none otherwise. Anno 1. Elizab. capit. 7. But those two Acts be repealed during this Queenes life, and another course taken, as here followeth, 6.

6 Whereas in and by the lawes and statutes of this Realme already made and ordained against seditious words and rumours, vttered against the Quéenes most excellent Maiestie, there is not sufficient and condigne punishment prouided for to suppresse the malice of such as be euill affected towards her Highnesse: Be it therefore enacted by the authoritie of this present Parliament, that if any person or persons, after the end of xl. dayes next ensuing thend of this present session of parl. shal aduisedly and with a malitious intent of his or their owne imagination, speake any false, seditious, and slaunderous newes, rumours, sayings, or tales against our said most naturall soueraigne Lady the Quéenes Maiestie, that now is, That then all and euerie such person and persons so offending, being thereof lawfully conuicted or attainted, in forme hereafter in this present Act exprssed, shall for euery such first offence, either be in some market place within the shire, citie, or borough where the said words were, or shall be so spoken, set openly vpon the pillorie by the sherife or his ministers, if it shall fortune to be without any citie or towne corporate: And if it shall happen to be within anie citie or towne corporate, then by the principall officer or officers of such city or towne corporat, or his or their ministers, and there to haue both his eares cut off, or at the election of the offender, to pay two hundred pounds, to the Quéenes Highnesse vse in her Maiesties receit of the Exchequer, within two months next after the iudgements giuen of his said offence, and also shall suffer imprisonment by the space of six months after such his or their conuiction without baile or mainprise. And be it further enacted by the authority aforesaid, That all and euerie person and persons, which after the end of the said xl. daies, shall aduisedly and with a malitious intent against our said soueraigne Lady, report anie false, seditious and slaunderous newes, rumours, or tales to the slaunder and defamation of our said soueraigne Lady the Quéenes Maiestie (that now is) of the speaking or reporting of any other, that then all and euery such person or persons so reporting, being thereof conuicted and attainted in forme hereafter in this Act exprssed, shall for euerie such first offence, either be in some Market place within the shire, city, borough, or towne where the said words were, or shall be so reported, set openly vpon the Pillorie by the Sherife or his Ministers, if it shall fortune to be without anie City or Towne Corporate: and if it shall happen to be within any City or Towne Corporate, then by the principall Officer or Officers of such City or Towne Corporate, or his or their Ministers, and there to haue one of his eares cut off, or at the election of the offender, pay CC. Markes to the Quéenes Highnesse vse, in her Maiesties said receit of the Exchequer, within two Moneths next after the Iudgement giuen of his said offence, and also shall suffer imprisonment by the space of three moneths after such his or their conuiction, without baile or mainprise. And be it further &c. by the authoritie aforesaid, That if any person or persons, once lawfully conuicted for any of the offences aforesaid, doe afterwards eftsoones offend in any of the offences aforesaid, that then euery such second offence to be deemed and adiudged felonie, and the offender and the offenders therein, to suffer such paines of death and forfeiture, as in case of felonie, without any benefite of Cleargie, or Sanctuarie to be allowed vnto the offender in that behalfe. And be it further enacted by the authority aforesaid, that if any person or persons, after the end of the said fortie daies, either within this Realme, or in any other the Quéenes Dominions, or in any other place out of the Quéenes Dominions, shall aduisedly and with a malicious intent against our said Soueraigne Lady, deuise, and write, print, or set forth any maner of Booke, Rime, Ballade, Letter or Writing, containing any false, seditious, and slaunderous matter to the defamation of the Quéenes Maiesty, that now is, or to the incouraging, stirring or moouing of any insurrection or rebellion within this realme, or any the dominions belonging to the same, or if anie Person or Persons after the end of the said fortie dayes, either within this Realme or other the Quéenes Dominions, or in anie other Place out of the Quéenes Dominions, shall aduisedly and with a malicious intent against our said soueraigne Lady, procure or cause any such booke, rime, ballade, letter, or writing, to be written, Printed, Published, or Set forth, (and the said offence not being punishable by the Statute made in the fiue and twentieth yeare of the Raigne of King Edward the third concerning treason, or Declaratio of treason, (Which see in Treason 1.) or by any other Statute whereby anie Offence is made or declared Treason:) That then euerie such Offence shall be deemed and adiudged Felonie, and the Offenders therein being therein Conuicted and Attainted, shall suffer such paines of death and Forfeiture, as in case of Felonie is vsed, without anie Benefite of Clergie or Sanctuarie to be allowed vnto the Offender in that behalfe. And for that diuerse Persons wickedly disposed, and forgetting their Duetie and Allegeaunce, haue of late not onely wished her Maiesties death, but also by diuerse meanes practised and sought to know how long her Highnesse should liue,

Pillorie

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Imprisonment three moneths Mainprise

2. offence Felony

Clergy Sanctuary

Write Set forth Bookes Writing Defamation

Insurrection

Procure

Felony

Clergy Sanctuarie

and who should reigne after her decease, and what changes and alterations should thereby happen: to the intent that such mischieues and inconueniences as may thereby grow in the common weale, to the great disturbance of the same, may be cut off and be preuented: Be it also enacted by the authoritie aforesaid, That if any person or persons, of what estate, condition, or degree soeuer he or they be, at any time after the end of the said forty daies, and during the life of our said soueraigne Ladie the Quenes Maiestie, (that now is) either within her Highnesse Dominions, or without, shall by setting or erection of anie figure or figures, or by casting of nativities, or by calculation, or by any prophecying, witchcraft, coniurations, or other like vnlawfull meanes whatsoeuer, seeke to know, and shall set forth by expresse words, deeds, or writings, how long her Maiestie shal liue or continue, or who shall raigne as King or Queene of this Realme of England, after her Highnesse decease, or else shal aduisedly and with a malitious intent against her Highnesse, vtter any maner of direct prophecies to any such intent or purpose, or shall malitiously by any words, writing, or printing, wish, wil or desire the death or depriuation of our Soueraigne Ladie the Quenes Maiestie (that now is) or any thing directly to the same effect, that then euery such offence shall be Felonie, and euery offender and offenders therein, and all his or their Aiders, procurers, and abettors, in, or to the said offences, shall be iudged as Felons, and shall suffer such paines of death and forfeiture, as in case of Felonie is vsed, without any benefit of Clergie or Sanctuarie. And be it further enacted by the authoritie aforesaid, that the Iustices of the Court, commonly called the Kings Bench, Iustices of Dyer and Determiner, Iustices of Assises in their seuerall circuites, and Iustices of generall gaole deliuerie, as well within Liberties, as without, within the limites of their seuerall Commissions, shall by vertue hereof, haue full power and authoritie to enquire of, and to heare and determine all and euery the offences aforesaid, and that the partie indited and arraigned of any of the offences aforesaid, shall haue aduantage of all manner of challenges to the Iury, as in triall of felonie is vsed. And also that all Iustices of Peace, as well within Liberties, as without, within the limits of their seuerall Commissions, in their generall or quarter Sessions, shall by vertue hereof, haue full power and authoritie to enquire of all and euery the offences aforesaid, and to cause the offender and offenders therein, to be indicted without any further proceeding therein. And that also euery Iustice of Peace within the limits of his Commission, shall haue full power and authoritie, to cõmit any person being vehemently suspected of any of the said offences, to ward, vnlesse he do put in sureties, to make his personall apparance at the next quarter sessions, or gaole deliuerie, and in default of finding such sureties, then to commit him to prison, there to remaine, vntill he shall find sureties for his apparance, as is aforesaid. And be it further enacted by the authoritie aforesaid, that all Offences made Felonie by this Act, which hereafter shall be done or committed by any person or persons out of this Realme of England, shall be from henceforth inquired of, heard, and determined before the Quenes Maiesties Iustices of her Bench for Pleas to be holden before her selfe, by good and lawfull men of the same Countie where the same Bench shall be kept, in like maner and forme to all intents and purposes, as if the same offences had beene done and committed within the same Countie where they shall so be inquired of, heard and determined: any thing to the contrarie notwithstanding. Prouided alwayes, and be it enacted by the authority aforesaid, That no maner of person or persons, shalbe molested or impeached for any of the offences, concerning speaking or reporting as is aforesaid, vnlesse he or they be thereof accused within one month next after such words so spoken or reported, before some one Iu. of peace, and the witnesses therein to be vsed, named to the same Iustice, and the same accusation and witnesses names put in writing by the said Iustice, and certified at the next Quarter Sessions or Gaole Deliuerie: And vnlesse such offender also be indicted within one yere next after his or their said offence so supposed to be committed or done. Prouided also, & be it enacted by the authority aforesaid, that euery such Maior or Maiors, Baylife, or other head officer of cities, boroughs & townes corporate, which haue, or hereafter shall haue iurisdiction and authority within the seuerall limits of their office or offices, to hold and keepe sessions as Iustice or Iustices of the Peace, shall and may by the authoritie hereof, as well arrest and commit to ward or baile, in maner and forme aforesaid, all and euery person and persons, being vehemently suspected of any the offences aforesaid, as also to enquire of all & euerie the Offences aforesaid, & to proceed to the indicting of euery such offender without any further proceeding therein: Any thing in this Act to the contrary notwithstanding. Prouided also & be it enacted, That this present Act shall be proclaimed in all the counties within this Realme, before the end of 28. dayes next insuing the end of this present Session of Parliament, to the intent that all persons may haue notice thereof, and thereby to auoid the perill and daunger that may ensue by offending against the same. Prouided alwayes, and be it enacted by the authoritie aforesaid, That the Peeres of this Realme, and euery of them that shall hereafter fortune to be indicted of any the Offences aforesaid, shall be tried by their Peeres, as before hath been accustomed in cases of treason and felony. Prouided also, and be it enacted by the authoritie aforesaid, That this Act nor any thing therein contained, nor any attainder or attainders of any person or persons, for any offence or offences made felony by this Act, shall in any wise extend or be adiudged, interpreted, or expounded, to make the offender or offenders to forfeit or lose any lands, tenements, or hereditaments any longer, then onely during his own life, or to make any corruption of blood to any the heire or heires of any such offender or offenders, or to make the wife of any such offender to lose or forfeit her dower or title of dower, of, or in anie

Cast figure
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Felonie
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Iust of the kings bench Dier & ter. Iust. of Ass.
Gaole deliuerie
Inquire Heare Determine
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Iust. of P.
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Euery Iust. of peace
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Felonies out of the realme Triall
King bench
Prouiso
Speaking Accused within one moneth
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Mayor Citie
Iust. of P.
Proclamation
Peeres
Triall
Prouiso
Forf.
During
Corruption of blood
Dower

any lands, tenements, or hereditaments, or her action or intereſt to the ſame: Any thing in this act contained, or any attainder or attainders hereafter to be had, for any offence or offences made felony by this act, to the contrary notwithſtanding. Prouided alwaies, and be it enacted by the authority aforeſaid, that no perſon or perſons ſhall bee hereafter indicted or arraigned, for any offence or offences, touching or concerning ſpeaking or reporting as aforeſaid vnleſſe the ſame offence or offences be proued by the teſtimony, depoſition, and others of two ſufficient witneſſes, at the time of his or their inditement, which ſaid witneſſes alſo, at the time of the arraignement of the party ſo indited, ſhall be brought forth in perſon before the party ſo arraigned face to face, and there ſhall openly declare all they can ſay againſt the ſaid party ſo Indicted, vnleſſe the ſaid party ſo indicted ſhall willingly and without violence confeſſe the ſame. And be it likewiſe enacted by the authority aforeſaid, that the Statuts of the firſt and ſecond yeres of King Philip and Queene Mary entituled (An act againſt ſeditious words and rumors) and one other Act of Parliament made in the firſt yeare of the raigne of our ſaid Soueraigne Lady the Queenes Maieſtie (that now is) whereby it is prouided and enacted that the ſaid former act ſhall extend to and for our ſaid Soueraigne Lady the Queenes Maieſtie that now is, and euery clauſe, Article, and ſentence in euerie of the ſaid acts and Statutes, ſhall from and after the proclamation of this act, be repealed and void to all intents and purpoſes, for ſo long time as this act ſhall continue in full ſtrength and perfect force. And be it likewiſe enacted by the authority aforeſaid, that this Act, nor any thing therin contained, ſhal haue continuance, or be in force for any longer time, then onely during the naturall life of our ſaid ſoueraigne Lady the Queenes moſt excellent Maieſtie that now is, whome God long preſerue to his glory, her Highneſſe honour and ſafety, and to the common wealth of all her Maieſties Dominions, Amen. Anno 23. Eliz. cap. 2.

Niſi prius.

FRom henceforth two Juſtices ſworne ſhall be aſſigned, before whom & none other, aſſiſes of Nouel diſſeiſin, Mordancester, and attaints ſhal be taken, and ſhall aſſociate with them, two or one of the diſcreeteſt Knights of the Shire, into which they ſhal come, and ſhal take the foreſaid aſſiſes & attaints but thrice in the yeare at the moſt, that is to ſay. Firſt betweene the Quinzim of Saint John Baptiſt and the guile of Auguſt, & the ſecond time betweene the feaſt of the Exaltation of the Croſſe, and the Mas of Saint Michael, and the third time betweene the feaſt of the Epiphany, and the Feaſt of the Purification. And in euery ſhire at euery taking of Aſſiſes, before their departure, they ſhal appoint the date of their returne, ſo that euery one of the ſhire may know of their comming, and ſhall adiourne the aſſiſes from terme to terme, if the taking of them be deferred at any day by vouching to warrantie, by eſſoine, or by default of iurors. And if they ſee that it be profitable for any cauſe, that aſſiſes of Mortdancester being reſpected by eſſoine or voucher, ought to be adiourned into the bench: it ſhall be lawfull for them to doe it, and then they ſhall ſend the Record with the originall writ before the Juſticers of the Bench. And when the matter is come to the taking of the aſſiſe, the Juſticers of the bench ſhal remit the mater to the firſt Juſticers before whome the Aſſiſe ſhall be taken. But from henceforth the Juſticers of the Bench in ſuch aſſiſes ſhall giue foure daies at the leaſt in the yere, before the ſaid Juſtices aſſigned, for to ſpare expence and labour. Inquiſition of treſpaſſe ſhall be determined before the Juſticers of both benches, except the treſpaſſe be ſo hainous that it ſhal require great examinatiõ. Inquiſitiõs alſo of other pleas pleaded in either of the benches ſhall bee determined before them, wherein ſmall examination is required, as when the entrie or ſeiſin of any is denied, or in caſe when one article is to be inquired. But Inquiſition of many and great articles, the which require great examination, ſhall be taken before Juſticers of the bench, except ỳ both parties deſire ỳ the Inquiſition may be taken afore ſome of the aſſociates when they happen to come into thoſe parts, ſo that frõ henceforth it ſhal not be done but by ỳ. Juſtices, or one with ſome knight of the ſhire, vpon whome the parties can agrée. And ſuch Inquiſition ſhall not be determined before any Juſticers of the bench, vnleſſe a day and a place certain be appointed in the Shire in the preſence of the parties, and the day and place ſhall be mentioned in a writ iudiciall by theſe words: Præcipimus tibi, quod venire facias coram Iuſticiarijs noſtris apud Weſtmonaſterum in Octauis Sancti Michaelis (niſi talis, et talis, tali die & loco ad partes illas priº venerint) duodecim &c. And when ſuch manner of Enquells be taken, they ſhall be returned into the Bench, & there ſhal iudgement be giuen and inrolled. And if any Inquiſitions be taken otherwiſe then after this forme, they ſhall be of none effect, except that aſſiſe of Darrein preſentment, and inquiſitions of Quare impedit ſhall be deliuered in their owne ſhire before one Juſticer of the bench and one knight, at a day and place certaine in the bench aſſigned, whether the defendãt conſent or not, and there the iudgement ſhal be giuen immediately. All Juſticers of the Benches from henceforth ſhall haue in their circuits, Clerkes to inroll all Pleas pleaded before them, like as they haue vſed to haue in time paſſed. Alſo it is ordeined, that the Juſticers aſſigned to take aſſiſes, ſhall not compell the Iurors to ſay preciſely, whether it be diſſeiſin or not, ſo that they doe ſhew the truth of the deed, and require aid of the Juſticers. But if they of their owne head will ſay, that it is diſſeiſin, their verdict ſhall be admitted at their owne perill. And from henceforth the Juſtices ſhall not put in Aſſiſes or Iuries, any other then were ſummoned to the ſame at the firſt. Weſt. 2. cap. 30. An. 13. Ed. 1.

4. Daies

Treſpaſſe Juſt. of both benches Inquiſitiõs

Juſt. of the bench

Day & place

Enquells

Darrein pref. Quare impedit

Juſtices

Clerks

Iurors

Verdict

2 Where we haue prouided, that none ſhall be impanelled any where out of the ſhire where hee is dwelling, in recogniſances, Inquells, and iuries, that

that hath leſſe then an hundred ſhillings, of land or rent, whereby aſwell they that haue more lands by too often appearing as well in our Eſchequer, as before one Juſtices of either bench, are much impouerished: we therefore conſidering the intolerable dammage of our people, not onely for the diſcharge of ſuch Iurors, but alſo for the more ſpeedie miniſtration of Juſtice to all parties ſuing in our Court, haue prouided and ordeined, that inquells, and recogniſances determinable before Juſtices of either bench, from henceforth ſhall be taken in time of vacation, before any of the Juſtices, before whome the plea is brought, being aſſociate to one knight of the ſame ſhire, where ſuch enquells ſhall paſſe, vnleſſe it be an enquell that requireth great examination. And ſo from henceforth in taking ſuch enquells, the Juſtices ſhall doe as to them ſhall ſéeme moſt expedient, for the common vtility of our Realme notwithſtanding the Statute lately made at Weſtminſter, vpon the taking of ſuch enquells, containing that if any enquells be taken contrarie to the forme of the ſaide Statute, they ſhould be of none effect. And therefore we commaund, ſtraightly charging thée, that incontinent without further delay, thou ſhalt cauſe to be read & publiſhed in Cities, boroughs, market townes, and other ſolemne places thorowout thy libertie, where thou ſhalt thinke moſt neceſſarie, of the Articles aboueſaid, ẏ which we haue grãted, willing them to be kept and obſerued ſtedfaſtly and without cõtradiction, and that thou notifie and declare all and ſinguler the premiſſes to al our liege people without delay, witneſſe, &c. Stat de finibus leuatis. Anno 27. Ed. 1. cap. 4.

Iurors
Enquells
Juſtices
Vacation
Knight
Statute
Enquells

3 Where it is conteined in a Statute made at Weſtminſter, the ſecond day of Aprill, the ſeuen & twentieth yeare of the raigne of the kings father that now is, that Enquells and Recogniſances, taken before the Juſticers of either bench, ſhould be taken before any Juſtice of the places, accompanied with ſome knight of the Shire where ſuch inquells happen to be taken, if they haue not néed of great examination: And that in ſuch inquells, the Juſtices ſhall doe as they ſhall thinke moſt expedient for the weale of the Realme: the which ſtatute néedeth to be better declared. It is agréed, that inquells and iuries that hap to be taken hereafter in pleas of land, that require not great examination, ſhall be taken in the country before a Juſtice of the place where the plea is, accompained with a ſubſtantiall man of the countrey, a knight or other, ſo that a certaine day be giuen in the Bench, and a certaine day and place in the countrey, in preſence of the parties demanding the ſame. And alſo Inquells & Iuries in pleas of land that require great examination, ſhall be taken in the Countrey (in maner aboueſaid) before two Juſtices of the bench. Anno 12. Ed. 2. cap. 3.

Enquells Recogniſances
Knights
Juſtices
Iuries

4 Whereas in a Statute made in Yorke in the time of the father of our Soueraign Lord the King that now is, it is contained that Inquells and Iuries, which be, and ſhall be hereafter to be taken, requiring no great examination, ſhall be taken before one Juſtice of the place where the plea is, adioyned to him one diſcréet man of the countrey, knight or other, ſo that a certaine day be giuen in the bench, & a certain day & place in the coũtrey, in the preſence of the parties, if the demandant pray the ſame: And alſo the Inquells & Iuries in plea of land, which require great examination, ſhall be taken in the countrey in the ſaide forme, before two Juſtices of the Bench: It is accorded and enacted, that all ſuch Inquells which are to be taken hereafter in plea of land, ſhall be taken as well at the requeſt of the tenant, as of the demandant. All other Proceſſe according to the ſaid ſtatute in ſuch caſe ſaued and kept. Anno 2. Ed. 3. cap. 17.

Day
Juſtices
Enquells

5 Where in times paſt diuers people of the Realme, as well great men as other, haue made aliances, confederacies & conſpiracies to maintein parties, pleas & quarels, whereby diuers haue bin wrongfully diſherited, and ſome ranſomed and deſtroyed, and ſome for feare to be maimed and beaten durſt not ſue for their right nor complaine, nor the iurors of enquells giue their verdicts to the great hurt of the people & ſlaunder of the law & cõmon right: It is accorded ẏ the Juſtices of the one Bench and of the other, and the Juſtices of aſſiſes whenſoeuer they come to hold their ſeſſions, or to take Enquells vpon Niſi prius ſhal enquire, heare and determine, as well at the kings ſuit, as at the ſuit of the party, of ſuch mainteiners, bearers, and cõſpirators. And alſo of them that commit Champerty, and of all other things conteined in the ſaide Article, as well as Juſtices in Eire ſhould doe, if they were in the ſame County. And that that cannot be determined before the Juſtices of the one Bench or the other, vpon the Niſi prius, for ſhortneſſe of time, ſhall be adiourned into the place where of they be Juſtices, and there be determined as right and reaſon ſhall require. Anno 4. Edw. 3. cap. 11. This is confirmed Anno 7. R. 2. cap. 15.

Waine-nance
Diet
Conſpirators Champ
Adiorn
Juſtices

6 Who ſo demandeth the Niſi prius in the K. Bench, as well at the ſuit of the defendant as the Plaintife, as before this time hath been done by the form of the ſtatut, the Niſi prius ſhal be granted before any Juſtice of ẏ place where the plea dependeth, if any of ẏ ſame place may well go into thoſe parts. And if not, then the Niſi prius ſhal be granted before any Juſtice of the common Bench, at a certaine day which may be accorded, and to deliuer or ſend the tenour of the record to him, vnder the ſeale of the chiefe Juſtice of the place, at which day he ſhall take the inqueſt, and returne the verdict vnder his ſeale with the writ, the tenor and the panell, which ſhall be receiued in the Kings Bench, and there inrolled, and thereupon iudgement giuen according to the verdict of the ſame enquells. And the ſaid Juſtice of the Common Bench ſhall haue power to record defaults and nonſuites, as farre forth as if the Niſi prius had beene granted before any Juſtice of the K. Bench. After which defaults ſo recorded and returned in the K. Bench, the Juſtices ſhall goe to giue iudgement vpon the ſame Record. And in the ſame maner be it done of all the pleas, which be or ſhall be in the Common Bench, whereof the enquell and Iuries be or ſhall be taken in the Countrey by Niſi prius. And if

K. Bench
Plea
Juſtice
Day
Iuries
Verdict
Iuries
Iudgement
Iuſtices
Default
Nonſuites
Iuſtices
Iudgement
Iuſtices
Iuries
Iuſtices

none

none of the Juſtices of the ſame place goe, the Niſi prius ſhall be granted before any Juſtice of the K. bench, and doe as afore is ſaid of the Juſtices of the common bench: And the tenor of the record ſent to the ſame Juſtice, he ſhall haue like power as afore is ſaid of Juſtices of the Common bench, which be aſſigned to take Enquells and Juries of the Kings Bench and if it happen that none of the Juſtices of the one bench nor the other, may come in the countrey, where Enquells or Juries be to be taken, then the Niſi prius ſhal be granted before the chiefe Baron of the Eſchequer, if he be a man of the law, and he ſhall haue ſuch power as the Juſtices of the one Bench or the other haue by this ſtatute. And in caſe that none of the Juſtices of the one bench & the other, nor the chief baron of the Eſchequer being a man of the law, do not come in the Countrey where the Enquells & Juries be or ſhal be taken by the Niſi prius then the Niſi pri⁹ ſhal be grãted before ŷ Juſtices aſſigned to take aſſiſes in thoſe parts: So alwaies that one of the ſaid Juſtices aſſigned, be Juſtice of the one Bench or the other, or the kings Serieant ſworne. And the ſame Juſtices ſhall haue ſuch power as afore is ſaid of the Juſtices of the one bench and of the other. And if the partie demaund the tenour of the record to haue with him, to deliuer to the Juſtices, before whome the Niſi prius is grãted, for to eſchew that no fraud nor dammage be done to the other party, nor to the people of the enqueſt: an other tenour of the ſame record ſhall be deliuered to the other partie, if he ŷ ſame require. And whereas it is another time eſtabliſhed, ŷ the Juſtices before whome the Niſi prius had bẽne granted in pleas of aſſiſes of darrein preſentment, and Quare impedit ſhould haue power to giue the iudgements in the coũtrey vpon the verdict of aſſiſe and of enqueſt, and vpon nonſuits and defaults: It is aſſented, that the Juſtices of the one bench and of the other, the chiefe Barons of the Exchequer, and the Juſtices aſſigned, before whom the Niſi prius is granted by this Statute, ſhall haue the power to giue iudgements in the Countrey, and returne the ſame according as is conteined in the ſtatute of Yorke thereupon made. Anno 14. Ed. 3. cap. 16.

7 Againſt the miſchiefe that happeneth to diuers people of the Realme, which be impanelled and returned before the Juſtices & barons of the Eſchequer, in which caſe becauſe ŷ the enqueſts be not purſued to the end by thoſe that be parties, but in delay from yeare to yeare, the Jurors doe greatly loſe, and ſome much more then the value of their land is by yeare, to their great impouerifhing and deſtruction: It is accorded ŷ from henceforth in all maner of pleas, where a Niſi prius is grantable of office after the great diſtreſſe returned and three times ſerued before the Juſtices againſt the Jurors, and thereupon the parties demanded, if any of the ſaid parties will purſue, or if the parties refuſe to haue a Writ of Niſi prius in the caſe, then at the ſute of any of the Jurors that is preſent, a Writ of Niſi prius ſhall be made and granted. And that aſwell in the Eſchequer as elſe where, and thereupon the quarrell ſet at an end without delay, according as the caſe requireth, and the law demandeth. Anno 7. R. 2. cap. 7.

8 The Juſtices before whome inquiſitions, enquells and Juries from henceforth ſhal be taken by the Kings writ called Niſi prius, according to to the forme of the ſtatute thereof made, haue power of all the caſes of felony, and of Treaſon, to giue their iudgements as wel where a man is acquit of felony or treaſon, as where he is thereof attainted at the day and place where the ſaid inquiſitions, enquells and Juries be ſo taken, and then from thenceforth to award execution to be made by force of the ſame iudgements. Anno 14. H. 6. cap. 1.

Juſtices
Enquells
Felony
Treaſon
Execution

9 From henceforth the chiefe Juſtice of England, for the time being, vpon iſſues ioyned, or to be ioyned in the Court called the Kings Bench, or in the Court of Chancerie, the chief Juſtice of the Common pleas for the time being vpon iſſues ioyned or to be ioyned in the court of Common pleas, and the chiefe Baron of the Exchequer for the time being, vpon iſſues ioyned or to be ioyned in the Court of Exchequer, or in the abſence or default of any of them, two other Judges or Barons of the ſame ſeuerall Courts, where it ſhall happen either of the ſame chief Juſtices, or the chiefe Baron for the time being, to be abſent, ſhall or may at their diſcretions within the ſaid hall called Weſtminſter Hall in Weſtminſter, or in place where the Court of Exchequer is commonly kept in the ſaid County of Middleſex, as Juſtices of Niſi prius for the ſaid County of Middleſex, within the terme time, or within foure daies next after the end of euery or any terme, ſeuerally try al maner of iſſues ioyned or to be ioyned in any of the ſaid ſeuerall Courts, which by the ordinary courſe of the lawes of the Realme, ought to be tried in any of the ſaide Courts by an enqueſt of the ſaid County of Middleſex, and that Commiſſions and writs of Niſi prius ſhall be awarded, in ſuch caſes, and in ſuch forme, as they are or haue bẽne vſed in any other Shire of this Realme, and that it ſhall be lawfull for any perſon or perſons from henceforth, vpon reaſonable warning giuen to the aduerſe party, or his or their atturney, as hath bẽne accuſtomed in ſuch like caſes, to take or ſue forth Writs and Records of Niſi prius for the triall of the ſaid iſſue in the ſaid County of Middleſex, as they may do vpon any iſſue ioyned, triable in any other County, & thereupon take the Jurie in ſuch maner and forme, and with awarding of Tales de circumſtantibus, and awarding the nonſuit, as is vſed for the triall of iſſues ioyned, or nonſutes to be awarded in the ſaid courts, or any of them, triable within the Citie of London, or within any other County of this Realme of England, and that the ſhirifs of the ſaid county of Middleſex, for the time being, ſhal make returne of all writs of Niſi prius which ſhall be deliuered to them or their, or any of their ſufficient deputy for the time being, before the ſaid Judges, baron and Barons, and euerie of them, and ſhal giue their attendance vpon the ſaid Juſtices, Baron & Barons, as well for the returning of ſuch Tales,

Chiefe Ju. Iſſues
K. Bench Chancery Chiefe Juſt of the Common pleas
Chiefe Baron
Weſtminſter Hall
Eſchequer
Term time Foure daies
Enquells Middleſex
Warning Atturney
Triall
Tales de circumſtantibus Nonſuit
London
Shirifes
Returns

as

as shal be prayed de circumstantibus for the trying of the said issues, as for the doing and executing of all other thing and things, to the office of Shirife in such case belonging or appertaining, and that al persons to be impanelled in such Juries, and the parties to the same Issues & sutes, & the witnesses for the same, shall be charged and bound in such & the like sort, and vpon the like paines and penalties for their not appearance and attendance, or for their or any of their misdemeanor or default before the said Iustice of Nisi prius, as they should haue bene, if the same issue had bene tried in the Court from whence the Nisi prius thereof was awarded: al which seuerall trials so to be had before the said seuerall Iustices, Baron or Barons, shall by authoritie of this present Parliament, stand & be as good and auaileable in law, as if the same had bene tried in the Terme time at the Barre in the Court, where such Issue was ioyned or triable: Any law, vsage or custome heretofore made, vsed, or accustomed to the contrarie hereof, in any wise notwithstanding. Anno 18. Eliz. cap. 12.

Juries
Witnesses
Misdemeanor
Default
Trials

Non pleuin.

THe King for the ease of his people, by the assent of his Prelates, Earles, Barons, and other great men, and the commons aforesaide, hath taken away Non pleuin of land, which hath bene accustomed in the time of his Progenitors and his owne time, and the paine also, that was wont to ensue in case the land was not pleuied in due time: Also it is enacted that none shall lose his land from henceforth because of Non pleuin. And that this statute hold place as well in pleas yet hanging, wherin is no iudgement giuen, as in time to come. Anno 9. Ed. 3. cap. 2.

Non sute.

Verdict
Nouel diss.
Mordanc.

WHereas vpon a Verdict found before any Iustices in assise of Nouel disseis. Mordancester, or any other action the parties before this time haue bene adiourned vpon difficulty in Law vpon the matter so found: It is ordained and established, that if the verdict passe against the plaintife, that the same plaintife shall not be nonsute. Anno 2. H. 4. cap. 7.

Non tenure.

Abate

BY the exception of Non tenure of parcel, no writ shall be abated, but euerie quantity of the Non tenure which is alleaged. Anno 25. Edw. 3. cap. 16.

Northumberland.

Headpence.
Fork.
Pottle

THe gathering of the said Headpence (s. by the Shirifes of Northumb.) shall be clearely taken away for euer, any vse or custome to the contrary notwithstanding, vpon paine of a hundred pound to be paid, the one halfe of the same to the king, and the other half to the partie which wil sue for the forfeiture against the shirife. This ordinãce to begin at the feast of the Nativity of Saint John Baptist, which shall be in the yeare of our Lord. 1456. Anno 23. H. 6. cap. 7.

Shirife

Norwich.

Reparatio

ANno 26. H. 8. cap. 8. An Act was made for repairing of void ground in Norwich that was burnt.

Worsted yarne
Shipp
Transport
Yarne
Forf.
Pottle

2 Anno 33. H. 8. cap. 16. An act was made concerning buying of Worsted yarne in Norwich or Norfolke, vpon forfeiture. And in that act is further enacted, that if any person or persons doe from or after the first day of Aprill next ensuing, ship to carry or conuey, or cause to be shipped to carrie or conney into the parts beyond the Sea, or elsse doe carry or conuey, or cause to be carried or conueyed into the parts beyond the Sea any yarn, called Worsted yarne, not wrought or made in cloth (so such yarne be spunne or made within this Realme of England) that then euery person and persons so shipping, conueying or carying, or causing such yarne so to be shipped, caried or conueied, shall forfeit for euerie pound of Worsted yarne so shipped, conueyed or caried forty shillings, the one halfe thereof to be to our Soueraigne Lord the K. the other halfe vnto him or them that will sue for the same, in any Court of Record, by information, bill, plaint, or otherwise, wherein no wager of law, essoine, or protection shall be allowed. This act to continus and endure vnto the last day of the next Parliament. Anno 33. H. 8. cap. 16. And after Anno 37. H. 8. cap. 23. this act is continued. And after Anno 1. Ed. 6. cap. 6. it is made perpetuall. And further it is there prouided, that Hatmakers dwelling in Norwich, to buy such worsted yarne, called or knowne by the name of middle vse yarn, as they haue heretofore done and vsed to do, so that that the same be wrought in hats, imployed to hatmaking within the said Citie. Anno 1. E. 6. cap. 6. And after Anno 5. Ed. 6. cap. 7. this act of Anno 1. Ed. 6. cap. 6. is confirmed as appeareth in wolles.

Hatmaker
Yarne

3 No person by himselfe, or by his seruant or apprentice, shall from and after the feast of Saint Michael the Archangel next comming, make or worke any felts or thrummed hats, or weane or make any couerlets, or dornicks, or occupie, vse, or exercise the mysteries, or occupations of making of felts or thummed hats, or weauing of dornicks and couerlets, or any of them within the said City of Norwich, or within the Countie of Norfolke, vnlesse he or they that shall so make or worke any such felts or hats, or so occupie the occupation or mysterie of making of felts or hats as aforesaid within the said City or county, be licenced and admitted so to doe by the Maior, Recorder, Steward, and two Iustices of the Peace, of the said City, or by foure of them, or that haue bene Apprentice to the same occupation and mysterie of felts or hats making, by the space of seuen yeares, and in like case, vnlesse such person or persons that shal so make or weane Dornicks, or so occupie the occupation or mysterie of Dornicks weauing, within

Felts
Thrummed hats
Couerlets
Licence
Maior
Recorder
Steward
Iust. of Peace
Apprentice

the

the said Citie or County, be licenced or admitted so to doe by the Maior, Recorder, Steward, and two Justices of Peace of the said Citie, or by foure of them, or that haue béene apprentice to the saide mysterie & occupation of dornicks weauing, by the space of seuen yeares, and vnlesse he or they that shall so make or weaue couerlets, or so occupie the Arts and mysteries of couerlets, weauing or making, be licenced and admitted so doe by the Maior Recorder, Steward, and two Justices of the P. of the said City, or by foure of them, or that hath béene Apprentice to the occupation and mysterie of couerlets weauing or making, by the space or terme of seuen yeares. And be it &c. that no person or persons shall from henceforth make any felts or hats, or weaue or make any Dornickes or Couerlets as aforesaid, or occupie, exercise, or vse the occupations, artes, or mysteries of making of hats, or felts, or weauing or making of Dornicks or Couerlets, or any of them as aforesaid, in any place out of the said Citie or Norwich, within the said County of Norfolke, but onely in a corporate or market towne, vpon paine of forfeiture, aswel of the felts, hats, dornicks & couerlets, euerie of thē, which shal be made, wrought or wouen, contrarie to the forme, effect, and tenour of this act, or any part or clause thereof, as also tenne shillings for euerie halfe dozen of the said felts or halts, and of three shillings foure pence for euerie couerlet, and of sixe shillings eight pence for euerie sixe yardes of Dornicks, so as is aforesaid to bee made, wouen or wrought contrarie to this act, the one halfe &c. to the king, and the other halfe thereof to the person or persons that shall or will sue for the same, or that will or shall seaze &c. Prouided alway, that all and euery such person or persons, as doe dwell, or hereafter shall dwell and exercise the mysterie of Dornickes and Couerlets making within the towne or Parish Pulham, in the saide Countie of Norfolke, shall and may occupie and exercise the making of Dornecks and Couerlets, within the said town of Pulhā, as they haue heretofore vsed to do: any thing in this act conteined to the contrarie notwithstanding. And be it &c. ý if ý Maior, Recorder, Steward, or Justices of the P. of the said citie for the time being, or any of thē, shall take any sum of money or reward, for admitting of any person to occupy or vse any of the artes or mysteries aforesaid, that for euerie such time & euerie such case the person so offending, shall lose & forfeit fiue pound, the one part &c. to the King, the other halfe to the partie that will sue for the same, as is aforesaid. Anno 5. Ed. 6. cap. 24.

4 Anno 1. & 2. Phil. & M. cap. 14. An act was made for the Citie of Norwich, for making of Russets, Sattens, Sattens Reuerses, Fustians of Naples, there and not elsewhere, by which Act there is a corporation made for these matters, and diuers articles concerning the same.

5 Be it enacted &c. that one déede dated the first day of March, in the said first yeare of the raign of the said King Edward the first, made by William late Bishop of Norwich, and Nicholas Sartène late Master or Gardian of the hospital of S. Giles in Norwich shall be taken, construed and adiudged, not to haue conueyed to the said King, his heirs successors, any manors, lands, tenements, seruices, rents, rectories, tithes, aduowsons, liberties, or hereditaments whatsoeuer, of the late monastery of S. Benets, alias S. Benets of Hulme, or of ý Bishoprick of Norwich, or belonging therunto, or to either of them: but that the same and euery part therof shal be déemed and adiudged to haue remained, continued, and béene in the said William then Bishop of the said Sée, and his successors, and shal at all times for euer hereafter, remaine, continue, & bée, and so be adiudged to remain, continue, and be in the now bishop of the said Sée, and his successors for euer, of such and the like estate, and in such maner, forme and condition to all intents, constructions and purposes, as if the said déed had neuer béene had ne made. Prouided that this Act shal not extend to the said Hospitall, nor any lands, tenements, rents, & hereditaments, goods, chattels, rights, or credits, now or late belōging to the same, nor to the patronage thereof, or to any thing whereof, or whereto the said late Master or Gardian, and brethren of the said late Hospitall, were seised, possessed, or intituled, but that the said déed as to the same and euerie part thereof shall be good and effectuall in law to all intents and purposes, as if this Act had neuer béene had, nor made, (any thing aforesaid to the contrarie notwithstanding.) Sauing to all person and persons, bodies politike and corporate, their heires and successors, executors, administrators and assignes, other then the said late King Edward the first, Quéene Marie, the Quéenes Maiesty that now is, their and euerie their heires, successors and assignes, claiming any the said possessions of the said late Monastery, or of the said Bishoprick by force, vertue, or colour of the said déede, made to the said late King Edward the first, all estates, interests, rights, titles, claimes, conditions, seruices, rents and demands, whatsoeuer, as if this act had neuer bin had or made. Prouided alwaies, and be it enacted, that all and singuler Statutes, Recognisances, Bonds, Couenants and agréements, heretofore had or made, to or with the said Patentées in the said Letters Patents named, or any of them, or to and with any other person or persons claiming by, from or vnder them or any of them, being parties or priuy to the said practise or fraud, for or concerning any of the said lands, tenements, or hereditaments, now, or heretofore parcel of the said Bishoprick shall be vtterly void, for any matter or thing touching or concerning onely the same lands, tenements, and hereditaments, or any part thereof, now or heretofore parcell of the said Bishoprick. Anno 39. Eli. cap. 22.

Bonds

Void

Nusaunce.

IN cases where as a writ is graunted out of the Chancery for an Act by one man, the Plaints from henceforth shall not depart from the Kings Court without remedy, for that the land is alienes from one to another. And in the Register of the Chauncerie there is no speciall Writ found in that

that case, as of a house, a wall, a market, there is a writ granted against him ỹ leuied the noisance: And though the house, wall, or such like be alienened to another, writ shall not be denied: but from henceforth where in one case a writ is granted, in the like case, when the like remedy is needfull, as in the case before, a writ shall be made. Questus est nobis A. quod B. iniuste &c. leuauit domum, murum, mercatum, & alia quæ sunt ad nocumentum liberi tenementi sui &c. And if such things leuied be alienen from one to another, the writ shall be thus, Questus est nobis A. quod B. & C. leuauerunt &c. Westminst. 2. cap. 24.

Vicontiles

2 All writs of Nusaunces, commonly called Vicountiles shall be from henceforth made at the election of the plaintife in the nature of old times vsed, or else in the nature of Assises determinable

Justices

before the Kings Justices of the one Bench or the other, or before the Justices of Assise in the County at the place assigned, or to be assigned. An. 6. R. 2 ca. 3.

Obligations.

Penall bonds

WHereas diuers people be bound in courts out of the Realme by instruments and in other maner: It is accorded, that all penall bonds in the third person be void and holden for none. Anno 38. Ed. 3. cap. 4.

Odio & atia.

Murder

FOr asmuch as many being indicted of murder, and culpable of the same, by fauorable inquests taken by the Shirife, and by the kings writ of Odio & atia, be repleuished vnto the comming of the

Enquests

Justices in eire: It is prouided, that from henceforth such Inquests shall be taken by lawfull men chosen and tried out by the oath of twelue men (of

Knights

whome two at the least shall be Knights) which by no affinitie touching the prisoners, nor otherwise are to be suspected. West. 1. cap. 12. Anno. 3. Ed. 1.

Officers and Office.

Chancelor Treasorer

THe Chauncelor, Treasorer, or Keeper of the Priuy Seale, Steward of the Kings house, the Kings Chamberlaine, Clerk of the Rolles, the

Justices

Justices of the one bench and of the other, barons of the Eschequer, and all other that shall be called

Just. of P.

to ordein, name, or make Justices of Peace, Shirifes, Eschetors, Customers, Comptrollers, or

Sheriffe Eschetor Customer Reward

any other Officer or Minister of the King, shall be streightly sworne, that they shall not ordeine, name, nor make Justices of Peace, Shirife, Eschetor, Customer, Comptroller, nor other Officer nor Minister of the King, for any gift nor brocage, fauour, nor affection, nor that any which pursueth by him or by other priuily or openly to bee in any manner Office, shall be put in the same Office, or in any other, but that they make all such Officers and Ministers of the best, and lawfullest men and most sufficient to their iudgement and knowledge. Anno 12. R. 2. cap. 2.

Customer Comptroller Weigher

2 No Custome, Comptroller, Searcher, Weigher, or Finder, shall haue any such Office for terme of life, but onely as long as shall please the King, notwithstanding any Patent or graunt made to any to the contrarie. And if any such Patent or grant for terme of life be made to any, of any such office in time past, the king wil that it be vtterly repealed and void, and of no force

Void

nor value. Anno 14. R. 2. cap. 10.

Searcher Gaugeor Aulnageor Custome Comptroller Terme of life

3 No Searcher, Gaugeour of Wines, Aulnageor, Finder, nor weigher of woles, or any other Marchandises, Collector of any Customes and Subsidies, or Comptrollers shall haue estate in his office for terme of life or of yeres: but that the said Offices shall remaine in the K. hands, vnder the Gouernance of the Treasorer for the time being, with the assent of the Councell, when need is. And if any Charters, or Letters

Letters Void

Patents be made to the contrary, they shall be clearely adnulled, void and of none effect. Anno 17. Ric. 2. cap. 5.

Custome Comptroller Retinue

4 The said Statute (that is to say 17. R. 2. ca. 5. before 3.) be firmely holden and kept, and put in due execution: Joyning to the same, that customers and Comptrollers in euery port of England, shall be resident vpon their Offices in proper persons without making any deputy or Lieutenant in their names. Anno 1. H. 4. cap. 13.

5 That the Statute made, that is to say, Anno 1. H. 4. cap. 13. before 4.) be firmely holden & kept in all points, ioyned to the same, that they shall be sworne to doe the same from time to time, vpon

Imp.

paine of imprisonment, and pay to the King an hundred pound, if they doe the contrarie. Also it is accorded and assented that the Lieutenant of the

K. Butler

Kings chiefe Butler, and the Searcher shall be resident in the same maner, and vpon the same pain of a hundred pound, the one halfe to our

Fol. Paine

Soueraign Lord the King, and the other halfe to him that wil sue for our Soueraign Lord the King, against such

Custome

Customers, Comptrollers, Lieutenant, or Searcher not resident. Anno 4. H. 4. cap. 20.

Custome Comptroller K. Butler Searcher

6 The Statutes made of Customers, Comptrollers, Lieutenants of the chiefe Butler, and of Searchers, the first and fourth yeares of our said Soueraigne Lord the King that now is, be kept and holden. And moreouer, that all maner of customers and comptrollers. Gaugeours of wines, & searchers through the Realme, shalbe continually resident and abiding vpon their offices, and in speciall at the time of the charge and discharge of ships and vessels entring the ports of England, & passing out of the same: so that no such Officer, after the time aboue named, be absent from his said

Fol.

office by iij. weeks at the most, vpon paine to lose his said office, vnlesse he be commanded and charged especially of record, to be in the kings courts, or otherwise in the kings seruice of record, as afore is said. Anno 13. H. 4. cap. 5.

Letters Patents

7 The Officers made by the Kings Letters Patents royal within the said courts, which haue power and authority by vertue of their Offices of

Clerks

old times accustomed to make Clerks and Ministers within the same Courts, shal be charged and

sworne

swoꝛne to make such Clerkes and Ministers, foꝛ whome they will answeare at their perill, which shall be sufficient, faithfull, and intending to that which pertaineth to them in the dispatch as wel of the kings businesse, as of his people. Anno 2. H. 6. cap. 10.

8 All Letters Patents made of any of the offices (that is to say, Searcher, Gaugeor, Aulnageor, finder, weigher, collector, and comptroller of Aulnage) to any person against the effect of the said Statutes (that is to say, An. 17. R. 2. ca. 5. before 3. & An. 4. H. 4. cap. 20. before 5.) shall be void and of no force, and that no Letters Patents of any of the said Offices of Aulnage, shal be made hereafter, but by warrant of bill sealed by the treasoꝛer of England foꝛ the time being, sent by him into the Chancerie, as it hath been accustomed before this time. And that all Letters made oꝛ to be made hereafter of the said Offices oꝛ Aulnage, by other warrant then by bill of the treasoꝛer, shall be void and of none effect. Pꝛouided alwaies that this act shal not extend noꝛ be pꝛeiudiciall noꝛ hurtfull to our soueraign Lady the Queen, the pꝛince, the Duke of Buckingham, to the inheritoꝛs of Henrie late Duke of Warwicke, noꝛ to the Maioꝛ and comminalty of London, to the Maioꝛ, baillifs, and cõminalty of the city of Winchester, as to any graunt oꝛ graunts, demise oꝛ demises of the Aulnage, oꝛ any grant oꝛ grants of any summe oꝛ summes of money, of the ferme of the Aulnage of them graunted, made oꝛ confirmed, noꝛ to ne cõptroller, having any Offices out of the kings pꝛoꝛts, noꝛ to John Penycock Esquire, to Giles Seymslo Esquire, noꝛ to any of the Kings oꝛ Queenes Houshold seruants, of any grant oꝛ grants of any office oꝛ offices, to them made beꝛoꝛe this time, with the fees and wages of old time due and accustomed. Anno 31. H. 6. cap. 5.

9 If any Steward, auditoꝛ, receiuer, oꝛ Baillif now is oꝛ hereafter shall be, of any of the said honoꝛs, Loꝛdships, manoꝛs, lands & tenements (s. of the king) Constable, oꝛ keeper of any of his said castles, warden, master of game, Park-keeper, oꝛ any other officer of his said foꝛests, chases, parks, oꝛ warrens, ꝑ now is, oꝛ hereafter shalbe unlawfully reteined with any person frõ heretoꝛth, oꝛ retain any mã dwelling within any of ꝑ said honoꝛs Loꝛdships, manoꝛs, lãd & tenements, cõtrary to any oꝛdinance oꝛ act, also beꝛe this time made, oꝛ suffer any man dwelling within the same honoꝛs, Loꝛdships, manoꝛs, lands & tenements, to be unlawfully reteined with any other man by person, what degree oꝛ condition soeuer he be of, & shall not to the K. within foꝛty daies next after he haue knowledge therof, & how & with whom he is so reteined. Oꝛ any of the said Officers conuey any of the said tenants, inhabitãts, farmers to the K. to any sieges, assembly oꝛ rout, otherwise then by the K. commandement, to do him such seruice, as they shall be commanded, & that alwaies in the K. liuery & signe, with a cognisance of him ꝑ so conueyeth them by the K. commandement: oꝛ if such officer come not to the K. highnes in the time of trouble oꝛ warre when he shall thereto shalbe commanded, hauing no reasonable excuse to the contrary: that all grants then made oꝛ had to him of any of the said offices by the K. oꝛ by any of the kings pꝛogenitoꝛs oꝛ pꝛedecessoꝛs, be then vtterly void & of none effect. And it is oꝛdeined by the same authoꝛity, that if any farmer oꝛ Tenant within any of the same honoꝛs, Loꝛdships, manoꝛs, sites & tenements be reteined with any person oꝛ persons contrary to the statutes, by liuery, signe, token oꝛ oth, indenture of pꝛomise, oꝛ to go to any field, garding oꝛ assembly, in any mãs liuery, signe oꝛ token, but onely in the K. liuery & signe, & to serue him only, oꝛ where he shal be commanded by the K. ꝑ al grãts & leases to him made, foꝛ terme of yeres oꝛ at wil, of lands, tenements, rents, oꝛ other possessiõs, being parcel of any of the said honoꝛs, Loꝛdships, manoꝛs, lãds & tenements, be the vtterly void & of none effect. An. 3. H. 7. c. 11

10 Anno 4. H. 7. cap. 6. It was enacted that all Letters Patents made of any office within the Foꝛest of Inglewood, from the first of the Parliament, should be voide, except the Loꝛd Dacre, and the Earle of Noꝛthumberland.

11 Whereas diuers Yeomen of the Crowne, and Grooms of the King our Soueraign Loꝛds Chamber, haue diuers Offices and fees granted to them by his Letters Patents, foꝛ the consideration of their attendance in the Kings seruice, which do not indeuour themselues in giuing their attendance after their dutie: It is therefoꝛe &c. that if any of the said Yeomen oꝛ Grooms doe not giue their attendance about the kings Highnesse accoꝛding to the oꝛdinance of his Chamber, that then all Letters Patents to them oꝛ any of them made, oꝛ hereafter to any such person oꝛ persons to be made, be of no better force ne effect, but at the kings pleasure. An. no 7. H. 4. cap. 7

12 Where diuers of the Kings Subiects by their suitte and subtile information & meanes, haue heretoꝛe had and obtained of the Kings Highnesse, as well by Letters Patents, as by bills and warrants assigned by his graces hand, diuers grants foꝛ terme of life and liues, of diuers Offices, fees, wages, and other pꝛofits, being extraoꝛdinary, and not the oꝛdinary offices, fees, wages oꝛ pꝛofits of the garrison within the Townes of Callice, Guisnes, Hamines, Risbanke, and the Parches of the same, and in the Castle of Warwicke: And haue likewise obtained of the K. highnes diuers especiall Warrants and Licences, foꝛ to be absent and non resident in and upon their oꝛdinary offices within the saide Townes and Parches: And where also diuers of the Kings Subiects of their suitte and meanes haue likewise obtained of the K. highnes foꝛ terme of life & liues, diuers grants vnto the made by the K. graces Let. P. of diuers offices of Shirriwicks within the K. dominions of Wales, contrary to ꝑ common wealth of the coũtry there, not only to the great vnsurety of the said townes & places about rehearsed, but also to ꝑ great disquieting, vexatiõ & trouble of the K. liuing & obedient subiects foꝛ reformation where of be it &c. that all and singular such Letters Patents, Warrants and licences

Void. Farmer. Reteined. Liuery. Leases. Void. Letters P. Inglewood. L. Dacre. Yeomen. Grooms. Attendance. Letters P. Void. Letters P. Billes. Grants. Garison. Callice. Warwicke. Warrants. Terme of life. Sheriffewickes. Wales. Letters P.

licences heretofore graunted or made by the K. Maiestie, to any person or persons, as is aforesaid, and euerie of them, shall by authoritie aforesaid, from and after the first day of September next comming, be clearely void, frustate, and of none effect, to all intents, constructions & purposes. And also that all and singuler grants of the reuersion or reuersions of any office or offices in the Townes aboue rehearsed and Marches of the same, shall by authoritie aforesaide, be likewise void, frustrate, and of none effect, to all intents and purposes. An. 34. H.8.ca.27.

Voyd

Reuersions

13 If any person or persons, at any time hereafter, bargaine or sell any office or offices, or deputation of any office or offices, or any part or parcell of any of them, to receiue, haue or take any money, fee, reward, or any other profit, directly or indirectly, or take any promise, agreemẽt, couenãt, bond, or any assurance to receiue or haue any money, fee, reward, or other profit, directly, or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of thẽ, or to the intent ẏ any person should haue, exercise, or inioy any office or offices, or the deputation of any office or offices, or any part of any of thẽ, which office or offices, or any parcell of them, shall in any wise touch or concerne the administration or execution of Iustice, or the receit, controulement or paiment of any of the kings highnesse treasure, money, rent, reuenue, accompt, aulnages, audit or ships, or surueying of any of the K. Maiesties honors, castles, manors, lands, tenements, woods or hereditaments, or any the kings Maiesties customes, or any administrations, or necessarie attendance to be had, done, or executed in any the kings Maiesties custome house or houses, or the keeping of any the kings Maiesties towns, castles, or fortresses, being vsed, occupied or appointed for a place of strẽgth, or defence, or which shall concerne or touch any Clerkeship, to be occupied in any maner of Court of Record, wherin Iustice is to be ministred: That then al & euerie such person & persons, that shal so bargaine or sel any of the said office or offices, deputatiõ or deputations, or that shall take any mony, fee, reward or profit for any of the said office or offices, deputatiõ or deputations of any of the said offices or any part of any of them, or ẏ shal take any promise, couenant, bond or assurance for any mony, reward, or profit to be giuen for any of the said office or offices, deputation or deputations of any of the said office or offices, or any part of any of them, shall not onely lose and forfeit all his and their right, interest and estate, which such person or persons shal then haue, of, in or to any of the said office or offices, deputation or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of the said office or offices, deputation or deputations, for the which office or offices, or for ẏ deputation or deputations of which office or offices, or for any part of them, any such person or persons, shal so make any bargain or sale, or take or receiue any sum of mony, fee, reward or profit, or any promise, couenant, or assurance to haue or receiue any fee, reward, money or profit: But also that all and euerie such person and persons that shall giue or pay any sum of money, reward, or fee, or shal make any promise, agreemẽt, bond, or assurance for any of the said offices, or for the deputation or deputations of any of ẏ said office or offices, or any part of any of thẽ, shal immediately, by and vpon the same fee, mony or reward, giuen or paid, or vpon any such promise, couenãt, bond or agreement had or made for any fee, summe of money, or reward to be paid, as is aforesaid, be adiudged a disabled person in the law, to al intents and purposes, to haue, occupie, or inioy the said office or offices, deputation or deputations, or any part of any of them, for the which such person or persons shall so giue or pay any summe of money, fee, or reward, or make any promise, couenant, bond or other assurance, to giue or pay any sum of money, fee, or reward. And be it &c. that all and euery such bargaines, sales, promises, bonds, agreements, couenants, and assurances, as before specified, shall be void, to, and against him and them, by whome any such bargaine, sale, bond, promise, couenant, or assurance shall be had or made. Prouided alway, that this Act or any thing therein contained, shall not in any wise extend to any office or offices, whereof any person or persons is or shall be seised of any estate of inheritance, nor to any office of parkership, or of the keeping of any park, house, manor, garden, Chase or Forrest, or to any of them: any thing in this Act heretofore mentioned to the contrarie thereof, in any wise notwithstanding. Prouided also, that if any person or persons doe hereafter offend in any thing contrarie to the tenour and effect of this act, yet that notwithstanding all iudgements giuen, and all other Act and Acts executed or done by any such person or persons so offending by authoritie or colour of the office, or deputation which ought to be forfeited, or not occupied, or not enioyed by ẏ person so offending as is aforesaid, after the saide offence, so by such person committed or done, and before such person so offending, for the same offence be remoued from the exercise, administration, and occupation of the said office, or deputation, shall be and remaine good and sufficient in law to al intents, constructions, and purposes, in such like maner & forme, as the same should, & ought to haue remained & bin, if this act had neuer bin had or made. Prouided also that this act, or any thing therein contained shall not in any wise extend to any bargaine, sale, gift, grant, nomination, bond, couenant, promise, agreement or assurance whatsoeuer it be, of, or for any the office or offices, deputation or deputations aforesaid, or any part of any of them, had, made, done, concluded or agreed before the first day of march next comming, but that the same bargaine, sale, gift, grant, nomination, bond, couenant, promise, agreement, or assurance, had, made, concluded, or agreed before the first day of March, shal alwaies, remaine, continue and be in such force, strength and effect, as if this act had neuer beene had or made, any thing before

Bond

Aulnage Auditor Surueyor

Sell Deputation

Forf.

Deputation

Office

Bonds

Void

Inheritance Parkership

Iudgement

fore in this act mentioned, to the contrarie thereof in any wise notwithstanding. Prouided alwaies, and be it &c. that this act or any thing therein conteined, shall not in any wise extend or be preiudiciall or hurtfull to any of the chiefe Iustices of the Kings Courts, commonly called the kings bench, or Common place, or to any of the Iustices of Assise that now be, or hereafter shall be, but that they, and euery of them, may doe in euerie behalfe touching or concerning any office or offices to bee giuen or granted by them, or any of them, as they or any of them might haue done before the making of this act, any thing before mentioned to the contrarie in any wise notwithstanding. Anno 5. Ed. 6. cap. 16.

Oier and terminer.

THe writ of Trespasse to heare and determine from henceforth shall not be granted before any Iustices, except the Iustices of either Bench, and Iustices in Eire, but onely for a great trespasse, where hastie remedie is required. And our Lord the King hath granted this of his especiall grace: neither also hereafter shall be graunted a writ to heare & determin appeales before Iustices assigned, but in speciall case, and in case when our Lord the King shall command it: But least that such appealées and indictées be too long kept in prison, let them haue a writ of Odio & atia, as in Magna Charta, & other Statutes, it is said. West. 2. cap. 29.

2 Per Statutum quod vocatur ragmana de Iustic. assignatis, it was ordeined, that Iustices shold goe through England to heare and determine trespasses, and other complaints of things done within fiue and twenty yeares before, and diuers matters be in that statute concerning those things.

3 For the punishment of felonies, robberies, Manslaughters, trespasses, and oppressions of the people committed in times past, it is accorded that our soueraigne Lord the King shall assigne Iustices in diuers place of this land within the Kings Bench and elsewhere, as it was done in the time of his said Grandfather, of great men of the land, which be of great power, with some of the Iustices of the one Bench or of the other, with other learned men in the law, to enquire aswell at the suit of the party, as at the Kings suit, and to heare and determine all maner of felonies, robberies, manslaughters, theft, oppressions, conspiracies, and grieuances done to the people against the law, Statutes and customes of the land, aswell by the Kings ministers, as by other whatsoeuer they be, and that aswel within Franchise as without. And also to enquire of Shiriffes, Coroners, Vndershiriffes, Hundredors, Bailifes, Constables, & all other ministers within Liberties and without, and of their Vnderministers. And to heare and determine at the Kings suit, and also the parties. And our Soueraigne Lord the King, and all the great men of the Realme in the full Parliament, haue taken vpon them to mainteine and keepe the P. And they and theirs to haue the Kings Iustices & aide them where they come, so that the iudgement and execution be not let, but executed. And that the offendors be not hid by them, nor mainteined priuily nor apertly. But the intent of the King & of the Councell is not, that by this act any preiudice should ensue to the great men of the land hauing liberties, nor to the City of London, nor to other Cities nor Boroughes, nor to the fiue Ports in the right of their franchise. Anno 2. Ed. 3. ca. 7.

Liberties
London
Cities
5. Ports

Oile.

THe Maior of the Citie of London (for the time being) with the Master and Wardens of the mysterie or craft of Tallow Chandlers of the same Citie, for the time being, shall from henceforth haue full power & authoritie to search all maner of Oiles, brought into the said Citie of London to be sold, in whose hands soeuer they be or shal be found, and that as oft as the case shall require. And that the said Maior with the saide Master and Wardens of the saide Mystery or Craft of Tallow Chandlers for the time being, shall truely search and ouersée, that the same Oyles to bée put to sale, bée not mixt nor altered from their right kindes, but that they be good and lawfull as they ought to be. And that it shall be lawfull to the said Maior, with the said Master and Wardens for the time being, to damne, auoide and vtterly to cast away all such Oyles as they shall finde defective, or falsly or deceiueably mixed and altered from their kindes, as is aforesaide, without any let or perturbance of any person or persons whatsoeuer they are or shall be. And also to the said Maior, Master and Wardens to commit such person or persons, as shall be found defective, for vsing of such deceite or craft, to ward, and to punish him or them therefore by their discretions according to the Lawes and Customes within the said City or Liberty of London, vsed, had and made of and for other misdoers and offendors, in the said Citie. And be it &c. That the Maior in euery City, Borough and Towne, within this Realme, where a Maior is (for the time being) or the Gouernour or Gouernours, or rulers of euery other City, Borough and Towne corporate within this Realme also for the time being, shall haue within their Iurisdiction, Liberty and Franchise, euerie of them like authority and power, to make and doe like search, order, direction, correction, punishment and execution of the same, of, for, and vpon all Oyles being defective, or deceiuably or falsly mixed and altered by any person or persons within their liberties and franchises, in maner and forme, as is afore rehearsed, as the said Maior, Maisters & Wardens of the said Citis of London by this present Act haue or might haue, of, for, or vpon any Oyle sold or to be sold within the Citie of London. Anno 3. H. 8. cap. 14.

Maior London
Tallow Chandlers
Wardens
Search
Impzit.
City Boroughs

Ordinaries.

Intestate

WHereas after the death of a person dying intestate, which is bounden to some other for debt, the goods come to the hands of the Ordinarie to be disposed: The Ordinary from hencefoorth shall be bound to answere as farre forth as the goods of the dead will extend, in such sort as the

Administrators

executors should haue beene bounden, if the party had made his Testament. West.2.cap.19.

Commissioners Justices

2 Whereas Commissions be newly made to diuers Iustices, that they shall make enquiries vpon Iudges of holy Church, whether they made iust Proces or excessiue, in causes testamentorie and other, which notoriously pertaine to the cognisance of holy Church: the said Iustices haue enquired and done to be indicted Iudges of holy Church, in blemishing of the franchise of holy Church, that such commissions be repealed, and from hencefoorth defended. Sauing the article in Eire such as ought to be. Anno 18.Ed.3.cap.6.

Indictmẽts

3 Because that the Kings Iustices doe take the Indictments of Ordinaries, and of their Ministers, of extortions and oppressions, and impeach them, without putting in certaine, wherein or whereof, or in what maner, they haue done extortion: The king will that his Iustices shall not from hencefoorth impeach the ordinaries, nor their ministers, because of such Indictments of generall

Extortions

extortions or oppressions, vnlesse they say and put in certaine, in what thing, and of what, and what maner the said Ordinaries or their Ministers haue done extortion and oppression. Anno 25.E.3.Stat.3.cap.9.

Ordinances and Statutes for erection and foundations of Churches and Schooles, and for corporations.

THe Quéene from hencefoorth, during her naturall life, (which our Lord long preserue) shall haue by vertue of this act, full power and authority to make and prescribe vnto euerie of the said churches (s. Cathedral and Collegiate, erected by Henry the eight) and the Deanes, Prebendaries, and Ministers of the same, & to their successors, such Statutes, ordinances, and orders, for the good gouernance, rule, and order of euery of the same Churches, Deanes, Prebendaries, and Ministers of the same, and of the lands, manors, tenements and possessions of euerie of the same Churches, as shall séeme good to her highnes, the same Statutes and ordinances to be made by her highnesse, by writing sealed with the great seale of England, and to be deliuered to the deans, Prebendaries, and Ministers of euerie of the said Churches for the time being. And that it may be &c. that our said Soueraigne Lady the Quéen during the time aforesaid, by writing sealed with the great seale of England, shal & may alter, trãspose, change, augment, or diminish the said orders, statutes, and ordinances of euerie of the said Churches, from time to time, as occasion shall serue, & as it shall séeme good to her highnesse, and that all and euery of the said Statutes, ordinances, and orders to be made, altered, transposed, changed, augmented, or diminished, as is aforesaide, shall be and remaine good and effectuall, according to the making, alteration, transposing, changing, augmenting or diminishing, of the same. Be it also &c. that the Quéenes highnesse, may haue like power and authoritie to make, ordeine & establish Statutes, ordinances & foundations for the good order and gouernment of such Grammer schooles, as haue béene erected, founded or established in any part of this realm, by the most Noble Prince, King Henrie the eight, or king Edward the first, and of the Ministers and Schollers of the same Schoole, and to alter and transpose such other statutes and ordinances there made heretofore from time to time, as to her highnes shal séem most conuenient. Anno 1.M.2.Parl.cap.9.

Prebendaries

Deanes

Alter statutes

Foundations

Othe.

SEe in the new printed booke commonly called Magna Charta, late printed by Richard Tottel Anno Dom. 1556. fol. 164. & 166. of the othes of the King, the Bishops, the Kings Counsellors, Escheators, Shirifes, Maiors, and Bailifes.

2 An.21.R.2.cap.5. It was enacted that the Lords, Prelates, and other that should sue liuerie, should take an Oaths, but that Parliament is repealed by Anno 1.H.4.cap.13.

3 Anno 28.H.8.cap.7. & 10. seuerall Othes be set out by those seuerall actes to be sworne by diuers persons to the maintenance of the Kings Supremacy, and against the Pope and the Sea of Rome, but all the articles concerning those othes be repealed by 1. & 2. P. & M. cap.8. But a new oth is appointed by 1.El.1. which is in Crowne 6.

Oxford.

ANno 9.H.5.cap.8. An act was made to endure to the next Parliament that should be after the returns of the King into England, against schollers of Oxford, for putting out of possession of any, for hunting, and for breaking the Ordinaries prison.

Painters.

BEe it enacted &c. That from and after the 29. day of September, Anno Dom. 1606. next comming after the end of this present Session of Parliament, No maner of person or persons, being, or pretending to be a Playsterer, or hereafter to become, or to be a Playsterer, or being, or which shall be a Seruant, or set on worke by any Playsterer, shall vse, exercise, or set vp the Art, Mysterie, or Mannall Occupation of a Painter, commonly called a Painter Steiner, or any part thereof, in the City of London or the Liberties, or Suburbs of the same: or shal within the places aforesaid make any maner of worke or works, or lay any maner of colour or colours, painting or paintings whatsoeuer, in the said Art or Mysterie of Painter Steiners aforesaid, at any

any time heretofore occupied or vſed, vnleſſe he or they be or ſhal be the ſeruant or ſeruants, Apprentice or apprentices of a painter, otherwiſe called a Painter ſtainer, or haue ſerued, or ſhal ſerue as an Apprentice, or as apprentices, by the ſpace of vij. yeares (at the leaſt) to a Painter, otherwiſe called a Painter Steiner: Vpon paine that euery ſuch perſon or perſons, as ſhall hereafter do, or offend, contrary to the true intent and meaning of this preſent Act, ſhall forfeit for euery time that hee or they ſhall ſo doe, or offend, the ſumme of fine poũd. The one moity of all which forfeitures ſhall be to the Kings Maieſtie, his heires, and ſucceſſors, and the other Moitie to him or them that will ſue for the ſame in any of the Kinges Maieſties Courts of Record by action of Debt, Bill, Plaint, or Information: In which ſaid ſuite no Eſſoine, Protection, or Wager of Law ſhall be admitted or allowed for the ſaide Defendant: any Lawe, Vſage, or Cuſtome heretofore had or vſed to the contrarie thereof, in any wiſe notwithſtanding. Prouided neuertheleſſe, That it ſhall and may be lawfull to and for any of the Company of Playſterers, or their Seruants or Apprentices to lay and vſe Whiting, Blacking, Red Leade, Red Oker, yellow oker, and Ruſſet, mingled with Size only, & not with Oyle: This preſent act, or any thing therein contained to the contrary in any wiſe notwithſtanding. Prouided alſo, that no Painter, or Painters Seruant or Apprentice, ſhall haue or take aboue fifténe pence by the day, for laying of any Flat Colour whatſoeuer, mingled or mixed with Oyle or Size, vpon any Timber, Stone, Iron, or Leade. An. 1. Iacob. cap. 20.

Palace.

ANno 28. H. 8. cap. 12. There is an Act for the Kings Palace at Weſtminſter, and how far it extendeth.

Panell.

NO Enqueſt, but onely aſſiſes and deliueran-ces of gaoles, be taken by writ of Niſi prius, nor in other maner, at the ſute of any great or ſmall, before that the names of all that ſhall paſſe in the Enqueſts be returned in the court. And that the Shirifes array the panels in the Aſſiſes foure daies at the leaſt before the Seſſions of Juſtices, vpon paine of twenty pound, ſo that the parties may haue the view of the panels, if they demaund the ſame. And as to the returnes or anſwere of the Bailifes, of franchiſes, they ſhall make their anſwere to the Shirifes, fiue daies before the Seſſions vpon the ſame paine. And in all maner of panels, arrayed by the Shirifes or Bailifes within Franchiſe, ſhall be put the moſt ſubſtantiall people and worthy of faith, and not ſuſpect, which haue beſt knowledge of the truth and the moſt nigheſt. Anno 42. Ed. 3. cap. 11.

2 Anno 18. H. 6. cap. 14. It was enacted, that if any Shirife or other that arrayed panels, did take any thing therefore, the party grieued ſhould haue any action, and recouer ten times as much, to endure to the next Parliament, and then further for euer, if that parliament thought it good. See the booke at large.

3 Anno 11. Hen. 7. cap. 25. An Act was made to endure to the next Parliament, that Juſtices of Peace ſhould ouerſee the Panels, and reforme them by their diſcretions. And after Anno 12. H. 7. cap. 2. this was continued to the next Parliament. Juſt. of P.

4 To remedy the great extortion and corrup-tion of the Shiriſes and their Miniſters, in returning at Seſſions vpon the Enqueſts for the body of the ſhire, the names of ſuch perſons, as for their benefit will wrongfully indict true men, and conceale offenders: Be it enacted, &c. That all Panels to be returned, which be not at the ſuite of any party that ſhall be made, and put in by euerie Shirife and their Miniſters afore any Juſtices of Gaole deliuerie, or Juſtices of Peace, whereof one to be of the Quorum, in their open Seſſions, to enquire for the King, ſhall be reformed by putting to and taking out of the names of the perſons, which ſo be impanelled by euerie Shirife and their Miniſters, by the diſcretion of the ſame Juſtices before whome ſuch Panels ſhall bee returned. And that the ſame Juſtices ſhall commaund euerie Shirife, and their Miniſters in his abſence, to put other perſons in the ſame Panell by their diſcretions, and that the ſame Panels ſo reformed by the ſaid Juſtices, be good and lawfull. And that if any Shirife, or any other Miniſters, at any time doe not returne the ſame Panels ſo reformed, that then euerie ſuch Shirife or Miniſter ſo offending, for euerie ſuch offence ſhall forfeit twenty pound ſterling money of England, the one halfe thereof to our Soueraigne Lord the King or his heires, and the other halfe thereof to him or them of his Subiects that will ſue for the ſame by action of debt at the Common law, or bill of complaint, where it fortune any ſuch to fall & be: and that none eſſoine, ne protection be allowed for the defendant or defendants in thoſe actions or plaints, nor that the ſaid defendant or defendants therein, be admitted to wage their law, And that the kings pardon ſhall be no bar againſt the partie & parties in the ſame, that any ſuch actions ſhall ſue. An. 3. H. 8. ca. 12. Shirife Juſt. of P. Quorum Reforme Diſcretion Panels Fort. Moitie Pardon Barre *

Pardon.

IT is prouided alſo, that no writ ſhal from hence-forth iſſue out of the Chãcery vpon the death of a man to enquire, whether he were ſlain by miſfortune, or in his defẽce, or otherwiſe without felony: But the offender ſhalbe in priſon til the cõming of the Juſticers in Eire, or Juſticers aſſigned to the goale deliuery, & let him put himſelfe before them, vpon good & euil: And in caſe it be founden by the coũtry, y he did it in his defence, or by miſfortune: then the Juſtices ſhal do the K. to wit therof, & the king ſhall take him to his grace, if it pleaſe him. Gloceſter cap. 9. Anno 6. Ed. 1. Writ Chancery Murder Felony Juſtice in Eire

2 In Stat. de Tallagio non concedendo, the king pardoned diuers persons.

3 By a Statut made Anno 7.E. intituled, Ne quis occasionetur pro reditu Petri de Gauestón, a pardon was giuen to them that toke his part. And by another statute made Anno 7.E. intituled Statutum ne quis occasionetur pro morte Petri de Gauestón, a pardon was giuen, that none should be impeached of his death.

4 Anno 1 E.3.cap. the king pardoned al them that were with him and his mother in the pursute against his Father, and other, for all acts done in the pursute.

5 Anno 1.E.3.stat.2.cap.3. the king pardoned diuers issues and amerciaments.

6 Whereas offendors haue béene greatly incouraged, because that Charters of Pardon haue béene so swiftly graunted in times past, for manslaughters, robberies, felonies, and other trespasses against the peace: It is ordeined and enacted, that such Charters shall not be graunted, but only where the King may doe it by his othe, that is to say, where a man slayeth another in his owne defence, or by misfortune. Anno 2.E.3.cap.2.

R. othe

Wilfortune

7 Anno 2.E.3.cap.11. The King pardoned al fines forfeited for writs for a certaine time.

Fines

8 Anno 4.Ed.3.cap.8. The King pardoned diuers things.

9 Because diuers Charters of Pardon haue béene granted of Felonies, Robberies and Manslaughters, against the forme of the Statute made at Northhampton before 6. conteining that no man should haue such Charters out of the Parliament, whereby such misdoers haue béene more bold to offend: It is enacted that from henceforth the same Statute shall be kept and maintained in all points. Anno 4.E.3.cap.12.

Felony Manslaughter

10 Whereas murderers, robbers, and other felons be greatly encouraged to offend, by reason the Charters of Pardon of manslaughter, robberie, felonies, and other trespasses against the Peace, haue béene so lightly granted before this time: It is accorded, and established by our Soueraigne L. the King by the assent of his Prelates, Earles, Barons, & at the request of the said Knights, and Cõmons, that no such charters from henceforth shall be granted by our Soueraign L. the K. against the forme of the Statute late made at Northhampton (before 6.) the second yeare of his raigne. And in case that our Soueraigne Lord the King graunt any such Charters in time to come, that within three Monethes after the making of the same, they that haue the said Charters, shall come and finde before the said Shirifes and Coroners of the said Counties where the Felonies be done, such Mainprise, and also in maner as before is said, of their good abearing. And that the saide Mainprises bée sealed, and returned into the Chancerie within three weeks after the end of the said three monthes. And if they that shall haue such Charters will in time to come aide themselues thereby, and haue not found such mainepzises, or after such mainepzise found, doe beare them otherwise against the peace then they ought, their Charters shall bée holden for none, as afore is said. An.10.E.3.cap.2 & 3.

Murderers Felons

3.Monthes

Shirifes Coroners

Mainprise

Good abearing

Chancery

Wisdemean

Glou

11 Anno 14.Ed.3.cap.2. and 3. The King pardoned diuers forfeitures, and his debts due before a certaine time, &c.

Fol. Debts

12 No Charter of Pardon of the death of a man, nor of other felony, shall be from henceforth granted to any man, but in case where the king may the same doe, sauing the oath of his Crowne, as it is contained in the statutes made before this time. And if any Charter be from henceforth grãted against the said Statutes, the same shal be holden for none. Ann.14.Ed.3.cap.15.

Felony

Othe

13 Anno 14.Ed. 3. Stat Prælatorum cap. 3. the King pardoned diuers things.

14 From henceforth in euerie Charter of pardon of felony which shall be granted at any mans suggestion, the said suggestion, and the name of him that maketh the suggestion, shal be compriſed in the same Charter. And if afterward the same suggestion be found vntrue, the Charter shall bée disallowed, and holden for none. And the Justices before whome such Charters shall be alleaged, shal inquire of the suggestion, and aswell of the Charters graunted before this time, as of Charters which shal be granted in time to come. And if they finde them vntrue, then they shall disallow the Charters so alleaged. And shall moreouer therof do as the law demandeth. Anno 27.Ed.3.cap.2.

Felony

Suggest

Iustices

Disallow

15 An.31.E.3.cap.13. The king pardoned escapes, and goods of felons and fugitiues.

Escapes felons goods

16 An.36.Ed.3.cap.16. The King graunted a great pardon.

17 An.42.E.3.c.2. it is enacted ý the pardon ý the K. granted in An.36.E.3. should be holden.

18 Anno 43.E.3. The K. pardoned offences in his forrests, except certaine officers.

19 Anno 50.E.3.cap.3. The King by Parliament gaue a generall pardon with exceptions.

20 Anno 1.R.2.cap.10. The King graunted that the generall pardon that E. 3. made in Anno 50. of his raigne, should be allowed.

21 An.4.R.2.cap.2. The king pardoned all escapes, except certaine.

22 An.5.R.2.cap.5. and An.6.R.2.cap.13. & An.6.R.2.Stat 2.ca.3. The K. gaue a pardon of all offences done in the late Insurrection.

23 No Charter of Pardon from henceforth shall be allowed before any Justicer, for Murder, or for the death of a man slaine by awaite, assault, or malice prepensed, treason or rape of a woman, vnlesse the same murder, death of the man slaine by a waight, assault or malice prepensed, treason, rape of the woman, be specified in the same Charter. And if a Charter of the death of a man be alleaged before any Justices, in which Charter it is not specified, that he of whose death any sueh is arreigned, was murdered or slaine by await, assault, or malice prepensed, the same Justices shal inquire by a good inquest of ý visn, wher ý dead was slain, if he were murdered or slain by awaite, assault or malice prepensed. And if they find ý he was murdered or slain by await, assault, or malice prepensed, the

Murder

Treason Rape

Iustices

the charter shal be disallowed, and further it shal be done as the Law commaundeth. Anno 13. Ric. 2. Stat 2. cap. 1. All this is enacted to be kept by anno 16. Ric. 2. cap. 6. And it was further enacted in anno 13. Ric. 2. Sat 2. ca. 1. that his name that sueth for such a charter, should be indorsed by the Chamberlaine, or Under-chamberlaine, and that no such charter should be sealed by the Chauncellor, without a Warrant from the Priuie Seale, and that he that sueth for such a Charter, should forfeit as there appeareth. But all this part of this act concerning the doing, and suing, and sealing of the Charter, is repealed by 16. R. 2. cap. 6.

24 Anno 21. R. 2. cap. 15. The King by Parliament gaue a Pardon for many things. But this parliament was repealed by 1. H. 4. ca. 15.

25 Añ 1. H. 4. ca. 2. it was enacted, that none that came in aide of king the Henry fourth, against King Richard the second, should be molested.

26 Añ 1. H. 4. ca. 20. The King by parliament pardoned diuers things.

27 Añ 21. R. 2. cap. 13. The King by parliament gaue a pardon of diuers offences. And after anno 2. H. 4. cap. 13. It was enacted, That euery person might enioy the benefite of the pardon, notwithstanding that the parliament holden anno 21. R. 2. and all the Statutes therein made, were repealed by Añ 1. H. 4. cap. 3.

28 Because that diuers common and notorious theeues, being indicted of diuers felonies, murders, and rapes, in diuers countries, and vpon the same as well before the Kings Iustices, as before the King himselfe, arraigned of the same felonies, for safegard of their liues, doe become prouours, to the intent, that in the meane time by bribage, and great gifts made to diuers persons, they might pursue and haue their pardons, and then after their deliuerance they become more stronger notorious theeues then they were before: It is ordained and established, That if any person, of what estate or condition that he be, man or woman, pray or pursue, or doe to be prayed or pursued from henceforth for any such theefe, so attainted by his owne confession, to haue any charter of pardon, that the name of him or her that pursueth such Charter be put in the same Charter, making mention that the same Charter is graunted at his or her instance. And if he to whom such Charter is graunted, after his deliuerance becommeth a theefe againe, that the same person which did so pursue for his Charter, shall incurre the paine of one hundred pounds to be leuied to the Kings vse. Añ 5. H. 4. cap. 2.

29 Ano 5. H. 4. cap. 15. The King by Parliament gaue a generall Pardon with diuers exceptions.

30 Anno 7. H. 4. cap. 18. the King by Parliament pardoned all such as were with him, or at his commaundement, for punishment of riots or insurrections.

31 Anno 4. H. 5. cap. 8. the King by Parliament pardoned diuers offences.

32 Anno 27. H. 6. cap. 6. the King by Parliament pardoned all Priests of felonies, of rape, and all Stipendary Priests of all forfeitures, for taking of wages contrary to the Statutes.

33 It appeareth in the Abridgement of Statutes, that Edward the fourth gaue a Pardon, but I can not finde it in anie Booke of Statutes Printed.

34 Anno 1. H. 7. cap. 6. a pardon and discharge is giuen to them that came with the King, or were with him in the field against K. Richard, for murder, spoile, or trespasse done then or after, to certain persons.

35 Anno 5. H. 8. capit. 8. It is enacted, That those that would sue for Letters Patents of generall Pardon (which the King had graunted to all his subiects) should be allowed without Writ of allowance. Letters P.

36 It appeareth in the Abridgement, That H. 8. anno 7. cap. 8. and Anno 8. H. 8. Statut per se, gaue pardons, but I can not finde any of these two Statutes, in any printed Booke of statutes.

37 Anno 21. H. 8. cap. 1. the king by Parliament gaue a generall pardon with many exceptions.

38 Anno 22. H. 8. cap. 15. the king by Parliament gaue a generall pardon to the Clergie (with many exceptions, and diuers persons there excepted) in consideration of a Subsidy granted to him by the Clergie. Clergy

39 Anno 22. H. 8. cap. 16. the king by Parliament gaue a pardon to the Temporalty of all offences of Præmunire. Temporalty Præmunire

40 Anno 23. H. 8. cap. 19. the king by Parliament gaue a generall pardon with many exceptions.

41 Anno 26. H. 8. cap. 18. the king by Parliament gaue a generall pardon with many exceptions.

42 Anno 32. H. 8. cap. 49. the king by Parliament gaue a generall pardon with many exceptions.

43 Anno 33. H. 8. cap. 21. a pardon by parliament was made to them that spake or did anie thing against Quéene Katherine Hayward.

44 Anno 35. H. 8. capit. 18. the king by Parliament gaue a generall pardon with many exceptions.

45 Anno 1. Ed. 6. capit. 15. the king by Parliament gaue a generall pardon with many exceptions.

46 Anno 2. Ed. 6. cap. 39. the king by Parliament gaue a generall pardon with many exceptions.

47 Anno 3. Ed. 6. capit. 24. the king by Parliament gaue a generall pardon with many exceptions.

48 Añ 7. Ed. 6. cap. 14. the king by Parliament gaue a generall pardon with many exceptions.

49 Anno 5. Eliz. the Quéene graunted a pardon. The like graunted 8. Elizab. And the like graunted 13. Elizab. And againe the like graunted 18. Elizab. capitulo 24. And againe the like granted 23. Elizab. capit. 16. And againe the like was graunted 27. Elizab. And the like 29. Elizab. And the like was graunted 31. Elizab. capit.

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pit. 16. And the like 35. Fliz. And the like 39. Elizab. And Anno 43. Elizab. A generall pardon with many exceptions, as followeth. The Quéns Maiestie most gratiously considering the good will and faithful hearts of her most louing and obedient subiects, which, as at al times, so at this present specially, they haue with most dutiful affection shewed towards her Highnesse: and for the defence of this Realme: And vnderstanding that the same her louing subiects haue many and sundry wayes by the Lawes and Statutes of this Realme, fallen into the danger of diuers great penalties & forfeitures: Is of her Princely and mercifull disposition most graciously inclined by hir liberall and frée Pardon, to discharge some part of those great paines, forfeitures, and penalties, wherewith her said Subiects stand now burthened and charged, trusting they will be thereby the rather moued and induced from henceforth more carefully to obserue her Highnesse Lawes and Statutes, and to continue in their loiall and due obedience to her Maiestie. And therefore hir Maiesty is wel pleased and contented, that it be enacted by the authority of this present Parliament, in manner and forme following: that is to say, That all and euery the said Subiects, as well spirituall as temporall of this her Highnes Realme of England, Wales, the Iles of Jerneley & Garnsey, and the towne of Barwike, the heyres, successors, executors, & administrators of them, and euery of them, and all & singuler bodies in any maner of wise corporated, cities, boroughs, shires, ridings, hundreds, lathes, rapes, wapentakes, townes, villages, hamlets, and tythings, and euery of them, and the successor and successours of euery of them, shal be by the authority of this present parliament, acquited, pardoned, and released and discharged against the Quénes Maiestie, her heires and successors, and euery of them, of all maner of treasons, felonies, offences, contempts, trespasses, entries, wrongs, deceits, misdemeanors, forfeitures, penalties, and summes of money, paines of death, paines corporall and pecuniarie, and generally of all other things, causes, quarrells, suites, iudgements, and executions in this present Act hereafter not excepted nor foreprised, which may be, or can be by her Highnesse in any wise, or by any means pardoned, before and vnto the vj. day of August last past, to euery or any of her said subiects, bodies corporated, cities, boroughs, shires, ridings, hundreds, lathes, rapes, wapentakes, townes, villages, and tythings, or any of them. And also the Quénes Highnesse is contented, That it be enacted by the authoritie of this present Parliament, that her said frée Pardon shall be as good and effectuall in the Law to euery of her said subiects, bodies corporate, and others before rehearsed, in, for, and against all things which be not hereafter in this present Act excepted and foreprised, as the same pardon should haue béen, if all offences, contempts, forfeitures, causes, matters, suites, quarrels, iudgements, executions, penalties, and all other things not hereafter in this present Act excepted and foreprised, had béen particularly, singularly, specially, and plainely named, rehearsed, and specified, and also pardoned by proper and expresse wordes and names in their kindes, natures, and qualities, by words and termes thereunto requisite to haue béen put in, and expressed in this present Act of frée pardon: And that her said subiects, nor any of them, nor the heyres, executors, or administrators of any of them, nor the said bodies corporate, & other before named and rehearsed, nor anie of them be, nor shal be sued, vexed, or inquieted in their bodies, goods, chattels, lands, or tenemẽts, for any maner of matter, cause, contempt, misdemeanor, forfeiture, trespas, offence, or any other thing suffred, done, or cõmitted before the said vj. day of August against her Highnes, her crowne, dignitie, prerogatiue, lawes, or statutes, but only for such matters, causes, and offences, as be rehearsed, mentioned, or in some wise touched in the exceptions of this present Act hereafter mentioned to be foreprised and excepted, and for none other: Any statute or statutes, laws, customes, or vsages heretofore had, made, or vsed, to the contrary in any wise notwithstanding. And the Quénes Highnesse of her bounteous liberalitie, by the authoritie of this present Parliament, graunteth, and frely giueth to euery of her Subiects, and to euery of the said bodies corporate, and other before rehearsed, and euery of them, all goods, chattels, debts, fines, issues, profits, amerciamẽts, forfeitures, and summes of money by any of them forfeited, which to her Highnesse doe, or should belong or appertaine by reason of any offence, contempt, trespasse, entrie, misdemeanour, matter, cause, or quarrell done, or committed by them, or any of them, before the said seuenth day of August, which be not hereafter in this present Act foreprised and excepted. And be it enacted neuertheless, That all graunts thereof, or of anie part thereof, made by any such as haue so forfeited the same, and are hereby restored as aforesaid, and all executions thereof, or of any part thereof, had against any such after such forfeiture thereof committed or made, shall be of such force and effect, as if no such forfeiture thereof had béne had or made, and of no other the same forfeiture, or any thing before in this Act to the contrary notwithstanding. And that al and euery the Quénes said subiects, and all and singuler bodies corporate, and others before rehearsed, may by him or themselues, or by his or their deputie or deputies, or by his or their Atturney or Atturneys, according to the Lawes of this Realme, pleade and minister this present Act of frée pardon for his or their discharge, of, and for any thing that is by vertus of this present Act pardoned, discharged, giuen, or graunted, without any fée or other thing in any wise paying to anie person or persons for writing or entrie of the iudgements, or other cause concerning such plea, writing, or entry, but only xvj. d. to be payed to the officer or clerke that shal enter such plea, matter, or iudgemẽt for ỹ parties discharged in that behalfe: any law, statute, vsage, or custome to the contrary notwithstanding. And furthermore, the Qu. Highnesse is contented and pleased, that it be enacted by the authoritie of this present Parliament, that her said frée pardon by the generall words, clauses, and sentences be-

fore

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fore rehearsed, shall be reputed, deemed, adiudged, expounded, allowed, and taken in all manner of Courts of her Highnesse, and elsewhere, most beneficiall and availeable to all and singuler her said subiects, bodies corporate, and others before rehearsed, and to euery of them, in all things not in this present Act excepted or foreprised, without anie ambiguitie, question, or other delay whatsoeuer it shall be, to be made, pleaded, obiected, or allsaged by the Quéene our soueraigne Lady, her heires or successors, or by her, or any of their generall Atturney or Atturneys, or by any person or persons for her Highnesse, or any of her heyres or successours. And furthermore it is enacted by the Quéene our soueraigne Ladie, by the authoritie of this present Parliament, that if anie Officer or Clerke of anie of her Highnesse Courts, commonly called the Chauncerie, Kings Bench, and Common place, or her Eschequer, or any other officer or clerke of any other of her Highnesse Courts within this Realme, at any time after the last day of this present Session of Parliament, make out, or write out any manner of writs, proces, summons, or other precepts, whereby any of the said Subiects, or any of the said bodies corporated, or others before rehearsed, or anie of them, shall be in anie wise arrested, attached, distreined, summoned, or otherwise vexed, inquieted, or grieued in his or their bodies, lands, tenements, goods, or chattels, or in any of them, for, or because of any manner of thing pardoned or discharged by vertue of this Act of free Pardon: Or if any Sherife or Escheator, or anie of their deputie or deputies, or any Baylife, or other Officer whatsoeuer, by colour of his or their Office, or otherwise, after the said last day of this present Session of Parliament, doe leuie, receiue, take, or withhold, of, or from anie person or persons, any thing pardoned or discharged by this act, that then euery such person so offending, and thereof lawfully conuicted or condemned by any sufficient testimony, witnesse, or proofe, shall yelde and pay for recompence thereof to the party so grieued or offended thereby, his, or their treble damages, besides all costs of the Suit, and shall also forfeit and lose to the Quéenes Maiestie for euery such default, tenne pounds. And neuertheless, all and singuler such writs, proces, and precepts so to be made, for, or vpon any manner of thing pardoned or discharged by this present Act of free pardon, shall be vtterly voide, and of none effect. Excepted and alwayes foreprised out of this generall and free pardon, all and all manner of high Treasons and other Offences committed or done by any person or persons against the Quéens most royall person, and all conspiracies and confederacies traiterously had, committed, or done by any person or persons, against the Quéenes Maiesties royall person, and all and all maner of leuying of warre, and all rebellions and insurrections whatsoeuer. And also excepted all and euery manner of treasons committed or done by anie person or persons in the parts beyond the seas, or in any other place out of the Quéens dominions: And also all suits, punishments, executions, paines of death, forfeitures, and penalties, for, or by reason or occasion of any the Treasons and Offences before rehearsed. And also excepted out of this pardon, all Offences of forging and false counterfaiting the Quéenes Maiesties great or priuie Seale, signe Manuell, or priuie Signet, or of any the moneys current within this Realme: And also all offences of vnlawfull diminishing of anie the said moneys by any way or means whatsoeuer, contrarie to the Lawes and Statutes of this Realme: And also all misprisions and concealements of high treason: And also all abetting, ayding, comforting, or procuring of the same offences, or any of the said Treasons. And also excepted out of this pardon, all maner of voluntary murders, petit treasons, and wilfull poysonings, done or committed by any person or persons, and all and euery the Accessaries to the same offences, or any of them, before the said offences committed. And also excepted and foreprised out of this generall Pardon, all and euerie offences of pyracie and robberie done vpon the Seas, and all and euery comforting, procuring, or abetting of the same offences had, done, or committed. And also excepted out of this pardon, all burglaries committed or done in anie dwelling house or houses, and all Accessaries to any the said Burglaries, before the same Burglarie committed. And also excepted all Robberies done vpon, or to any mans or womans person in the highway, or elsewhere, and all and singuler accessaries, of, or to any such Robberies before the said robberie committed. And also excepted the felonious stealing of any horse, gelding, or mare, and all Accessaries thereunto, before the same felony committed, and al iudgements and executions, of, and for the same. And also all wilfull burnings of any dwelling house or houses, or of any barne or barns wherin any corn was. And also excepted all rapes & carnall rauishments of women. And also all rauishments and wilfull taking away, or marrying of any maid, widow, or damosell, against her will, or without the assent or agreement of her parents, or of such as then had her in custodie. And also all offences of ayding, comforting, procuring, or abetting of any such Rauishment, wilfull taking, or marrying, had, committed, or done. And also excepted all wilfull escapes of any traytors. And also excepted out of this pardon, all persons now attainted or outlawed, of, or for any treason, petit treason, murder, wilfull poysoning, burglarie, or robberie, and all executions, of and for the same. And also excepted all offences of Inuocations, Coniurations, Witchcrafts, Sorceries, Inchantments, and Charmes, and all Offences of procuring, abetting or comforting of the same, and all persons now attainted or conuicted of any the said offences. And also excepted all and euery manner of taking from the Quéenes Maiestie of any goods or chattels, or the issues, rents, reuenues, or profites of any manors, lands, tenements, or hereditaments, which were of any traitor, murderer, felon, clerke, or clerkes attainted, or fugitiues, or any of them. And also excepted all goodes and chattells in anie wise forfeited to the Quéenes Maiestie by reason of anie treason, petit treason,

Robert Darke

treason, murder, or felony heretofore committed or done. And also excepted all offences, of, or in making, Writing, Printing, or Publishing, or in consenting to the making, writing, printing, or publishing of anie false seditious or slaunderous Booke, or Bookes, Libell or Libells, in any wise against the Quéenes maiestie, or the present Gouernement of this Realme, in causes either Ecclesiasticall or Temporall, or against anie person or persons. And also excepted out of this pardon, all intrusions and spoile of woods, had, made, or done by any person or persons, in, or vpon any of the manors, lands, tenements or other hereditaments of our soueraigne Ladie the Quéene, and all Wastes done, committed, or suffered, vpon anie such Lands, Tenements, or Hereditaments, and the wrongfull taking of any the rents, issues, and profites of the same manors, lands, tenements, or hereditaments of our saide Soueraigne Ladie the Quéene, and also all suites, accompts, and impetitions of and for the same. And also excepted out of this pardon, all alienations of any lands, tenements, or hereditaments, without licence, and all fines, issues, and profites, that may or ought to grow or come to the Quéenes maiestie, by reason of any such alienation without licence. And also excepted out of this Pardon, all wastes committed or done in any of the Quéenes wardes lands, or in the wards lands of any of the Quéens committees: And also all and euerie fine and fines for the single and double value of the marriage, or marriages of all and euery ward or wardes, at any time heretofore growne to the Quéenes Maiestie, or any her noble Progenitors. And also excepted all concealed wardes, and the lands of such wards concealed, and all Liueries, and primer seisins, and Ouster le maines that ought to be had, done, or sued for the same. And also excepted out of this generall pardon, all Rauishments, and wrongfull taking or withholding of any of the Quéens wards or wards lands, or the rents and profites of the same, at any time commen or growen to the Qu. handes, and euerie thing that by reason of anie ward, or ward lands, or for default of suing or prosecuting of any liuery, ought to come or be to the Quéenes maiestie, and which as yet is not discharged. And also excepted all Fines that should or ought to grow to the Quéenes maiestie, of any of her widowes that haue married without licences. Prouided alwayes, and be it enacted by the authoritie of this present Parliament, that the Quéens maiestie, her heyres and successours, shall haue and inioy the full and whole interest, benefit, profit, and aduantage of all wardships, liueries, primer seisins, and Ouster le maines of lands, tenements, and hereditaments, and all meane issues, rates, and profites, for not prosecuting or not suing of any Liuerie, or Ouster le maine, as if this Act had neuer béene had or made: And that all and euerie person or persons which haue tendered, or ought to sue his, her, or their, or any of their Liueries, or Ouster le maines, of, or for any manors, lands, tenements, or hereditaments, whatsoeuer they be, shall sue his, her, and their Liuerie and Liueries, and Ouster le maines, out of our saide soueraigne Ladie the Quéenes handes, and shall answere and pay they? Fines, Issues, and meane Profites for his or they? Manors, Lands, Tenements, and Hereditaments, in like manner and forme to euerie respect, as they and eurie of them should or ought to haue done, if this Act had neuer béene had ne made, notwithstanding the not finding of any Office or Offices, or any other matter whatsoeuer: Any Article, thing or things in this present Act of generall Pardon comprised and specified to the contrary notwithstanding. And also excepted and forexprised out of this Pardon, all such persons as the last day of this present Session of parliament be in prison within the Tower of London, or in the prison of the Marshalsey, or in the prison of the Fléete, or otherwise restrained of Liberty by expresse commaundement from the Qu. Maiestie, or by the commaundement or direction of anie her Maiesties Priuie Counsell. And also excepted out of this Pardon, all and euerie such person and persons, which at any time sithence the beginning of the Quéenes Maiesties reigne, haue fled out of this Realme of England, or anie other the Quéenes Dominions, for anie offence of high Treason, petite Treason, or misprision of Treason. And also excepted all such persons, as be gone, or fled out of this Realme, for anie cause contrarie to the Lawes and Statutes of this Realme, without the Quéenes Maiesties Licence. And also excepted all such persons, as haue obtained and had Licence to depart this Realme, for a certaine time, and now doe abide out of the Realme without any lawfull excuse, after the time of they? Licence expired. And also excepted out of this Pardon, all and euerie concealements, or wrongfull deteinements of any custome or subsidie due to the Q. Maiestie, and all corruptions and misdemeanours of anie Officer or Minister, of, or concerning Custome or Subsidie, and all accompts, impetitions, and suites, to be had, made, or done for the same. And also excepted all and singuler accompts of all and euery Collector or Collectors of any Subsidie, Fiftéene, Custome, or other thing, and all accompts of euerie other person whatsoeuer, that ought to be accomptant to the Quéenes Highnesse, or to her most Noble Father King Henrie the eight, or to King Edward the first, or Quéene Marie, or to anie of them, and the Heyres, Executours, and Administratours of euerie such person that ought to accompt for all things touching onely the same accompts: And all and singuler arrerages of Accompts, and all vntrue Accompts, and all impetitions, charges of seisures, suites, demaunds, and executions, which may or can be had, of, or for any Accompt or Accompts, or anie arrerages of the same. And also excepted all Inclosures, and decayes of houses of Husbandrie, and the conuerting and kéeping of anie land from Tillage or Pasture, made, done, committed, or permitted, contrarie to the forme and effect of any statute or statutes heretofore made. And also excepted and forexprised out of this Pardon, all and all manner of

deceits

deceits and offences of all and ſinguler moneyers and other Officers, Painters, and workemen, of, or in any the Quéens maieſties mints within this Realme, or anie other her Dominions, and all impetitions and punishments for the ſame. And alſo excepted all titles & actions of Quare impedit, and all homages, reliefe and reliefes, hariots, rent ſervices, rent charges, rent ſeckes, and the arrerages of the ſame, not done or payed to the Quéenes Highneſſe. And alſo excepted all conditions and conenants, and all penalties, titles and forfeiture of condition or conditions, couenant or couenants accrued or growen to the Quéenes Maieſtie, by reaſon of the breach and not performing of anie couenant or condition whatſoeuer. And alſo excepted all ſummes of money graunted to the Qu. Maieſtie, or anie her noble Progenitours, by way or meane of Subſidie, Fifteene, Tenth, or otherwiſe, and all concealements, fraudes, and offences, by which her Maieſtie hath béene deceiued, or not truely anſwered of, or for the ſame. And alſo excepted out of this Pardon, all debts which were, or be due to our Soueraigne Lady the Quéene, or to the moſt Noble King of famous memorie King Henrie the ſeuenth, King Henrie the eight, King Edward the firſt, or the late Quéene Marie, or to any perſon or perſons, for, or to any of their vſes, by anie condemnation, recognizſance, obligation, or otherwiſe, (other then ſuch Debts as are due vpon any obligation or recognizſance forfeited before the ſaid ſeuenth day of Auguſt, for non-appearance in anie Court, or other place whatſoeuer, or for not keeping of the Peace, or not being of good behauiour, which Debts growen or accrued vpon theſe cauſes, by this free pardon, be, and ſhall be clerely pardoned and diſcharged.) And alſo excepted and reſerued out of this Pardon, all and ſingular penalties, forfeitures and ſummes of money, being due or accrued to our Soueraigne Lady the Quéene, by reaſon of anie Act, Statute, or ſtatutes: which forfeitures, penalties, and ſummes of money be conuerted into the nature of Debt, by any Iudgement, Order, or Decrée, or by the agréement of the Offender or Offenders. And alſo excepted all forfeitures of all Leaſes, Eſtates, or Intereſts of anie Lands, Tenements, or Hereditaments, holden of our Soueraigne Ladie the Qu. Maieſtie, by Knights ſeruice, or in ſocage in capite, or otherwiſe by Knights ſeruice, made in one or ſeuerall Aſſurances or Leaſes for anie terme or termes of yeares, whereupon the olde and accuſtomed Rent or more is not reſerued. And alſo excepted all firſt Fruites and Tenths at this preſent being due to be payed to her Maieſtie, by force of any Act or Statute, or otherwiſe. And alſo excepted all penalties and forfeitures, whereof there is any good verdict in any ſuite giuen or paſt for the Qu. Maieſtie. And alſo excepted all forfeitures, and other penalties and profites now due, accrued, or growen, or which ſhall, or may be due, accrue, or grow to the Quéenes Maieſtie, by reaſon of anie offence, miſdemeanour, or contempt, or other Act, or Déed, had, ſuffered, committed, or done contrarie to anie Act, Statute, or Statutes, or contrarie to the Common Laws of this Realme, and whereof, or for the which any Action, Bil, Plaint, or Information at anie time within eight yeares next before the laſt day of this preſent Seſſion of Parliament, hath béene, or ſhall be exhibited, commenced, or ſued in the Courts of Starre-chamber, or Eſchequer Chamber, or in anie the Quéenes Maieſties Courts at Weſtminſter, and now is, or the ſaid laſt day of this Seſſion of Parliament ſhall be there depending or remaining to be proſecuted, or whereof the Quéenes Highneſſe by her bill ſigned, heretofore hath made any gift or aſſignment to anie perſon or perſons. And alſo excepted out of this generall and free Pardon, all offences, contempts, diſorders, couines, frauds, deceits, and miſdemeanors whatſoeuer, heretofore committed or done by anie perſon or perſons, and whereof, or for the which any ſuite by Bil, Plaint, or Information at any time within foure yéeres next before the laſt day of this preſent Seſſion of Parliament, is, or ſhalbe commenced, or exhibited in the Court of Starre-chamber at Weſtminſter, and ſhall be there the ſame laſt day of this Seſſion of Parliament depending, or whereupon anie Sentence or Decrée is giuen or entred. And alſo excepted out of this Pardon, all offences of periuries, and ſubornation of witneſſes, and offences of forging and counterfeiting of any falſe déedes, eſcripts, or writings, and all procuring, and counſelling of anie ſuch counterfeiting or forging to be had, or made. And alſo excepted out of this Pardon, all and euery offence or offences touching or concerning the carrying, ſending, or conueying ouer the Seas, or out of this Realme, of any gold, ſiluer, iewells, or anie coine of gold, or ſiluer, contrarie to the Lawes or Statutes of this Realme, vnleſſe it were by the Quéenes Licence. And alſo excepted out of this Pardon, all offences of inceſt, adulterie, fornication, and ſymonie, and all ſuch vſury, for which anie intereſt hath béene receiued or taken ſince the beginning of Auguſt laſt, and all miſdemeanours, and diſturbances committed or made in any church or chappell in the time of Common prayer, preaching, or diuine ſeruice there vſed, to the diſturbance thereof, and all Outlawries and proſecutions vpon the ſame. And alſo excepted al offences, whereby any perſon may be charged with the penalty and daunger of Præmunire, and of the which offence or offences, any perſon ſtandeth already indicted, or otherwiſe lawfully condemned, or conuicted. And alſo excepted all dilapidations, for which anie ſuite is, or before the end of this Seſſion of Parliament ſhall be depending. And alſo excepted all offences whatſoeuer in ſhipping, or willingly aſſenting, or cauſing to be ſhipped to be tranſported into any the parts beyond the Seas, out of the obedience of her Maieſtie, anie gunnes, ordinance, ſhot, or gunne mettall, contrarie to the Lawes or Statutes of this realme, without licence of hir maieſtie in that behalfe firſt had and obteined, and alſo all ſuch as couenously, or by conſent, or for the reliefe of ſuch as haue offended, in, or againſt any popular or penall ſtatute, haue for the ſame offence or offences, exhibited any action, bill, plaint, information,

tion or suit against any such offender or offenders. And also excepted all offences in taking away, imbezeling, or purloyning anie the Qu. Maiesties goods, money, chattels, iewels, armour, munition, or dinance, or other habiliments of warre. And also excepted out of this pardon, all maner of extortions whatsoeuer, and also excepted all couens, frauds, deceits, and other disorders and misdemeanors whatsoeuer heretofore committed or done by any Steward of her Maiesties manors or courts, vndersherife, or by any officer or minister, in anie of her Highnes courts, in, or by reason, or colour of any of their offices or places, or any their deputies or clerkes: And all offences of ayding, comforting, assisting, or procuring of any vndersherife, or anie such officer, minister, or clerk, in contriuing, doing or executing any such extortion, exaction, couen, fraud, deceit, disorder, or misdemeanor. And also excepted all offences, contempts, disorders, and misdemeanors, committed or done by anie person or persons, contrary to the Lawes of the Forests, within the circuit, or precinct of her Maiesties forests of Windsor and Waltham, or of either of them, and all penalties for the same. And also excepted out of this pardon, all issues, fines, and amerciaments, being totted, leuied, or receiued by any sherife, vndersherife, baylife, minister, or other officer, to, or for the Quenes Maiesties vse or behoofe, before the last day of this present Session of Parliament, and all issues, fines, and amerciaments, afferred, tared, set, estreated, or entred seuerally, or particularly, touching or concerning anie one person or moe persons, ioyntly, or seuerally, aboue the summe of fiue pounds. And also excepted all issues, fines and amerciaments returned, afferred, tared, set, or entred seuerally, or particularly in any Court of Record at Westminster, at any time sithence the feast of the holy Trinitie last past. And yet neuertheless, all other fines, as well fines pro licentia concordandi, as others, set, tared, estreated, or entred before the said feast of the holy Trinitie, and also all issues, and amerciaments, as well reall as others, within any Liberties, or without, being set, tared, estreated or entred before the saide feast of the holie Trinitie, and which seuerally or particularly extend to, or vnder the summe of fiue pounds, and not aboue, whether they be estreated or not estreated, or whether they be turned into debt, or not turned into debt, and not being totted, leuied, or receiued by any sherife, vndersherife, minister, or other officer, to or for the Quenes Maiesties vse or behoofe, before the last day of this present Session of Parliament, shalbe freely, cleerely, and plainly pardoned & discharged against the Qu. maiesty, her heires and successors for euer, by force of this present Act of free Pardon. And yet neuertheless, all estreats of such fines, issues, and amerciaments, as be now pardoned by this Act, and which be already estreated forth of the court of Eschequer, and beremaining in the hand of the sherife, vndersherife, or bailife for collecting of the same fines, issues, and amerciaments, shall vpon the returne of the same estreats, be orderly charged and deliuered by scrowes into the office of the Pipe in the Court of Eschequer, as heretofore hath beene accustomed, to the intent that thereupon order may be taken, that her Maiestie may be truly answered of all such fines, issues, and amerciaments, not by this Act pardoned, and which any sherife, vndersherife, bailife, or other officer or minister hath receiued, or ought to answere by force or colour of anie such estreate, processe, or precept to him or them made, for the leuying thereof: And yet that notwithstanding, all and euery sherife and sherifes, and other accountant vpon his or their petition, or petitions to be made for the allowāce of any such fines, issues and amerciaments, as by this Act is pardoned, shal haue all & euery such his, and their petition allowed in his and their account and accounts, without paying any fee or reward to any officer, clerke, or other minister, for the making, entring, or allowing of any such petition or petitions, any vsage, or custome to the contrary thereof notwithstanding. And also excepted out of this pardon, all goods, cattels, debts, actions and suites already forfeited, or whereof anie right or title is accrued or growen to the Quenes Maiestie by reason of any Outlawry, and whereof the Quenes maiesty by her Highnesse Letters Pa. hath before the last day of this present session of parliament made any grant, couenant, or promise to any person or persons. And also excepted out of this pardon all such persons, which haue committed or done anie offence or offences contrarie to the tenor or effect of the Statute made in the xrvj. yeare of her Maiesties raigne, intituled, An Act against Iesuites, Seminarie priests, and other such disobedient persons, or of anie part thereof: and all outlawries, proceedings, iudgements, and executions vpon the same offences or anie of them. And also excepted all persons, which haue committed or done any offence, contrarie to the Statute made in the xrij. yeare of her Maiesties raigne, intituled, An Act to retaine the Quenes Maiesties Subiects in their due obedience, or any part thereof: and all Outlawries, Proceedings, and Iudgements, and Executions vpon the same offences or any of them, for such or so long time as they shal continue disobedient or wilfully obstinate in any the same offences. And yet neuertheless, whensoeuer the same persons, or any of them shall willingly submit themselues in their due obedience to her Maiesty, and wil come to the church to heare diuine seruice, and willingly refuse the said wilfull obstinacy, and conforme themselues in the said causes of religion and doctrine, and continue in such their conformity and due obedience to her Maiesty, according as by the Lawes and Statutes of this Realme they ought to doe: That then and from thenceforth all and euerie such person and persons, so submitting and yeelding themselues in their due obedience towards her Maiestie, and so continuing the same shal forthwith be receiued and enabled by force of this Act, to haue and enioy the full benefit of this generall Pardon, as largely and fully in all respects, as any other of her Maiesties good Subiects haue or ought to enioy by vertue of this Act of generall Pardon. And also excepted out of this Pardon, all such persons as be and remaine

maine ſtill attainted or condemned, and not alreadie pardoned, of, or for any rebellion, or levying of warre, or of, or for any conſpiracie of any Rebellion or levying of warre within this realme, or in any other the Quenes dominions. And alſo excepted all falſe forging and counterfeiting of any Cõmiſſion or Commiſſions to enquire of any lands, tenements, or her editaments, and alſo all falſe forging and counterfeiting of any vntrue Certificate, or returne of any Commiſſion or Commiſſions, obtained or gotte forth of any court or courts, to enquire of any lands, tenemẽts, or other things whatſoeuer: And all and all maner falſifying of any particular, or of any Bill or Bils ſigned by her Maieſtie, after the engroſſing thereof, and before the paſſing of the ſame vnto the great Seale. And alſo except out of this Pardon, all offences committed or done by any perſon or perſons in new building, dividing of tenemẽts, taking of inmates, new incloſures, and other Nuſances in any place within the Citie of London, and Suburbes of the ſame, or within three miles of the ſaid citie, contrary to the Lawe, or any her Maieſties Proclamations in that behalfe made. Prouided alwayes, and be it enacted by the authorities aforeſaid, that it ſhall and may be lawful to all and euery clerk and other officers of the Quenes Courts, to award & make writs of Capias Vtlagat. at the ſuite of the partie plaintife againſt ſuch perſons outlawed as be pardoned by this act, to the intent to compell the defendant and defendants to make anſwer to the plaintife and plaintifes, at whoſe ſuite he or they were outlawed, and that euery perſon ſo outlawed, ſhall ſue a writ of Scire facias againſt the partie or parties, at whoſe ſuite he or they were ſo outlawed, before this Pardon in that behalfe ſhall bee allowed to him or them that is ſo outlawed. Prouided alſo, and be it enacted by the authority of this preſent parliamẽt, that this act of general pardon ſhall not in any wiſe extend to any perſon outlawed vpon any writ of Capias ad ſatisfaciendum, vntill ſuch time as the perſon ſo outlawed ſhall ſatiſfie, or otherwiſe agree with the partie at whoſe ſuit the ſame perſon was ſo outlawed or condemned. Prouided likewiſe, and be it enacted, that neither this act of generall pardon, nor any thing therin contained, ſhal in any wiſe extend to any perſon, that is, or ſhall be put to execution, at any time before tenne dayes, after the end of this ſeſſion of parliament: Or to pardon and diſcharge any offence or miſdemeanor committed or done by any Purueyour, or other Taker whatſoeuer, in taking or purueying of any prouiſion whatſoeuer for the Quenes Maieſties houſhold, or otherwiſe to the Quenes highnes behoofe, or by pretence or colour thereof, contrary vnto, or againſt any the laws or ſtatuts in that behalfe made or ordeined. Prouided alſo, & be it enacted by the authority aforeſaid, that neyther this act, nor any thing therein contained, ſhall extend to pardon or diſcharge any offece committed or done by any Commiſſioner, Captain, or other perſon whatſoeuer, in the corrupt taking or hauing of any money or other gift or reward for the changing, releaſing, or diſcharging of any Souldier preſt or appointed to ſerue her Maieſtie in the defence of the Realme or otherwiſe: or any offence cõmitted or done by any againſt ỹ eccleſiaſticall State or gouernement eſtabliſhed in this Realme, or any Hereſie or Schiſme in Religion whatſoeuer.

50 Anno 3. Iac. the King graunted a Generall and Frée Pardon, with many Exceptions and Prouiſions: whereof ſée the Statute at large.

51 Alike Frée and Generall Pardon was grãted by the King, with many Exceptions and Prouiſions, Anno 7. Iac.

Parliament.

A Parliament ſhalbe holden euery yere once, or more often if need be. An. 4. E. 3. cap. 14.

2 For maintenance of the ſaid articles and ſtatutes, and redreſſe of diuers miſchiefs & grieuances which daily happen, a Parliament ſhalbe holden euery yere, as another time was ordained by Statute. Anno 36. E. 3. cap. 10. Yerely

3 All and ſinguler perſons and communalties, which from henceforth ſhall haue the ſummons of the Parliament, ſhall come from henceforth to the Parliaments in the maner as they be bounden to doe, and hath bene accuſtomed within the Realm of England of old times. And euery perſon of the ſame Realme, which from henceforth ſhal haue the ſaid ſummons, (be he Archbiſhop, Biſhop, Abbot, Prior, Duke, Earle, Baron, Baronet, Knight of ỹ Shire, Citizen of Citie, Burgeſſe of Borough, or other ſingular perſon or comminalty) and doe abſent himſelfe and come not at the ſaid ſummons (except he can reaſonably and honeſtly excuſe him to our Soueraigne Lord the King) ſhall be amerced and otherwiſe punished, according as of old times hath bene vſed to be done within the ſayde realm in the ſaid caſe. And if any Shirif of ỹ realm be from henceforth negligent in making his returnes of writs of the parliament, or that he leaue out of the ſaid returnes any Cities or Boroughs which bée bound, and of old times were wont to come to the Parliament, hee ſhall be punished in maner as was accuſtomed to be done in ỹ ſaid caſe in the ſaid time paſt. An. 5. R. 2. Stat 2. cap. 4. Summons Abſent Amerce Sheriffs

4 In the right of levying of the expences of the Knights comming to the parliaments for the commons of the Counties, it is accorded and aſſented, that the ſaid levying be made as it hath bene vſed before this time: ioyning to the ſame, that if any Lord or any other man Spirituall or Temporall haue purchaſed any landes or tenements, or other poſſeſſions that were wont to be contributory to ſuch expences, before the time of the ſaid purchaſe, that the ſame lands, tenements, and poſſeſſions, & tenants of the ſame, be contributory to the ſaid expences, as the ſaid lands, tenements, and poſſeſſions were wont to be before the time of the ſame purchaſe. An. 12. R. 2. cap. 12. Expences Knights

5 An. 21. R. 2. cap. 6. It was enacted that the heires males of certain that were attainted, ſhould not come into any parliament: But this parliamẽt was repealed by An. 1. H. 4. cap. 3. Heires males

6 Anno 21.R.2.cap.12. It was enacted, that the Parliament holden Anno 11.R.2. should bee repealed, and that restitution should be made to them or their heires that were condemned in the Parliament, but this Parliament of An.21 R.2. was repealed by 1.H.4.cap.3.and by 1.H.4. ca.4. that Parliament of An.11.R.2. was confirmed & remued.

Repealed

Reuiued

7 The elections of such Knights shall be made in forme as followeth (that is to say) at the next Countie to be holden after the deliuerie of the writ of the Parliament. Proclamation shall bee made in the full Countie of the day and the place of the Parliament, & yᵗ all they that be there present, aswell suters duely summoned for the same cause, as other, shall attend to the election of their Knights of the Parliament, and then in the full Countie they shall proceed to the election freely and indifferently, notwithstanding any prayer or commandement to the contrarie. And after that they bee chosen, the names of the persons so chosen (be they present or absent) shall be written in an Indenture vnder the Seales of all them that did chuse them, and tacked to the saide writ of the Parliament, which Indenture so sealed and tacked, shall be holden for the Shirifes returne of the said writ, touching the Knights of the Shires. And in the writs of the Parliament to be made hereafter, this clause shall be put: Et electionem tuam in pleno comitatu tuo factam, distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerunt, nobis in Cancellaria nostra ad diem & locum in breui contentum certifices indilate. Anno 7. H. 4. cap.14.

Knights election

Countie

Proclamation.

Indenture

Returne

8 The Justices assigned to take Assises, shall haue power to inquire in their sessions of assises of such returnes made. (s. contrary to the Stat of an 7.H.4.cap.15.before 7.) And if it be found by inquest and due examination before the same Justices, that any such shirif hath made, or hereafter shal make any return contrary to the tenor of the sayde statute, that then the same Sherife shal incurre the paine of one C.£. to be paid to our Soueraign Lord the King, and moreouer that the Knights of the Counties so vnduely returned, shall lose their wages of the parliament of old time accustomed. An. 11.H.4.cap.1.

Just. of Ass. Enquire

Sherife

Forf.

Knights Wages

9 The Statutes of the election of the Knights of the Shires to come to the Parliament, be holden and kept in all points adioyning to the same, that the knights of the Shires, which from henceforth shall be chosen in euery shire, be not chosen, vnlesse they be reliant within the shire, where they shal be chosen, the day of the date of the writ of the summons of the Parliament. And that the knights and esquires, and other which shal be chusers of the Knights of the Shires, be also reliant within the same Shires in manner and forme as is aforesayde. And moreouer it is ordayned and stablished that the Citizens and Burgesses of the Cities and Boroughs, be chosen men, Citizens & Burgesses reliant, abiding, and free in the same cities and boroughs, and none other in any wise. An 1.H.5.cap.1.

Knights

Reliant

Burgesses

10 An.8.H.5.c.1. It was enacted that if the being ouer the seas, a Parliament were summoned vnder the reste of his Leutenant, and hee returne into England, the Parliament should not dissolue.

Tthe

11 All the Knights from henceforth so to bee chosen (s. by the Statutes of 7. H. 4.ca.15. & 11. H.4.cap.1.) and the shirifes that shall make such elections, shall haue their answere and trauers against such inquests and offices before any Justices of assises from henceforth to be taken, and the said knights and shirifes shall not be endamaged against our said Soueraigne Lord the king, or his successors, by any such inquest taken or to be taken, till they be duely conuict by the forme of the Law. An.6.H.6.cap.4.

Knight

Sheriffes

Trauers

Inst. of a

12 All the Clergy from henceforth to be called to the conuocation by the kings writ, & their seruants and familiars, shall for euer hereafter fully bee and enioy such libertie or immunity in coming, tarying and returning, as the great men & communaltie of the Realme of England, called or to be called to the kings parliament haue vsed, or ought to haue or enioy. An.8.H.6.cap.1.

Comen

Germ.

Liberte

13 The knights of the shires to be chosen within the Realme of England, to come to the Parliaments hereafter to be holden, shalbe chosen in euery county of the realme of Englād by people dwelling & reliant in the counties, whereof euery one shal haue free land or tenements to the value of xl.s. by yeere at the least, aboue all charges, and that they that shall be chosen, shall be abiding and resiant within the same counties. And such as haue the greatest number of them that may expend xxty shillings by yere, and aboue, as afore is said, shal be returned by ỹ shirifes of euery County knights for the Parliament, by Indentures sealed betwixt the said shirifes, and the said chusers so to be made. And euery shirife of the Realme of England shall haue power by the said authority, to examine vpon the Euangelists such chuser, how much hee may expend by the yeere, and if any Shirife returne knights, to come to the Parliament contrarie to the said ordinance, the Justices of Assises in their Sessions of Assises, shall haue power by authority aforesaide, thereof to inquire. And if by inquest the same be found before the Justices, and the Shirife thereof be duely attainted, that then the said Shirife shall incurre the paine of an hundred pounds, to be paid to our Soueraigne Lord the king. And also that he haue imprisonment by a yeere, without being let to mainprise or baile. And that the knights for the Parliament returned contrarie to ỹ said ordinace, shall lose their wages. Prouided alwayes, that hee that may not expend fortie shillings by yeere as is aforesaid, shall in no wise be chuser of the knights of the Parliament. And that in euery writ that shal hereafter go forth to the shirifes to chuse knights for the Parliament mention be made of the said ordinance. Anno 8. H.6.cap.7.

Returne

Sheriffes

Indent.

Examin

Oth

Just.

Forf.

Imp.

Bail.

Wages

Knight

14 The King willing to make plaine declaration of the said Statute (s. Anno 8. H. 6. cap. 7. before 13.) by the aduise & assent aforesaid, and at the speciall request of the said commons, hath ordeined

ordained that the knights of all the cõties within the said Realme to be chosen to come to the Parliaments hereafter to be holden, shall be chosen in euery county by people dwelling and resiant in the same, whereof euery man shall haue freeholde to the value of fortie shillings by the yeere at the least, aboue all charges within the same Countie, where any such chuser will meddle with any such election. Anno 10.H.6.cap.2.

15 Whereas before this time diuers Shirifes in diuers Counties of England haue by colour of writs to them directed, to leuie the wages of the Knights of the Shires for the time being, of the Parliament of the King that now is, and of his noble progenitors, haue leuyed more money then hath beene due to the said Knights, and more then they haue deliuered, and keping and taking great part of the mony to their owne vse and profit, and to their officers and seruants, to the great damage of the common people of the saide Counties: The King considering the premisses, hath ordained by the authoritie aforesaid, that the Sherife of euerie County for the time being, in the next cõty court holden in their Counties, after the deliuerance of the said writs made to them, shall make open proclamation, that the Coroners and euery chief Cõstable of the peace of the said Counties, and the Bailifes of euery Hundred or Wapentake of the same Countie, and all other which will be at the assessing of the wages of the Knights of the shires, shall be at the nert Countie, there to be holden, to assesse the said wages of the saide Knights. And that the Shirife, Undershirife, Coroners, or Baylifes, for the time being, be there at the same time in their proper person, vpon paine of forfeiture to the King of euery of them that maketh default fortie shillings. At which time the said Shirife or Undershirife, in the presence of them that shal come to the same and of the suters of the said counties then being there in the full Countie, well and duely shal assesse euery Hundred to that assessable, by himself to pay a certain summe for the wages of ỹ knights of the Shire, so that the whole summe of all the Hundreds, doe not exceed the summe which shal be due to the said knights. And after that in the same Countie shall assesse well and lawfully, euerie Village within the said Hundreds, which shall be thereunto assessable, to a certaine summe of the said wages, so that the whole summe of all the Townes within any of the said Hundreds, doe not exceed the summe assessed vpon the Hundred of which they be. And that the said Sheriffes, Undersheriffes, Baylifes, nor none other Officer for the cause aforesaid, shall leuie more money of any Village, then that whereunto they were assessed, and that if any doe, or will assesse any Hundred or Village, otherwise then is aforesayde, that they shall forfeit for euery default, to the King twentie pounds, and to any man which will sue in this case tenne pounds. And that the saide Shirifes well and duely shall leuie the money so assessed vpon the foresayd villages, as hastily as they well may, after the sayd assessing, and the same shall deliuer to the sayd knights according to the writs therefore to be made, vpon the said paynes. And he that will sue in this case, shall be to that admitted, and shall haue for his action in this case a Scire facias against him that offendeth against this ordinance, and if the defendant duely warned in the same, make default, or else appeare and be in the same conuict, then the plaintifes shall recouer against them, which be so conuict, tenne poundes to their owne vse, ouer the said twentie poundes, with their treble damunages for the costes of their suit. And that the Justices of the Kings Bench, and of the Common place, Justices of Assises and Gaole deliuerie, and Justices of Peace in their Countrey shall haue power to inquire, heare and determine of all the sayd defaults, aswell by inquirie at the Kings suites, as by action at the suit of the parties. And that all such expences of Knights, shall not be leuyed of any other villages, Seigniories or places, but of such where they haue beene leuyed before this time. And that in euery such writ from henceforth to be made, to leuie the wages of the sayde Knights, this act shall be comprehended in the same. Anno 23.Hen.6. cap.11.

Scire facias

Inquest

Conuict

Treble damages

Mainprise

Iust. of both benches

Iust. of Aſſ.

Iust. of O. Yer. & ter.

16 That the Statutes (s.Anno 2.H.5.before 9.& Anno 8.H.6.cap.7.before 13.) shall be duely kept in all points. And moreouer, that euery Sherife aster the deliuerie of any such writ to him made, shall make and deliuer without fraud, a sufficient precept vnder his Seale to euery Maior and Bailife, or to the Bailifes or Bailife, where no Maior is, of the Cities and Borroughs within his Countie, reciting the said writ, commaunding them by the same precept, if it be a city, to chuse by citizens, of ỹ same city citizens, & in the same maner & forme, if it be a borough, by ỹ burgesses of ỹ same, burgesses, to come to the Parliament. And that the same Maior and Bailifes, or Bailifes or Bailife where no Maior is, shall returne lawfully the precept to the same Shirifes, by Indentures betweene the same Shirife and them to be made, of the said elections, and of the names of the said Citizens and burgesses, by them so chosen, and thereupon euery shirife shall make a good and rightfull return of euerie such writ, and of euerie returne by the Maiors and Bailifes, or Bailifes or Bailife where no Maior is, to him made. And that euery shirif, at euery time that he doth contrarie to this statute, or any other statutes for the election of knights, citizens, & burgesses, to come to the Parliament before this time made, shall incurre the paine contained in the said statute made in the said eight yeere, (that is to say, An.8.H.6.cap.7.before 13.) and moreouer shall forfeit and pay to euery person hereafter chosen Knight, Citizen, or Burgesse in his County, to come to any Parliament, and not duely returned, or to any other person, which in default of such Knight, Citizen, or Burgesse will sue, an hundred pounds, whereof euery Knight, Citizen, and Burgesse so grieued seuerally, or any other persõ which in their default will sue, shal haue his action of debt against the said Shirife or his executors or administrators, to demaunde and haue the saide hundred pounds with his costs in this case dispended.

Sherife

Precept

Maior Bailife

Burgesses

Indentures

Citizens

Fork.

Action of debt

Wage law

And that in such action taken by vertue of this statute, the defendant shall not wage his Lawe of the demaund aforesaid in no wise, and that no defendant in such action shall haue any essoigne. And in the same maner as euery that any Maior and Bailifs, or Bailife or Bailifes, where no Maior is, shall returne other then those which be chosen by the Citizens and Burgesses of the Cities or Boroughes where such elections be or shall be made, shall incurre and forfeit to the King forty pounde. And moreouer shall forfeit and pay to euery person hereafter chosen Citizen or Burgesse to come to the Parliament, and not by the same Maior and Bailifs, or Bailifs or Bailife where no Maior is, returned, ouer to any person which in default of such Citizen or Burgesse so chosen will sue, forty pound, whereof euery of the Citizens & Burgesses so grieued seuerally, or any other person which in their default will sue, shal haue his action of debt against euery of the said Maior and Bailifes, or Bailifes or Bailife where no Maior is, against their executors or administrators, to demaunde and haue of euery of the said Maiors and Bailifes or Bailife or Bailifes, where no Maior is forty poundes, with his costes in this case expended. And that in such action of debt, taken by force of this statute, no defendant in any wise, wage his Lawe of the sayde demaund, nor haue any essoine. And that euerie sherife that maketh not due election of Knights, to come to the Parliament in conuenable time, that is to say, euerie Sherife, in his full Countie, betwen the houre of eight & ỳ houre of nine before none, without collation in this behalfe: and that euerie Shirife that maketh not good and true returne of such elections of Knights, to come to the Parliament, in time to come, as to them perteineth, in maner and forme aforesaid: shall forfeit to the king an hundred pounds, and also shall incurre the pain of an T.P. to bee payed to him that will sue against him, his executors or administrators for this cause by way of action of debt, with his costes in this behalfe expended, without waging of Lawe of his demaund, or hauing essoine as afore is said. Prouided allways, that euery Knight, Citizen, & Burgesse to come to any Parliament, hereafter to be holden in due forme chosen and not returned, as afore is said, shall begin his action of debt aforesaid, within three moneths after the same Parliament, commenced, to proceed in the same suit effectually, without fraud, and if he so do not, an other that will sue, shall haue the said action of debt (as it is sayde) to haue and recouer the same sum, with his costes in this behalfe dispensed, in maner and form aforesaid, so that no defendant in such action shall wage his law, nor be essoined in any wise, as afore is said. And if any knight, citizen, or burgesse, hereafter returned by the shirif to come to the parliament, in ỳ maner aforesaid, after such return be by any perso put out, and another put in his place, that such person so put in the place of him which is out, if he take upon him to be knight, citizen, or burgesse, at any parliament in time to come, shall forfeit to the king one hundred pound, and an hundred pounde to the Knight, citizen, or burgesse so returned by the Shirife, and afterward, as afore is said, put out. And that the Knight, citizen, or burgesse, which is so put out shall haue an action of debt of the same C. pound against such person put in his place, his executors or administrators. Prouided allwayes, that he shall begin his suit within three moneths after the Parliament commenced. And if he doe not, then he that will sue shall haue an action of debt of the same hundred pound against him which is put in place of him that is so out after such returne, his executors or administrators. And that no defendant in such action shall wage his Lawe, nor be essoined. And that such proces shall be in actions aforesaid, as in a writ of trespasse done against the peace at the common Lawe, so that the Knights of the Shires, for the Parliament hereafter to be chosen, shall not bee able Knights of the same Counties, for the which they shall be chosen, or otherwise such notable Esquires and Gentlemen, being of the same Counties, as shal be able to be knights. And no man to bee such Knight which standeth in the degree of a Yeoman. Anno 32. H. 6. cap. 15.

Maior Bailife Returne

Fort.

Action of debt.

Shirife

Fort.

Three moneths

Put out

Fort.

Executors

Three moneths

Process

27 None of the said Knights, Citizens, Burgesses and Barons, nor any of them, that hereafter shall be elected to come or be in any Parliament, do not depart from the sayde Parliament, nor absent himselfe from the same, till the same Parliament be fully furnished, ended, or prorogued, except he or they so departing haue licence of the Speaker, and Commons in the said Parliament assembled, and ths same licence be entred of record, in the booke of the Clerke of the Parliament appointed, or to be appointed for the common house, upon pain to euery of them so departing or absenting themselues in any other manner, to lose all those summes of mony, which he or they should or ought to haue had for his or their wages. And that all the Coũties, cities, & boroughs, whereof any such person shall be elected, and the inhabitants of the same, shal be clerely discharged of the said wages against the said person and persons, and their executors for euermore, An. 9. H. 8. cap. 16.

Knights Citizens Burgesses Barons

Absent.

Licence

Clerke of parliament

Fort.

18 The Kings royall assent by his Letters patents vnder the great Seale, and assigned with his hand, and declared and notified in his absence to the Lords spirituall and temporall, and to the Cõmons assembled together in the High house, is, and euer was, of as good strength and force, as though the kings person had beene there personally present, and had assented openly and publikely to the same. And be it &c. that this royall assent, and all other Royall Assents hereafter to be so giuen by the Kings of this Realme, and notified as is aforesayd, shall be taken and reputed good and effectuall to all intents and purposes without doubt or ambiguitie: any custome or vse to the contratie notwithstanding. Anno 33. Henr. 8. cap. 21.

Letters

Assent

19 The Sherifes for the time beeing, of euerie of the twelue Shires in Wales, and in the County of Monmouth, from the beginning of this present parliament, shal haue ful power and authority by force of this act, to gather & leuie, or cause to be gathered & leuyed the said knights fees and wages,

Sheriffes of Wales

Levie Knights fees

of

of the inhabitants of the said vij. shires, & of the said county of Monmouth, which ought to pay ỳ same, & the same so gathered, shall pay, or cause to be payed to euery such knight or knights, or to his or their assignes, within the terme of two Moneths, after that any such knight or knights shall deliuer, or cause to be deliuered the kings writ De solutione fœodi Militis parliamenti, to any such Sherife, and euery such Sherife making default of paiment of the said fees or wages, in maner and forme as is aforesaid, to lose and forfeit xx. pounds, whereof the one Moitie to be to the kings vse, and the other to his or their vse, ỳ will sue for the same in any of the Kings Courts of Record by Information, Bill, or plaint, or otherwise, afore any of ỳ kings officers, wherein no essoigne, protection, nor wager of lawe shalbe admitted. And if it shall happē any sheriff in any of the said vij. shires & county of Monmouth, to make default of payment of the saide wages or fees by a longer terme then two Moneths: then euery such Sherife to forfait for euery moneth that he or they shall make default xx. pounds to be forfaited, and leuied in maner and forme as is aforesayde. And that euerie Maior and Baylife, and other head officers of Cities, Boroughs, & townes in euery of the said vij. shires, and in the said county of Monmouth, within like terme and space of two Moneths after the receit of the Kings Maiesties writ De solutione fœodi Burgensium Parliamēti, like as is before mentioned, for gathering or leuying of the Knights fees, shall leuie, gather, and pay the wages and fees to their Burgesses, in like maner and forme as is aforesaid, and in, and vnder like paine and forfeitures, as is before mentioned: to be leuyed of the goods and cattels of euery such Maior, Bailife, and other head officer, to whom the kings said writ shall be directed, for the leuying of such fees, making default of payment of the said fee and wages to the Burgesses, in maner and forme as is aforesaid. And be it &c. forasmuch as the inhabitants of all cities and boroughes in euery the saide vij. Shires within Wales, and in the said county of Monmouth, not finding Burgesses for the parliament themselues, must beare & pay the Burgesses wages within the shire townes, of, and in euery the said twelue shires in Wales, & in the same county of Monmouth, that from ỳ beginning of the said Parliament, the Burgesses of all and euery of the said Cities, Boroughes, and townes, which be and shall be contributorie to the payment of the Burgesses wages of the said shire townes, shall be lawfully admonished by proclamation, or otherwise by the Maiors, Bailifes, or other head officers of the said Towns, or by one of them, to come & to giue their elections for the electing of the saide Burgesses at such time and place lawfull and reasonable, as shall be assigned for the same intent, by the said Maiors, Bailifs, and other head officers of the said Shire, Towne, or by one of them, in which elections the Burgesses shal haue like voice and authoritie to elect, name, and chuse the burgesses of euery of the saide shire Townes, like and in such maner, as the Burgesses of the said Shire Towns haue or vse. Prouided alway, that two Justices of Peace, in euery the Shires in Wales, and the said countie of Monmouth, by force of this Act, shal haue power and authoritie, indifferently to lot and tax euerie Citie, Borough, and Towne within the Shires in Wales, wherein they doe inhabite, and in the saide Countie of Monmouth, for the portions and rates that euerie the said Cities and Boroughes, shall haue and pay toward the said Burgesses within the said shire towns of euery of the said Shires in Wales, and the Countie of Monmouth, which rates so rated and taxed in grosse, by the said two Justices of the Peace, as is aforesaid, shall be againe rated and taxed on the inhabitants of euery the sayd cities and Boroughes, by foure or fiue discrete and substantiall Burgesses of euerie the saide Cities, & boroughs in Wales, therunto named & assignes by ỳ Maior, bailifes, or other head officers of ỳ said cities, townes, & boroughes, for ỳ time being: And thereupon the Maior, Bailife, and other head officers of euery such Citie, Borough, and Towne, to collect and gather the same, and thereof to make payment, in maner and forme as is aforesaid, to the Burgesses of the Parliament for the time being, within like time, and vpon like paines and forfeitures, as is aboue mentioned. Anno 35. H. 8. c. 11.

Just. of P. Wales

Taxe

Just. of P.

*

Partition and Partners.

And if one inheritance that is holden of the King in chiefe, descend to many partners, then all the heires shall doe homage to the king, and the same inheritance so holden of the King, shall be diuided amongst those heires, so that euerie of them after that, shall hold their part of the King. Prærogatiua Regis cap. 5. See forfeiture 5. of Partition betweene heires males in Kent.

Homage

2 Henry by the grace of God, King of Englād, Lord of Ireland, Duke of Guyon and Normandy, Earle of Angeo, to his trusty and welbeloued, Gerrard sonne of Maurice, Iusticer of Ireland, greeting. Whereas certaine Knights of the parts of Ireland, haue lately informed vs, that when any land doth descend vnto sisters within our dominion of Ireland, the Justices in Eire in those partes, are in doubt whether the Ponger sisters ought to hold of the eldest sister, and doe homage vnto her or not. And forasmuch as the sayde Knights haue made instance to be certified, how it hath beene vsed heretofore within our Realme of England in like case. At their instance, wee doe you to wit, that such a Lawe and custome is in England in this case, that if any holding of vs in chiefe, happen to die, hauing daughters to his heires, our auncestors and wee, after the death of the father, haue alway had and receiued homage of all the daughters, and euery of them, that in this case did hold of vs in chief. And if they happen to be within age, we haue alway had the ward and mariage of them. And if he be tenant vnto an other Lord (the sisters within the age) the Lord shal haue the warde and mariage of them all, and the eldest only shal do homage for her self, and all her sisters. And when the other sisters come to full age, they shall doe their seruice to the Lords of the Fee by

Sisters Homage

Chiefe

Warde Mariage Homage

the hands of the eldeſt ſiſter. Yet ſhall not the eldeſt by this occaſion exact of her yonger ſiſters, homage, warde, or any other ſubiection: but when they be all ſiſters, and in maner as one heire to one inheritance, if the eldeſt ſhould haue homage of the other ſiſters, or demande warde, then the inheritance ſhould ſeeme to bee diuided, ſo that the eldeſt ſiſter ſhould be Lord and tenant of one inheritance (ſimul & ſemel), that is to ſay, heire of her owne part, and Lord to her ſiſters, which could not ſtand well together in this caſe, for the eldeſt can demaunde no more then her ſiſters, but onely the chiefe meaſe by reaſon of her ancientie. Moreouer, if the eldeſt ſiſter ſhould take homage of the yonger, ſhe ſhould be a Seigniorelle to them all, and ſhould haue the warde of them, and their heires, which ſhould be none other, but to caſt the Lambe to the Wolfe to bee deuoured. And therefore we commaund you, that you cauſe the aforeſaid cuſtoms that be vſed within our realm of England in this caſe, to be proclamed throughout our Dominion of Ireland, and to be ſtraitly kept and obſerued. In teſtimonie whereof &c. I witneſſe my ſelfe at Weſtminſter the ninth day of Februarie, the fourteenth yeere of our reigne. An. 14. H. 3.

Iointenãts

3 All Iointenants, and Tenants in common that now be, or hereafter ſhall be, of any eſtate or eſtates of inheritance, in their owne rights, or in the rights of their wiues, of any manors, landes, tenements, or hereditaments, within this realme of England, Wales, or the Marches of the ſame, ſhall and may be coacted and compelled, by vertue of this preſent act, to make partition betweene thẽ, of all ſuch manors, lands, tenements, and hereditaments, as they now hold, or hereafter ſhal hold as Iointenants, or Tenants in common, by De Participatione facienda, in that caſe to be deuiſed in the King our Soueraigne Lords Court of Chauncerie, in like maner and forme, as Coparceners by the common Lawes of the Realme haue bẽne and are compellable to doe, and the ſame writ to be purſued at the common law. Prouided alway &c. that euery of the ſaid Iointenants, or Tenants in common, and their heires after ſuch partition made, ſhall and may haue ayde of the other, or of their heirs, to the intent to dereigne the warrantie paramount, & to recouer for the rate, as is vſed betweene Coparceners after partition made by the order of the common lawe: any thing in this act conteined to the contrarie notwithſtanding. An. 31. H. 8. cap. 1.

Tenãts in common

Ayde

Iointenãts Tenãts in common Terme of life Yeeres

4 All Iointenants, and Tenants in common, and euery of them which now holde, or hereafter ſhall holde iointly, or in common for terme of life, yeere or yeeres, or iointenants, or tenants in common, where one or ſome of them haue, or ſhall haue eſtate or eſtates, for term of life, or yeers, with the other that haue, or ſhall haue eſtate or eſtates of inheritance, or freeholde, in any manors, lands, tenemẽts, or hereditamẽts, ſhal & may be compellable from henceforth by writ of Partition, to be purſued out of the Kings court of Chauncerie, vpon his or their caſe or caſes, to make ſeuerance & partition of all ſuch manors, lands, tenements, or hereditaments, which they holde iointly or in common, for terme of life, or liues, yeere or yeeres, or where one or ſome of them hold iointly or in common, for terme of life, or yeeres, with other that haue an eſtate or eſtates of inheritance, or freehold. Prouided alway &c. that no ſuch partition or ſeuerance hereafter to be made by force of this act, be, nor ſhall be preiudiciall or hurtfull to any perſon or perſons, their heires or ſucceſſors, other then ſuch which be parties vnto the ſaid partition, their executors or aſſigns. Anno 32. H. 8. cap. 32.

Paſſage and Arriuage.

Paſſage

Whereas before this time, a Horſeman was wont to haue his paſſage ouer the Sea, from the Port of Douer for two ſhillings, and a foteman for ſixpence, and now of late the keepers of the paſſage, and the paſſagers haue taken more, to the great damage of the people: It is agreed, that at the ſame Port, and all other paſſages of this land, aſwell in freſh waters, as in the armes of the Sea, they & doe paſſe, ſhal from henceforth pay as they were wont to pay in olde time, and of more ſhall they not be charged, nor ỳ paſſagers, nor ỳ perſon of ỳ paſſage ſhal take no more. And be it commaunded to the Conſtable of Douer, that he cauſe this article to be kept in his bailywike, vpon the perill, that thereto pertaineth. And if he find any offending this act, he ſhall punith him at euerie mans ſuit that will thereof complaine, & doe right. Be it alſo commaunded to the Bailifes at the places where ſuch paſſages be, that they do in like maner. And the Iuſtices of Aſſiſes in the Counties ſhall haue power to inquire if any offend in this Statute, and punith them, and doe right therein, aſwell at the kings ſute, as at the ſuit of the partie. Anno 4. E. 3. cap. 7.

Port

Conſtable of Douer

Bailifs

Iuſt. of Aſſiſe

2 No Pilgrim ſhall paſſe out of our Realme, to the parties beyond the ſea, but onely at Douer, vpon paine of a yeeres impriſonment. An. 9. Ed. 3. ſtat. de Moneta ca. 8.

Pilgrim

Douer

Impriſon.

3 The King our Soueraigne Lord of his royall Maieſtie, forbiddeth the paſſage vtterly of all maner of people, aſwell Clerkes as other, in euerie Port, and other towne and place vpon the coaſt of the Sea, vpon paine of forfeiture of all their goods, except onely the Lords and other great men of the Realme, and true and knowne Marchants, and the Kings Souldiers. And euery perſon, other then is before expected, which after publication of this ordinance made, ſhall paſſe out of the ſayde Realme, without the kings ſpeciall licence (which licence the king will, and commaundeth that it be not from henceforth made, but onely in one of the Portes vnder written, that is to ſay, London, Sandwich, Douer, Southhampton, Plimmouth, Dertmouth, Briſtow, Yermouth, Saint Botolph, Kingſton vpon Hull, Newcaſtle vpon Tine, and the other Ports and paſſages towards Ireland, and the Iſles pertayning to the Realm of England) ſhall forfait towards the king as much as he hath in goods, as aboue is ſayde.

Clerks

Forf.

Lords

Marchants

Souldiers

Licẽs

Forf.

And

And nethertheleſſe, the Maſter or Marines of the ſhip, or of other veſſell or which he ſhall carrie ouer beyond the Sea any perſon, but ſuch onely as be before excepted, without the ſaid licence, and thereof be conuict duely, he ſhall forfeit the ſayd veſſell to the King. And the King commaundeth all Wardeins and Searchers of the Ports & paſſages through England, That they ſhall from henceforth diligently vſe their Offices and make good and ſtrait ſearch. And if any Searchers or Wardeins of the Ports or paſſages throw the ſaid Realme, by negligence, or in other maner doe, or ſuffer willingly to be done, in any point the contraris of the ſaid two articles, touching the money of gold or ſiluer, (See this article in Money 20.) and the ſaid paſſages of people, and thereof be duely conuict, he ſhall forfeit to the King his ſaid office, and all his goods, and his bodie ſhall be committed to priſon, there to abide by an whole yeare without redemption. And thereupon whoſoeuer eſpieth and proueth duely, that any thing be done againſt the intent of the ſaid two laſt articles, whereby the ſaid forfeiture ought to fal vpon any perſon, he ſhall haue halfe of the ſame forfeiture for his labor of the Kings gift. An. 5. R. 2. ca. 2. See 4. Ia. ca. 1.

4 All Pilgrims, and all other people, except notorious and knowne Marchants, & alſo Soulders, and men of Armes, that will paſſe by the Sea out of the Realme, ſhall paſſe at the Ports of Douer or Plimmouth, & not euerie where, without eſpeciall licence of the King himſelfe. But they that will paſſe toward Ireland, ſhall paſſe at Liuerpole, Cheſter, Briſtow, or elſewhere, where ſhall pleaſe them. An. 13. R. 2. cap. 20.

5 Forasmuch as the Commons of the Realme of England, being in the ſame Parliament, at the inſtance and ſpeciall requeſt of the faithfull liege people of our Soueraigne Lord the King, the Bailifs, Burgeſſes, and Comminaltie of the Towne of Tewkeſburie, within the Countie of Glouceſter, haue made to our Soueraigne Lord the K. a verie grieuous complaint in the ſame Parliament, That whereas the ſaid Towne of Tewkeſburie is adioyning to the riuer of Seuerne, within the ſaid Countie of Glouceſter, which riuer is common to all the liege people of our Soueraigne Lord the K. to carrie and bring, within the ſtreame of the ſayd riuer, in boats, troughes, and otherwiſe, all maner of marchandiſe, and other goods & cattell, to Briſtow, and to euerie part adioyning to the ſame riuer: In the which riuer diuers perſons of the ſayd Towne of Tewkeſburie, oftentimes, and now of late haue charged their proper veſſels and troughs with Wheat, Rie, and other corne and goods, to the value of fiue hundred pounds, and ſo the ſame veſſels and troughes ſo charged, haue conueyed in the ſame riuer towards the ſayd Towne of Briſtow, by the coaſts of the Foreſt of Deane, within the ſaid Countie of Glouceſter, ioyning to the ſaid riuer, there haue come great multitude of people, and couers of the Commons of the ſame Foreſt, and of the Hundred of Bledillow and Weſtburie, with great riot and force in manner of warre, as enemies of a ſtrange land, and with force haue ſpoyled the ſame perſons of the ſayd veſſels, and taken of them all their corne and goods within the ſame veſſels, and the ſame perſons haue menaced and threatned to, if they made any reſiſtance, or any ſuit, quaſell, or complaint for the ſame, to the great hinderance, loſſe, and impouerithment of the ſayd perſons, and oppreſſion of all the countrey there adioyning. And afterward the ſame our Soueraigne Lord the King by the aduice and conſent of his Counſell, ſent his letters of priuie Seale, directed to diuers perſons of the ſayd Foreſt, to make open Proclamation, That no man of the ſayd Foreſt ſhould be ſo hardie to inquite or diſturbe his people to paſſe by the riuer with all maner of corn, goods, and cattels, or any other marchandiſe, vpon the paine of Treaſon. After which Proclamation ſo made, the ſaid trеſpaſſors came to the ſaid riuer with more grekter routs and riots then euer they did before, not eſteeming nor regarding the ſayd letters of priuie Seale, and there ſpoyled at diuers times eight troughs of Wheat, Rie, Flower, and diuers other goods and cattels, and the people of the ſame troughes did throw ouer the bord, and diuers of them drowned, and the ſternes of the ſayd troughes did cut away, and did threaten the owner of the ſaid goods and cattels, and alſo the people of the ſayd troughes, that they ſhould not be ſo hardie to carrie no manner of victuall by the ſayd ſtreame, much nor little, for Lord nor for Ladie: And that they would helw all to peces the ſaid boats, if they came another time by the coaſts of the ſaid Foreſt of Deane: For the which riot and rebellion no perſon of the ſaid Towne of Tewkeſburie, nor of the countrey adioyning, dare not carie any corne nor other goods nor cattels in the ſaid riuer, nor purſue to haue remedie for ſuch oppreſſions and griefes to them done. Forasmuch as the ſaid Foreſt of Deane, & Hundreds be verie large, and the people inhabiting and reſiant in the ſame verie wild, and nigh adioyning to the countrey of Wales: And all the Commons of the ſame Foreſt and Hundreds of one affinitie and confederacie in malice and riot, not pondering or regarding the law, nor the Officers and Miniſters of the ſame, nor caring of the Proces, nor punihment of the law of the land, inſomuch that they will not obey, but at their owne will, any Miniſter of the Kings lawes, nor execution of the ſame: nor the Officers nor Miniſters of ỹ law of the ſaid countie, dare not in any wiſe come into the ſaid Foreſt, to execute any matter or Proceſſe of the law, againſt the will and intent of the Commons of the Foreſt & Hundred aforeſaid. Our Soueraigne Lord the King hauing tender reſpect and conſideration of the ſaid miſchiefes, and alſo conſidering the inconueniences which be like to enſue and follow vpō the ſame, and vpon that willing to reſiſt the malice of ſuch tranſgreſſors and offendors, and to prouide haſtie and conuenable remedie for his ſaid faithfull liege people, ſo greeued in this behalfe, by the aduiſe and aſſent of the Lords Spirituall and Temporall, being in this preſent Parliament, and at the ſpeciall requeſt of the ſaid Commons there aſſembled, hath ordeined by authoritie of the ſame Parliament,

Treaſon

That

Shirife Baylifes

That in euerie such case hereafter to come, or else had, or chaunced the last yeare passed, the Shirife of the sayd Countie, or the Bailifes of the Towne of Gloucester, for the time being, or one of them,

Fork.

vpon paine of forfeiture of twentie pounds to bee leuied of their lands, goods, and cattels, to the vse of our Soueraigne Lord the King, make proclamation at the sayd Towne of Gloucester, within foure dayes next after notification made to them,

Proclamation

or to any of them by the persons so indamaged, or by any other in their names, of such iniuries and trespasses done, that the sayd trespassors and offendors shall restore in the same Towne of Gloucester, within fiftene dayes after the sayd proclamation, to the sayd persons so indamaged, their sayd corne and marchandises, goods, and cattels so taken, or the verie value of the same, with reasonable amends for their damages of such taking. After which proclamation if the sayd trespassors doe not restore the said corne and marchandises, goods, and cattels, or the value of the same, to the parties so grieued, in the forme aforesaid, with reasonable amends for their damages, nor that the sayd trespassors be not brought to the Kings prisons to the Castle of Gloucester, for the sayd trespasses, by the Officers of the sayd Forest and Hundreds, or by the Comminalties of the same, to be demeaned in such case by the King and his Counsell: That then by consideration of the Statute of Winchester, put for the robberie of any person, which giueth an action for him which is robbed, against the Hundred, within which the same robberie is done, after the forme of the same Statute, the said Comminalties shall be charged of the same corne and marchandises, goods and cattels so taken, or of the verie value of the same, to the parties so grieued, to satisfie them of their damages for the same taking. And that the sayd parties so indamaged and grieued, may haue their general actions of debt against the sayd Comminalties of the said Forest & Hundred, of the summe of money, to which the value of the corne, marchandises, goods and cattels so taken doe extend. And although the sayd Comminalties bee no Comminalties corporate, yet they shall haue Proces in such actions of debt, by Summons, Attachments, and Distresse, as if he were to haue an action of debt at the Common Law, so that if the sayd Comminalties make default at the second distresse in such actions, that then the party which shall sue, shal haue iudgement to recouer his debt against the sayd Comminalties, after the supposall of their goods, in the forme aforesaid, with his reasonable damages and expences. And whatsoeuer issue triable by Inquest in the said Forests and Hundreds shall happen to be taken to such actions, it shall be tried by Inquest of the bodie of the said county out of the same Forest and Hundreds. And that the goods and cattels of euerie singular person of the sayd Comminalties for the time being, shall be had, taken, and holden in Law conuict, as the common goods and cattels of the same Comminalties, touching the returne, seruing, and all executions of Writs, Proces, and Iudgemẽts, in and of the said actions. And that euerie singular person of the sayd Forest and Comminalties, haue power by the authoritie of the sayd Parliament, to attach and arrest the sayd trespassors by their bodies, as well within the sayd Forest as without, and them so arrested, to commit to the sayd prison. And that the Keeper of the same prison, vpon paine of forfeitie pounds to be leuied of his goods and cattels, lands and tenements, to the vse of our Soueraigne Lord the King, shall safely kep euerie person so committed to his custodie, till the time that the King or his Counsell hath ordained or prouided their deliuerance of record. And if the goods or cattels of any singular person or persons of the sayd Forest and Hundreds, being not guiltie of the said robberies, happen to be put in execution, because of any such actions and iudgements: That then the said person or persons so being not guiltie, may haue their speciall action of debt, or trespasse vpon their case, of the goods and cattels so put in execution, against the said trespassors, to recouer their damages, as well for the value of the goods or cattels so put in execution, as for their damages & costs which happened to be had, because of such actiõs of debt, & they shal haue such proces in the sayd actions of debt, or trespasse, as is to be had in the sayd actions of debt for the said persons so indamaged and spoyled. An. 8. H. 6. ca. 27.

Statute of Winchester

Hundred

Proces

Arrest

Imprisonment

Action

Damages

Process

6 The said liege people of the King may haue and enioy their free passage in the said Riuer (that is to say of Seuerne) with flotes and drags, and all manner of marchandises, and other goods and cattels at their will, without disturbance of any. And if any be disturbed of his free passage in the said riuer, the partie grieued shall haue his action according to the course of the Common Law. Anno 9. H. 6. cap. 5.

Freedom of passage

7 No Pilgrim, Marchant, nor other person or persons, horse, or beast, except Souldiers & Marchãts with their marchandises, in the maner & forme here before recited, shall from henceforth take their passage at any other place or port within the county of Kent, but only at the said port or town of Douer, if they may there haue sufficient passage and shipping. And also that no Pilgrime, Marchant, nor other person or persons, horse, or beast, shall come from Calice to any Port or other place within the said Countie of Kent, but onely to the Port of the said Towne of Douer, except Souldiers and Marchants with their marchandises, vnlesse they haue and shew the Kings commandement in writing so to doe, or else be compelled and driuen to some other places or Port, by sudden tempest. And that euerie person, of what estate, degree, or condition he be, which voluntarily doeth against this Act or ordinance, shall forfeit for euerie time that he so doeth, fiue markes: our Soueraigne Lord the King to haue the one halfe, to be imployed vpon the reparation of the Castle of Douer, by the surueying of the Constable or his Lieutenant there, the other halfe to that person or persons of the sayd Towne or Castle, being a freeman of the said Towne of Douer, that will commence or sue an action thereof against the offendor. And that euerie person or persons of the said Towne or Castle singly

Pilgrim Merchant

Dover

Calice

Tempest

Forfeit

Penalty

stle, freeman of the said Towne of Douer, may in his owne name haue against euerie person that wilingly offendeth this Statute, a generall action of debt of the said summe of fiue marks, and declare especially vpon the same Act or ordinance. And that Processes of Outlagarie, and all other processes and determinations shall be had in the said action, as is had and vsed in other generall actions of debt. And also the Master of euerie ship and vessell, which willingly, contrarie to this Act, doth conuey to any place or places, any Pilgrim, Marchant, or other person or persons, horse or beast, shall likewise forfeit at euerie time that he doth so, fiue marks, in manner and forme aforesaid, to be sued, had, recouered, leuied and imployed. An. 4. E. 4. ca. 10.

8 Whatsoeuer person or persons, of what estate, degree, or condition he or they be, that hereafter take any imposition of any of the Kings liege people, for trough, boat, or any other vessell, for any goods or other marchandises carried or conueyed in and vpon the said riuer and water of Seuerne, or let, ver, or interrupt any boats, troughes, or other vessels, so passing by the said riuer and water, for any such imposition or otherwise against your lawes: That euery such person or persons so doing and offending, shall forfeit to the King our Soueraigne Lord for euerie such offence twentie pounds. And for euerie such summe or summes so forfeited, that partie grieued, and other persons that will sue for the same forfeiture, shall haue and sue an action popular of debt, as well to and for the vse of our Soueraigne Lord the King, as to the vse of him that will sue for it in his owne name: And that our Soueraigne Lord the King haue two parts of the said summe so forfeited: And the partie that so shall sue the same, haue the third part thereof. And the partie defendant in euerie such action shall not be receiued to wage his Law, And also be outed of dilatories in the same action, as protections, essoin, and other. And if it fortune the parties in any such action to defend or plead to any issue for any offences done or committed, contrarie to the premisses, triable in the Citie of Worcester, or the Liberties of the same, the the same issue to be tried by twelue men within the Countie of Worcester, not dwelling ne hauing any lands within the same City, ne the Suburbes of the same. And if the parties aforesaid in any such action, defend and plead to an issue for any offence done or committed contrarie to the premisses, triable in the Shire of the Towne of Gloucester, or in the Countie of Gloucester of the same issue, to be tried by twelue men of or in the Countie of Gloucester thereto adioyning, not hauing any lands, ne dwelling within the same shire of the Towne of Gloucester. Prouided alwayes, That this Act, or any thing in the same contained, or specified, in any wise extend not, nor be preiudiciall or hurtfull to any person or persons, hauing any lands or medowes adioyning to the said stream or water of Seuerne, to take of euerie person or persons (going vpon his or their said lands, and medowes, and hauing or drawing any such trough, boat, or vessell) reasonable recompence or satisfaction for such hurts & offences as he or they hauing such lands or medowes adioyning to the said stream or water, shall sustaine by reason of any such going or drawing of any such trough, boat, or vessel. Prouided alway, That if any person or persons Spirituall or Temporall, or any bodie corporate, come before the Lords of the Kings honourable Counsell in the Starre Chamber at Westminster, at any time hereafter, before the Feast of the Ascension of our Lord, that shall bee in the yeare of our Lord God 1401. and there make any sufficient proofe and lawfull title of their owne offer, or by other meanes before the said Feast, to haue any manner of duetie or imposition, of, and for any manner boat, trough, or other vessell aforesaid, or for any other marchandises or goods in any of the same caried and conueyed, in and vpon the said riuer and water of Seuerne, and the same proofe and title of the said Counsell admitted and decreed before the same Feast to be good and auailable to the partie or parties that sue for the same: That then from henceforth after such proofe and title shewed, and so by the said Counsell admitted, and by them before the same Feast decreed to be good, those persons hauing such lawfull title, may and shall haue, from the time of the decree made, all manner such duetie of euerie of the Kings liege people, so carrying or conueying any boat, trough, or vessell, in and vpon the said water of Seuerne, according to their title and right so proued and decreed, after the manner and forme of the same title and decree: This present Act, or any thing therin contained in any wise notwithstanding. An. 19. H. 7. ca. 18.

Duetie

8 Whereas by the laudable custome and vsage within this Realme of England, time out of mind vsed, that euerie of the Kings subiects, and all other persons passing by the riuers of Thames or Medway, and repairing to the same by water in barge, or wherrie boat, that is to say, from London to Graues end, & from Graue end againe to London, one person or moe, to haue a barge of the owners or occupiers of the same to passe themselfe, with their males or fardels betweene the said places, for the summe of foure shillings, or else euerie person passing in the said barge, to pay for himselfe, or for himselfe, his male or fardell, two pence, so that the same summe of two pence of euerie person amount to the summe of foure shillings. And a wherrie boat betweene the said places, for the summe of two shillings hath beene compelled to passe forth at euerie tide, betweene the said places. And in likewise it hath beene vsed of like time, that euerie of the Kings subiects, and all other persons passing or repairing by water in the tide boat or wherrie boat from London to Erith, Graenehithe, Grayfordocke, or Purflete, or from any of the same places to London, or moe, to haue a wherrie boat, of the owners or occupiers of the same boat, to passe themselues with their males or fardels betweene euerie of the said places for the onely summe of ry. pence, or else euerie person passing in the said boat or wherrie, to pay for himselfe, or for himselfe, his male or fardell, one penie, so that the summe of one penie of euerie person amount to the summe of ry. pence,

Thames
Medway
Barge
Boat
Wherry
London
Graueland

iiij. s.

ij s.

Wherrie

Tide boat

xij. s.

j. Penie

pence, hath béene compelled to paſſe forth at euerie tide betwéene the ſaid places. And alſo it hath béen vſed of like time, that euerie of the Kings ſubiects, and all other perſons paſſing or repairing by water in the Tide boat, or wherrie boat, from London to Wolwich, or from Wolwich to London, one perſon or more, to haue a boat or whirrie of the owners or occupiers of the ſame, to paſſe themſelues with their males or fardels betwéene the
viij.d. ſame places, for the onely ſumme of eight pence, or
Halfe penie elſe euerie perſon paſſing in the ſaid boat or whirrie, to pay for himſelfe, his male or fardell, a halfe penie, ſo that the ſumme of a halfe penie of euerie perſon amount to the ſumme of eight pence, haue béene compelled to paſſe forth at euery tide betwéen the ſaid places. And alſo it hath béene vſed of like time, that euerie the Kings ſubiects, and all other perſons paſſing or repairing by water in boat or
Greenwich whirrie, from London to Gréenewich, or from Gréenwich to London, one perſon or moe, to haue a boat or whirrie of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels, betwéene the ſame places, for the only ſumme
iiij.d. of foure pence, or elſe euerie perſon paſſing in the ſaid boat, or whirrie, to pay for himſelfe, or for him-
Halfe penie ſelfe, his male or fardell, ob. ſo that the ſumme of ob. of euerie perſon amount to the ſumme of foure pence, hath béene compelled to paſſe forth at all times, betwéene the ſame places. And that of like time it hath béene vſed and accuſtomed, that euery of the Kings ſubiects, and all other perſons paſſing or repairing by water in boat or whirrie, from London Bridge, the old Swanne, the Crane in the Vintrie, Paules Wharfe, or from Saint Marie
Weſtmin- ſter Oueries, to Weſtminſter, or Lambith, or from Weſtminſter or Lambith to any of the ſaid places, one or moe, to haue a boat or whirrie of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels, betwéene euerie of the ſaid
iij.d. places, for the ſumme of three pence, or elſe euerie perſon paſſing in the ſaid boat or whirry, to pay for
Halfe peny himſelfe, or for himſelfe and his fardell, a halfe penie, ſo that the ſumme of a halfe penie of euerie perſon amount to the ſumme of three pence, hath béene compelled to paſſe forth at all times, betwéene the ſame places. And alſo it hath béene vſed of like time, that euerie of the Kings ſubiects, and all other perſons paſſing or repairing from the Blacke Fri-
Weſtmin- ſter Lambith ers, Bridewell, or from the Temple, to Weſtminſter or Lambith, or from Weſtminſter or Lambith to any of the ſaid places, one perſon or moe, to haue a boat or whirrie of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels betwéene euerie of the ſame places, for the on-
ij.s. ly ſumme of two pence, or elſe euerie perſon paſſing in the ſaid boat or wherrie, to pay for himſelfe,
Halfe penie or for himſelfe, his male or fardell, ob. ſo that the ſumme of one halfe penie of euerie perſon amount to the ſumme of two pence, hath béene compelled to paſſe forth at all times betwéene the ſaid places. And alſo it hath béene vſed of like time, that all maner of perſons paſſing or repairing from Weſt-
Ouer the Thames minſter to Lambith, or from Stangate to Weſtminſter, from any of the ſaid places ouerthwart the water, one perſon or more, to haue a boat or whirrie, to paſſe betwéene euerie of the ſaid places, in manner and forme aforeſaid, for the onely ſum of a halfe penie, and the owners or occupiers of Vpon p. boats haue bin compelled to paſſe forth at all times betwéene the ſame places for the ſame ſumme. And alſo it hath béene vſed of like time, that euerie of the Kings ſubiects, and all other perſons paſſing from London to Worthlake, or from Worthlake Worth. to London, one or more to haue a boat or whirrie, of the owners or occupiers of the ſame, to paſſe themſelfe with their males or fardels, betwéene the ſaid places, for the onely ſumme of twelue pence, or xij.d. elſe euerie perſon paſſing in the ſaid boat or whirrie, to pay for himſelfe, or for himſelfe his male or fardell two pence, ſo that the ſumme of two pence ij.d. of euerie perſon amount to the ſaid ſumme of xij.d. All ſuch laudable cuſtomes and vſages notwithſtanding, the owners and occupiers of the ſaid barges, boats, and whirries, now refuſe, and will not paſſe with no man for the ſaid ſummes, except that they haue according to their own wils and deſires, to the great let and vnquietneſſe of all the Kings ſubiects, and of all other that paſſe and repaire by the ſame, and contrarie to the ſaid auncient vſages and cuſtomes. For breaking of which ordinance diuers and many aſſaults and frayes dayly béene made, ſo that oftentimes therof manſlaughter doth enſue. And ouer that the poore husbandmen, and other houſholders, dwelling nigh about where ſuch ferries béene vſed, can haue no ſeruants that will ſerue by the yeare, but onely by the wéeke, and at wéekes end to be at their libertie, to the intent that they may be Watermen for their ſingular and exceſſiue lucre in that behalfe: Be it therfore &c. That the ſayd laudable cuſtomes and vſages, in manner and forme afore rehearſed, be obſerued and kept, and duely put in execution in euerie point. And Watermen. that all and euery the Watermen, rowing in great barges, with any Lord or Lords, or other perſon or perſons, whatſoeuer they be, take no more for his wages or labor by the day then ſix pence, with- Wages vj.d. out meat or drinke, except he row to Worthlake or Gréenewich, and then to take eight pence onely without meat and drinke. And that if the Kings ſubiects, or any of them, or any other perſon or perſons, from henceforth require the owners or occu- Owners piers of any ſuch barges, boats, or whirries, at any of the ſaid ferries, to paſſe with them, offering of them money for their fare or fares, in forme as is afore ſpecified: Or elſe if the ſaid Lords, or other, require the ſaid Watermen to goe with them in their barges or barge, for the ſix pence aboueſaid, & the ſayd owners or occupiers, Watermen or Bargemen, refuſe to paſſe forth with him or them for the ſame fare or wages: Then the ſame owners or occupiers of ſuch barges, boats, or whirries, the ſayd Watermen or Bargemen ſo refuſing, and euerie of them, for euerie ſuch refuſall, forfeit the treble Forf. value of the fare, fares, or wages ſo refuſed: The one halfe of the ſaid treble value of the ſaid fare, Goods fares, or wages, to be to the vſe of the King, and the other halfe to him that will ſue in that behalfe: which ſuit the partie that in that caſe will vſe, to

haue

haue his suit by action of debt, information or presentment, and the partie defendant there not to bee admitted to wage his Law, ne to be essoined, ne protection for him to be allowed in the same. And ouer that be it lawfull to the Bailifes, Constables, and other of the Kings Officers, and euerie of them, in euerie place next adioynant, where the said ferries beene exercised, vpon complaint to them, or any of them thereof made, by any of the Kings subiects, or any other person or persons, that find them grieued in that behalfe, to arrest the said offender or offenders, and to commit them to ward for their misdemeano^r, and to make fine for the same. And that the Iustices of Peace of euerie Shire, where the said ferries beene exercised, the Maiors and Sheriffes of London, and the Stewards in their Leets, and euerie of them, haue authoritie to enquire at euerie Sessions and Leets, as well of the defaults of the said owners or occupiers of such barges, boats, whirries, Watermen, and Bargemen, as the default of the said Officers for lacke of punishment of euerie such offenders. An. 6. H. 8. cap. 7.

9. No person or persons interrupt by any obstacle, let, or otherwise, any person or persons passing or repassing on and vpon euerie of the said pathes, customed (s. a path of a foot and a halfe on euerie side of the riuer of Seuerne) nor also aske, take or demaund any toll called a draught or bottell of wine, or any other tare or imposition of any of the K. subiects there going in ỹ said pathes accustomed vpon euerie side of the riuer of Seuerne, there haling or drawing their Boats, Troughes, or Vessels: vpon paine to forfeit for euerie time that he or they shall so interrupt any of the Kings subiects, or aske, or take any such imposition, by what name soeuer it be called, xl. s. The one halfe thereof to bee to the King, and the other halfe to the partie grieued that will sue for the same, &c. in which suit no Essoine, &c. shalbe allowed. An. 23. H. 8. ca. 12.

10. Euerie person or persons taking vpon him or them to haue and to keepe any of the said passages, or any other passages vpō Seuerne aforesaid, from henceforth do not conuey, neither carrie with any manner barge, boat, or other vessell, any person or persons, with horses, mares, oxen, kine, or any other cattell, nor no other person or persons, before the time of the Sun rising in the morning, and after the time of the Sunne being gone downe at night, vpon paine of imprisonment, and fine to be set on him that shall so cōuey or carie ouer any of the said passages of the said riuer of Seuerne out of England into Wales, or the Forest of Deane, or out of Wales, or the said Forest of Deane, into England, vnlesse the said passengers and euerie of them haue good knowledge of such person and persons, and of their dwelling places, and vpon request to them made by any person or persons, to disclose the name and dwelling place of euerie such person or persons, so by them conueyed ouer ỹ said water, to any such person or persons, requiring the same, if suit be made for ỹe after them, vpon any outcrie, huy, or fresh suit, or of any felonie, robberie, murder, & manslaughter committed and done from henceforth. And that the K. Iust. of P. within euerie of the said Counties of Glouceſter and Somerset, at their Quarter Sessions, shall haue full power and authoritie to call before them all such persons which hereafter shall keepe any of the sayd passages, or any other ferrie or passage ouer the said water into Wales, or the said Forest, or out of Wales, or the said Forest, into England, and to bind them with sufficient sureties with them in recognisance, in such summes of money as it shall seeme to the discretion of the said Iustices of peace, that they and euerie of them being passengers and keepers of ferries and passages as is aforesaid, from henceforth shall not after the said times before limited and appointed, conney or carrie, or cause to bee conueyed or carried, any manner of person or persons, or any kind of cattell, but such persons as they doe know and will answer for, and know where their abidings, dwellings, and habitations be, and vpon request made to them or any of them, as is abouesaid, shall from time to time disclose as well the same person or persons, as the goods and cattels so passing the said passages, vpon fresh suit made, or hereafter to be made vpon a felonie, murder, or robberie committed and done, in the borders or Counties aforesaid, or any other place within this Realme or Southwales. Anno 26. H. 8. cap. 5. Iust. of P. Quarter Sessions Recog. Iust. of P. Cattell

11. There shall be yearely appointed, chosen, and elected by the Maior & Court of Aldermen of the Cities of London for the time being, the number of eight persons, of the most wise, discreet, and best sort of Watermen, being housholders, and occupying as Watermen, vpon the said Riuer betwixt Grauesend and Windsor, which election shall be yearely at the first Court of Aldermen, to be holden within the said Cities next after the first day of March, and the same eight persons so elected shall be named and called the Ouersèers and Rulers of all Wherrimen and Watermen, that from and after the said first day of March, shall vse, occupie or exercise any rowing vpon the sayd Riuer of Thames, betwixt Grauesend and Windsor aforesaid, which said Ouersèers and Rulers shall keepe and maintaine good order and obedience amongst the said Watermen, according to the true meaning of this present Act. And also be it ẽ. That after the Feast of Pentecost next comming, no person or persons, where two Watermen, and not aboue the number of two shall row together in a boat, or whirrie, in any place or places, betwixt Grauesend and Windsor aforesaid, shall presume and enterprise to receiue any person or persons into his or their boat or whirrie, to the intent to carrie or conuey him or them therein, vnlesse one of the same two Watermen hath beene for the most part exercised and vsed in rowing vpon the sayd Riuer of Thames by the space of two whole yeares before that time. And that also one of the same two Watermen at the least, be duely admitted and allowed by the same eight Ouersèers and Rulers, or the most part of them, by writing vnder their vnowne Seale, to be a sufficient and able Waterman, vpon paine that euerie person and persons Maior London 8. Persons Ouersèers 2. yeares exercise

pre-

Impriſon

Single men
Not retained

Impriſt.
Maior
Iuſt. of P.

Maſter

Punish

Wherry Boat

Length
Breadth

Godneſſe

Foyſt.
Bottle

Preſſing

Abſent

preſuming or offending contrarie to the true meaning of this preſent Act, ſhall by the eight Overſeers or Rulers, be committed to priſon in one of the Counters of the Citie of London, there to remaine by the ſpace of one moneth or leſſe, as the offence ſhall require. And alſo be it &c. That no perſon or perſons, being ſingle men, not keeping houſhold and not retained, ſhall from and after the ſaid feaſt of Pentecoſt next comming, vſe or exerciſe to row betwirt Grauelend and Windſor aforeſaid, vnleſſe he or they be prentice or prentices, or in ſeruice retained with a Maſter by the whole yeare at the leaſt, vpon paine of like impriſonment. And alſo be it &c. That the Lord Maior of London, & the Aldermen of the ſame Citie, and the Iuſtices of P. within the Shires next adioyning to the ſaid riuer Thames, euerie of them within their ſeuerall iuriſdictions and authorities, ſhall haue full power and authoritie by vertue of this preſent Act, vpon complaint made to them or any of them by the ſaid Overſeers and Rulers, or two of them, or the Maſter or maſters of any ſuch ſeruants, not only to examine, heare and determine all complaints and offences to be done or committed by any ſuch perſon or perſons that ſhall offend contrarie to the true meaning of this preſent Act, and to ſet at large all and euery ſuch perſon and perſons, as ſhal fortune to be impriſoned by the ſaid Overſeers and Rulers according to this Act, if iuſt cauſe ſhall appeare vnto them ſo to doe: But alſo by their good diſcretions and wiſedome, to puniſh, correct, and reforme the ſaid Overſeers and Rulers, and euery of them, that ſhall iniuſtly, or without good cauſe or ground, puniſh any perſon or perſons, by colour of this preſent Act, or any thing therein contained. And be it &c. That if any perſon or perſons whatſoeuer, from henceforth doe or ſhall make any wherrie or boat, to the intent commonly to vſe rowing and carrying people vpon the ſaid riuer of Thames, which ſhall not be two and twenty foot & a halfe in length, and foure foot and a halfe broad in the midſhip, or which ſhall not be ſubſtantially and well able and ſufficient to carrie two perſons on euerie ſide tight, according to the old quantitie, ſcantling, thicknes of bord, goodneſſe, and good proportion, heretofore had and vſed: That then the ſame boat or boats ſo being made contrarie to the proportion and ſort before erpreſſed, ſhall be taken as forfeit, and ſhall bee forfeit: the one halfe thereof to be to the King and Quéenes Maieſties vſe, and to the vſe of the heirs and ſucceſſors of the Quéenes Maieſtie, and the other halfe to him or them that will ſue &c. wherein no wager of law &c. ſhall be allowed. And be it &c. That if any perſon or perſons which from and after the feaſt ſhall vſe and exerciſe the occupation of rowing betwirt Grauelend and Windſor aforeſaid, which in the time of the execution of any commiſſion of preſſing ſhalbe had for the ſeruice of the King and Quéenes Maieſties, and the heires and ſucceſſors of the Qu. Maieſtie, in their affairs, ſhall willingly, voluntarily, and obſtinately withdraw, hide, or cõuey him or themſelues in the ſame time of preſſing, into ſecret places, and outcorners, and after when ſuch time of preſſing is ouerpaſſed, ſhall returne and come againe to the ſaid riuer of Thames, to row betwirt Grauelend and Windſor aforeſaid, and that duely proued by two indifferent witneſſes, before the ſaid Maior and Court of Aldermen, or Iuſtices of the peace, and two of the ſayd Rulers: That then he or they ſo doing and offending, ſhall ſuffer impriſonment by the ſpace of two weeks, and be baniſhed any more to row from thenceforth vpon the ſaid riuer of Thames, by the ſpace of one whole yeare and a day then next following. And be it &c. That it ſhalbe lawfull to the ſaid eight Rulers for the time being, and their ſucceſſors from time to time, to conuent & call before them at ſome conuenient place by them to bee appointed, all and euery ſuch perſon & perſons, which from and after the ſaid feaſt of Pentecoſt, ſhall occupy and vſe the ſaid trade and occupation of rowing betwirt Grauelend and Windſor aforeſaid, and ſhall enter and regiſter the name and names of them, and euerie of them that ſhall be by them allowed or admitted for Watermen, to row betwirt Grauelend and Windſor aforeſaid, in a booke to be made for the ſame intent and purpoſe, and to take ſuch further order and direction therein, with euery of the ſaid parties, by the authoritie of this preſent Act, as it ſhall ſéeme méete and neceſſarie by the diſcretion of ſaid Overſeers and Rulers for the time being. And alſo that the ſaid Overſeers and Rulers ſhall and may by authority of this Act, ouerſée, view, and ſurney, at all and euerie time and times hereafter, al maner boats and whirries, that ſhall from and after the ſaid feaſt be made, before the ſaid boat or boats, whirrie or whirries be launched out of the yard or ground wherin the ſame boat or boates, whirrie or whirries ſhall fortune to be made, into the ſaid riuer of Thames, to the intent that they and euery of them may be made and prepared in ſuch manner and forme, and according to the goodneſſe, proportion, and quantity in this preſent Act before limited and erpreſſed. And be it &c. that if any perſon or perſons, which at any time hereafter ſhall be elected or choſen to be a Ruler or Overſéer, as before is erpreſſed, doe happen negligently to vſe & exerciſe his or their rome or place, or that will obſtinately refuſe to take vpon him or them, the rome or romes, place or places of any of the ſaid Overſéers or Rulers: that then al and euery ſuch offender or offenders ſo offending, ſhall loſe and forfeit the ſumme of fiue pounds of lawfull money of England: The one halfe thereof ſhall be to our Soueraigne Lord and Ladie the King and Quéenes maieſties vſe, and to the vſe of the heires and ſucceſſours of the Quéenes maieſtie, and the other halfe to him or them, that will ſue for the ſame in any of the Kings and Quéens Maieſties courts of Record, by Action of Debt, or by any other the wayes or meanes aboue ſpecified, wherein no wager of law, eſſoine, protection, or iniunction, ſhall be admitted or allowed for the Defendant or Defendants. And be it &c. That the ſaid Maior and Court of Aldermen of the ſaid Citie of London for the time being, ſhall from time to time at their diſcretions, limit, ſet, and aſſeſſe the prize and prices, and ſummes of money, That euerie perſon

son or persons so authorised to row as is aforesaid, betwixt Graueſend and Windsor aforesaid, shall take for his or their labour or fare from place to place, particularly betwixt Graueſend and Windsor aforesaid, and the same prices and assessements to bee set, shall bring or cause to bee brought to the priuie councell of our soueraigne Lord and Lady the King and Quéene to be viewed & seene by some of the said priuie Counsell, and after that the said assessements and prices shall be signed and subscribed with the hands of two of the said priuie Councell at the least, the said Maior and court of Aldermen for the time being, shall cause the said prices & assessements to bee drawen and set vp in tables in the Guild hall, in the citie of London, Westminster hall, and elsewhere, where the said Maior and court of Aldermen shall thinke conuenient. And euery person and persons that shall take for his or their fare, or labour, aboue the prices that shall bee assessed, viewed, written and set vp in forme aforesaid, shall forfeit for euery such offence fourtie shillings, & also shall suffer imprisonment by one halfe yere, the one moitie of the said forfeiture to bee to the K. and Quénes Maiesties, their heires & successors, and the other moitie thereof to him or them that will sue for the same in any of the Kings and Quénes Maiesties courts of Record, by action of debt, or by any other the wayes or meanes aboue specified, wherein no wager of law, essoine, protection, or iniunction shall be admitted or allowed for the defendant or defendants. And be it &c. that no person nor persons occupying or using any Westerne Barge, shall retaine, take or receiue into his or their seruice, any single person, not keeping house or household, but only such as shal be retained with him or them by the whole yéere, and no householder, but such as he or they will and shall answer for, for his or their good behauiour, vpon paine of forfeiture for euery such offence, xl.s. the one moity thereof to be to the King & Quénes Maiestie, her heires and successours, and the other moitie thereof to him or them that wil sue for the same in any of the King and Quéens courts of Record, by action of debt, or by any other the wayes and meanes aboue specified, wherein no wager of law, essoine, protection, or iniunction, shalbe admitted or allowed for the defendant or defendants. An. 2. & 3. P. & M. ca. 16.

12 Be it enacted &c. That from henceforth no Wherryman or Waterman that now is, or that hereafter shall be, and shall row vpon the Riuer of Thames, and shall transport or carry any passengers or Goods in any Wherries, Tilt-boats, or Barges, (other then Westerne Barges, Millboats, and al other Vessels ordinarily seruing for other vses then the carrying of Passengers) shall retain or take any seruant or apprentice to serue him as a Waterman vpon the said Riuer, vnlesse the said Wherryman or Waterman that so shall retaine, take, or haue any such seruant, shal haue been an apprentice to a Wherryman or Waterman, by the space of fiue yeares before such retayning. And further, That no Wherryman or Waterman that now is, or that hereafter shalbe vpon the said Riuer of Thames, shall retaine, haue, keepe, or take any person or persons to serue him to row vpō the said Riuer as his apprentice, vnlesse the said person so to be retayned, or to become an apprentice, shal then be of the age of eighteene yeares at the least, and shall be retayned & bound to his Master to serue vpon the said Riuer, for, & during the terme of 7. yeares at the least, vpon paine that euery person or persons doing the contrary, shall from time to time for euery such Offence forfeit the summe of 10.l. The one halfe whereof shall be vnto our said Soueraign Lord the King his Heires and Successors: and the other half vnto any person or persons that will sue for the same in any of the Courts of Record of our said Soueraigne Lord the King, his Heires or Successors, by action of debt, suit, bill, plaint or information: in which no wager of law, essoine, protection, or other delay shall be admitted or allowed. Prouided alwaies, That this Act, nor any thing therein contayned, shall extend to the sonne or sonnes, which now are or hereafter shall be of any Wherryman or Waterman aboueſaid (being of the age of 16. yeares at the least, and of conuenient growth & strength) that formerly hath béene, or that hereafter shal be trained and brought vp in rowing, or haue or hath accustomed to row vpon the said Riuer, and there haue vsed or shal vse to transport or carry Passengers from place to place, But that all and euery such sonne or sonnes shall and may from time to time from henceforth be admitted and allowed to serue, and may serue vpon the said Riuer, and there transport or carrie Passengers from place to place, as an apprentice, as heretofore they haue done: any thing in this Act contained to the cōtrarie in any wise notwithstanding. And be it further enacted &c. That the eight Duerſeers or Rulers of the Societie or Company of Wherrymen or Watermen that now are, and that from time to time hereafter shall be, from henceforth twice in euery yeare, that is to say, vpon the first day of September, and vpon the first day of March, shall openly read and publish, or cause openly to bee read and published in the Hall or Place of their common assembly, where they vsually either haue, or hereafter shall appoint to assemble and méet together, all and euerie the Constitutions & Orders alreadie made by them, or that at any time hereafter shall be made by the Duerſeers and Rulers, for the good or better ordering or gouernment of the said Wherrymen or Watermen, vpon paine that euery of them shall from time to time, for euery such offence, forfeit to our said Soueraigne Lord the King, his heires and successors, the summe of 6.l. 13.s. 4.d. The one halfe whereof shalbe to our Soueraigne Lord the King, his heires and successors: and the other halfe thereof vnto any person or persons that will sue for the same in any of the Kings Courts of record, by Action of Debt, Suit, Bill, Plaint, or Information, wherein no Wager of Law, Essoine, or other delay shall be admitted, or allowed. Anno 1. Iacob. cap. 17.

18. yeares of age

7. yeares

Fork.

Whereas sonnes

16. yeres of age

8 Duerſeers

Publish

Constitutiōs Orders

Fork.

Patens and Patenmakers.

Alpe Foxf. Fletcher

ANno 4.H.5.cap.3. An Act was made, that Patenmakers ſhould make no more Patens nor Clogs of Alſpe, vpon paine of 100. s. ſo that Fletchers might ſell their arrowes at more eaſie price.

Alpe

2 An.4.E.4.ca.9. It was enacted, that Patenmakers might make Patens of Alſpe that were not ſufficient for arrowes, and Patenmakers, making Patens or Clogs of Alſpe, ſufficient for arrowes, ſhould forfeit fortie ſhillings. But both theſe Statutes are repealed by 1.Iac.cap.25.

Foxf.

Patents.

Mention Knights fees Aduowſons Dowers

WHen our Soueraigne Lord the King giueth or granteth a Manor or land with the appurtenances, except he make expreſſe mention in his deed or writing of knights fees, aduowſons of Churches, and dowers when they fall, belonging to ſuch manor or land, then at this day the King reſerueth to himſelfe ſuch fees, aduowſons, and dowers, albeit that among other perſons it hath not beene ſo obſerued. Prærog. Reg. cap. 15. An.17.E.2.

Annuities

2 All the annuities and other things giuen or granted by our Soueraigne Lord the King, or by his father or grandfather, to any manner perſons with the clauſe, Quouſque pro ſtatu ſuo aliter duxerimus ordinandum, ſhal be wholly void and of no force, if the ſame perſons haue accepted afterward any other things of the King or of his ſaid father or grandfather. An.11.R.2.ca.8.

Sell Forf.

3 An.11.R.2.ca.7. It was enacted, That the Kings great Officers might ſell parcell of the forfeitures of them that were foreiudged in that Parliament. And after, An.1.H.4.ca.9. It was enacted, That thoſe grants ſhould be good notwithſtanding any other grants, and that they that would, might haue confirmations of them.

Rents Offices Annuities

4 That the King may not be hereafter deceiued in his grants, Be it &c. That all they which from henceforth do demaund of the King, lands, tenements, rents, offices, annuities, or any other profits, ſhall make expreſſe mention in their petitions, of the value of the thing ſo to be demaunded, & alſo of that that they haue had of the Kings gift, or of other his progenitors or predeceſſors before. And in caſe they make not ſuch mention in their ſaid petitions, and that duly proued, the Kings Letters patents thereof made, ſhall not be auailable, nor of no force nor effect, but wholly reuoked, repealed, and adnulled for euer, to the punishment of them which ſo haue done deceit to the King, as they that be not worthie to enioy the effect and benefit of the letters patents to them granted in this behalfe. An.1.H.4. ca.6. See this Stat. explained here 5.

Mention Petition Void

5 To take away all ambiguities that might riſe by the darkneſſe of the former Statute 1.H.4. (before 4.) Be it &c. That all they which from henceforth doe ſue to the ſame our Soueraigne Lord the King, to haue of him any grace or gift yearely or in

Yerely Gift

fee, or otherwiſe, ſhall make expreſſe mention in their petition, of how much they haue had of the gift and grant of the noble King Edward, grandfather to our Soueraigne Lord the King, or of Rich. late King, or of Edward late Prince of Wales, or of Iohn late Duke of Lancaſter, father of our Soueraigne Lord the King, or of the King himſelf, and not of any other progenitor or predeceſſor of the ſame our Soueraigne Lord. And he that maketh not ſuch mention in his petition, his Letters patents made to him at the ſame time by our Soueraigne Lord the King, ſhalbe of no force nor effect. And moreouer as the words, that is to ſay (other profits) comprized in the ſaid Statute, our ſaid Soueraigne Lord the King hath declared and granted that of no profits, gifts, goods, or cattels, or any other things, granted or giuen by the ſame our Soueraigne Lord the King to any, to the value of an hundred pounds, or within, except wards and mariages, of which the King will that he which ſo ſue to him, ſhall make expreſſe mention in his petition of the value of the ſame, none ſhall incurre the paine comprized in the ſaid Statute. And it is not the Kings mind that for any confirmation or licenſe made to any by our ſaid Soueraign Lord the King, of any liberties, Franchiſes, annuities, or any other things graunted by any of his progenitors or predeceſſors, or other perſon, and not ſpecified in any petition, to be demaunded, otherwiſe then aboue is declared, none ſhall incurre the paine of the ſaid Statute. And as to the other articles comprized in the ſaid Statute, our Soueraigne Lord will that they be firmely holden and kept, and put in due execution. An.2.H.4.cap.2.

Fee

Wards Mariages

Maine

Confirmation

6 An.4.H.4.ca.4. The King declared, that he would abſtaine from grants of reuenues, lands, & wardſhips, but to ſuch as had deſerued, and they that aſked any ſuch, ſhould be puniſhed, and ſhould not haue the thing.

Abſtaine

Puniſh

7 An.6.H.4.cap.2. It was enacted, that the Queene nor the Kings ſonne ſhould not be reſtrained by the Statute of An.1.H.4.ca.6.

8 An.7.H.4.ca.10. It was enacted, that they that had the elder Letters patents or grants of annuities by 9.4.E.3. or R.2. ſhould be firſt paid at the Exchequer, &c.

Paid Exchequ.

9 Euery warrant hereafter ſent by the ſame our Soueraign Lord the King, or his heirs, to ỹ Chancellor of England for the time being, the day of the deliuerie of the ſame to the Chancellor, ſhalbe entred of record into the Chancery. And that ỹ Chancellor doe L. patents to be made vpon the ſame warrant, bearing date the day of the ſaid deliuery in ỹ Chancerie, & not before in no wiſe. And if any L. patents be from henceforth made to the contrarie, they ſhall be void and holden for none. An.18.H.6.cap.1.

Warrant Chancell.

Date

Void

10 Euerie grant, releaſe, confirmation and reſtitution, made and granted by the King in fee ſimple, or fee taile, to any perſon or perſons after the fourth day of March, the firſt yeare of his raign, of any manor or manors, lands or tenements with their appurtenances, whereunto the ſaid perſon or perſons before the time of euery ſuch grant, releaſe, confirmation, or reſtitution to him or them ſo made,

Grant Releaſe Confirmation

made, had, in, or to the same right or title, shall bee of such force and effect as they were before the beginning of the said Parliament: Any Act made or to be made in the same Parliament notwithstanding. An. 7. E. 4. cap. 4.

11 The Kings Highnesse of his goodnesse calling to his remembrance, that where his grace hath granted to diuers of his seruants (for their seruice to his grace done) lands, tenements, fees, offices, and other things, to haue to them during his pleasure: and after, other persons by their sundry suits haue obtained of his Highnesse other Letters patents of the same, not aduertising his Grace of his former grants, whereby the said former patentees haue beene anoyded and put from the aduantage of their said former grants and patents, contrarie to the intent and graunt of our Soueraigne Lord: Wherefore be it &c. That if any person or persons from henceforth doe make suit to the Kings Highnesse, for any lands, tenements, offices, or any other things, so by his Grace granted, or hereafter to be granted to any person or persons, during his pleasure, the said first patentee then being in life, that he doe expresse in his said bill of petition or patent, the tenor of the said former patent, and that the King then hath determined his pleasure against the said first patent, or else the second Letters patents of any of the premisses, to any person hereafter to be granted, to be void and of none effect. An. 6. H. 8. ca. 9.

12 Where the Kings most excellent Highnesse sithence the fourth day of February, in the twentie seuenth yere of his Maiesties raigne, hath obtained and purchased, as well by exchanges as by gifts, bargaines, fines, feoffements, recoueries, deeds inrolled, and otherwise of diuers and sundrie persons, many sundrie and diuers Honors, Castles, Manors, lands, tenements, medowes, pastures, woods, rents, reuersions, seruices, and other hereditaments, and hath not onely paid diuers and sundrie great summes of money for the same, but also hath giuen and granted for and in consideration thereof, vnto diuers persons late owners thereof, diuers and sundrie lands, tenements, and hereditaments, and other recompences, in and for full satisfaction of all such Honors, Castles, Manors, lands, tenements, rents, reuersions, seruices, and other his hereditamẽts by his Highnesse obtained, purchased, or had as is aboue said: Be it therefore &c. That our said Soueraigne Lord the King his heires & successors shall haue, hold, possesse, and enioy all and singular the same honors, castles, manors, lands, tenements, and other hereditaments, which his Highnesse sith the said fourth day of February, in the 27. yeare aboue said, hath obtained, and had, or at any time during the space of 7. yeres next ensuing the making of this present Act, shall obtaine, purchase, or haue by way of exchange, bargaine, purchase, or other whatsoeuer meane or meanes, according to the true meaning and intent of his Highnesse bargaine, exchange, or purchase therein, misrecitall, misnaming, or non recitall, or not naming of any of the said honors, castles, manors, lands, tenements, and other hereditaments, or of the true names or certainties of them or any of them, comprised, or mentioned in the bargaines or writings made betweene the Kings Highnesse and any other partie or parties, or of any part or parcell thereof, or of any of the townes or counties, where the said honors, castles, manors, lands, tenements, and hereditaments lie and beene, or any other cause or matter whatsoeuer it be, in any wise notwithstanding. Sauing to all and euerie person and persons, and to their heirs, bodies politike and corporate, and their successors, & to euerie of them, other then such person and persons, & their heires, and their wiues, & the wiues of euery of them, bodies politike and corporate, & their successors, and euerie of them, of whom the Kings Highnesse hath obtained by exchange, gift, bargaine, fine, feoffement, recouerie, deed inrolled, or otherwise, or at any time hereafter during the said seuen yeares next comming, shall obtaine, purchase, or haue any such honors, castles, manors, lands, tenements, and other hereditaments, as is aforesaid, all such right, title, vse, interest, possession, rents, charges, annuities, commodities, fees, & other profits, (rents seruice, and rents seckes onely except) which they or any of them haue, might, or ought to haue had, in or to the premisses so obtained and had, or in or to any parcell therof, in as ample and large maner, forme and condition, to all intents, constructions, and purposes, as if this Act had neuer beene had ne made: This present Act or any thing therein contained to the contrarie notwithstanding. And where also our said Soueraigne Lord the King, sithen the said fourth day of February, in the said 27. yeare of his Maiesties raigne, as well vpon diuers and sundrie good considerations his Maiestie specially mouing, as also otherwise, hath bargained, sold, exchanged, giuen, and granted by his Graces seuerall Letters patents, Indentures, or other writings sealed vnder his Highnesse great Seale of England, the Seale of his Duchie of Lancaster, and the Seale of the Office of the Court of Augmentations of the reuenues of his Crowne, or any of them, as well to bodies politike and corporate, as to diuers and sundrie other of his louing and obedient subiects, diuers & sundrie honors, castles, manors, monasteries, abbathies, priories, lands, tenements, rents, reuersions, seruices, parsonages appropriated, aduowsons, tithes, oblations, pensions, portions, Franchises, Priuiledges, Liberties, Offices, and other hereditaments, commodities and profits, in Fee simple, Fee taile, for terme of life or liues, or for terme of yeares, as in the same seuerall Letters Patents, Indentures, and other writings is mentioned and declared. And where also the Kings Maiestie heretofore sithen the said fourth day of February, by his seuerall Letters Patents, sealed vnder the sayd great Seale of England, or otherwise, of his accustomable goodnesse, hath newly erected, ordained, and made diuers Bishops, Deanes, and Chapiters, Colledges, and other bodies politike and corporate, and hath by his seuerall Letters patents sealed vnder ỹ said great seale of Eng. giuen & granted as well vnto them, as to diuers other bo-

Bodies politike

Rent seruice
Rent seckes

Sold
Giuen

Seale
Lancaster
Augmentation

Bishops
Deanes
Bodies
politike

dies politike and cozpozate, and to their succesſozs, by ſuch name oz names as they then were, be, oz now ſtand cozpozate, diuers Mannozs, lands, tenements, parſonages, tithes, penſions, pozcions, aduowſons, nominations, preſentations, and other hereditaments, and ſuch oz like liberties and iuriſdictions in the ſame Mannozs, lands, and tenements, mentioned in any of the ſame Letters patents, as he to whom any ſuch Letters patents were oz be made oz granted, oz his predeceſſozs before had oz enioyed, in ẏ manozs, lands, tenemẽts, and hereditaments, departed oz appointed to the King, oz ſuch as any the late Abbot oz Priozs of any late Monaſteries oz Priozies, oz other perſons oz perſons whatſoeuer, oz any of them mentioned in any of the ſaid Letters patents, lawfully had, exerciſed, vſed, oz enioyed within the ſaid Caſtles, manozs, lands, tenements, and hereditaments, mentioned in any of the ſaid Letters patents, in anoyding, diſturbing, hurting oz hindering of diuers of the ſaid ſeuerall Letters patents, Indentures, and other writings, and of the Mannozs, lands, tenements, hereditaments, and other things in them contained, ſundzy and many ambiguities, doubts, and queſtions, haue oz might hereafter happen to be moued, obiected alledged, inuented, procured, oz ſtirred, as well foz miſnaming, miſrecitall, oz non recitall of any of the ſame Honozs, Caſtles, Manozs, Monaſteries, Abbaties, Priozies, lands, tenements, and other the premiſſes, oz any parcell thereof, oz foz lacke of finding of Offices oz Inquiſitions, of and in the premiſſes, whereby the title of the Kings Highneſſe therein ought to haue bẽne found before the making of the ſame Letters Patents, oz other writings, oz foz miſrecitall oz non recitall of leaſes thereof before made, as well of recozd as not of recozd, oz foz lacke of the certaintie, miſcaſting, rating, oz ſetting forth of the yearely values and rates of the premiſſes, oz foz the yearely rents reſerued, of and foz the premiſſes, oz any parcell thereof, mentioned, oz contained in any of the ſaid Letters patents, oz other writings, oz foz that the premiſſes be, oz any part thereof is valued to a moze oz leſſe value in the ſaid Letters patents oz writings, then the ſaid Manozs, lands, tenements, and other the premiſſes, then were oz ſhall be in the yearely value, oz foz miſnaming of the Townes, Hamlets, Pariſhes, oz Counties, where the ſame Honozs, Caſtles, Manozs, Monaſteries, Abbaties, Priozies, lands, tenemẽts, rents, hereditaments, and other the premiſſes, and euerie parcell thereof, oz any parcell thereof, lien oz bẽne, oz foz lacke of ẏ true naming of the natures, kinds, ſozts, and quantities of the ſaid poſſeſſions, oz hereditaments, oz any parcell thereof: oz foz lacke of the true naming of the cozpozation of the ſame: oz foz lacke of atturnement, liuerie of ſeiſin, oz foz miſnaming of any of the late tenants, oz farmozs of the ſame ſo ſold, giuen, oz exchanged: Foz remedie and reformation whereof be it &c. That as well all and euerie of the ſayd Letters patents, Indentures, and other writings, and euerie of them ſealed with, oz vnder the Seale oz Seales aboueſayd, oz any of them made oz granted by the K. Highnes ſithen the ſaid fourth day of Febzuarie in the ſayd ſeuen and twentieth yeare of his moſt noble raign, as alſo all and ſingular his Graces letters Patents, Indentures, and other writings, hereafter during the ſpace of ſeuen yeares next enſuing the making of this preſent Act, to be had, made, oz grãted, with, oz vnder any of the ſeals abouesaid to any bodie politike oz cozpozate, oz to any other perſon oz perſons, of any Honozs, Caſtles, Manozs, Monaſteries, Abbaties, Priozies, Nunries, Colledges, Hoſpitals, houſes of Friers, oz of other Religious oz Eccleſiaſticall houſes oz places, ſcites, circuits, precincts, lands, tenements, parſonages, tithes, penſions, pozcions, aduowſons, nominations, preſentations, franchiſes, liberties, and other hereditaments, commodities, poſſeſſions, and profits, of what kind, nature, oz quality ſoeuer they oz any of them be, is, oz ſhall be, oz by whatſoeuer name oz names, they oz any of them be, is, oz ſhall be named, knowne, oz reputed, ſhall ſtand and be good, effectuall, and auailable in the law, to all intents, reſpects, conſtructions, and purpoſes, againſt his Maieſtie, his heires oz ſucceſſozs, without any confirmation, licence, diſpenſation, oz toleration of the Kings Highneſſe, his heires oz ſucceſſozs, oz of any perſon oz perſons whatſoeuer, any the cauſes oz matters aboue mentioned, contained, oz hereafter during the ſaid ſeuen yeares, to be contained in any ſuch Letters patents, Indentures, oz other writings, to the contrarie in any wiſe notwithſtanding. Prouided alwayes and be it &c. That all and ſingular ſuch Letters patents, which at any time heretofoze ſithen the 28. day of Aprill, in the thirtie and one yeare of our ſaid Soueraigne Lozds raigne haue bẽn granted oz made, oz hereafter ſhall be made by the Kings Highneſſe, to any perſon oz perſons, of any Office of keeping of any Caſtle, Blockehouſe, Parke, Chaſe, Fozeſt, oz keeping of any Mannozs, oz Manſion place, houſe oz houſes, with an annuall fee, oz other yearely profites, foz the exerciſing of the ſame, and after the ſaid Caſtle, Blockehouſe, Manour, Manſion place, houſe oz houſes, Parks, Chaſe, oz Fozeſt, happen to bee fallen downe, deparked, diſfozeſted, oz deſtroyed, ſo that the cauſe of the exerciſing of ſuch Office is determined: That then the Letters Patents of graunt of the ſame Office and Offices, with the fee and fees, oz other profits foz the exerciſing of the ſame, ſhall bee from henceforth clearely determined, and ſtand and remaine as voyd foz euer: Any thing in this Act contained to the contrarie notwithſtanding. Prouided alſo, That this Act, oz any thing therein contained, ſhall not in any wiſe extend to reuiue, oz make good any Letters patents of the graunt of any Office oz Offices, heretofoze granted oz made by our ſaid Soueraign Lozd the King, which now is oz bee, oz at any time heretofoze haue bẽne annihilated, determined oz made void, by authozitie of Parliament, Iudgement, Decree, oz otherwiſe: Any thing in this Act contained to the contrarie notwithſtanding. Prouided alway, and be it &c. That all and ſingular ſuch patentees, grãtees, donees, as at any time from henceforth

Doubts

Miſnaming Miſrecitall Nonrecitall

Offices

Miſrecitall Nonrecitall Leaſes

Miſcalling Yearely value Rents

Miſnaming

True naming Quantities

Atturnemẽt Liuerie of ſeiſin Miſnaming

7. yeare

Enure

Confirmation Licence Diſpenſation

Office Keeper

Void

Robert Dauks his Booke

forth during the said seuen yeares next comming, shall fortune to haue or obtaine any Castles, Manors, lands, tenements, tithes, pensions, portions, or other hereditaments, of the gift, graunt, sale, or exchaunge of the Kings Maiestie, or of the onely gift of the Kings Maiestie, of his most liberall disposition, and not sold, which at the day of the date of the Letters Patents thereof made, shall be of more or better yerely value to the King in yerely rent or farme, then shall be contained, mentioned, or specified in any such Letters patents & particulars thereof made by the Auditor or Auditors, and in such bill or bils, as shall be signed and sealed with the hand or hands of the patentee or patentees thereof to be exhibited to the Kings Maiesty, or his Officers, within whose surney the said Manors, lands, and tenements, and other the premisses, or any part thereof shall be, or within any of them, which bill shal be signed, sealed, had and made as is aboue said, before any bill shall be thereof signed by the Kings Maiestie, that then euerie of the sayd patentees, grantees, and donees, their heires, executors, or administrators, within one yeare next after due proffe and decree thereof made and had, in the Court, within whose surney the same Castles, Manors, lands, tenements, and other the premisses, or any parcell thereof then shall be, shall content and pay vnto the King for the same ouerplus, and more value for the same Manors, lands, tenements, tithes, pensions, portions, and other hereditaments to him sold, or exchanged, after such rate as the other lands and tenements were before to him sold, or exchanged: and for the ouerplus, and more value of such lands and tenements, as shall happen to be giuen by the Kings Maiestie, and not sold, as is aboue said, the said patentee, his heirs, executors, or administrators, shall content and pay to the King after the said rate of twenty yeres purchase, so that the same proffe and decree be had and made in forme aboue said, within ten yeares next after the date of the said letters patents. Prouided alwayes, That this Act nor any prouision, clause, or article therein contained, shall not be vnderstood or interpreted to be hurtfull or preiudiciall to any the Kings Letters patents, Indentures, or writings heretofore made concerning any bargaines, tenenants, sales, grants, exchanges, or gifts, of any Castles, Manors, lands, tenements, or other hereditaments in fee simple, or in fee taile, sithen the iiij. day of Februarie, in the xxvj. yeare of his Maiesties raigne, and before the twenty eighth day of April, in the twentie fourth yeare of his said Highnesse raigne, vnder any of the Seales aboue specified in this Act: nor to any Act or Statute heretofore made for the corroboration of any such letters patents, Indentures, or writing. An. 34. H. 8. ca. 21. See an addition to this Act, and confirmation of the Letters Patents mentioned in the same, here following 18.

13 Where the Kings most excellent Highnesse sithen the twentie eighth day of Januarie, in the first yeare of his Maiesties raigne, as well vpon diuers and sundry good considerations his Maiestie speciall mouing, as also otherwise, hath bargained, sold, exchanged, giuen, restored, and granted by his Graces seuerall Letters patents, Indentures, or other writings, sealed vnder his Highnesse great Seale of England, the Seale of the Duchie of Lancaster, and the Seale of the Court of Augmentations and the reuenewes of his Crown, or any of them, as well to bodies politike and corporate, as to diuers and sundrie of his louing and obedient subiects, diuers and sundrie Honors, Castles, Manors, lands, tenements, rents, reuersions, seruices, parsonages appropriated, aduowsons, tithes, oblations, pensions, portions, franchises, priuiledges, liberties, and other hereditaments, commodities & profits, in fee simple, fee taile, for terme of life or liues, or for terme of yeres, as in the same seuerall letters patents, indentures, and other writings, is mentioned and declared. In auoyding, disturbing, hurting, or hindering of the said seuerall letters patents, indentures, and other writings, and of the said manors, lands, tenements, hereditaments, and other things in them contained, sundry and many ambiguities, doubts, & questions haue or might hereafter happen to be moued, obiected, alledged, inuented, procured, or stirred, as well for misnaming, misrecitall, or non recitall of any of the said Honors, Castles, Manors, lands, tenements, and other the premisses, or any parcell thereof, or for lacke of finding of Offices or Inquisitions, of and in the premisses, wherby the title of the Kings Highnesse therein ought to haue been found before the making of the same Letters patents, or other writings, or for misrecitall or non recitall of leases thereof before made, as well of record, as not of record, as for lacke of the certaintie, miscalling, rating, or setting forth of the yerely values and rates of the premisses, or for the yearely rents reserued, of and for the premisses, or any parcell thereof, mentioned, or contained in any of the said letters patents, or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in the said letters patents or writings, then the said Honors, Manors, lands, tenements, and other the premisses, then were or shall bee in yerely value, or for misnaming of the Townes, Hamlets, Parishes, or Counties, where the same Honors, Castles, Manors, lands, tenements, rents, hereditaments, and other the premisses, and euery parcell thereof, or any parcell thereof, lien or bein, or for lacke of the true naming of the natures, kinds, sorts, and quantities of the sayd possessions, or hereditaments, or any parcell thereof, or for lacke of the true naming of the corporation of the same bodies politike or corporate, or for lacke of atturnement, liuerie or seisin, or for misnaming of any of the late Tenants, or Farmors of the same premisses so sold, giuen, graunted, or exchanged, as for diuers and sundrie other suggestions and surmises not compriſed in the sayd Letters Patants, which hereafter might happen to bee moued, surmised, or procured against the same Letters Patents: For remedie and reformation whereof, be it &c. That as well all and euery of the said Letters patents, indentures, and other writings, & euerie of them sealed, with or

Terme of yeares

Doubts

Misnaming Misrecitall Nonrecitall

Officers

Misrecitall Nonrecitall Leases Lacke of certaintie

Rents

Value

Misnaming

Natures Quantities

Corporatiõ Atturnemẽt Liuerie or seisin

vnder the Seale or Seales aboue named, or any of them made or granted by the Kings Highnesse, sithence the eighteenth day of Januarie last past, as also all and singular his Graces letters Patents, Indentures, and other writings, hereafter during his Highnesse life (which our Lord long continue) to be had, made, or granted, with, or vnder any of the Seales aboue said, to any bodie politike or corporate, to any other person or persons, of any Manors, Castles, Manors, lands, tenements, rents, reuersions, seruices, parsonages, tithes, pensions, portions, aduowsons, nominations, presentations, franchises, liberties, and other hereditaments, commodities, possessions, & profits, of what kind, nature, or qualitie soeuer they or any of them be, is, or shall be, or by whatsoeuer name or names, they or any of them be, is, or shalbe named, knowne, or reputed, shall stand and be taken, reputed, and iudged, good, sure, perfect, effectuall, and available in the law, during the estates in them limited and specified, in all intents, respects, constructions, and purposes, against the King, his heires and successors, without any confirmation, licence, dispensation, or tolleration of the King, his heires or successors: Any the causes or matters aboue mentioned, contained, or hereafter during his said Highnesse life, to be contained, had, or made in any such Letters Patents, Indentures, or other writings, by the King our Soueraigne Lord, to the contrarie notwithstanding. Prouided alway, That this Act, ne any thing therein contained, shall not in any wise extend to reuiue, or make good any letters patents made of any Office or Offices, to any Controller, Customer, Aulnager, or Searcher, ne to any letters patents of the grant of any other Office or Offices, heretofore granted or made by our said Soueraigne Lord the King, which now is or bee, or at any time heretofore haue been annihilated, determined or made void by iudgement, by authoritie of Parliament or Decree, nor to any Patent to be made to any person or persons for terme of yeres, or during the minoritie of an heire, of, or in any manors, lands, or tenements, whereof any trauerse hereafter shall be tendered within three monethes after any Office found and certified into any of the Kings Courts of Record, ne to any leases or grants of any mannors, lands, or tenements of our said Soueraigne Lords hereafter to be made, vnder any of the Seales of the Courts aforesaid, contrarie to the limitation, ordinance, prouision, establishment, and authoritie of the same Courts: Any thing in this Act contained to the contrarie notwithstanding. Prouided also and be it &c. That this Act nor any thing therein contained, shall not extend to make any letters patents of any Office or Offices, to be of any other effect, force, or strength, then the same letters patents were or should haue bene before the making of this Act. Prouided alway & be it &c. That all & singular such patentees, grantees, donees, as any time hereafter during the life of our said Soueraigne Lord (which Almightie God long preserue) shal fortune to haue or obtaine any castles, manors, lands, tenements, tithes, pensions, portions, or other hereditaments, of the gift, grant, sale, or exchaunge of the Kings Maiestie, or of the onely gift of the Kings Maiestie of his most liberall disposition, and not sold, which at the day of the date of the letters patents thereof made, shall be of more or better yearely value to the King in yearely rent and farme, then shall be contained, mentioned, and specified in any such letters patents, and particulars thereof made by the particular Surueyor or Surueyors thereof, and in such bill or bills, as shall be signed and sealed with the hand and hands of the Patentee or Patentees thereof, to bee exhibited to the Kings Maiestie or his Officer or Officers, within whose surueye the said Mannors, lands and tenements, and other the premisses, or any part thereof shall be, or within any of them: which bill shal be signed, sealed, had and made as is aforesaid, before any bill shall be thereof signed by the Kings Maiestie, that then a veerie of the said Patentees, Grantees, and Donees, their heires, executors, and administrators, within one yeare next after due proofe and decree thereof made and had, in the Court in whose surueye the same Castles, Mannors, lands, tenements, and other the premisses, or any parcell thereof, before the said gifts and grants were: shal content and pay to the King for the same ouerplus, and more value of the same Mannors, lands, tenements, tithes, pensions, portions, and other hereditaments to him sold or exchaunged, after such rate, as other lands and tenements were before to him sold or exchanged, and for the ouerplus and more value of such lands and tenements as shall happen to be giuen by the Kings Maiestie, and not sold as is aboue said, the said Patentee, his heires, executors, or administrators, shall content and pay to the King after the rate of twentie yeares purchase, so that the same proofe and decree be had and made in manner and forme aboue sayd, within ten yeares next after the date of the said letters patents. Anno. R. 6. cap. 8.

Good Effectuall

Reuiue

Offices Comptroller. Customer Aulnager or Searcher

Terme of yeres Minoritie

Trauerse

Leases

Offices

Gift, Sale Exchange

Value

Bill

Due proofe

Querie

By 20. yeares purchase

14 Whereas in the Session of the Parliament holden vpon prorogation at Westminster the two and twentieth day of Januarie, in the foure and thirtieth yeare of the raigne of the late King of famous memorie, King H. the 8. and there continued and kept vntill the twelfth day of May, in the 35. yeare of the raigne of the said late King, amongst diuers and sundrie, and many Statutes, there was then one statute made for the confirmation of letters patents notwithstanding any misnaming, misprision, or misrehearsall, or any other default contained, or rehearsed in the same Act, wherein it was prouided and enacted by the authoritie of the same Parliament, That al and singular such patentees, graunteys, & donees, as at any time from the making of the same Statute, during seuen yeares then next following, should fortune to haue or obtaine any Castles, Mannors, lands, tenements, tithes, pensions, portions, or other hereditaments, of the gift, graunt, sale, or exchange of the Kings Maiestie, or of the onely gift of the Kings Maiestie, of his most liberall disposition, and not sold, which at the day of the date of the letters patents thereof made, shall be of more or better

yearely

yeerely value to the King in yeerely rent and farm, then shall be conteyned, mentioned, and specified in any such Letters Patents, and particulars thereof made by the Auditor or Auditors, and in such Bill or Bills, as should be signed and sealed with the hand or handes of the Patentee or Patentees thereof to be exhibited to the Kings Majestie, or his Officer or Officers, within whose surveye the said manors, landes, and tenements and other the premisses, or any part thereof shall be, or within any of them, which bill shall be signed, sealed, had & made as is aforesayd, before any bill should be thereof signed by the Kings Majestie: that then every of the said Patentees, Grauntees, and Donees, their heires, executors, or administrators, within one yeere next after due proofe and decree thereof made and had in the Court in whose surveye the same castles, manors, landes, tenements & other the premisses, or any parcell thereof, before the said gifts and graunts were: should content and pay unto the King for the same overplus, and more value for the same manors, landes, tenements, rithes, pensions, portions, and other hereditaments to him sold, or exchanged, after such rate, as the other landes and tenements were before to him solde, or exchanged: and for the overplus, and more value of such landes and tenements, as should happen to be given to the Kings Majestie, and not sold as is aboue said, the said Patentee, his heires, executors, or administrators, should content and pay to the King after the rate of twenty yeeres purchase. So that the same proofe & decree were had and made in forme aboue said within tenne yeares next after the day of the said Letters Patents, as by the statute more at large it doth and may appeare. And also whereas in the Parliament begunne at Westminster, in the fourth day of November, in the first yeare of the raigne of our most dread soueraigne Lord the King that now is, King Edward the first, and from thence continued to the fourteenth day of December then next ensuing, that is to say, that first session of the same Parliament, amongst diuers & sundry statuts, there was then also one other statute made for the confirmation of letters Patents, notwithstanding any misnaming, misrecitall, or any other default, contained or recited in the same act: wherein it was also prouided and enacted by the authority of the same Parliament, that all and singular such patentees, grantees, and donees, as at any time after the said Parliament, and during the life of our said Soueraign Lord King Edward the first, should purchase or obtaine any castles, manors, landes, tenements, rithes, pensions, portions, or other hereditaments, of the gift, graunt, sale, or exchange of the Kings Majestie, or of the only gift of the Kings Majestie, of his most liberall disposition, and not sold, which at the day of the date of the Letters Patents therof made, should be of more or better yeerely value to the King in yeerely rent and farme, then should be contained, mentioned, and specified in any such letters patents, and particulars thereof made by the particular Surveyor or Surveyors thereof, and in such bill or bills, as should be signed and sealed with the hand or hands of the Patentee or patentees thereof, to be exhibited to the Kings Majestie or his Officer or Officers, within whose surveye the said manors, lands and tenements, and other the premisses, or any part thereof should be, or within any of them: which bill should be signed, sealed, had and made as is aforesayd, before any bill should be thereof signed by the Kings Majestie, that then euery of the sayd Patentees, Grauntees, and Donees, their heires, executors, and administrators, within one yeere next after due proofe and decree thereof made and had, in the Court in whose surveye the same castles, manors, landes, tenements & other the premisses, or any parcell thereof, before the said gifts and graunts were: should content and pay to the King for the same overplus, & more value of the same manors, landes, tenements, rithes, pensions, portions, or other hereditaments to him sold and exchanged, after such rate, as other landes and tenements were before to him sold or exchanged, and for the overplus and more value of such landes and tenements as should happen to be giuen by the Kings Majestie, and not sold as is aboue said, the said Patentee, his heires, executors or administrators should content and pay to the King after the rate of xx. yeers purchase, so that the same proofe and decree were had and made, in maner and forme aforesaid, within tenne yeeres next after the date of the said Letters patents, as by the same statute more at large it doth and may appeare: sithence the making of which statute, diuers of ỹ said patentees, Grantees, and Donees, according to the rule, meaning & intent of the saide Statutes, & prouisions of the same, haue by their Bills seuerall, signed and sealed with the hands and seales of the said patentees exhibited to the Kings Majestie, or to his officer mentioned in the said seuerall acts and prouisions before the same Bills were signed by ỹ said late King, or by the kings highnes ỹ now is, which Bills so signed by the said Patentees, sometime by the negligence of the same officers, or their Clerks, sometimes by the death of some other officers, and sometime by the alteration and change of the said officers, many of the said Bills so signed and sealed, beene now by negligence unbeseled and lost, & many times there haue beene no such Bills made, but omitted and forgotten, by reason whereof, diuers questions, ambiguities and doubts may arise, as well for the Kings suerties and satisfaction, as for the Patentees, their heires and assignes: For the auoiding of all which ambiguities, questions and doubts, Be it, &c. That as well all and singular Letters Patents, made by the said late King, as by the Kings Majestie that now is, sithence the making of the said seuerall Statutes and acts, or that hereafter shall beemade by our saide Soueraigne Lord the King that now is, during his life, (whose life God long preserue) shall be good and effectuall, to all and euery Patentee, their heires and assignes, the lack or want of any such bil or bils, or whether the particular or particulars were had or made, or hereafter to be had or made by any the Kings Auditor or Auditors, Surueyor or Surueyors, in any wise notwithstanding. And that the same patentees, grauntees, and donees, their heires and assignes,

Diuerse

Pay ouerplus

20. yeares purchase

Bill

Particulars Auditors Surueyors

assignes, and euery of them, shall from henceforth haue and take all and singuler such profits, commodities and aduantages mentioned in the said seuerall Statutes, as though the said bils had beene signed and sealed, and were ready to be shewed according to the true intent of the said Statutes or any of them. And to the intent that the King shall be truely answered of the ouerplus of the yerely value of the said manors, lands, tenements and hereditaments contained, or to be contained, in any such Letters Patents as is aforesaid, according to the true meaning of the said act or acts, & the prouisions of the same: Be it enacted by the authoritie aforesayde, that all and singular such Patentées, Graunteés, Donées, as at any time from the making of the said seuerall Statutes haue obtayned or gotten, or hereafter shal obtaine or get any castles, manors, lands, tenements, tithes, pensions, portions, or other hereditaments of the gift, grant, sale, or exchange of the said late K. or of the King that now is, or of the only gift of the said Kings, or of any of them, of his or their most liberal disposition, or of any of them, and not sold, which at the date of the Letters Patents thereof made, or hereafter to be made, shall be of more or better yerely value to the sayde late King, or to the King that now is, in yerely rent and farme, then is, or shalbe conteyned, mentioned, or specified in any such letters Patents or particulars thereof made by the said Auditor or Auditors, Surueyor or Surueyors, or other Officers: that then euery of the said patentées, graunteés, and donées, their executors, and assignes, within one yére next after due proose and decrée thereof made and had in the Court, within whose surney the same castles, manors, lands, tenements, and other the premisses, or any parcell thereof then were or shall be, shall content and pay to the King for the same ouerplus, and more value of the same manors, lands, tenements, tithes, pensions, and other hereditaments, to him or them sold, or exchanged, or hereafter to be sold or exchãged, after such rate, as the other lands and tenements were before to him sold, or exchanged, or that hereafter shall be so sold or exchanged, and for the ouerplus, and more value of such lands and tenements, as should happen to be giuen by the said late King, or the Kings Maiestie that now is, or that hereafter shall be giuen by the King that now is, and not sold, as is aboue said, the said Patentée and Patentées, and his and their heires, executors, and assignes shal content and pay to the king after the rate of xx. yeres purchase, so that the same proof and decrée be, or shall be made in forme aboue sayd, within xbij. yéres next after the date of such & the same letters patents made or to be made in forme aforesaid. Prouided alwaies and be it &c. that this act or any prouision therin contained, shal not in any wise extend to confirme, ratifie or make good any lease or leases made, or hereafter to be made for terme of life, liues or yeres, whereupon the old & accustomed rents, or more, be not, or hereafter shall not be reserued, and yerely payable, during ỳ time and terme of the said lease & leases, nor to any lease or leases made in reuersion of any part or parcel of any manors, lands, tenements, or hereditaments, parcell of the Duchie of Lancaster, or within ỳ surney of the same Duchie. Prouided also, that this act nor any thing therin contained, shal extend to confirme, ratifie or make good any letters patents heretofore made, or hereafter to be made of estate of inheritance, by any king or kings of this realme, but to such letters patents as were made by the said late K. Henry the eight, sithence the said iiij. day of February in the said xxviij. yeare of his raigne, or hath been, or hereafter shalbe made by the K. Maiesty ỳ now is during his life (which god lõg preserue) any thing or matter contained in this act, or any of the prouisions before rehearsed, to the contrary therof in any wise notwithstanding. And where also the late King of famous memory K. Henry the viij. & also our soueraign lord the K. maiesty that now is, as well by diuers bargains & sales for diuers great sums of mony, as by gifts, exchanges or otherwise, haue giuē & granted by their seuerall L. patents, vnder the great seale of Eng. or vnder ỳ great seale of ỳ duchy of Lãcaster, diuers manors, lãds, tenemẽts, or other hereditaments with ỳ appurtenãces to diuers & sundry their louing subiects of any estate of inheritance, to hold in socage onely, & not in capite, for al maner of seruices, & without reseruatiõ of any tenths or rents in the same Letters patents, as by the same seuerall letters patents may appeare: And forasmuch as by certaine estatutes heretofore made, doubts & ambiguities may arise vpon such letters patents, for lack of tenure in Capite, or reseruations of tenths or rents, which might be hereafter to the vnquietnes of such patẽtées, their heirs or assignes or successors, contrary to the intents & mindes of the said late K. & of our said Soueraigne Lord the K. maiesty that now is: For the auoiding of all doubts & ambiguities, and for the quietnes of the kings louing subiects, Be it also enacted & established by the authority aforesaid, that al letters patents sealed, or hereafter to be sealed with the great seale of England, or with the great seale of the duchie of Lancaster, shal be good, perfect, & anaileable in the law, to all intents & purposes, according to ỳ said letters patents, the nonage of our soueraigne Lord the K. maiesty that now is, as duke of Lancaster, (albeit alwaies as king he is of ful age) or any act, statute or laws, for or concerning any tenures or reseruations of rents or tenths, to the contrarie notwithstanding. Sauing to all & euery person & persons, bodies politike and corporate, their heirs, successors, executors, & assignes, & to euery of them, other then the kings maiesty his heirs & successors, as K. of this realm, or as dukes of Lancaster, al & euery such rights, titles, leases, conditions, rents, & interests whatsoeuer, as they or any of thẽ should, ought, or might haue had, if this act had neuer bin had or made: this act or any thing therein contained to be contrary in any wise notwithstanding. An. 7. E. 6. cap. 3.

Sale
Exchange
Gift
Value
Rent
One yere
Ouerplus
Pay 20 yeares purchase
Lease
Rents
Lease in reuersion

15 Where sithen the 7. day of July, in the first yere of the M. maiesties raign, diuers & sundry honors, castles, manors, lands, enements, rents, reuersions, seruices, & other hereditaments haue bin conueied & assured to her highnes, her heires & successors,

ceſſors, by, or frō diuers & ſundry perſons & bodies politick, aſwel for the diſcharge & ſatisfactiō of great debts, & ſums of mony, as for other good conſiderations: for ỹ perfect aſſurance, confirmatiō, & further ſurety wherof, &c. Be it enacted, ỹ al feoffements, fines, ſurrenders, aſſurāces, conueiāces & eſtates, in any wiſe conueied, had, or made, to or for our ſoueraign lord & lady the k. & M. maieſties, or to or for our ſaid ſoueraign lady the Qu. by or from any ſuch perſon or perſōs, bodies politick or corporate, of any ſuch honors, caſtles, manors, lands, tenements, rents, reuerſiōs, ſeruices or other hereditaments for any debt, ſum or ſums of mony, or other conſideration whatſoeuer, ſhal ſtand, remaine & bee good & auaileable in ỹ law, to all intents, conſtructions & purpoſes, according to the true meaning, intent & purport of the ſame: ſauing to al & euery perſon & perſons, & to their heires, bodies politick and corporat, & to their ſucceſſors, & euery of them (other then ſuch perſon or perſons, & their heirs & wiues, & euery of them, bodies politick & corporate, & their ſucceſſors, & euery of them, of or from whom the k. or M. highnes, or the M. highnes only, hath obtayned & purchaſed ỹ ſaid premiſſes, or any parcel therof by exchange, gift, bargain, fine, feoffement, recouery, deed inrolled, or otherwiſe) al ſuch right, title, intereſt, vſe, poſſeſſion, rents, reuerſions, remainders, offices, fees, commons, profits & commodities whatſoeuer, which they or any of them haue, might or ought to haue had, of, in, or to the premiſſes, or any part therof, in as large & ample maner, forme & condition, to all intents, conſtructions & purpoſes, as if this act had neuer bin had ne made: this preſēt act or any thing therein contained to the contrary notwithſtanding. And where aſwell our ſaid ſoueraign lord & lady, as our ſaid ſoueraign lady the M. highnes, ſithen the ſaid 7. day of July, in the 1. yere of her maieſties raign, aſwel for diuers & great ſums of mony, as alſo for diuers & ſundry other cōſiderations, haue & hath bargained, ſold, giuen & grāted by their or her graces, ſundry letters patents, Indentures, or other writings, ſealed vnder ỹ great ſeale of Eng. or the ſeale of the duchy of Lancaſter, aſwel to bodies politick & corporat, as to diuers & ſundrie other their louing and obedient Subiects, diuers & ſundrie Honors, Caſtles, Manors, Lands, Tenements, Rents, Reuerſions, Seruices, and other hereditaments in fee ſimple, fee taile, or for term of life, liues, or yeres, as in the ſame ſeuerall Letters Patents, Indentures, & other writings is mentioned & declared: And to ỹ intent the ſame letters patents, indētures & other writings, ſhould be of good, auaileable, & perfect force & effect to all & euery her highnes louing ſubiects, according to ỹ true meaning & effect of the ſame: Be it enacted & eſtabliſhed, that aſwel all & ſingular letters patents, indētures, & other writings ſealed vnder the great ſeale of Eng. or vnder the ſeale of the duchy of Lācaſter, & heretofore made or granted by our ſaid ſoueraign lord & lady the k. & M. or by our ſoueraign lady the Q. for any ſums of money, or for & vpon any other conſiderations, as all other letters patēts hereafter to be made by our ſaid ſoueraign lord & lady for any ſum or ſums of mony during the ſpace of 7. yeares next enſuing the making of this act to any body politike or corporate, or to any other perſon or perſōs whatſoeuer, of any honors, caſtles, manors, lordſhips, granges, meſes, lands, tenemēts, medowes, paſtures, rents, reuerſiōs, ſeruices, woods, aduowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, lātes, courts, liberties, priuiledges, franchiſes, or of any other hereditaments with their appurtenāces, or of any part or parcel of them, ſealed with or vnder the great ſeale of England, or vnder the ſeale of the duchie of Lancaſter, of whatſoeuer kinde, nature or qualitie they or any of them be, or ſhalbe reputed, known, or taken with their appurtenāces, or any part or parcel of them, ſhalbe good, perfit & effectual in the law, & ſhal ſtand, be taken, reputed, deēmed, & adiudged, good, perfect, ſure, auailable & effectual in the lawes, as well againſt the king & Qu. maieſty, as againſt the Q. her heires and ſucceſſors, according to the tenor of the ſaid letters patents, the ſame to be expounded, conſtrued, deēmed and iudged moſt beneficial for the patentees, and grantees of the ſame, according to the words & purport of euery of the ſaide L. patents, without any confirmation, licence, or tolleration of the Qu. her heires or ſucceſſors, any miſnaming, miſrecitall, or non recitall of any of ỹ ſame honors, caſtles, manors, lands, tenements, & other the premiſſes, or any parcell therof, or any lack of finding of offices or inquiſitions, of and in the premiſſes, whereby the title of the M. Highnes therein ought to haue been found before the making of the ſame letters patents, or other writings, or any miſrecitall or non recital of leaſes therof before made, as well of Record, as not of Record, or any lack of the certaine miſcalling, rating, or ſetting forth of the yerely value and rates of the premiſſes, or of the yeely rents reſerued of & for the premiſſes, or any parcell therof, mentioned, or contained in any of the ſaid letters patents, or other writings, or for that the premiſſes be, or any part therof is valued to a more or leſſe value in ỹ ſaid letters patents or writings, then the ſaid manors, lands, tenements, & other the premiſſes, then were or ſhalbe in the yerely value, or any naming of the townes, hamlets, pariſhes or counties, where the ſame honors, caſtles, manors, lands, tenements, rents, hereditaments, and other the premiſſes, & euery parcel therof, or any parcel therof, lien or bēne, or any lack of the true meaning of the lands, tenemēts, or hereditaments, or of the natures, kindes, ſorts or qualities of the ſaid poſſeſſions, or hereditamēts or any parcell therof, or any lacke of the true naming of the corporation, or any lack of atturnemēt liuery or ſeiſin, or any miſnaming of any of the late tenants, or farmors of the ſame ſo ſold or giuen notwithſtanding. Prouided that this acte nor any thing therein contained, ſhall not extend to make any letters patents of any office or offices, to be of any other effect, force or ſtrength, then the ſame Let. Patents were or ſhould haue been before the making of this Act. Prouided, that all and ſinguler ſuch patentees, grauntees, and donees, & euery of them, which at any time heretofore ſithence the ſaid ſeuenth day of July, haue obtayned

Miſreming Miſrecitall Nonrecitall

Offices Inquiſition

Leaſes

Miſcalling

Valur

Falſe naming Natures

Corporatiō Atturnement Liuerie of ſeiſin Miſnaming

Offices

ned and gotten of our said soueraigne lord and ladie the King and Quéene, and of any of them, or at any time hereafter, during the space of seuen yeeres, shall obtaine and get of our said Soueraign lord and lady the K. and Qu. that now be, or of any of them, by way of exchãge, or for any sum or sums of mony, any letters patents of any Monasteries, Abbathies, Priories, Nunries, or other Ecclesiasticall possessions, or of any parcel of them, or of any other manors, lands, tenements or hereditamẽts whatsoeuer, which at the date & making of any the same L. patents, so made sithence ẏ said vij. day of July, or hereafter to be made during ẏ space of 7. yeres as is aforesaid, were or shall be of better and more yerely value to the K. and M. highnes, or to any of them in yerely rent and farme, then was, is, or shalbe contayned, mentioned, or specified in any such Let. patents or in the particulars or rate thereof made or to be made by any Auditors, Surueyor or Surueyors, or other Officer, that then euery such Patentée, Graunte, and Donée, their heires, executors, or assignes, and euery of them, within one yere next after office & other due prowse order and decrée thereof made & had, or to be made and had within the space & terme of ten yeres next after this present parliamẽt, in the court of Eschequer, shall content and pay to the M. maiesty, her heires and successors, for the same ouerplus, and more value of the same Monasteries, Abbathies, Priories, Nunries, Manors, Lands, Tenements, and other hereditaments, whatsoeuer, with their appurtenances, so sold, giuen, graunted or exchanged, as is aforesaid, after the rate of xx. yeares purchase, and according to the yerely value & rate, as the same manors, lands, tenemẽts and other hereditaments whatsoeuer, were at the time of the making of any such Letters patents, so made or to be made in maner and form aforesaid: any thing contained in any such letters patents, to the contrary in any wise notwithstãding. Prouided that this act or any Prouiso therein contained, shall not in any wise extend to confirme, ratifie or make good any Lease or Leases made or to bee made by our saide soueraigne Lord and Lady the King and Quéene, or by any of them for term of life, liues, or for yeres, whereupon the old & accustomed rents, or more, be not, or hereafter shall not be reserued, & yerely paiable, during the time and terme of euery such lease, nor that this present act shall in any wise extend to reuiue or make good any letters patents made of any office or offices to any comptroller, customer, aulneger or searcher, ne to any letters patents of ẏ grant of any other office or offices heretofore granted or made, by the K. or M. maiesty, or any of the, which now be, or at any time heretofore haue béene adnihilated, determined, or made void, by iudgemẽt, by authority of parliament, or by decrée, nor to any patent to be made to any person or persons for term of yeres, or during the minority of any heire, of any manors, lands, or tenements, whereof any trauerse hereafter shalbe tendered with 3. moneths after any office found & certified into any of the K. courts of record, ne to make good any L. Patents made by our said soueraign lord and lady, or any of them, of any office or offices to be of any other effect, force or strength, then the same letters patents were, or should haue bin before the making of this act. Prouided, that this act or any thing therin contained, shall not extend to any letters patẽts, which at any time heretofore sithence the beginning of the M. maieslies raigne, haue bin, or hereafter shall bée made by the K. and M. highnes, or by the M. maisty onely to any person or persons of any manors, lands, tenements, rents, reuersions, seruices, or other hereditaments, by force of any Information, suit, or suggestion made or to be made to her highnes, that the same manors, lands, tenements, or other hereditaments, so contained in any such letters patents, were concealed lands, nor to any Letters patents heretofore made by our said soueraign lord and lady the K. and Quéenes maiesties, or any of them, to Ralph Jackeson, Clerke, now master of the Hospitall of the Sauoy, in the parish of Saint Clements Dacorum, without the bars of the new Temple of London, and to his brethren, being perpetuall Chaplaines of the same Hospitall, and to their successors: but that the same letters patents and euery of them shall stand, remain, and be in the same force, strength, and effect, as they were before the making of this act, any thing in this act mentioned to the contrary notwithstanding. And where the manor of Southwell in the county of Nottingham, and also the scite & precinct of the Colledge of Southwell in the same county, together with diuers other lands, tenements and hereditaments to the said late Colledge lately belonging or appertaining, were conueied & assured by Indenture, Fine, or otherwise, by or from John Beamount esquire, vnto our late soueraign lord K. Edward the sixth, & to his heirs and successors, for the discharge and satisfaction of diuers great sums of money, wherein the same John Beamount was indebted to ẏ said late k. Be it enacted & established by ẏ authority aforesaid, that the saide conueiance & assurance shall be perfect, good, sufficient, & auaileable against the said Beamount & his heires, to al intents, constructions, and purposes, according to the purport, tenor, and true meaning of the same conueiances & assurances. Sauing to all and euery person or persons, and bodies politick and corporat, their heirs and successors, and euery of them (other then the said John Beamount, his wife and his heires, and all other claiming any estate or interest, by or from them, or any of them, sithence the same conueiance and assurance) all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profits and commodities whatsoeuer, as they or any of them should or might haue had, if this act had neuer bén had ne made: Any thing therein contained to the contrary notwithstanding. An. 4. & 5. P. & M. cap. 1.

Exchange

Value

Particulars

One yere

10. yeares

Eschequer

Ouerplus

20. yeares purchase

Lease

Rents

Comptroller Customer Aulnegee Searcher

Minoritie

Trauerse 3. Months

Concealed lands.

M. of the Sauoy.

16 Where sithen the xviij. day of Nouember in the first yeare of the M. maiesties Raigne, diuers & sundry honors, castles, manors, lands, tenements, rents, reuersions, seruices, & other hereditaments, haue bin conueyed and assured to her highnes, her heires and successors, by and from diuers & sundry persons, & bodies politick, as well for the discharge

and

and satisfaction of great debts and sums of money, as for other good considerations: For the perfect assurance, confirmation, and further suretie whereof, Be it enacted by the authority of this present parliament, that all feoffements, fines, surrenders, assurances, conueiances, & estates in any wise cõueied, had, or made, or to be had or made, at any time during the space of 7. yeres, next after the end of this present session of Parliament, to or for our said soueraign lady the Q. maiestie, by or from any person or persons, bodies politick or corporate, of any honors, castles, manors, lands, tenements, rents, reuersions, seruices, & other hereditaments, for any debt, sum or sums of money, or other consideration whatsoeuer: shal stand, remaine, & be good & auailable in the law, to all intents, constructions, & purposes, according to the true meaning, intent & purport of the same. Sauing to al & euery person & persons, & to their heires, bodies politick & corporate, & to their successors, & euery of them, other then such person or persons, & their heires or wiues, being parties or priuies to such conueyances or assurances, & euery of them, bodies politick & corporat, and their successors, & euery of them, of, or from whom the Q. highnes hath had, obtained or purchased, or shal obtain or purchase, during the space of 7. yeres, any manors, messuages, lands, tenemẽts, rents, reuersions, seruices, or hereditaments, by exchange, gift, bargain, fine, feoffement, recouery, deed inrolled, or otherwise, all such right, title, interest, use, possession, rents, reuersions, remainders, offices, fees, cõmõs, profits, & commodities whatsoeuer, which they or any of them might, or ought to haue had of, in, or to the premisses, or any part therof, in as large and ample maner, form & condition, to all intents, constructions & purposes, as if this act had neuer bin had ne made: this present act or any thing herin contained to the contrary notwithstanding. And where our said soueraign lady ỳ Q. highnes, sithens the viij. day of Nouember, in the first yere of her maiesties raign, as wel for diuers and great sums of mony, as also diuers & sundry other cõsiderations, hath bargained, sold, giuen, & graunted by her graces seuerall L. patents, indentures, or other writings sealed vnder the great Seale of England or the Seale of the Duchie of Lancaster, or the Seale of the county palãtine of Lancaster, as wel to bodies politick & corporat, as to diuers & sundry other of her loving & obedient subiects, diuers & sundry honors, castles, manors, lands, tenements, rents, reuersions, seruices, & other hereditaments, in fe simple, fee taile, or for terme of life or liues, or yeres, as in the same seuerall L. patents, indentures & other writings is mentioned & declared. And to ỳ intent the same L. patents, indentures, & other writings, should be of good, auaileable, & perfect force & effect, to all and euery her highnes loving subiects, according to the true meaning & effect of the same: Be it enacted and established, by authority of this present parliament, that as well all & singular Let. patents, indentures, & other writings, sealed vnder the great seale of Eng. or vnder the seale of the Duchy of Lãcaster, or the seale of the county palãtine of Lancaster, & heretofore made and granted by our said Soueraigne lady the Quẽne for any sums of money, or for and vpon any other considerations, as all other letters patents hereafter to be made by our said soueraign lady the Q. for any sum or sums of mony, or other considerations, during the saide space of 7. yéres next ensuing ỳ making of this act, to any body politicke or corporat, or to any other person or persons whatsoeuer, of any honors, castles, manors, lordships, granges, meases, lands, tenements, medowes, pastures, rents, reuersions, seruices, woods, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, leets, courts, liberties, priuiledges, franchises, or of any other hereditaments with their appurtenãces, or of any part or parcell of them, sealed with or vnder the great seale of Eng. or vnder the seale of the duchy of Lancaster, or the seale of the countie palantine of Lancaster, of whatsoeuer kind, nature or quality they or any of them be, or shalbe reputed, knowen, or taken with their appurtenances, or any other part or parcel of them, shalbe good, perfect and effectuall in the lawe, & shall stand, be taken, reputed, deemed, and adiudged, good, perfect, sure, auaileable & effectuall in the law, against the Q. maiestie, her heires & successors, according to the tenor & effect of the said L. patents, the same to be expounded, construed, deemed & iudged most beneficially for ỳ patentes, & grantees of the same, & their assignees, according vnto the words and purport of euery of the said L. Patents, without any confirmation, licence, or tolleration of the Q. her heires or successors, any misnaming, misrecitall, or non recitall of any of the same honors, castles, manors, lands, tenements, and other the premisses, or any parcell thereof, or any lack of finding of offices or inquisitions, of & in ỳ premisses, or any part therof, wherby ỳ title of the Q. highnes therein ought to haue bin found before the making of the same L. patents, or other writings, or any misrecital or non recitall of leases therof before made, as wel of record, as not of record, or any lack of the certainety, miscalling, rating, or setting forth of the yeerely value & rates of the premisses, or of the yeerely rents reserued of & for the premisses, or any parcel thereof, mentioned, or contained in any of the saide L. patents, or other writings, or tho ỳ premisses be, or any part therof is valued at a more or lesse value in the said L. patents or writings, then the said manors, lands, tenements, & other the premisses, then were or shall be in the yeerely value, or any misnaming, or not true naming of the townes, hamlets, parishes or counties, where the same honors, manors, landes, tenements, rents, hereditaments, & other ỳ premisses, & euery parcel thereof, or any parcel therof, lien or been, or any lack of the true naming of the lãds, tenements, or hereditaments, or of the natures, kinds, sorts, qualities or quantities, of the said possessions, or hereditaments or any parcel thereof, or any lack of the true naming of the corporation, or any lacke of the attornement, entry or seisin, or of any misnaming of any of the late tenants or farmors of the same honors, manors, lands, tenemẽts, & hereditaments, or any part thereof so sold graunted or giuen notwithstanding. Prouided that this act

7. yeres.

L. patents

Misrecitall Leases

Miscalling

Maine

act nor any thing therin contained, shal not extend to make any L. patents of any office or offices, to be of any other effect, force or strength, then ỳ same L. patents were or should have been before the making of this act. Prouided also, ỳ all & singuler such patentees, graunters, & donees, and euery of them, which at any time heretofore sithence the said 18. day of November, haue obtained and gotten of our said soueraign lady the Q. or at any time hereafter, during ỳ space of 7. yeres, shal obtain and get of our said soueraign lady ỳ Q. maiesty ỳ now is, by way of exchange, or for any sum or sums of mony, or other consideratiõs, any L. patents of any manors, lands, tenements or hereditaments, whatsoeuer at the date & making of any the said L. patents, so made sithence the said 18. day of November, or hereafter to be made during the space of 7. yeres as is aforesaid, were or shalbe at ỳ time of the making of such L. patents, of better and more yerely value to the Q. highnesse, and so answered in yerely rent and farme, then was, is, or shalbe contayned, mentioned, or specified in any such L. patents or in the particulars or rate thereof, made or to be made by any Auditor or Auditors, Surueior or Surueiors, or other officer: that then euery such patentee, grãtee, & donee, their heires, executors, or assignes and euery of them, within one yeere next after office & other due prowse order and decree thereof made or had, or to be made and had within the space & term of 1. yeres next after the end of this present session of parliament, in the Court of the Eschequer, shall content and pay to the Q. maiesty, her heires and successors, for the same ouerplus, and more value of the same manors, lands, tenements, and other hereditaments whatsoeuer, with their appurtenãces, so sold, giuen, granted, or exchãged, as is aforesaid, after the rate of 60. yeres purchase, and according to such yerely value and rate, as the same manors, lands, tenements and other hereditaments whatsoeuer, were answered at the time of the making of any such L. patents, so made or to be made in maner and form aforesaid: any thing contained in any such L. patents, to the contrary in any wise notwithstanding. Prouided that this act or any prouiso therein contained, shall not in any wise extend to confirme, ratifie, or make good, any lease or leases made or to be made by our said soueraign lady ỳ Q. for term of life, liues, or for yeres, whereupon the old & accustomed rents, or more, be not, or hereafter shal not be reserued, & yearely paiable, during the time & term of euery such lease, nor that this present act shal in any wise extend to reuiue & make good any L. patents made of any office or offices to any cõptroller, customer, aulneger or searcher, nor to any L. patents, of the graunt of any office or offices heretofore grãted or made by the Q. maiesty, which now be, or at any time heretofore haue bin annihilated, determined, or made void, by iudgement, by authoritie of Parliament, or by decree, nor to any patent to be made to any person or persons for terme of yeres, or during the minority of any heire, of any manors, lands, or tenements, whereof any trauerse hereafter to be tendered within 3. moneths after any office found and certified

Letters P.

Auditors Surueyors

Old rents

Lease

Cõptroller Customer Aulneger Searcher

into any of the Q. maiesties courts of record, nor to make any L. patents made by our said soueraigne lady the Q. maiesty, of any office or offices to be of any other effect, force, or strength, then the same L. patents were or should haue bin before the making of this act. Prouided also that this act or any thing therein contained, shal not extend to any L. patents, which at any time heretofore sithence the beginning of the Q. maiesties raign, haue bin, or hereafter shalbe made by the Q. highnes, to any person or persons of any manors, landes, tenements, rents, reuersions, seruices, or other hereditaments by force of information, suit, or suggestion, made or to be made to her highnes, that ỳ same manors, lands, tenements & other hereditaments, so contained in any such L. patents, were concealed lands, but that the same L. patents, & euery of them, shall stand, remain, and be in the same force, strength, and effect, as they were before the making of this act: any thing in this act mẽtioned to the contrary notwithstanding. Sauing to all and euery other person & persons, and bodies politike and corporate, their heires, and successors, and euery of them, all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profits, and commodities whatsoeuer, as they or any of thẽ should or might haue had, before the Let. patents thereof made: if this act had neuer bẽn had ne made: any thing therein contained to the contrary notwithstanding. An. 18. Eliz. cap. 2.

Concealed lands

17 An. 27. Eliz. An act not printed was made for the confirmation of the Q. L. patents granted to the Q. colledge in Oxford. And another act was there made, but not printed, for the confirmation of her Let. patents to the Maisters, Fellowes, and Schollers, of Clare Hall in Cambridge.

18 Forasmuch as diuers ambiguities, doubts, and questions haue risen and bẽne moued aswell touching diuers surrenders, graunts, and conueiances made and graunted by sundry late Abbots, Priors, and other Religious and Ecclesiasticall persons to the late king of famous memory, King Henry the eight, after the fourth day of February, in the seauen and twentieth yeere of his Raigne, of diuers their honors, manors, lands, tenements, and hereditaments, as also touching & concerning the validitie of ỳ erections of such Deanes & chapters, and such Colledges as were erected, ordayned, made or founded by the said late King Henry the eight, after the said fourth day of February, in the said seauen and twentieth yeere of his Raigne: And forasmuch as the same doubts and questions seeme not to bee sufficiently remedied or prouided for, by the Statute made in the foure and 30. yeere of the raigne of the saide late King Henrie the eight, intituled, An Act for confirmation of Letters Patents, (which see here before 12.) notwithstanding misnaming of any thing contayned in the same: Be it therefore declared, explained, and enacted by the authoritie of this present Parliament, that all and euery Honors, Manors, Landes, Tenements, and Hereditaments, which at any time heretofore were the possessions of any Abbey, Monasterie, Priory, Nunrie, or other religious or ecclesiasticall

cleſiaſticall houſe or houſes, and which after the ſaid fourth day of Februarij, in the ſaid xxvij. yeare of the ſaid late king H. the eight, came to the hands or poſſeſſions of the ſaid late king H. the eight, or which were put in charge to or for his Highneſſe in his Court of Eſchequer, or any other Courts of the ſaid late king concerning his Maieſties reuenues, or by any Auditor, or other Officer of the ſaid late king, or which after the ſaid iiij. day of Februarie, in the ſeuen and twentieth yeare aforeſaid, were graunted or conueied, or mentioned to be graunted or conueyed, in, or by any letters patents whatſoeuer, made by the ſaid late king Henry the eight, to any perſon or perſons, body politike or corporate, were and ſhall be reputed, taken, and adiudged to haue beene lawfully and perfectly in the actuall and reall poſſeſſion of the ſaid late King and his heyres and ſucceſſors, at ſuch time as the ſame did ſo come to his Maieſties hands, and poſſeſſion, or were ſo put in charge, or graunted, or conueyed by the ſaid late King Henry the eight, as aforeſaid, notwithſtanding any defect, want, or inſufficiencie, of, or in any ſurrender, graunt, or conueyance of the ſame honours, manors, lands, tenements, or hereditaments, or any part thereof, to the ſaid late King Henry the eight, or any other matter or cauſe what ſoeuer, by which his Highneſſe was or might haue beene intituled to the ſame. And be it further declared and enacted by the authority aforeſaid, That all and ſinguler letters patents made by the ſaid K. Henrie the eight, at anie time after the ſaid fourth day of Februarie, in the ſaid ſeuen and twentieth yeare of his reigne, for the erection, foundation, incorporation, or indowment of any deane and chapter, or colledge, were, and ſhall be reputed, taken, and adiudged to haue been good, perfect, and effectuall in the Law for all things therein contained, according to the true intent and meaning of the ſame, any thing, matter, or cauſe to the contrary therof in anie wiſe notwithſtanding. Sauing alwayes vnto all perſon and perſons, bodies politique and corporate, theyr heyres and ſucceſſors, and euery of them, other then the late Abbots, Abbeſſes, Priors, Prioreſſes, and other gouernours of ſuch Abbeys, Monaſteries, Priories, Nunries, and other Religious and Eccleſiaſticall houſes, and theyr ſucceſſors, and ſuch as pretended to be Founders, Patrons, or Donors of the ſame, or any of them, or of any Manors, Lands, Tenements, or Hereditaments belonging to the ſame, or to any of them: and their, and euerie of their heires and ſucceſſors, all ſuch right, title, intereſt, claime, and demaund, as they or any of them, or their, or any of their auncеſtors or predeceſſors might or ought to haue had of, in, to, or out of any ſuch honors, manors, lands, tenements, or hereditaments before the ſaid iiij. day of Februarie, in the ſeuen and twentieth yeare of the raigne of the ſaid late King Henry the eight, or before the making of ſuch Letters Patents by the ſaid King Henry the eight, as if the ſaid Letters Patents, made by the ſaid King Henry the eight, and the ſaid ſtatute made in the ſaid xxxiij. yeare of his reigne, and this preſent act had neuer bin made: this Act or anie thing therein contained to the contrary notwithſtanding. Anō 35. Eliz. cap. 3.

19 In moſt humble wiſe beſeechen your moſt excellent Ma. the Lords ſpirituall and temporall, and the commons in this your highnes parliament aſſembled, that wheras ſithence the viij. day of Feb. in the xxv. yeare of your Maieſties reigne, diuerſe and ſundry honours, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, and other hereditaments haue bin conueyed and aſſured to your Highneſſe, your heyres and ſucceſſours, by, and from diuers and ſundrie perſons and bodies politique, aſwell for the diſcharge and ſatisfaction of great debts and ſummes of mony, as for other good conſiderations: That for better aſſurances, confirmation, and ſuretie thereof, It may be enacted by authority of this preſent Parliament, That all feoffements, fines, ſurrenders, aſſurances, conueyances and eſtates, in any wiſe conueyed, had, or made, to, or for your Highneſſe, by or from any perſon or perſons, bodies politike or corporat, ſithence the ſaid eight day of Februarij in the fiue and twentieth yeere of your Maieſties reigne, of any honors, caſtles, manors, lands, tenements, rents, reuerſions, ſeruices, and other hereditaments, for anie debt, ſumme or ſummes of money, or other conſideration whatſoeuer, other then conueyances or eſtates heretofore had or made, by anie Eccleſiaſticall perſon or perſons, or bodies politique or corporate, not hauing power or abilitie by the Lawes and Statutes of this Realme to make the ſame, ſhall ſtand, remayne, and be good and auaileable in the Lawe, to all intents, conſtructions, and purpoſes, according to the true meaning, intent, and purport of the ſame. Sauing to all and euery perſon and perſons, and to their heires, bodies politique and corporate, and to theyr ſucceſſours, and euerie of them, other then ſuch perſon or perſons, and their heires, and wiues, being parties, or pryies to ſuch conueyances, or aſſurances, and euery of them, bodies politique and corporate, and theyr ſucceſſors and euery of them, of, or from whom the Q. Highnes hath had, obtained, or purchaſed any manors, meſuages, lands, tenements, rents, reuerſions, ſeruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recouery, deed inrolled, or otherwiſe, all ſuch right, title, intereſt, vſe, poſſeſſion, rents, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them, haue, might, or ought to haue had, of, in, or to the premiſſes, or anie part theeof, in as large and ample manner, forme, and condition to all intents, conſtructions, and purpoſes, as if this Act had neuer beene had ne made: this preſent Act or anie thing therein contained to the contrary notwithſtanding. And whereas your excellent Maieſtie ſithence the ſaid eight day of Febr. in the xxv. yeere of your Highnes reigne, aſwell for diuers and great ſummes of money, as alſo for diuers and ſundry other conſiderations, hath bargained, ſold, giuen and granted by your Highnes ſundrie Let. Pa. Indentures, or other writings, ſealed vnder the great Seale of Engl. or the Seale of the Dutchie of Lancaſter, or the Seale of the Countie Palantine of Lancaſter, as well to bodies politike

and corporate, as to diuers and sundrie other your Highnesse louing and obedient subiects, diuers and sundrie honours, manors, lands, tenements, rents, reuersions, seruices, and other hereditaments in fee simple, fee tayle, or for terme of life, liues, or yeres, as in the same seuerall Letters Patents, Indentures and other Writings is mentioned and declared, That to the intent the same letters patents, Indentures and other writings, may be of good, auaileable, and perfect force and effect, to all and euery your Highnesse louing Subiects, according to the true meaning and effect of the same: It may please your most excellent Maiestie, that it may be enacted by the authority of this present parliament, That as well all and singuler Letters Patents, Indentures, and other Writings sealed vnder the great Seale of England, or vnder the Seale of the Dutchie of Lancaster, or the Seale of the County Palantine of Lancaster, heretofore made and graunted by your Highnesse for any summes of money, or for and vpon any other considerations, sithence the said eight day of Februarie in the fiue and twentieth yeare of your Highnesse raigne, as all other Letters Patents hereafter to be made by your Highnesse, for anie summe or summes of money or other considerations, before the last day of this present session of parliament. And moreouer, all other letters patents within the space of one yeare then next insuing, to be made by force, of, or according to the purport, or true meaning of the Commission, vnder the great Seale of England now in being for sale of your Highnesse lands to any body politike or corporate, or to any other person or persons whatsoeuer, of any honours, castles, manors, lordships, granges, meses, lands, tenements, meadowes, pastures, rents, reuersions, seruices, woods, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, leets, courts, liberties, priuiledges, franchises, or of anie other hereditaments with their appurtenaunces, or of anie part or parcell of them, sealed with or vnder the great Seale of England, or vnder the Seale of the Dutchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, of whatsoeuer kind, nature, or qualitie they or any of them be or shall be, reputed, knowne or taken with their appurtenances, or anie part or parcell of them, shall be good, perfect, and effectuall in the Law, and shall stand, be taken, reputed, deemed, and adiudged good, perfect, sure, auaileable and effectuall in the Lawe, against your Highnesse, your heires and successors, according to the tenor and effect of the said Letters patents, Indentures, or other Writings, the same to be expounded, construed, deemed, and adiudged most beneficially for the patentées and grauntées of the same, and their heires, assignes, executors, and administrators, according vnto the words and purport of euerie the said Letters Patents, Indentures or other Writings, without any confirmation, licence, or tolleration of your Highnesse, your heires or successors, any misnaming, misrecitall, or nonrecital of any the same honors, castles, manors, lands, tenements and other the premisses, or of any parcell thereof, or any lacke of finding of offices or inquisitions, of, and in the premisses, or anie part thereof, whereby the title of your Highnesse therein ought to haue bin found before the making of the same Letters Patents, Indentures, or other Writings, or any misrecitall, or nonrecitall of leases thereof made, aswell of record as not of record, or any misrecitall, nonrecitall, or not true mentioning in any such letters patents, graunts or writings of your Maiesties owne estate or estates, either of freehold or inheritance, of, or in the premisses or anie part thereof, whereunto your Maiestie hath beene sithence the beginning of your raigne, or hereafter shalbe intitled by any attainder, escheat, conueiance or assurance whatsoeuer, and in which letters patents, grants, or writings, no estate taile formerly made, or supposed to be made, haue beene or shall be recited, and the reuersion or remainder thereupon expectant in the same Letters Patents, graunts or writings graunted or mentioned to be graunted, or any lacke of the certainty, miscasting, rating, or setting forth of the yearely value and rate of the premisses, or of the yearely rents reserued, of, and for the premisses, or any parcel thereof mentioned or contained in any of the said Letters Pat. or other writings, or for that the premisses be, or anie part thereof is valued at a more or lesse value in the said Lett. Pat. or writings, then the said manors, lands, tenements, & other the premisses, then were or shalbe in yerely value, or any misnaming or not true naming of the townes, hamlets, parishes, or counties where the same honors, manors, lands, tenements, rents, hereditaments, & other the premisses, & euery parcell thereof, or any parcell thereof, lien, or bene, or any lacke of the true naming of the lands, tenements, or hereditaments, or of the natures, kinds, sorts, qualities, or quantities of the said possessions, or hereditaments, or anie parcell thereof, or anie lacke of the true naming of the corporation, or any lacke of attornement, liuery or seisin, or of any misnaming of any the late tenants or farmers of the same honors, manors, lands, tenements, and hereditaments, or any part thereof so sold, graunted or giuen, or of anie misnaming of such person or persons, bodies politike or corporat, as at any time before the making of such Lett. Patents were, or shall be owners of the premisses, or any part thereof, to the contrary notwithstanding. Prouided, that this Act, nor any thing therein conteined, shal not extend to make any letters patents of any Office or Offices, to be of anie other effect, force or strength, then the same Let. Pat. were, or should haue bin, before the making of this act. Prouided also, That all and singuler such Patentées, Grantées, and Donées, and euerie of them, which at anie time heretofore sithence the said eight day of Febr. haue obtained and gotten of your Highnes, or at anie time hereafter before the last day of this sess. of parliament, or within the space of one yere then nert ensuing, shall obtaine and get of your Highnes, by way of exchange, or for any summe or summes of mony or other considerations, anie Let. Pat. of any Manors, Lands, Tenements, or Hereditaments whatsoeuer, which at the date of the said

ſaid Letters Patents were or ſhalbe of better and more yearely value to your Highneſſe, and ſo anſwered in yearely rent and farme, then was, is, or ſhall be conteined, mentioned, and ſpecified in any ſuch Let. Pat. or in the particulars or rates thereof, made or to be made by any auditor or auditors, ſurueyor or ſurueyors, or other officers. That then euery ſuch patentee, grauntee, or donee their heires, executors, or aſſignes, and euery of them, within one yeare next after office or other due proſe, order, and decree thereof made and had, or to be made or had within the ſpace and terme of ten yeares, next after the end of this preſent Seſſion of parliament in the Court of Eſchequer, ſhall content and pay vnto your Highneſſe, your heires and ſucceſſors for the ſame ouerplus, and more value of the ſame manors, lands, tenements, and other hereditaments whatſoeuer, with their appurtenances ſo ſold, giuen, graunted, or exchaunged, as is aforeſaid, after the rate of three ſcore yeares purchaſe, and according to ſuch yearely value and rate, as the ſame manors, lands, tenements, and other hereditaments whatſoeuer were of, and were anſwered for at the time of the making of any ſuch letters patents, ſo made or to be made in maner and forme aforeſaid: Anie thing contained in anie ſuch Letters Patents to the contrary in anie wiſe notwithſtanding. Prouided alſo, that this Act, or any proviſo therein contained ſhall not in any wiſe extend to confirme, ratifie, or make good any Leaſe or Leaſes made or to be made by your Highneſſe for terme of life, or liues, or for yeares, whereupon the olde and accuſtomed rents be more, or as much in value or more proportionably, for the Lands and Tenements ſo demiſed, or to be demiſed, be not, or hereafter ſhall not be reſerued and yearely payable during the time and terme of euerie ſuch Leaſe, nor that this preſent Act ſhall in anie wiſe extend to reuiue and make good any Letters Patents, made of any Office or Offices, to any comptroller, cuſtomer, aulneger, ſearcher, nor to any Letters Patents of the graunt of any other Office or Offices, heretofore graunted or made by your Highneſſe, which now be, or at any time heretofore haue beene adnihilated, determined, or made void by iudgemẽt, by authority of parliament, or by decree, nor to anie Patents to be made to anie perſon or perſons for terme of yeres, or during the minoritie of any heire of any manors, lands, or tenements, whereof anie trauerſe hereafter ſhalbe tendred within 3. months after any Office found and certified into anie your Highneſſe Courts of Record, ne to make any Letters patents, made by your Highneſſe of any office or offices to be of any other effect, force, or ſtrength, then the ſame L. Patents were or ſhould haue been before the making of this Act. Prouided alſo, that this Act, or any thing therein contained, ſhall not extend to any letters patents, or any gift or graunt therein contained, which at anie time heretofore haue bin, or hereafter before the laſt day of this preſent Seſſion of Parliament ſhall be made by your Highnes to any perſon or perſons, of anie manors, lands, tenements, rents, reuerſions, ſeruices, or other hereditaments, by force of any information, ſuite, or ſuggeſtion, made or to be made to your Highneſſe, that the ſame manors, lands, tenements, and other hereditaments ſo contained in any ſuch Letters Patents were concealed lands, or that the ſame, or the profits thereof, were vniuſtly withholden from your Highnes, but that the ſame Letters Patents, and euery of them ſhall ſtand, remaine, and be in the ſame force, ſtrength, and effect, as they were before the making of this Act, anything in this Act mentioned to the contrary notwithſtanding. And yet neuertheleſſe, be it declared and enacted by authority of this preſent parliament, that no Letters Patents, nor anie gift or graunt in them contained, made, or to be made by warrant of your Maieſties commiſſioners, authorized to make compoſitions with your Highneſſe ſubiects for new Letters Pa. or graunts to be made vnto them, are or ought to be take, or ſhalbe deemed and taken to be made by force of any information, ſuite or ſuggeſtion, that the manors, lands, tenements, or other hereditaments cõtained in the ſame letters patents were concealed lands, but that they and euery of them ſhall be within the full meaning of this Act, to be fortified and made good (as other L. patents made without any ſuggeſtion or information of concealement, or vniuſt withholding beene. Prouided alwais, that this Act nor any thing herein contained, ſhall extend or be taken to make good any Letters Patents, Indentures, or other Writings, or any grant in them, or any of them contained, which heretofore haue beene adiudged or decreed to be voide in any of your Maieſties Courts of Record at Weſtminſt. or by Act of parliament, nor to make good any Letters Pa. or any graunt in them, or any of them contained of, or concerning licences, powers, or priuiledges, commonly called Monopolies, nor to make good any L. patents or graunts, of, or concerning power, licence, libertie, or authority giuen for execution of any penall Statute or Statutes, or for tolleration or diſpenſation of, to, or with any offence, prohibited by any penall ſtatute or ſtatutes, nor to make good any L. patents to William Kirkeham gentleman, or to any other by his procurement, concerning which there hath beene anie Act of Parliament made heretofore, or anie ſuit in your Maieſties Court of Starre-chamber, or Chauncerie. Sauing to all and euery other perſon or perſons, and bodies politique and corporate, their heyres and ſucceſſors, and euerie of them all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profites, and commodities whatſoeuer, as they or anie of them ſhould, or might haue had before the letters Pa. thereof made, if this Act had neuer beene had ne made: any thing therein contained to the contrary notwithſtanding. Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend to make good or auailable in Law, any let. Pa. or grant of the premiſſes, or any part thereof, whereof there was or ſhall be any good and lawfull eſtate Taile heretofore made by your Maieſtie, or any of your progenitors, or hereafter to be made by your Maieſtie, vnleſſe ſuch eſtate Taile be duely recited. Prouided alwayes, and be it enacted by the autho-

rity aforesaid, that neither this Act, nor any thing therein contained, shall extend to make good any Letters Pa. heretofore made by your Maiestie, sithence the xvi. yeare of your Highnesse raigne, to any person or persons, and their heyres, for and concerning the manors, granges, lands, tenemẽts, tithes, and other hereditaments whatsoeuer, set, lying, and being in the seuerall parishes of Bakewell and Hartington in the county of Derby, and in the seuerall Parishes of Rowcester, alias Rocester and Blower in the county of Stafford, mentioned or intended to haue bene conueyed vnto Francis late Earle of Shrewesbury by the late King of famous memorie King Henry the eight, by his Highnesse Letters patents, bearing date at Westminster, the xvij. day of Nouember, in the xxiij. yeare of the raigne of the said late King. But for and concerning all other manors, lands, tenements and hereditaments, contained in any such Letters Patents made since the said xvi. yeare of your Maiesties raigne, the same shalbe within the remedy and prouisions of this present Act of Parliament, according to the purport, true intent & meaning of the same. Prouided alwayes, that neither this Act, nor any thing therein contained, shall extend to the ratifying or making good of any Lease made by Iohn May late Bishop of Carliel deceased, to your Maiestie, which was not enrolled before the first day of this Session of Parliament. Anno 43. Eliz. cap. 1.

Pauing.

Strand crosse. Charing crosse.

ANno 24. H. 8. cap. 11. An Act is made for the pauing of Strand crosse and Charing crosse.

Holborne. Southwarke. London.

2 Anno 25. H. 8. cap. 8. An Act is made for pauing of Holborne and Southwarke.

3 Anno 32. H. 8. cap. 7. An Act was made for pauing of diuers stretes and lanes in London.

London.

4 Anno 35. H. 8. cap. 12. An Act is made for pauing of diuers streets and lanes in London, and neare vnto London.

Callice.

5 An. 2. Ed. 6. cap. 37. An Act is made for the pauing of Callice, and for the couering of the houses there with tile or slate.

London. Iust. of P.

6 Anñ 13. Eli. ca. 23. An Act was made for the pauing of certaine stretes and lanes about Algate, and White Chappell, in the suburbs of London, and for cleansing certaine ditches thereabouts, and that Iustices of Peace of London and Middlesex, to enquire thereof, & to asselle fines for the defaults to the Quenes vse. And after Anno 23. Eliz. cap. 12. there is an addition vnto this Statute. And the Iustices of peace within London and Middlesex shall appoint a Scauenger.

Chichester.

7 Anno 18. Eli. ca. 19. An Act was made for the pauing of the citie of Chichester.

8 Anñ 27. Eliz. An Act not printed was made for the pauing of the citie of new Windsor in the Countie of Berke. And at the same time an other was made, for the pauing of the town of Newarke vpon Trent in the Countie of Nottingham, but not printed.

9 Anno 3. Iac. cap. 22. An Act was made, for pauing Drurie lane and S. Giles in the Fields, in the county of Middlesex.

Peace.

AS to the keeping of the peace in time to come, it is ordained and enacted, that the Statutes made in time past with the statute of Wincheller (after in Robberies S. 2.) shalbe obserued and kept in euery point. And where it is contained in the end of the said statute of Winchester, that the Iustices assigned shall haue power to enquire of the defaults, and to report to the King in his Parliament, and the King remedy it, which no man hath yet seene: the same Iustices shal haue power to punish the disobeyers and resisters. Añ 2. E. 3. ca. 6.

2 Our said soueraigne Lord the King, greatly desiring the tranquilitie and quietnes of his people, will and straitly commandeth that the peace within his Realme of England be surely obserued and kept, so that all his lawful subiects may from henceforth safely and peaceably goe, come and dwell after the law and vsage of the Realme. And that Iustice and right be indifferently ministred to euerie of the said subiects. Anno 1. Rich. 2. cap. 2. Iustice

3 All the Kings lieges and subiects shall safely and peaceably vnder his safe protection, goe and come to his Courts, to pursue and to defend, without disturbance or impeachment of any; and that Iustice and right be done to all, as well to the poore as to the rich, in his Courts aforesaid. Anno 2. R. 2. cap. 4. Iustice

4 And that the Peace within the Realme be holden and kept, so that all the Kings liege people and subiects, may from henceforth safely and peaceably goe, come, and abide, according to the Lawes and Vsages of the same realme, and that good iustice and euen right be done to euerie person: Sauing to the same our soueraigne lord the King, his regalitie and prerogatiue. Anno 1. H. 4. cap. 1. & Añ 7. H. 4. cap. 1. Iustice. Kings prerogatiue.

Pedlers and Tinkers.

ANno 5. Ed. 6. cap. 21. A Statute was made against wandring Pedlers, Tinkers, or Petty-chapmen: But it is repealed by Anno 1. Iacobi capit. 25.

Pensions, Portions, and Corrodies.

NO pension shall hereafter be assigned by the Ordinary, or by any other manner of agreement by collaterall suretie, or otherwise, vpon any resignation of any dignity, benefice or promotion Spirituall aboue the value of the third part of the dignitie, benefice or promotion Spirituall resigned. And if any pension amounting aboue the value of the third part of the dignitie, benefice, or promotion spirituall heretofore resigned, be already limited and made sure to anie Spiritual person or persons, by decree of the Ordinarie, or otherwise, by any collaterall suretie, or hereafter shall happen to be assigned, & made sure to any person or persons spirituall, or to any other to their vse, by decree of the Ordinarie, or by any other collaterall suretie, vpon anie resignation thereof, yet neuertheleſſe the Ordinar. 3. Part. Graunt.

the Incumbent charged with ſuch penſion, nor his ſureties collaterall, ſhall not be compelled to pay any more penſion then the value of the third part of his dignitie, benefice, or promotion Spirituall ſo reſigned, ſhall mount vnto, but ſhall by authoritie of this Act, be clerely acquited and diſcharged of ſo much of the ſaid Penſion, as ſhall amount aboue the value of the third part of the dignitie or benefice reſigned, any decree or aſſignment of the Ordinary, or any collaterall writings or ſureties heretofore made, or hereafter to be had or made for the ſame, to the cõtrary thereof notwithſtanding. Añ 26. H. 8. ca. 3. And it is further enacted, that euery predeceſſor of Abbots, or Priors, hauing any penſion aboue the yearely value of forty pounds, ſhall be defalked of the moitie thereof. And that euerie Abbot, and all other charged for the payment of ſuch Penſion aboue the yearely value of forty pounds, ſhall be diſcharged of the moitie thereof. Diuers other matters be in this Act, which I leaue out.

2 If any perſon or perſons being farmer or occupier of any manors, lands, tenements, parſonages, benefices, or other hereditaments of any of the ſaid late Monaſteries, or Eccleſiaſticall houſes or places, or belonging to them or any of them, by the kings highnes gift, grant, ſale, exchange, or otherwiſe, out of which premiſſes, any ſuch pẽſions, portions, corrodies, indemnities, ſinodies, or priories, or any other profites haue bẽne heretofore lawfully going out, anſwered, or paid to any of the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons aboueſaid, do at any time after the firſt day of Aprill nert comming, wilfully deny the payment thereof, at the dayes of payment heretofore accuſtomed of any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, priories, or any other profits, whereof the ſaid Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſtical perſons, were in poſſeſſion, at, or within v. yeres nert before the time of the diſſolution of any ſuch Monaſtery, or other eccleſiaſticall houſes or places: that then it ſhalbe lawful for the ſame Archbiſhops, Biſhops, Archdeacons, or other eccleſiaſticall perſons aforeſaid, being ſo denied to be ſatiſfied and paied thereof, and hauing right to the ſame thing in demand, to make ſuch proceſſe, aſwell againſt euerie ſuch perſon and perſons as ſhall ſo denie payment of the ſame penſions, portions, corrodies, priories, indemnities, ſinodies, or any other profites, which of right ought to be paied, as is aforeſaid, as againſt the Church or Churches charged with the ſame, as heretofore they haue lawfully done, and as by, and according to the lawes and ſtatutes of this realme they may now lawfully doe, for the true payment & recouery thereof. And if the partie Defendant be lawfully conuict in any ſuch ſuite, cauſe, or matter, according to the eccleſiaſticall Lawes: then the partie plaintife ſhall haue and recouer againſt the partie defendant, the thing in demand, and the value thereof in damages, with his coſts for his ſuite. And be it enacted &c. That if it fortune the cauſe or matter of variance betwéne any of the ſaid parties be determinable at the Common law, that then the partie grieued to ſue for his recouerie and remedie therein at the Common Law. And if the party defendant fortune to be by the courſe of the Common Law lawfully condemned to the partie plaintife, then the ſaid party plaintife ſhal likewiſe haue and recouer againſt the party defendant the thing in demand, and the value thereof in damages, with his coſts for his ſuite. Prouided alwayes, and be it enacted &c. That all & ſinguler ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, which haue right or title to claime, demaund, or enioy any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, or priories againſt any perſon or perſons, to whom the King hath made, or hereafter ſhall make in writing vnder ſeale, any ſale, gift, graunt, or leaſe, for terme of life, liues, or yéers, of any of the ſaid manors, lands, tenements, parſonages, benefices, and other hereditaments, charged or chargeable to or with any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, or priories, & alſo hath couenanted, graunted, promiſed or agréed, or hereafter ſhal couenant, graunt, promiſe, or agrée by the ſaid writing, to acquite, diſcharge, or ſaue harmeleſſe the ſame perſon or perſons, of all penſions, portions, corrodies, indemnities, ſinodies, & priories, going out of the premiſſes, or any parcel therof, as be or ſhalbe mentioned in the ſame writings or any of thẽ: ſhal ſue for the remedy & recouery thereof, in the Court of the Augmentations of the reuenues of the K. Crowne, and not elſewhere. And that the partie defendant hauing any ſuch diſcharges, being couented, called, or ſued in any other court or place, or before any other Iudge for any the cauſes aboueſaid, ſhall be diſcharged and diſmiſſed out of the ſame court or place, without anie thing paying for the ſame, by the only ſhewing forth any of the ſaid writings, ſealed vnder any of the kings ſeales, prouing or declaring the King to haue couenanted, promiſed, or agréed to acquite, diſcharge, or ſaue harmleſſe the ſaid party defendant thereof, as is aforeſaid: any thing contained in this Act to the contrary notwithſtanding. Anno 34. H. 8. ca. 16.

Damages Coſts

Arcbiſh. Biſhops Archdeacons

K. couenant

Augmentation

3 All and euerie perſon and perſons, that at any time heretofore ſince the firſt ſeſſions of the parliament holden at Weſtm. in the firſt yeare of the reigne of our ſaid Soueraigne Lord the King that now is, by any fraudulent or deceitfull way or meanes, hath or haue gotten or obtained for money or otherwiſe, any gift, grant, bargaine, or promiſe, of any penſioner or penſioners, of his or their ſaid patent or patents, concerning his or their ſaid penſion, granted, or to be granted, or aſſigned out of any manors, lands, tenements, and other hereditaments, that did belong or appertaine to any of the late monaſterie, priories, religious houſes, colledges, chauntries, guilds, fraternities, or other ſpirituall poſſeſſions, or by reaſon of the ſame, which came as well to the poſſeſſion of our Soueraigne Lord the King that now is, as to the late King of famous memorie King Henrie the eight, by reaſon of diſſolution, attainder, or ſurrender, and before the laſt day of June nert comming, vpon a repayment or lawfull tender of the money or other thing taken for the ſame, by anie ſuch Penſioner

Fraud

ſioner or Penſioners, Patentée or Patentées, made to him or them, doe not redeliuer to euerie ſuch penſioner and penſioners, patentée or patentées aſwell his or their ſaid patent and patents, as all other writing or writings made concerning the ſame penſion: That then the ſaid gift, graunt, bargaine and promiſe, made of euery ſuch penſion and patent, and euery of them ſhall be void. And alſo that then, and from thenceforth euery ſuch penſioner and patentée, ſhall haue and enioy the penſion by him ſo giuen, granted, bargained, ſold, or promiſed, as though no ſuch gift, graunt, bargaine, ſale or promiſe had been made, of his or their ſaid penſion, fée, or annuitie: notwithſtanding anie Writings made, ſealed or deliuered betweene any ſuch parties concerning the ſame. And for the more true and ſure payment of all and euery maner of perſon and perſons, of and for their ſeuerall penſions, fées, and annuities, due and to be due vnto them or to any of them, out of the premiſſes, or any part or parcell thereof, or by reaſon of the ſame. Be it enacted &c. That if the receiuer or receiuers, or anie of them, their aſſignes, deputies, clerkes or ſeruants, or the aſſigns, deputies, clerks or ſeruãts of any of them, hauing, or which ſhall haue to doe, with the payment of any ſuch penſions, fées, and annuities, or any part or parcell of them, do not at all and euery time and times, before the 1. day of June, and the feaſt of the Purifica. of our Lady, next immediatly inſuing euery day and feaſt ſpecified in euery ſuch graunt or patent for the payment of the ſaid penſions, fées, & annuities, vpon a reaſonable requeſt thereof made to the ſaid receiuer or receiuers, their aſſignes or deputies, aſſigne or deputy, or to his or their clerkes or ſeruants aboueſaid, by any of the ſaid penſioners or graunteés, or their ſeuerall deputies, atturneys, or aſſignes, or by the ſeueral deputie, atturney, or aſſigne of ſuch penſioner and graunteé, well and truely pay vnto the ſaid graunteés and penſioners, their ſeuerall deputies, atturneys, or aſſignes, their penſions, fées, and yearely annuities, to them graunted, and hereafter to be graunted, during their ſeuerall liues, or otherwiſe, according to the tenour and effect of their ſeuerall graunts, to euery of them made and hereafter to be made, without any further delay, not taking of the ſaid graunteés, penſioners, or any of them, their deputies, atturneys or aſſignes, for the payment of any of the ſaid penſions, fées, or annuities, or for the more ſpeedy payment thereof to them or anie of them to be made, anie other or more ſumme or ſummes of money, or anie other thing or profit, but onely for euery pound of euery ſuch penſion, fée, or annuitie to them payed, foure pence, and for the acquitance of euery ſuch partie truly paid of his ſaid penſion, fée, or annuity, if the ſaid party, his deputy or deputies, bring and offer to deliuer none ready made, foure pence, and not aboue: That then euerie ſuch receiuer or receiuers, their deputy & deputies, clerks & ſeruants, as aforeſaid, to whom anie ſuch reaſonable requeſt ſhalbe made for the payment of the ſame, as is aforeſaid, for euery time that the ſaid officer or officers, or his or their deputy or deputies, or his or their clerke or clerks, hauing to do with the office or offices of ſuch receiuer or officer, as is aforeſaide, ſhall delay or cauſe to be delayed any the ſaid graunteés or penſioners of the payment of their penſions, fée, or annuities, or of any part thereof, after the tenth day of June, and the Feaſt of the Purification of our Lady, as is aforeſaid, ſhall forfeit for euery ſuch delay C.ſ. And that alſo if any treaſurer or treaſurers, receiuer or receiuers, officer or officers, or his or their deputy or deputies, or his or their clerkes, or any of them, as is aforeſaid, for euery time that they or any of them doe exact & take of the ſaid penſioners, graunteés, or any of them, their deputies, atturneys, or aſſignes, or of the deputy, atturney, or aſſigne of any of them aboue the rates before declared, ſhall loſe and forfeit for euerie time ſo exacting and taking, ten times ſo much as they or any of them ſhall ſo exact & take, or cauſe to be exacted and taken. All which forfeitures ſhall be to the partie that ſhal find himſelfe grieued, if he will ſue and demaund the ſame within vij. moneths next after the ſaid forfeiture, in any of the kings Ma. courts of this Bench, Common place, or Eſchequer, by action of debt, or originall writ, bill, plaint, or information: in which ſuite no eſſoine, protection, nor wager of law ſhalbe allowed or admitted for the def. And be it &c. that the kings Iu. of Aſſiſe, and of oier and determiner, in their ſeuerall circuits, and the Iuſtices of peace in euery county within this Realme of England and Wales, at their generall Seſſions, ſhall haue full power and authority by vertue of this Act, to enquire, heare, and determine all and all manner offences hereafter to be done and committed contrarie to the tenor of this Act, as well by Information, as by Preſentment of twelue men, and ſhall haue full power and authority to award Proceſſe vpon euery Preſentment or Information had before them or two of them, whereof the one to be of the Quorum, of all and euerie offence and offences done and committed contrarie to the tenor of this Act, as in caſe vpon Indictment of treſpaſſe. Prouided alway, That if any ſuch penſioner or graunteé, do not make requeſt in proper perſon for paiment of his or their ſaid penſion or annuitie, as is aforeſaid, but doth require the ſame by his Deputy, Atturney, or Aſſigne: That then if ſuch Deputy, Atturney, or Aſſigne doe not bring with him a Letter ſubſcribed with the hand of one Iuſtice of the Peace of the ſame ſhire where the ſame penſioner or graunteé is dwelling, or elſe of the Surueyor of the ſame ſhire, for the time being, witneſſing the ſame penſioner or graunteé to be then liuing: That then the ſaid receiuer and all other Officer and Officers, their deputies, clerks, or ſeruants, to whom requeſt by any deputie, atturney, or aſſigne of any ſuch penſioner or graunteé, ſhall be made as is aforeſaid, ſhall not be bound to pay anie ſuch ſumme of money, to any deputie, atturney, or aſſigne of any ſuch penſioner or patentée, by vertue of this Act, nor for non payment thereof ſhall incurre the danger of any paine or forfeiture before mentioned: Any matter or thing before expreſſed to the contrarie in any wiſe notwithſtanding. Prouided alway, & be it &c. that this Act, or any

Reueliuer

Void

Foſ. Treaſurer Receiuer Officer

Exact

Foſ. Barry 31 H. 7. Brook

Iuſt. of Aſſiſe Iuſt. of Oier and Terminer Iuſt. of Peace

Generall Seſſions

Diuers

Preſents

Quorum

Proper perſon

Surueyor

4. Pence vpon the pound Acquitance Receiuer

Foſ.

or any thing there in conteined shal not extend to restreine any such receiuer or receiuers, or other officer or officers, as is aforesaid, but that they and euerie of them shall and may pay and cause to bee paied to any of the said Pensioners, Patentees or grantees, their said Pensions, fees, and annuities quarterly, according to the tenour and effect of their Patents or grants, as they haue heretofore done, any thing therin to the contrarie hereof notwithstanding. Anno 2. Ed. 6. cap. 7.

Periurie.

ANno 11. H. 7. cap. 25. An Act was made to endure to the next Parliament, for the punishment of periurie, by examination of the Chancelor, Treasorer &c. And after Anno 12. H. 7. ca. 2. that act was continued to the next Parliament, and then it expired.

2 For as much as the Penalty conteined in the statute made 33. H. 8. ca. 9. (before in Maintenance 7.) against subornation of periury, in the Courts there mentioned, is so small that the offence daily increaseth: and for that by wilfull periurie committed by suborned witnesses, diuers haue sustained great losse in their goods and lands: Be it therefore enacted &c. that all and euery such person and persons, which at any time after the tenth day of Aprill next comming, shall vnlawfully and corruptly, procure any witnesse or witnesses, by letters, rewards, promises, or by any other sinister and vnlawfull labour or meanes whatsoeuer, to commit any wilfull or corrupt periurie in any matter or cause whatsoeuer, now depending, or which hereafter shall depend in suit and variance, by any writ, action, bill, complaint or information, in any wise touching or concerning any lands, tenements, or hereditaments, or any goods, Cattels, debts, or dammages in any of the courts before mentioned, or in any of the Quenes Maiesties Courts of Record, or in any Leet, View, Franke Pledge, or Lawday, ancient Demeane, Court Hundred, Court Baron, or in the Court or Courts of the Stannery, in the Counties of Deuonshire and Cornewall, or shall likewise vnlawfully and corruptly procure or suborne any witnesse or witnesses, which shall come and after the said 1. day of April, be sworne to testifie In perpetuam rei memoriã, ỳ then euery such offender or offenders, shal forfeit his, hers, or their said offence, being thereof lawfully conuicted or attainted, lose and forfeit the summe of forty pounds. And if it happen any such offender or offenders, so being conuicted or attainted, as aforesaid, not to haue any goods or cattels, lands or tenements, to the value of forty pound, that then euery such person so being conuicted or attainted of any the offences aforesaid, shall for his or their offence, suffer imprisonment by the space of one halfe yeare, without baile or mainprise, and to stand vpon the Pillorie, by the space of one whole houre in some market town, next adioining to the place where ỳ offence was committed, in open market there, or in the market Town it selfe where the offence was committed. And that no person or persons, being so conuicted or attainted, to be from henceforth receiued as a witnes to be deposed or sworn in any court of Record within any of the Quenes Highnesse dominions of England, Wales, or the Marches of the same, vntill such time as the iudgement giuen against the said person or persons, shal be reuersed by attaint or otherwise, and that vpon euerie such reuersall, the parties grieued to recouer his or their damages against al ỵ euery such perso ỵ persons, as did procure ỳ said iudgement so reuersed to be first giuen against thẽ, or any of thẽ, by action or actions, to be sued vpõ his or their case or cases, according to the course of the Common Lawes of this Realme. And be it further enacted, that if any person or persons, after the said tenth day of Aprill next comming either by the subornation, vnlawfull procurement, sinister persuasion or meanes of any others, or by their owne act, consent or agreement, wilfully and corruptly commit any maner of wilfull periury, by his or their deposition in any of the Courts before mentioned, or being examined (ad perpetuam rei memoriam) that then euerie person or persons so offending, ỵ being thereof duely conuicted or attainted by the lawes of this Realme, shall for his or their said offence, lose and forfeit twenty pounds, and to haue imprisonment by the space of sixe monthes without baile or mainprise, and the othe of such person or persons so offending, from thencefoorth not to bee receiued in any court of Record within this realm of England, or Wales, or the Marches of the same, vntill such time as the iudgement giuen against the said person or persons, shall be reuersed by attaint or otherwise. And that vpon euery such reuersal the parties grieued to recouer his or their damages against al and euery such person and persons as did procure the said iudgement so reuersed to be giuen against them or any of them, by action or actions vpon his or their case or cases, according to the course of the Common lawes of this realme. And if it happen the said offender or offenders so offending, not to haue any goods or Cattels to the value of twenty pounds, ỳ then he or they to be set on the Pillorie, in some Market place within the Shire, Citie, or Borough, where the said offence shal be committed, by the shirife, or his Ministers, if it shall fortune to be without any City or Towne Corporate, and if it be within any city or Towne Corporate, then by the said head Officer or Officers of such City or Towne Corporate, or by his or their Ministers, and there to haue both his eares nailed, and from thencefoorth to be discredited, and disabled for euer to be sworne in any of the Courts Record aforesaid, vntill such time as the iudgement shall be reuersed, and thereupon to recouer his damages in maner and forme before mentioned. The one Moity of all such summes of money, goods and Cattels to be forfeited in maner and forme aforesaid, to be to the Queene our Soueraigne Lady, her heires and successors, and the other moity to such person or persons as shall be grieued, hindred or molested, by reason of any of the offence or offences before mentioned, ỳ will sue for the same by action of debt, bill, plaint, informa-

Judgement Reuersed.

Damages

Action of the case

Suborne

Wilfull Periurie.

Fort.

Imprisonment.

Disabled

Judgement Reuersed

Damages

Action of the case

Pillorie

Shirife

Eares nailed

Disabled

Reuerse

Damages

Moitie

Party grieued

tion,

tion, or otherwiſe in any of the Quéns Maieſties Courts of Record, in which no wager of Law, eſſoine, protection or iniunction to be allowed. And bee it alſo enacted by the authority aforeſaid, that aſwell the Iudge and Iudges of euery ſuch of the ſaid Courts, where any ſuch ſuit is or ſhall be, and whereupon any ſuch periurie is, or ſhall happen to be committed, as alſo the Iuſtices of aſſiſes and goale deliuery in their ſeuerall circuites, and the Iuſtices of the Peace in euery Countie within this Realme, or in Wales, at their quarter Seſſions both within the liberty and without, ſhall haue full power & authoritie by vertue hereof to enquire of all and euerie the defaults and offences perpetrated, committed or done contrary to this act, by inquiſition, preſentment, bill, or informatiõ before them exhibited, or otherwiſe lawfully to heare and determine the ſame, and thereupon to giue iudgement, award proces and execution of the ſame, according to the courſe of ỹ laws of this realm. And be it further enacted by the authority aforeſaid, ỹ the Iuſtices of the aſſiſes of euerie circuit within this realm, & elſwhere within ỹ K. dominiõs, ſhal in euery coũty within their circuits, ỹ. times in the yere, ỹ is to ſay, in time of their ſittings, make open proclamatiõ of this ſtatute, or of the effect thereof, to the intent no perſon or perſons ſhall be ignorant or miſcognisant of the penalties herein contained. Prouided alſo, that this act or any thing therein conteined, ſhal not extend to any ſpirituall or Eccleſiaſticall court or courts, within this Realme of England, or Wales, or the Marches of the ſame: but that all and euerie ſuch offender or offenders as ſhall offend in forme aforeſaid, ſhall and may be puniſhed by ſuch vſuall and ordinarie lawes as heretofore haue been & yet is vſed and frequented in the ſaid Eccleſiaſticall Courts: any thing in this preſent act conteined to the contrary, in any wiſe notwithſtanding. Prouided alſo, and be it further enacted, by the authoritie aforeſaid, that if any perſon or perſons, vpon whom any proces out of any of the Courts of Record, within this Realme or Wales, ſhal be ſerued, to teſtifie or depoſe, concerning any cauſe or matter depending in any of the ſame Courts, & hauing tendered vnto him or them, according to his or their countenance or calling, ſuch reaſonable ſummes of money for his or their coſts & charges, as hauing regard to the diſtance of the places is neceſſarie to be allowed in that behalfe, doe not appeare according to the tenour of the ſaid Proces, hauing not a lawful and reaſonable let or impediment to the cõtrarie: that then the party making default, to loſe and forfeit for euery ſuch offence ten pounds, and to yeld ſuch further recompence to the party grieued, as by the diſcretion of the Iudge of the court, out of the which the ſaid Proces ſhal be awarded according to the loſſe and hinderance that the party which procured the ſaid Proces, ſhall ſuſteine, by reaſon of the non-appearance of the ſaid witnes or witneſſes, the ſaid ſeuerall ſums to be recouered by the party ſo grieued, againſt the offendor or offendors, by action of debt, bill, plaint or information in any of the K. Maieſties Courts of Record, in which no wager of law, eſſoine or protection to be allowed. Prouided alwaies, that this act or any thing therein conteined, ſhall not extend in any wiſe, to reſtrein the power or authority giuen by act of Parliament, made in the time of King Henry the ſeauenth to the Lord Chancelor of England, and other of the Kings Councell for the time being, to examine and puniſh riots, routs, heinous periury, and other offences and miſdemeanings, which the Lord Chancelor and others ſithence the making of the ſaid act, haue moſt commonly vſed to heare and determine ſuch matters in the Court at Weſtminſter, commonly called the Starre Chamber: nor to reſtreine the power or authority of the L. Preſident & Councell of the Marches of Wales, or of the Lord Preſident and Councell in the North, nor of any other Iudge hauing abſolute power to puniſh periury, before the making of this eſtatute: But that they and euerie of them ſhall & may proceede in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might haue done and vſed to doe before the making of this act to all purpoſes, ſo that they ſet not vpon the offendor or offendors leſſe puniſhment, then is contained in this Act: this Act to continue vnto the end of the next Parliament. Anno 5. Eliza. cap. 9. This Act is continued 13. Elizab. cap. 25. vntill the end of the next Parliament. And 14. Eliz. cap. 11. likewiſe, vntill the end of the next Parliament after that. This Act is continued by Anno 27. Eliz. cap. 11. vntill the end of the next Parliament. And Anno 28. Eliz. cap. 5. it is made perpetuall. And 1. Iac. cap. 25. It is reuiued and continued vntill the end of the firſt Seſſion of the next Parliament.

Iudges
Iuſt. of Aſſ. Iuſt. of G. Iuſt. of P.
Quarter Seſſions
Enquiry
Diet & ter. Iudgement Proces
✻ Iuſt. of Aſſ.
Proclamation
Prouiſo
Spirituall Courts
Witneſſe
Charges
Forf.
Loſſe
Chancelor
Riot.
Starre Chamber. L. Preſid. of Wales

Parſon, Vicar, and Parſonage.

PArſons, Vicars, Wardens of Chappels, and Prouoſts, Wardens and Chapleines, of perpetuall Chauntries, ſhall haue their writs of Iuris vtrum of lands and tenements, rents, and poſſeſſions annered and giuen perpetually in almes to Vicarages, Chappels or Chantries, and recouer by other writs in their caſe, as farre forth as Parſons of Churches or Prebends. An. 14. Ed. 3. cap. 17.

Iuris vtrum

Pewterers.

AT the ſuit of the honeſt Pewterers & Braſiers of the Cities of London & Yorke, & other places, for as much as much pewter and Braſſels ſtollen and conueyed into corners, and ſo caried ouer ſea, and much euill ſtuffe made and ſold for good, and many deceiueable beames and ſcales vſed, Be it &c. ỹ no perſon or perſons, vſing the ſaid craftes of Pewterers and Braſiers, from hence forth ſhall ſell or change any Pewter or Braſſe, new or olde, at any place or places within this your Realme, but onely in open Faires or Markets, or in their owne dwelling houſes, but if they be deſired by the ſaid buyers of ſuch ware, vpon paine of forfeiture to our Soueraigne Lord the king

Pewterers Hall
Faires Markets
Forf.

king for euerie such default ten pounds. Also that it may be &c. that no person or persons, of what condition or degree so euer hee or they be, from henceforth within the said cities of London & York or without, either cast or worke any Pewter vessell, or Brasse, at any place or places within this your Realme, but that it be as good fine mettall, as is the Pewter and Brasse cast and wrought after the perfit goodnes of the same, within the Citie of London, and by the Statutes of the same ought to be, upon paine of forfeiture of al such Pewter and Brasse so cast and wrought of worse Pewter and Brasse then ought to be wrought in the same Cities. The one halfe of euery such forfeiture to bee to the vse of your Highnesse, and the other halfe to the vse of the finders thereof. Prouided alway, that this forfeiture in no wise stretch ne extend to brasse or Pewter being in the possession of any person other then the workers of the same, or such as haue the same to sell, or being of the crafts or misteries. And that it may &c. That no maner of person or persons, of what degree or condition soeuer he or they be, from henceforth make no hollow wares of Pewter, that is to say, salts and pots that are made of Pewter called lay mettall, but that it may be after the assise of Pewter lay mettall, wrought within the Citie of London. And that the makers of such wares shall marke the same wares with seuerall markes of their owne, to the intent that the makers of such wares shall auow the same wares by them, as is aboue said, to be wrought. And that all and euerie such wares not sufficiently made and wrought, not marked in forme aboue said, found in the possession of the same maker or seller, to be forfeited. And if the same ware be solde, the said maker to forfeit the value of the same ware so vnlawfully wrought and sold, the one halfe of the said ware, or the value thereof, to be to the vse of your highnesse, and the other halfe to the vse of the finder or finders or searchers thereof. Also that it may &c. that if any person or persons, hereafter vsing buying and selling of Pewter or Brasse, that hereafter occupie any deceiueable or false beames or weights, of the said wares, that euery such person or persons, vsing or occupying such deceiueable or vntrue beames or weights, to forfeit twenty shillings, the one halfe to the King, and the other halfe to the partie that therefore shall sue by action of debt, and that in the said action no protection nor essoine shall be allowed. And also the said partie so offending shall forfeit his beame to him that shall seise it, and if the said offender or offenders, be not sufficient to pay the said summe or summes by them so forfeited, that then it shall be lawfull to the Maiors, Bailifes, or other head officer of such place or places where any such offenders shall be found, to put them in the stocks, and them so to keepe til the next Market day next ensuing, and in the market place to put them on the Pillory all the market time. And furthermore, that it be lawfull by the said authority, that the Maister and Wardens of tht said craft of Pewterers, within euery Citie and Borough of this Realme, where such Wardens are, and where no such Wardens are, the head officers and Gouernors, of the same Citie or Borough, to appoint certaine persons most expert in knowledge of the same, to make search within the said cities or Boroughs where they dwell. And ouer this, the Iustices of Peace within euerie Shire, at the generall Sessions holden at Michaelmas, shall assign and appoint two certaine persons, hauing experience to make search in the premisses, in euery part of the shire, as wel within the Franchise as without, sauing in Cities or Boroughes where searchers be appointed by the heads or gouernours of the same, & y^t of all such vnlawfull Pewter or Brasse, as the said searchers shall find, the one halfe to the vse of your grace, and the other halfe to the said Searcher, & that in the default of the said Maister and Wardens of the occupations not searching in forme as is aforesaid, and whereby that any such vnlawfull mettall is cast or made, or vnlawfull weights vsed: That then it shall be lawfull to any person or persons, hauing sufficient cunning and knowledge in the said occupations by ouersight of the Maiors, Bailifes and head Officers of the said Cities and Boroughes, to search all the said places and to put the said authoritie and act in execution in forme aforesaid. Prouided alway, that this present act continue and indure to the nert Parliament, and no longer. Anno 19. H. 7. cap. 6. This Act is made perpetuall in Anno 4. H. 8. cap. 7. as here followeth.

Search

Iust. of P.

Generall Sessions at Michaelmas

Waste

Maiors Bailifes Search

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The said Act (S. Anno 19. H. 7. cap. 6. before 1.) may endure for euer. And ouer that be it &c. that if any vntrue or deceiueable mettall or workemanship of Tin or Pewter be found either in platters, chargers, dishes, sawcers, porringers, trenchers, Basons, flagons, bottles, pots, saltcellers, goblets, spoones, Cruets, or Candlestickes, or any other such wares of Tin or Pewter what soeuer it be, cast, made or wrought within this Realme or without, and brought to be sold within the same Realme: that then it shall bee lawfull to the Maior of the Citie of London, and the Maister and Wardens of the Craft of Pewterers (of the said Citie for the time being) and their deputies, to haue search of the same within the Citie of London and the Suburbes of the same. And that in all other Cities, Boroughs, and Townes, where any Wardens be or shall be, the Maiors, Bailifes, or head Officers and Wardens to haue like authority. And where no Wardens be, then the head Officers and Gouernours of the same Cities, Boroughs, and Townes, to appoint certain persons most expert and cunning in the knowledge of the same, to make search within the said Cities, Boroughes and Townes where they dwell. And if any such new wares wrought of Tinne and Pewter as is aforesaid, be found defective, and being in possession of the seller, that the same person or persons that putteth any such new wares of Pewter to sale, shal forfeit the same wares, the one halfe to the vse of our Soueraigne Lord the K. & the other halfe to the searchers & finders of the same. Prouided alway, y^t this act concerning the forfeiture, be not preiudicial nor hurtfull

Vntrue Mettall Tinne

Maior London Wardens

Search

Pewter

Forf. Polly

ful to any person or persons having grant of our soueraign Lord the K. or of any of his Noble Progenitors by his leters Patents of such forfeiture, but that they and euery of them shall haue and inioy the same, according to their former graunts, and liberties. Anno 4. H. 8 cap. 7.

Letters P.

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3 That no person or persons hereafter at any time now inhabiting, or which hereafter shal inhabit within this Realme, shall buy or otherwise take by exchange for other wares any maner wares made, or hereafter to be made out of this realm, of tin, or mixt with tin, as platters, dishes, saucers, pots, basons, ewers, Flagons, gobbets, Salts, Saltsellers, Spoones, or any other thing made of tin or pewter, as is aforesaid, whatsoeuer it be, vpon paine of forfeiture of the same ware in whose hãds soeuer it may be found or taken, & also lawfull money currant in this Realme, to the full value thereof, the one halfe of the same forfeiture to be to the vse of the Kings Highnesse, and the other halfe to be to the vse of the finders of the same. And furthermore be it &c. that it shall be lawfull to the maister & wardens of the said craft of pewterers, as wel within the city of Lond. as within euery other city, borough, & towne of this realme, where such wardens be, and where no such wardens be, to the head officer or gouernour, head officers or gouernours, of ỹ same city, borough or town for the time being, to appoint diuers persõs most expert in the knowledge of the same, to make search and seisure and to take into their hãds and possessions, al such wares, as hereafter shall be brought, contrarie to the true intent & effect of this present act, in whose soeuer hands or possessions any such shal be found. And also be it &c. That no person or persons occupying the said Craft or occupation of Pewterers within this Realme, shall set on worke, or retaine in his or their seruice any person or persons to be his or their Apprentice or Journeyman, being a stranger, borne out of this realm, vpon pain to forfeit for euery such Apprentice and Journeyman, ten pounds sterling. And ỹ no stranger born out of this Realme, shall occupy, exercise or vse from the feast of Pentecost next comming, the said craft of Pewterers, ne worke any maner of vessell or other ware aforesaid, to be made of Tin or Pewter, within any place or places of this Realme, vpon paine of forfeiture of ten pounds sterling. And also vpon paine of forfeiture of the same Pewter or Tin so wrought, in whose hands soeuer it shall be found or taken. And also be it &c. That no person being borne within this Realme, occupying or exercising the said craft of Pewterers, shall at any time hereafter resort into any strange regions and Countries, there to vse, teach or exercise the said craft of Pewterers, vpon paine to lose the priuiledge and benefit of an English man. And if in case any of the Kings subiects, at this present time being dwelling in any strange Countrey or Region, and other occupying of the said craft of Pewterers, doe not repaire into this Realme within three months next after request & warning to him to be giuen by writing, sealed with the common seale of the Wardens of the said craft within the said Citie of London, and here in this Realme continually from henceforth dwell and inhabit, that then, and from thencefoorth he shall be reputed and taken as no English man, but shall stand & be from thencefoorth out of the K. protection. And for as much as euill disposed persons, which commonly beene called Hawkers, by authoritie of the K. Letters Patents or placards doe not onely goe about from place to place within this Realm, byng, buying and selling of Brasse and Pewter, and by colour and pretence of the same licences or placards, vse vnlawfull weights and beames, but also doe vse to sell both Brasse and Pewter, which is not good, nor truely nor lawfully mixt nor wrought, to the great deceit of the Kings Liege people, contrarie to the forme and effect of the said good Act and Statute made in the said fourth yeare of the Kings most noble Reigne (5. cap. 7. before 2.) Be it therefore &c. That all such licences and placards heretofore had, made, or granted to any such person or persons, contrarie to the true meaning, forme and effect of this statute, shall be from henceforth by authoritie of this present Parliament, clearely voide and of none effect. And whereas in the said act of Parliament concerning the craft of Pewterers and Brasiers, made the said fourth yeare (5. cap. 7. before 2.) for diuers causes and considerations in the same act conteined, amongst other things it is expressed, that no person or persons vsing the said craft of Pewterers & Brasiers, should from thencefoorth sell or exchange any Pewter or brasse, new or olde, at any place or places within this Realme, but onely in open Faires and Markets, or in their owne dwelling houses, but if they were desired by the buyers of such wares, vpon paine of forfeiture for euery such default x.l. Forasmuch as the same forfeiture is to the only vse of ỹ kings Highnesse, and that any partie searching or finding the same, is not intituled to haue any benefit thereby, it hath not beene knowne, that any person or persons haue taken any paine to search or make any inquirie therof, by reasõ wherof diuers & many ill disposed persons, vsing buying, or selling both of Brasse and Pewter, and not regarding the said good Act, neither the said penalty, daily goe about from Village to Village, Towne to Towne, and from house to house, to sell such Pewter and Brasse which is not good, and also vse deceiueable weights and beames, as they did before the making of the said act, to the great hurt and deceit of the Kings true liege people and Subiects. Wherefore be it &c. that aswel the moity of the said forfeiture of tenne pound, limited in the said Statute made in the fourth yere (5. cap. 7. before 2.) as also the moity of all other forfeitures before expressed, and euery of them be and shall be to the vse of the Kings Highnesse, his heires and successors, and the other moitie of the same forfeitures and euery of them, to the vse of him or them that shall seaze, finde or present the said forfeitures or any of them, or that shall sue for the same, wherein the defendant shall in no wise be admitted to wage his law, nor &c. shall be allowed. This Act to endure

to

Time

Pewter Fork.

Polty

Wardens

London City Borough

Officers

Search

Apprentice Journeman Stranger Fork. Charged

Fork.

Borne in the Realme

Three months;

Wardens

London

No Stranger

Pewters Letters

Bath Pewter

Weights

Placard

Void

Hall Chapp

Faires Market

Ful.

Weight

Penalty

to the last day of the next Parliament. Anno 25. H.8.cap.9. This Act is continued An. 28. H.8. ca.9. And after An. 33. H.8. ca.7. it is made perpetuall, as here following appeareth.

4 That all and euerie of the said Acts and statutes (s. Anno 4. H. 8. ca.7. before 2. and Anno 25. H.8. cap.9. before 3.) and all and euerie article sentence and clause comprised in the same, may from henceforth stand and abide in as full strength and effect for euermore from henceforth to endure according to the purport, tenour and effect of the same act and acts, as though the said articles, sentences and clauses, were specially limited, recited or declared in this present act. And that no person ne persons from henceforth buy, or take by exchange, or otherwise take into or within this Realme, to the intent to sell any such things or wares aboue rehearsed, made or to be made out of this Realme, vpon paine of like forfeiture and penalties, as are and were expressed in the said seuerall acts, the same penalties and forfeitures to be leuyed as is afore expressed. And that it may be &c. that if any person or persons doe lawfully withstand, interrupt, disturbe or let the master & Wardens or their deputies of ỳ said craft of pewterers for the time being, or ỳ head officer or gouernour, head officers or gouernors of cities, towns or boroughs, within this realm, wherin no such master & wardens are or shal be, or any of them, in searching, seising, & taking into their hands & possessiõs, such wares, as shall happen to be bought or brought into this Realme, contrarie to the purport and effect of the said estatute, made in the said fiue and twentieth yeare of the raigne of our said Soueraigne Lord (cap.9. before 3.) that then euery such person & persons so offending in letting, disturbing, or withstanding the said seisure, or taking of such wares as is aforesaid, shal lose & forfait for euery time so doing, the sum of fiue pound sterling, the one halfe whereof shall be to the kings vse, and the other halfe to him or them that will or shall sue for the same, by action of debt, writ, bill, plaint or information, in any the kings Courts of Record, &c. In which action or suit, no protection, &c. shall be allowed or admitted. Anno 33. H.8. cap.4.

Physitians and Surgeons.

NO person within the Citie of London nor within seauen miles of the same, take vpon him to exercise and occupie as a Phisition or Surgeon, except he be first examined, approued, and admitted by the Bishop of London, or by the Deane of Paules for the time being, calling to him or them foure Doctors of Phisicke, and for Surgerie other expert persons in that faculty, and for the first examination such as they shall thinke conuenient, and afterward alway foure of them that haue bene so approued, vpon the pain of forfeiture for euery moneth that they doe occupie as Physitians or Surgeons, not admitted nor examined after the tenour of this act, of fiue poũd, to be imployed, the one halfe thereof to the vse of our Soueraigne Lord the king, & the other halfe thereof to any person that will sue for it by action of debt, in which no wager of law, nor protectiõ shall be allowed. And ouer this, that no person out of the said citie and precinct of seuen miles of the same, except he haue bene (as is aforesaid) approued in the same, take vpon him to exercise and occupie as a Physitian or Surgeon, in any Diocese within this Realm, but if he be first examined and approued by the bishop of the same Dioces, or (he being out of the same Dioces) by his vicar generall either of them calling to them such expert persons in the said faculties, as their discretion shall think conuenient, and giuing their Letters testimonials vnder their seale to him that they shall so approue, vpon like paine to them that occupie contrarie to this Act (as is aforesaid) to be leuyed and imployed after the form before expressed. Prouided alway that this act nor any thing therein conteined, be preiudiciall to the Vniuersities of Oxford and Cambridge, or either of them, or to the priuiledges granted to them. Anno 3. H. 8. cap.11.

Wolty

Approued

Letters testimoniall

Oxford Cambridge

2 From henceforth your said suppliants (s. the Wardens and fellowship of Surgeons in London) be discharged and not chargeable of Cõstableship, watch, and all maner of office bearing any armour, and also of all Enquests and Iuries within the Citie of London. And also that this act in all things doe extend to all Barbours Surgeons, admitted and appointed to exercise the said mysterie of Surgeons, according to the forme of the Statute lately made in that behalfe, so ỳ they exceede ne be at one time aboue the number of ry. persons. Anno 3. H. 8. cap. 6.

Wardens London Constable March Bearing armour Enquests London Barbours Approued

12. persons

3 In their most humble wise sheweth vnto your highnes, your true and faithfull subiects and Liegemen, John Chamber, Thomas Linacre, Fernandes de Victoria, your Physitians, and Nicholas Hallywell, John Frances, and Robert Yareley, & all other men of the same faculty within the citie of Londõ, & seuen miles about, that where (your Highnes by your most gratious Letters P. bearing date at Westminster the three and twentieth day of September the 10. yere of your most noble reigne, for the common wealth of this your Realme, in due exercising and practising of the faculty of Phisicke, and the good ministration of medicines to be had) haue incorporated and made of vs and of our company aforesaid, one body and perpetuall cõminalty or felowship of the faculty of Phisicke, and to haue perpetuall succession & common Seale, and to chuse yerely a President of the same fellowship and cõminalty, to ouersee, rule, and gouerne the said felowship and cõminalty, and all men of the same faculty, with diuers other liberties and priuiledges by your Highnes to vs graunted, for the common wealth of this your Realme, as in your said most gratious Letters P. more at large is specified and conteined, the tenor whereof followeth in these words.

London 7. miles Letters P.

President

HEnricus Dei gratia Rex Angliæ & Francie, & Dominus Hiberniæ, omnibus ad quos præsentes literæ peruenerint, salutem. Cum regij officij

The letters Patents

officij noſtri munus arbitremur, ditionis noſtræ hominum fœlicitati omni ratione conſulere, id autem vel in primis fore, ſi improborum conatibus tempeſtiuè occurramus: apprimè neceſſarium duximus, improborum quoque hominum, qui medicinam magis auaritiæ ſuę cauſa, quàm vllius bonæ conſcientię fiducia profitebuntur, vnde rudi et credulæ plebi plurima incommoda oriantur, audaciam compeſcere: Ita que partim benè inſtitutarum ciuitatum in Italia, alijs, multis nationibus, exemplum imitati, partim grauium virorum, Doctorum, Iohannis Chambre, Thomæ Linacre, Ferdinandi de Victoria, Medicorum noſtrorum, Nicholai Halliwell, Iohannis Franciſci, & Roberti Yarley medicorum, ac prȩcipiuè Reuerendiſſimi in Chriſto patris, ac Domini Thomæ tituli ſanctæ Eccleſiæ, trans Tyberim, ſacro ſanctæ Rom. Eccleſiæ presbyteri, Cardinalis Eboracenſis Archiepiſcopi, & Regni noſtri Angliæ Cancellarij chariſſimi prȩcibus inclinati, Collegium perpetuum Doctorum & grauium virorum, qui medicinam in vrbe noſtra Londino & ſuburbibus, itrà que ſeptem millia paſſuum ab ea vrbe quaqua verſus publice exerceant, inſtitui volumus atque imperamus: Quibus tum ſui honoris, tum publicæ vtilitatis nomine, curæ, vt ſperamus, erit, malitioſorum, quorum meminimus inſcitiam temeritatemque tam exemplo grauitatèque ſua deterrere, quàm per leges noſtras nuper æditas, ac per conſtitutiones per idem Collegium condendas, punire. Quæ quò facilius ritè peragi poſſint, memoratis Doctoribus Iohanni Chambre, Thomę Linacre, Ferdinãdo de victoria, Medicis noſtris, Nicholao Halliwell, Iohanni Franciſco, & Roberto Yarley Medicis Conceſſimus, quod ipſi omneſque homines eiuſdem facultatis, de & in Ciuitate prædicta, ſint in re, & in nomine vnum corpus & Communitas perpetua, ſiue Collegium perpetuum. Et quod eadem Communitas ſiue Collegium ſingulis annis in perpetuum eligere poſſint, & facere de communitate illa, aliquem prouidum virum, & in facultate Medicinę expertum, in Præſidentem, eiuſdem Collegij ſiue Communitatis, ad ſuperuidendum, recognoſcendum & gubernandum pro illo anno, Collegium, ſiue Communitatem prædictam & omnes homines eiuſdem facultatis, & negotia eorundem. Et quod idem Præſidens, & Collegium, ſiue Communitas habeant ſucceſſionem perpetuam, & commune ſigillum, negotiis dictæ Communitatis & Præſidentis in perpetuum ſeruiturum. Et quod ipſi & ſucceſſores ſui
Burchaſe in perpetuum ſint perſonæ habiles & capaces ad perquirendum & poſſidendum in fœodo, & perpetuitate, terras & tenementa, redditus, & alias poſſeſſiones quaſcunque. Conceſſimus etiam eis et ſucceſſoribus ſuis, pro nobis & hæredibus noſtris, quod ipſi & ſucceſſores ſui, poſſint perquirere ſibi & ſucceſſoribꝰ ſuis, tam in dicta vrbe quàm
12. l. Land extra terras & tenementa quęcunque ad annuum valorem duodecim librarum non excedenda: ſtatuto de alienatione ad manũ mortuã non obſtãte. Et quod ipſi per nomina Prȩſidentis Collegij, ſeu Communitatis facultatis Medicinæ Londoñ, placitari & implacitari poſſint coram quibuſcunque Iudicibus in curijs & actionibus quibuſcunque. Et quod prędictus Prȩſidens & collegium ſiue communitas, & eorum ſucceſſores, congregationes licitas & honeſtas de ſeipſis, ac ſtatuta & ordinationes pro ſalubri gubernatione ſuperuiſo & correctione Collegij ſeu Communitatis prædictæ, & omnium hominum eandem facultatem in dicta Ciuitate, ſeu per ſeptem milliaria in circuitu eiuſdem Ciuitatis exercentium, ſecundum neceſſitatis exigentiam (quoties & quando opus fuerit) facere valeãt licitè & impunè ſine impedimento noſtro, hæredum vel ſucceſſorum noſtrorum, Iuſticiariorum, Eſchaetorum, Vicecomitum, & aliorum balliuorum, vel miniſtrorum noſtrorum, heredum vel ſucceſſorum noſtrorum quorumcunque. Conceſſimus etiam eiſdem Præſidenti, & Collegio, ſeu communitati & ſucceſſoribus ſuis, quod nemo in dicta Ciuitate, aut per ſeptem milliaria in circuitu eiuſdem, exerceat dictam facultatem, niſi ad hoc per dictum Prȩſidentem & Communitatem, ſeu ſucceſſores eorum, qui pro tempore fuerint, admiſſus ſit per eiuſdem Præſidentis & Collegij literas, ſigillo ſuo communi ſigillatas, ſub pœna centum ſolidorum pro quolibet menſe, quo non admiſſus eandem facultatem exercuit dimidium inde nobis & hęredibus noſtris, & dimidium dicto Præſidenti & Collegio applicandum. Prætera volumus, & concedimus pro nobis & ſucceſſoribus noſtris (quantum in nobis eſt) quod per Preſidentem & Collegium communitatis pro tempore exiſtente, & eorum ſucceſſores in perpetuum, quatuor, ſingulis annis per ipſos eligantur, qui habeant ſuperuiſum & ſcrutinium, correctionem, & gubernationem omnium & ſingulorum dictæ Ciuitatis medicorum vtentium facultate medicinæ in eadem Ciuitate, ac aliorum medicorum forinſecorum quorumcunque, facultatem illam medicinæ aliquo modo frequentantium & vtentium infra eandem Ciuitatem & ſuburbia eiuſdem, ſiue infra ſeptem milliaria in circuitu eiuſdem ciuitatis, ac punitionem eorundem pro delictis ſuis in non bene exequendo, faciendo, & vtendo illa: Necnon ſuperuiſum & ſcrutinium omnimodo medicinarum, & eorum receptionem per dictos medicos, ſeu aliquem eorum, huiuſmodi ligeis noſtris pro eorum infimitatibus curandis & ſanandis, dandis, imponendis, & vtendis, quoties & quando opus fuerit, pro commodo & vtilitate eorundem ligeorum noſtrorum. Ita quod punitio huiuſmodi medicoꝝ, vtentiũ dicta facultate medicinæ, ſic in ꝑmiſſis delinquentiũ, per fines, amerciamẽta, impriſonamẽta corpoꝝ ſuorum, & per alias vias rationabiles, & congruas exequatur. Volumus etiam & concedimus pro nobis, hæredibus, & ſucceſſoribus noſtris (quantum in nobis eſt) quod nec Præſidens, nec aliquis de Collegio prędicto Medicorum, nec ſucceſſorers ſui, nec eorum aliquis exercens facultatem illam quoquo modo in futurum infra Ciuitatem noſtram prędictam, & ſuburbia eiuſdem, ſeu alibi, ſummoneantur aut ponantur,

neque

neque eorum aliquis summoneatur, aut ponatur in aliquibus assisis, iuratis, inquestis, inquisitionibus, attinctis, & alijs recognitionibus, infra dictam ciuitatem, & suburbia eiusdem, imposterum coram Maiore, ac Vicecomite, seu Coronatoribus dictæ ciuitatis nostræ pro tempore existentibus capiend' aut per aliquem officiarium, seu ministrum suum, vel officiarios, siue ministros suos, summonendos: licet idem iurat, inquisiciones, seu recognitiones summoniæ fuerint super breui, vel breuibus nostris, vel heredum nostrorũ de Recto, sed quod dicti Magistri siue gubernatores, ac communitas facultatis ante dictæ, & successores sui, & eorum quilibet, dictam facultatem exercentes, versus nos, hæredes, & successores nostros, ac versus Maiorem & Vicecomites Ciuitatis nostræ prædictæ, (pro tempore existent) & quoscunque Officiarios & ministros suos, sint inde quieti, & penitus exonerati in perpetuum per presentes. Proviso quod literæ nostræ, seu aliquid in eis contentum, non cedent in præiudicium, ciuitatis nostræ London, seu libertatis eiusdem. Et hoc absque fine seu feodo pro præmissis, seu sigillatione præsentium nobis faciendo, vel aliqualiter reddenda: aliquo statuto, ordinatione vel actu in contrarium ante hæc tempora facto, edito, ordinato, seu proviso, in aliquo non obstante. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium 23. die Septemb. Anno regni nostri decimo. Per ipsum Regem, & de data prædicta, authoritate Parliament. Tunstall.

AND for almuch that the making of the said Corporation is meritorious, and verie good for the common wealth of this your Reame, it is therefore expedient and necessarie to prouide, that no person of the said politike body and communaltie aforesaid, be suffered to exercise Phisicke, but only those persons that be profound, sad, and discrete, groundly learned, and deepely studied in Phisicke. In consideration whereof, and for the authorising of the same Letters Patents, and also inlarging of further articles for the said common wealth to be had and made, pleaseth it your Highnesse &c. to enact &c. That the said corporation of the said Communaltie and fellowship of the faculty of Phisicke aforesaid, and all and euerie graunt, Article, and other thing conteined and specified in the said Letters Patents be approued, granted, ratified, and confirmed in this present parliament and clearely authorized and admitted by the same, good lawfull and auaileable to your said body corporate, and their successors forener, in as ample and large maner, as may be taken, thought, and construed by the same. And that it shall please your Highnesse &c. further to enact &c. that the fiue persons aforesaid, in your said most gracious Letters Patents, named as principalls, and first named of the said communaltie and fellowship, chusing to them two or moe of the said communaltie from hence forward be called and cleped elects. And that the same elects yerely chuse one of them to be President of the said communaltie, as oft as any of the rowmes and places of the same elects shall fortune to be voide by death or otherwise, then the superuisors of the same elects (within thirty or forty daies next after the death of them, or any of them) shall chuse, name, and admit one or moe, as nede shall require, of the most cunning and expert men, of, and in the said faculty in London, to supply the said rowme and number of eight persons: So that hee or they that shall be so chosen, be first by the said superuisors streightly examined after a forme deuised by the said Elects, and also by the same superuisors approued. And where that in the Dioceses of England out of London, it is not likely to finde alway men able sufficiently to examine (after the Statute) such as shall bee admitted to exercise Phisicke in them, that it may bee enacted in this present Parliament, that no person from henceforth be suffered to exercise or practise in Phisicke thorow England, vntill such time that he be examined at London by the said President, and three of the said Elects, and to haue from the said Presidents or Elects, Letters testimonials of their approuing and examination, except hee be a graduate of Oxford or Cambridge, which hath accompliished all thing for his forme without any grace. Anno 14. H. 8. cap. 5.

Superiours

London Eight persons

Examined

Graduate Oxford Cambridge

4 In most humble wise sheweth vnto your Maiestie, your true and faithfull Subiects and Liegemen, the President of the corporation of the communalty and Fellowship of the science and faculty of Phisicke in your City of London, and the commons and Fellows of the same: That whereas diuers of them many times hauing in cure aswell some of the Lords of your most honourable Councell, and diuers times many of the Nobilitie of this Realm, as many other of your faithfull & Liege people, cannot giue their due attendance to them, and other their patients, with such diligence, as their duety were, and is to doe, by reason they be many times compelled aswell within the said Citie of London and suburbs of the same, as in other Townes and Villages, to keepe watch and warde, and be chosen to the office of Constable, and other offices within the saide Citie and Suburbs of the same, as in other places within this your realme, to their great fatigation and vnquieting, and to the perill of their patients by reason they cannot be conueniently attended: It may therefore please your most excellent Maiestie, with the assent &c. to enact &c. that the President of the said Communalty and fellowship for the time being, and the commons and fellowes of the same, and euerie fellow thereof that now be, or at any time hereafter shall be, their successors, & the successors of euery of them, at all time & times after the making of this present act, shal be discharged to keep any watch or ward in your said City of Lond. or ỳ suburbs of the same, or any part thereof. And that they, nor any of them shall be chosen Cõstable, or any other officer in the said Citie or Suburbs. And ỳ if at any time hereafter the said President for the time being, or any of the said Commons or Fellowes for the time being, by any

President

London

Watch Ward Constable

President Fellowship

Watch Ward London Constable Officer

waies or meanes bee appointed or elected to anywatch or warde, Office of Constable, or any other office within the said Citie, or suburbs, the same appointment or election to be vtterly
Void voide and of none effect, any order, custome or law to the contrarie before this time vsed in the said Citie notwithstanding. And that it may please your most Royall Maiestie, &c. for the Commonwealth and surety of your louing Subiects of this your Realme, in, and for the administration of medicines to such of your said Subiects as shall haue need of the same, that from henceforth the said President for the time being, Commons and Fellowes, and their successours, may yearely at such time as they shall thinke most meet and conuenient for the same, elect and
iiii. Persons chuse foure persons of the said Commons and Fellowes of the best learned, wisest, and most discreet, such as they shall thinke conuenient, and haue experience in the said faculty of Physicke: and that the saide foure persons so elected
Oath and chosen, after a corporall Oath to them ministred by the said President or his Deputy, shall and may by vertue of this present Act, haue full authority and power, as often as they shall think meete and conuenient, to enter into the house
Apothecary or houses of all and euery Apothecary, now, or any time hereafter, vsing the mystery or craft of an Apothecarie within the said City, onely to
Seared search, view, and see such Apothecarie wares, Drugs, and Stuffe, as the said Apothecaries, or any of them haue, or at any time hereafter shall haue in their house or houses. And all such Wares, Drugs, and Stuffes, as the same foure persons shall then finde defective, corrupted, and not meete nor conuenient to bee ministred in any medicines for the health of mans body, the
Wardens same foure persons calling to them the Wardens of the said mystery of Apothecaries within the said Citie for the time being, or one of them,
Destroy shall cause to bee burnt, or otherwise destroy the same, as they shall thinke meete by their discretions. And if the said Apothecaries, or any of them, at any time hereafter doe obstinately, or
Refuse willingly refuse, or deny the said foure persons yearely elected and chosen, as is before saide, to enter into their said house or houses, for the causes, intent, and purpose before rehearsed: That then they, & euery of them so offending, contrary to this act, for euery time that he or they doe so offend
Forf. to forfeit an hundred shillings, the one halfe to your Moity Maiestie, and the other halfe to him that will sue for the same by action of debt, bill, plaint, or information in any of the kings Courts, wherein no wager of law, essoine, or protection shall be allowed. And if the said foure persons, or any of them so elected & chosen, as before is said, doe refuse to be sworne, or after his said oath to him or them administred, doe
Refuse obstinately refuse to make the said search and view once in the yeare, at such time as they shall thinke most conuenient by their discretions, hauing no lawfull impediment by sickness, or otherwise to the contrarie: that then for euery such wilfull & obstinate default, euery of the said iiij. persons making default, to forfeit xl.s. And for asmuch as the Science of Phisicke doth comprehend, include, and containe the knowledge of Surgery, as a speciall member and part of the same, therefore be it enacted, that any of the said company or fellowship of Physitians, being able, chosen, and admitted by the said president and fellowship of Physitians, may from time to time, as well within the citie of London, as elsewhere within this realme, practise & exercise the said science of Phisicke in all & euery his members & parts: any act, statute, or prouision made to the contrary notwithstanding. Anno 32. H. 8. cap. 40.

5 The king our Soueraign Lord by the aduice &c. duely pondring, among other things necessary for the common wealth of this realme, that it is verie expedient and needfull to prouide for men expert in the science of Phisicke and Surgery, for the health of mans body, when infirmity and sickenesse shall happen, for the due exercise and maintenance whereof, good and necessarie acts be already made and prouided: yet neuertheles, for asmuch as within the City of London, where men of great experience as well in speculation as in practise of the science and faculty of Surgerie, be abiding and inhabiting, and haue more commonly the dailie exercise & experience of the same science of Surgery, then is had or vsed within other parts of this realme, & by occasion thereof many expert persons be brought vp vnder them, as their seruants, apprentices, and others, who by the exercise & diligent information of their said maisters, as well now as hereafter shall exercise the said science, within diuers other parts of this Realme, to the great relefe, comfort, and succour of much people, & to the sure safegard of their bodily health, their limbs and liues. And forasmuch as within the said City of London, there be now seuerall and distinct companies of Surgeons occupying & exercising the said science & faculty of Surgerie, the one company being commonly called Barbors of London, and the other company called the Surgeons of London: which company of Barbors be incorporated to sue and to be sued by the name of maisters or gouernors of the mysterie and communaltie of the Barbors of London, by vertue & authority of the Letters Patents vnder the great Seale of the late king of famous memory king Edw. the fourth, dated at Westminster the 24. day of Feb. in the first yere of his reigne, which afterward aswell by our now most dreade soueraigne Lord, as by the right noble and vertuous prince King Henry the seauenth, Father vnto the Kings most excellent Highnesse now being, were and bee confirmed, as by sundrie Letters Patents thereof made, among other things in the same conteined, more at large may appeare: And the other company called the Surgeons, be not incorporate, nor haue any maner of corporation: which two seuerall and distinct Companies of Surgeons were necessarie to be vnited and made one body incorporate, to the intent that by their Vnion and often assemblies together, the good and due order, exercise, and knowledge of the said Science or faculty of Surgerie, should be aswell in speculation as in practise, both to themselues and all other their said seruants

seruants and apprentices, now and hereafter to be brought vp vnder them, and by their learnings and diligent and ripe informations, more perfectly spedie, and effectuall remedy should be, then it hath bene, or should be, if the said two Companies of Barbors and Surgeons should continue severed asunder, and not ioyned together, as they before this time haue bene and vsed themselues, not medling together. Wherefore in consideration of the premisses, be it &c. that the said two seuerall and distinct Companies of Surgeons, that is to say, both the Barbours and the Surgeons, and euery person of them being a free man of either of the said Companies, after the customes of the said Citie of London, and their successors from henceforth immediately, be united and made one entire and whole body corporate, and one communalty perpetuall, which at all times hereafter shall be called by the name of Maisters and Gouernors of the mystery and communalty of Barbours & Surgeons of London for euermore, and by none other name. And by the same name to be impleaded and beimpleaded, before all maner of Iustices, in all Courts, in all maner of actions and suites. And also to purchase, inioy, & take to them and to their successors, all maner of lands, tenements, rents, and other possessions whatsoeuer they be. And also shall haue a common seale to serue for the busines of the said Company & corporation for euer. And by the same name peaceably, quietly, and indifferently haue power, & enioy to them and to their successors for euer, all such lands & tenements, & other hereditaments whatsoeuer, which the said Company or Communalitie of Barbours, haue and enioy to the vse of the said mistery and communalty of Barbours of London. And also peaceably and quietly haue and inioy all & singuler benefits, grants, liberties, priuiledges, fraunchises, & free customs, and also all maner of other things at any time giuen & graunted vnto the said Cõpanies of Barbors or Surgeons, by whatsoeuer name or names they or any of them were called, and which they or any of the now haue, or any of their predecessors haue had by acts of Parliament, Letters Pat. of the kings Highnes, or other his most Noble Progenitors, or otherwise by any lawfull meanes haue had, at any time afore this present act, in as large and ample maner and forme, as they or any of them haue had, might, or should inioy the same, this Union or Coniunction of the same Companies together notwithstanding. And as largely to haue and enioy the premisses, as if the same were & had bin specially and particularly expressed and declared with the best and most cleerest wordes & termes in the law, to all intents and purposes. And that all persons of the said Company now incorporate by this present act and their successors, that shall be lawfully admitted & approued, to occupie Surgerie, after the forme of the Statute in that case ordained and prouided, shall be exempt for bearing of armour, or to be put in any watches or inquests. And that they and their successors shall haue the search, ouersight, punishment, and correction, as well of freemen as of Forreines, for such offences as they, or any of them shall commit or doe against the good order of Barbery or Surgerie, as afore this time among the said mysterie & and company of Barbers of London, hath bene vsed and accustomed, according to the good and politike rules and ordinances by them made and approued by the Lord Chancelor, treasorer, and the chiefe Iustices of either bench, or any three of them, after the forme of the Statute in that case ordeined & prouided. And further be it &c. that the said Maisters or gouernours of the said Mystery and communalty of Barbers & Surgeons of London, and their successors, yerely for euer, after their said discretions, at their free libertie and pleasure, shal and may haue and take without contradiction, foure persons condemned, adiudged, and put to death for felony, by the due order of the kings lawes of this Realme, for Anotamies, without further sute or labour to be made to the kings Highnesse, his heires or successors for the same. And to make incision of the same dead bodies, or otherwise to order ỹ same after their said discretions at their pleasures for their further and better knowledge, instruction, insight, learning, and experience in the said science or faculty of surgerie. Sauing vnto all persons, their heires and successours, all such right, title, interest and demaund, which they or any of them might lawfully claime or haue, in, or to any of the lands and tenements, with the appurtenances belonging vnto the said company of Barbers and Surgeons, or any of them, at any time afore ỹ making of this Act, in as ample maner and form, as they or any of them had, or ought to haue had heretofore: any thing in this present act comprised to the contrarie hereof in any wise notwithstanding. And forasmuch as such persons vsing the mysterie or faculty of Surgerie, often times meddle and take into their cures and houses, such sicke and diseased persons as be infected with the pestilence, great pockes, and such other contagious infirmities, doe vse or exercise Barberie, as washing or shauing and other feates thereunto belonging, which is very perilous for infecting the kings Liege people resorting to their Shops and houses, there being washed or shaven: wherefore it is now enacted &c. That no mariner of person within the Citie of London, Suburbs of the same, and one mile compasse of the said City of London, after the Feast of the Natiuity of our Lord God next comming, vsing any Barberie or shauing, or that hereafter shall vse any Barberie or shauing, within the said City of London, suburbs, or one mile circuit of the same City of Lõdon, he nor they, nor none other for them, to his or their vse, shall occupie any Surgerie, letting of bloud, or any other thing belonging to surgery, drawing of teth only except. And furthermore in like maner, whosoeuer ỹ vseth the mystery or craft of surgery within the circuite aforesaid, as long as he shall fortune to vse the saide mistery or carft of surgery, shall in no wise occupy nor exercise the feat or craft of barbery or shauing, neither by himselfe, nor by none other for him, to his or their vse. And moreouer, that all maner of persons vsing surgery, or the time being, as well Freemen as Forreiners,

A. Persons yerely for a. merciaments

Chancelor Treasorer Chiefe Iust

Right

Pestilence Pocks

London

Barbery

Suburbs

One mile

Surgery Letting of bloud Drawing of teeth except

No Surgeõ shall be a Barbour

aliens & strangers within the said citie of London, the suburbs thereof, and one mile compasse of the same Citie of London, before the feast of S. Michael the Archangell next comming, shall haue an open signe on the street side, where they shall fortune to dwell, that all the kings liege people there passing by, may know at all times whether to resort for their remedies in time of necessitie. And further be it &c. that no maner of person after the said feast of Saint Michaell the Archangell next comming, presume to keepe any shop of Barberie or shaning within the Citie of London, except he be a freemen of the same corporation and company. And furthermore, at such times hereto fore accustomed, there shall be chosen by the same company foure Masters or Gouernors of the same Corporation or Company, of the which foure, two of them shall be expert in surgerie, & the other two in Barberie, which iiij. Masters & euerie of them shall haue full power and authority from time to time, during their said office, to haue the ouersight, search, punishment and correction of all such defaults and inconueniences as shal be found among the said company vsing Barbery and Surgery, as well of freemen, as forreiners, aliens and strangers within the City of London and the circuite aforesaid, after their said discretions. And if any person or persons vsing any Barbery or Surgerie, at any time hereafter offend in any of these articles aforesaid, then for euery moneth the said persons so offending, shall lose, forfeit & pay fiue pounds, the one moity thereof to the king our Soueraigne Lord, & the other moity to any person that will or shal sue therefore by action of debt, bill, plaint, or information in any the kings Courts, wherein no wager of law, essoine or protection shal be admitted or allowed in the same. Prouided that the said Barbors and Surgeons, and euery of them shall beare and pay lot and Scot, & such other charges as they, and their predecessors haue bene accustomed to pay within this Citie of London: this act or any thing therein contained to the contrary notwithstanding. Prouided alway and be it &c. that shall be lawfull to any of the kings Subiects, not being a Barbor nor Surgeon, to retaine, haue, and keepe in his house as seruant, any person being a Barbor or Surgeon, which shall and may vse and exercise those Arts and faculties of Barbery & surgery, or either of them in his masters house, or elsewhere by his Masters licence or commandement: any thing in this act aboue written to the contrary being, notwithstanding. Anno 32. H. 8. cap. 2.

Signe

Freeman

4. Gouernours

Search

Aliens Strangers

Fort.

Moitie

Lot & scot

Seruant

Licence

6 At all times from henceforth it shall be lawfull to euery person being the kings subiect, hauing knowledge and experience of the nature of herbs, rootes, and waters, or of the operation of the same, by speculation or practise, within any part of the Realm of England, or within any other the kings Dominions, to practise, vse, and minister, in, and to any outward sore, vncome, wound, Apostemations, outward swelling, or disease, any herbs or herbs oyntment, bathes, pultes, and implaisters, according to their cunning experience, and knowledge in any of the diseases, sores, or maladies before saide, and all other like to the same, or drinkes for the Stone, Strangurie, or Agues, without suite, veration, trouble, penalty, or losse of their goods: the foresaid Statute, in the foresaid third yeare of the kings most gracious Reigne, or any other act, ordinance, or statute to the contrarie hereof heretofore made in any wise notwithstanding. Anno 34. H. 8. cap. 8.

Practisers

7 The said Statute or Act of Parliament (s. 14. Hen. 5. cap. 5. before 13.) with euerie article and clause therein contained, shall from henceforth stand and continue still in full strength, force, and effect: any act, Statute, law, custom, or any other thing made, had, or vsed to the contrarie in any wise notwithstanding. Be it &c. that whensoeuer the President of Colledge or communalty of the faculty of Physicke of London, for the time being, or such as the said President & colledge shall yerely according to the true and meaning of the said Act, authorise to search, examine, correct & punish all offenders & transgressors in the said faculty, within the same Citie and precinct, in the said act expressed, shall send, or commit any such offender or offenders, for his or their offences or disobedience contrary to any Article or clause conteined in the said graunt or Act, to any ward, Goale, or prison within the same City and precinct (the Tower of London except) that then from time to time the Warden, Gaoler, or Keeper, Wardens, Gaolers & or Keepers, of the wards, Gaoles, & Prisons within the City or precinct aforesaid except before excepted, shall receiue into his or their prisons, all and euery such person and persons so offending, as shall be so sent, or committed to him or them, as is aforesaid, and there shall safely keepe the person or persons so committed, in any of their prisons, at the proper costs and charges of the said person or persons committed, without baile or mainprise, vntill such time as such offender or offenders, or disobedients, be discharged of the sayd imprisonment by the sayd President, and such persons, as by the sayd Colledge shall bee thereunto authorised: vpon paine that all and euerie such Warden, Gaoler, or Keeper, doing the contrarie, shall lose and forfeit the double of such fines and amerciaments as such offender and offenders, or disobedients, shall be assessed to pay, by such as the said President and Colledge shall authorise, as aforesaid, so that the same fine and amerciament be not at one time aboue the summe of twentie pounds: The moitie thereof to be imployed to the vse of our Soueraigne Lady the Queene, her heirs and successors, the other moitie vnto the said President and Colledge. All which forfeitures to be recouered by action &c. against any such Warden, Gaoler, or keeper so offending, in which suit no &c. And be it &c. for the better execution of the search, and view of the Apothecarie wares, drugs, and composition, according to the tenor of a statute made in the two and thirtieth yeare of the raigne of the late King Henrie the eight, that it shalbe lawful for the Wardens of the Grocers, or one of them, to goe with the sayd Physitians in their view and search, that if

Pain

Gaole

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Apothe

Wardens Grocers

if the said Warden or Wardens doe refuse or delay his or their comming thereunto, forthwith and immediately when the said President, or foure of his Colledge elect, as is aforesaid, doe call vpon him or them, that then the said Physitians may and shall execute the search and view, & the due punishment of the Apothecaries for any their euill and faulty stuffe, according to the Statute last before mentioned, without the assistance of any of the said Wardens: any clause in the aforenamed Statute, to the contrarie hereof notwithstanding. And euery such person or persons as will or shall resist such search, shall forfeit for euery such resistance ten pound. The same penalty to be recouered in forme aforesaid, without any of the delaies aforesaid to be had in suit thereof. And further be it &c. that all the Justices, Maiors, Shirifes, Bailifes, Constables, and other Ministers and Officers within the Citie and precincts aboue written vpon request to them made, shall help, aid and assist the President of the said Colledge, & all persons by them from time to time authorized, for the due execution of the said Acts or Statutes, vpon paine for not giuing of such aid, help, & assistance, to ranne in contempt of the Quéenes Maiesty, her heires and successors. Anno 1. M. 1. Parl. cap. 9.

Pillorie.

THat the Pillorie be of conuenient strength, so as the offender may be punished without bodily perill. An. 51. H. 3.

Pinnes.

ANno 34. H. 8. cap. 6. An act was made for pinnes, but it is repealed by 37. H. 8. cap. 13.

Plague.

BE it enacted &c. That the Maior, Bailifes, head Officers, & Justices of P. of euerie City, borough, Towne corporate, and places priuiledged, where any Maior and Bailifes, head Officers, or Justices of Peace are or shall be, or any two of them, shall haue power and authority from time to time, to tare, and assesse all & euery Inhabitant, & all houses of habitation, lands, tenements, and hereditaments within the said City, borough, town corporate, and places priuiledged, or the liberties or precincts thereof, at such reasonable tares and paiments, as they shall thinke fit for the reasonable relief of such persons infected, or inhabiting in houses and places infected in the same cities, boroughs and Townes corporate, and places priuiledged, & from time to time to leuie the same tares, of the goods of euerie person refusing or neglecting to pay the said Tares, by warrant vnder the hand and Seale of the Maior & Bailifes, and head Officers aforesaid, or two such Justices of Peace, to be directed to any person or persons for the execution thereof. And if the party to whome such warrant is or shall be directed, shall not finde any goods to leuy the same, and the party tared, shall refuse to pay the same tare, that then vpon returne thereof the said Maior, Bailifes, head Officers or Justices of Peace, or any two of them, shall by like Warrant vnder their hands and seales, cause the same person so tared to be arrested, and committed to the Goale, without baile or Mainprise, vntill he shall satisfie the same taxation, and the Arrerages thereof. And if the Inhabitants of any Citie, Borough, Towne corporate, or place priuiledged, shall finde themselues vnable to relieue their saide poore infected persons, and others as aforesaid, that then vpon certificate thereof by the Maior, bailife, head Officer, and other the said Justices of P. or any two of them, to the Iust. of Peace of the Coûtie or nere to the said City, borough, town corporate, or priuiledged place so infected, or any two of them to be made, the said Justices of or nere the said County, or any two of them, shal or may tare & assesse the inhabitants of the County within fiue Miles of the said place infected, at such reasonable weekely tares and rates as they shall thinke fit, to be leuied by warrant from any such two Justices of Peace, of or nere the County, by sale of goods, & in default thereof, by imprisonment of the body of the party tared as aforesaid. And if any such infection shall be in any borough, Towne corporate, or priuiledged place, where there are or shall be no Justices of Peace or in any Village or Hamlet within any Countie, that then it shall and may be lawfull for any two Justices of peace of the said County, wherein the said place infected is or shall be, to tare and assesse the Inhabitants of the said County, within fiue miles of the said place infected, at such reasonable weekly tares and rates as they shall thinke fit for the reasonable relefe of the said places infected, to be leuied by Warrant from the said Justices of P. of the same County, by sale of goods, and in default thereof, by imprisonment of the body of euerie party so tared as aforesaid: The same tares made by the said Iust. of Peace of the Countie for the relefe of such Cities, Boroughes, Townes corporate, and places priuiledged, where there are no Justices of Peace, to bee disposed as they shall thinke fit. And where there are Justices of Peace, Then in such sort as to the Maior, Bailifes, head Officers and Justices of Peace there, or any two of them shall seeme fit and conuenient. All which tares and rates made within any such Citie, Borough, Towne corporate, or place priuiledged, shall be certified at the next Quarter Selli. to be holden within the same City, borough, towne corporate, or place priuiledged. And the said tares & rates made within any part of the said County, shal in like sort be certified at the next quarter sess. to be holden in & for the said County. And if the Iust. of P. at such quarter sessions respectiuely, or the more part of them shall thinke it fit the said tare or rate should continue, or be enlarged, or extended to any other parts of the County, or otherwise determined, then the same to be so enlarged, exeended or determined, increased, or tared & leuied, in maner & form aforesaid, as to the said Iust. at the quarter sessiõs respectiuely shall be thought fit & cõuenient. And euery Cõstable & other officer y shall wilfully make default in leuying such mony as they shall be commanded by the said Warrant or Warrants, shal forfeit for euerie such offence ten shillings to be

Impr.
Baile denied
Vnable
Certificat
Tare 5. Miles
Leuy
Impr.
2. Iust. of y.
5. Miles
Leuy
Impr.
Tares
Certified Quarter Sessions
Tare
Continue Determined
Constable &c.
Void

imploied on the charitable vses aforesaid. And be it
Persons infected further enacted that if any person or persons infected, or being or dwelling in any house infected, shal be by the Maior, bailifes, Constable, or other head officer of any Citie, Borough, Towne Corporate, priuiledged place, or Market towne, or by any Iustice of Peace, Constable, Headborough, or other Officer of the Countie (if any such infection be out of any City, Borough, Towne corporate, priuiledged place, or Market Towne) commanded or
Keepe house appointed as aforesaid, to keepe his or their house, for auoiding of further infection, and shal notwithstanding wilfully and contemptuously disobey
Disobey such direction and appointment, offering and attempting to breake and goe abroad, and to resist,
Resist or going abroad, and resisting such Keepers or Watchmen as shall be appointed, as aforesaide, to see them kept in: That then it shall be lawfull for
Watchmen such Watchmen, with violence to enforce them to keepe their houses. And if any hurt come by
Enforce such inforcement to such disobedient persons, that then the said Keepers, Watchmen, and any other their assistants, shall not be impeached therefore. And if any infected person as aforesaide, so commanded to keepe house, shall contrarie to such commandement, wilfully and contemptuously goe abroad, and shall conuerse in company,
Go abroad hauing any infectious Sore vpon him vncured, that then such person and persons shall be taken, deemed and adiudged as a Felon, and to suffer
Felon paines of death, as in case of Felony. But if such person shall not haue any such Sore found about him, then for his said offence, to be puni-
Vagabond shed as a Vagabond in all respects should, or ought to be, by the Statute made in the nine and thirtieth yere of the raigne of our late Soueraigne Lady Queene Elizabeth, for the punishment of Rogues and Vagabonds. And further to bee
Good behauiour bound to his or their good behauiour for one whole yeare. Prouided, that no Attainder of felony by vertue of this Act, shall extend to any at-
No corruption. tainder or corruption of bloud, or forfeiture of any goods, Chattels, lands, tenements, or hereditaments. And be it &c. That it shall be lawfull
Iust. of P. Maiors for Iustices of Peace, Maiors, Bailifes, and other head Officers aforesaid, to appoint within
Searchers Watchmen Buryers, &c the seuerall limits, Searchers, Watchmen, examiners, Keepers, and buryers for the persons and places respectiuely infected as aforesaid, and to mi-
Oath nister vnto them Othes for the performance of their offices of Searchers, Examiners, Watchmen, Keepers and buryers, and giue them other directions, as vnto them for the present necessitie shall seeme good in their discretions. And this Act to continue no longer then vntill the end of the first Session of the nert Parliament, Prouided alwaies, and be it &c. That no Maior, Bailifes, head Officers, or any Iustices of peace, shall by force or pretext of any thing in this Act cõteined, do or execute any thing before mentioned
The Vniuersities Cathedrall Churches Eaton within either the Vniuersities of Cambridge or Oxford, or within any Cathedrall Church, or the liberties, or precincts thereof, in this Realme of England, or within the Colledges of Eaton, or Winchester: But that the Vicechancellour of Winches either of the Vniuersities for the time being within either of the same respectiuely, and the Bishop and Deane of euery such Cathedrall Church, or one of them, within such Cathedrall Church, and the Prouost or Warden of either of the said Colledges within the same, shall haue all such power and authority, and shall doe and execute all and euerie such act and acts, thing and things in this act before mentioned, within their seuerall precincts and iurisdictions aboue said, as wholly, absolutely, and fully to all intents and purposes, as any Maior, Bailifes, head Officers, or Iustices of Peace within their seuerall precincts and iurisdictions may elsewhere by force of this act doe and execute. Anno 1. Iac. cap. 31.

Playes and Games.

AN. 12. R. 2. cap. 6. Anno 11. H. 4. cap. 4. An. 17. Ed. 4. cap. 3. Anno 11. H. 7. cap. 2. & An. 19. H. 7. cap. 22. be acts made against vnlawfull games, but all those be repealed by 33. H. 8. ca. 9. by a generall repeale of all Statutes made a Repeale gainst vnlawfull games, vt patet hic 2.

2 Forasmuch as the former lawes haue béne defrauded by inuenting of new vnlawfull games, whereby diuine seruice is stil neglected, and archerie also decaied, and thereupon many Bowyers & Fletchers haue left the Realme, and practised their Sciences in forreine Countries, & many of them are come to dwell about London, and doe forsake the Countrie, and so the feat of Archerie, (whereby great victories haue béen heretofore atchiued) is little vsed, and the lesse, by reason that the poore people be not able to buy long Bowes of yew: Be it &c. that euerie man being the Kings subiect, not lame, decrepit, nor maimed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of threescore yeares, except spirituall men, Iustices of the one bench and of the other, Iustices of the Assise, and Barons of the Exchequer, shall from the feast of Pentecost nert comming, vse and exercise shooting in any long bows, and also haue bowe and arrowes ready continually in his house to vse himselfe, and doe vse himself in shooting. And also the Father, Gouernours, rulers of such as be of tender age, doe teach & bring vp them in knowledge of the same shooting. And ỹ euery man hauing a man child, or men children in his house, shall prouide, or deine, & haue in his house for euerie man child, being of the age of vij. yeares & aboue, till hee shall come to the age of xxiij. yeares, a bow, & two shafts to induce & learn them and bring thẽ vp in shooting, & shall deliuer all the same bows & arrowes to the same yong men to vse and occupy And if the same yong men be seruants, that then their master shall abate the money ỹ they shall pay for the same bow & arrows of their wages. And after al such yõg men men shal come to the age of 17. yeres, euery of them shal prouide & haue a bow and iiij. arrowes continually for himselfe, at his proper costs and charges, or else of the gift and prouision his friendes, and vse and occupy the same in Shooting, as is afore rehearsed. And if the

Maister

maſter ſuffer any of his ſeruants taking wages, being in his houſhold, and vnder the age of ſeuentéene yéeres, or the father ſuffer any of his ſonnes, being in his houſhold, and vnder the age of ſeuentéene yeares, to lacke a bowe and two arrowes, contrary to the forme of this Statute, by the ſpace of j. month together, then the maſter or father in whom ſuch negligence ſhall be, ſhall for euery ſuch default forfeit vj.s. viij.d. And that euery ſeruant paſſing the age of ſeuentéene yéeres, and vnder the age of three ſcore yeares, and taking wages, which can, or is able to ſhoote, and ſhall lacke a bow and foure arrowes by the ſpace of one moneth together, ſhall for euery ſuch default, forfeit and loſe vj. ſhillings and eight pence. Be it enacted &c. That no man vnder the age of foure and twentie yeares, ſhall ſhoote at anie ſtanding prycke, except it be for a Rouer, whereat hée ſhall chaunge at euery ſhoote his marke, vpon paine for euerie ſhoote doing the contrarie foure pences. And that no other perſon aboue the ſaide age of foure and twentie yeares, ſhall ſhoot at any marke of eleuen ſcore yards or vnder, with any prycke ſhaft, or flight, vnder the paine to forfeit for euery ſhoot vj.s. viij. pence. And that no perſon vnder the age of xxj. yeares, except he or his father or mother haue lands or tenemẽts, to the yérely value of x.l, or be worth in mouables, the ſumme of xl. marks ſterling, ſhall ſhoot in any bow of Yew, which ſhalbe bought for him, after the feaſt of the Purification of our Ladie next comming, vnder the paine to forfeit and loſe vj.s. viij.d. And alſo that Butts be made on this ſide the feaſt of S. Michaell the Archangell next comming in euerie citie, towne, and places, by the inhabitants of euery ſuch city, towne, and place, according to the law of ancient time vſed. And that the inhabitants and dwellers in euery of them, be compelled to make and continue ſuch Butts, vpon paine to forfeit for euery thrée moneths ſo lacking twentie ſhillings. And that the ſaid Inhabitants ſhall exerciſe themſelues with long bowes in ſhooting at the ſame, and elſewhere, in Holy dayes, and other times conuenient. And to the intent that euery perſon may haue Bowes of meane prycke: Be it &c. That euery Bowyer dwelling out of the Citie and ſuburbes of London, ſhall after the ſaid feaſt of the Purification of our Lady next comming, for euery Bow that he maketh of Yew, make foure other Bowes méete to ſhoot in, of Elme, Wichhaſel, Aſh, or other wood apt for the ſame, vnder the paine to loſe and forfeit for euery ſuch Bow ſo lacking thrée ſhillings foure pence. And euerie Bowyer dwelling within the ſaid City or ſuburbs of London, ſhall after the ſaid feaſt of the Purificatiõ of our Lady next comming, for euery bowe of Yew that he ſhal make, ſhall alſo make v. other bowes apt for ſhooting, of Aſh, Elme, Wichhaſel, or other wood méete for the ſame, vnder like paines and forfeiture. And be it &c. that no bowyer ſhall ſell any bowe of Yew, for any perſon being betweene the age of ſeuen yeares and fouretéene yeares, aboue the prycs of twelue pence. And that the ſame Bowyers ſhall haue Bowes of Yew of all prices, from ſix pence the péece to twelue pence the péece, for youth betweene the ſaid ages of vij. yéeres and fourcténe yeares. And likewiſe haue Bowes of Yew for youth betweene the age of fouretéene yeares and one and twentie yeares, and ſhall ſell the ſame at reaſonable prices. And moreouer, that no Bowyer ſhal ſel, or put to ſale to anie the kings ſubiects, any bow of Yew, of the tare called Elke, aboue the prycs of iij.s. iiij.d, vnder the paine to forfeit twenty ſhillings for euery bow ſold to the contrary aboue the ſame prycs of thrée ſhillings foure pence, as appeareth by a Statute made in the xxj. yeare of the reigne of King Edward the fourth, (which ſee in Bowes 2. But ſee there 7. this clauſe, and certaine of the other former braunches alſo chaunged in ſome part.) And that Bowſtaues of Yew hereafter to be brought into this Realme, ſhal be ſold open, and not in bundles, nor cloſe, to the intent that buyers of them may haue perfect knowledge of the goodneſſe of them, and giue the better price for them, if they be ſo worth. (See Bowes 3.) And furthermore be it &c. That Fletchers of London, and the ſuburbes of the ſame, may at their libertie ſel ſeaſonable timber to euery Fletcher of the country, without falling into any penalty or daunger to any of the Wardens for ſo doing, and that all Ordinances, and other Lawes made, or to be made, by their Wardens or otherwiſe to the contrary, ſhalbe from henceforth clerely fruſtrate and voide. And alſo be it &c. That the Bowyers, Fletchers, Stringers, and Arrowheadmakers, repayring or reſorting vnto the ſaid Citie or the ſuburbs of the ſame, and there making their dwelling or abiding, not free men of the ſaid City, bearing neyther Scot nor Lot within the ſaid Citie, ſhall at all times, by the appoyntment of your Graces moſt honourable Counſell, the Lord Chauncellour of England for the time being, Lord Treaſorer, or the Lord priuy Seale, or one of them, goe and inhabite in ſuch Cities, Boroughs, and Townes as be deſtitute of ſuch artificers, and there to exerciſe, occupie, and practiſe their ſaid craftes and faculties, for the maintenaunce of Artillery and Archery. And if any ſuch perſon to whom warning ſhall be ſo giuen by the Kings moſt honourable Counſell, the Lord Chancellor, the Lord Treaſorer, or the Lord priuie Seale, as is aforeſaid, to departe vnto other Townes or places of the ſaid Realme of England from the ſaid City of London, the ſuburbs, ſtreets, lanes and places nére to the ſame, refuſe to accompliſh the ſame: that then he or they ſo refuſing, ſhal forfeit for euerie day that hée ſhall make his abode contrary to this Act, xl. ſhillings. Be it alſo enacted, &c. That no ſtranger borne out of the Kings obeyſance, not being denizen, ſhall conuey, or do to be conueyed, giue, ſell, or exchange into anie partes out of the Kings obeyſaunce, any long Bowes, Arrowes, or Shafts, without the Kings ſpeciall licence, vpon paine of forfeiture of the ſame where ſoeuer they ſhall be taken, or the value thereof, within the Kings power, and vpon paine of impriſonment without baile or mainprize, vnto ſuch time as hée or they ſo being in ward, haue made a reaſonable fine to the K. for his or their offences afore the Iuſtices of Peace, or two of them in their Seſſions in the ſame Countie where hée or they ſhall

Prices

xij.s.viij.d. Fork.

Bowſtaues Sold open

Fletchers of London

Ordinances Wardens

Void

Stringers Arrowhead makers

Artillerie

Refuſe Fork.

Stranger Denizen

Long bowes Arrowes Licence Fork.

Impriſon. Wainprize Fine

Iuſt. of P.

Suretie

Strangers

Shoote

Licence Forf.

Seiſe

Iuſt. of Aſſ. Iuſt. of G. Iuſt of P.

Stewards Enquire Diet & cer. Examine

Bowling alley

Vnlawfull games

Forf.

Haunting Forf.

Placard Voyd

Sureties Recognisance

Chauncelor

Euery Iu. of Peace Maior Sherife Bailife

Enter

Arreſt Impriſon.

ſhall be committed to ward, or find ſufficient ſuretie for the payment of the ſame fine: And that no manner perſon not being borne within the Kings obeyſance, or made denizen, vſe within the kings obeyſance, ſhoting with long Bowes, without the Kings licence, vpon paine of forfeiture of ſuch Bowes, Arrowes, and Shafts, as they ſhall be ſo founden ſhoting with, and euerie of the Kings ſubiectes may haue authoritie to take and ſeiſe the ſame forfeitures to his owne vſe. And the Iuſtices of Aſſiſe, of gaole deliuerie, Iuſtices of peace, and Stewards of Franchiſes, Leetes, and Lawdayes, haue power to enquire of all the premiſſes in their Seſſions, Leetes, and Lawdayes, and heare and determine the ſame, and alſo by their diſcretion, examine all perſons lacking and not hauing Bowes, Shafts and Arrowes, according to the forme aforeſaid. Be it alſo &c. That no manner of perſon or perſons, of what degree, qualitie or condition ſoeuer hee or they be, from the feaſt of the Natiuitie of Saint Iohn Baptiſt now next comming, by himſelfe, factour, deputy, ſeruant or other perſon, ſhall for his or their gaine, lucre or liuing, keepe, haue, holde, occupie, exerciſe, or maintaine any common houſe, alley, or place of bowling, coiting, cloſh, cailes, halfe bowle, tennis, dicing, tables, or carding, or any other manner of game prohibited by any ſtatute heretofore made, or any other new vnlawfull game now inuented or made, or any other new vnlawfull game, hereafter to be inuented, found, had, or made, vpon paine to forfeit and pay for euerie day keeping, hauing, or maintaining, or ſuffering any ſuch game to be had, kept, executed, played, or maintained within any ſuch houſe, garden, alley, or other place contrary to the forme and effect of this Statute, forty ſhillings. And alſo euerie perſon vſing and haunting anie of the ſaid houſes and places, and there playing, to forfeit for euery time ſo doing, fiue ſhillings and eight pence. And if anie perſon hereafter ſue for anie placard to haue common gaming in his houſe, contrarie to this Statute, that then it ſhall be contained in the ſame placard what game ſhall be vſed in the ſame houſe, and what perſons ſhall play thereat, and euerie placard graunted to the contrarie, to be voide: And alſo, that the party obtaining any ſuch placard, before he put the ſame in execution, ſhall be bound with ſufficient ſureties with him by recognisance in the Chauncerie in a certaine ſumme, to be appointed by the diſcretion of the Lord Chauncellour of England, that he ſhall not vſe the ſaid placard contrarie to the forme thereof. Be it further &c. That it ſhall be lawfull to all and euery the Iuſtices of Peace, in euery ſhire, Maiors, Sherifes, Bailifes, and other head Officers, within euerie Citie, Towne, and Borough within this Realme, from time to time, aſwell within Liberties as without, as neede and cauſe ſhall require, to come, enter, and reſort into all and euery houſe, places and alleys, where ſuch games ſhall be ſuſpected to be holden, exerciſed, vſed, or occupied contrarie to the forme of this eſtatute, and aſwell the keepers of the ſame, as alſo the perſons there haunting, reſorting and playing, to take, arreſt, and impriſon, and them ſo taken, and arreſted, to keepe in priſon, vnto ſuch time as the keepers and maintainers of the ſaid plays & games haue found ſureties to the Kings vſe, to be bound by Recogniſance, or otherwiſe, no longer to vſe, keepe, or occupie any ſuch houſe, play, game, alley, or place, and alſo that the perſons there ſo found, be in like caſe bounden by themſelues, or elſe with ſureties by the diſcretion of the Iuſtices, Maiors, Sherifes, Bailifes, or other head Officers, no more to play, haunt, or exerciſe from thenceforth, in, at, or to anie of the ſaid places, or at anie of the ſaid games. Alſo be it &c. That the Maiors, Sherifes, Bailifes, Conſtables, and other head Officers within euerie Citie, Borough, and Towne within this Realme, where any ſuch Officers ſhall fortune to be, as well within the franchiſes as without, ſhall make due ſearch weekely, or at the furtheſt, at all times hereafter once euery month in all places where any ſuch houſes, alleys, plaies or places ſhall be ſuſpected to be had, kept and maintained. And if the ſaid Maiors, Sherifes, Bailifes, Conſtables, or other head Officers within their Cities, Boroughs and Townes, as well within franchiſes as without, doe not make due ſearch at the furtheſt once euerie moneth, if the caſe ſo requires, according to the tenor of this Act, and not not execute the ſame in all things, according to the purport and force of the ſame, that then euerie ſuch Mayor, Sherifes, bailifes, conſtable or other head officer, to pay, and forfeit for euery moneth, not making ſuch ſearch, nor executing the ſame, forty ſhillings. Be it alſo &c. that no manner of Artificer or Craftſman, of any handicraft or occupation, huſbandman, apprentice, labourer, ſeruant at huſbandry, iourneiman, or ſeruant of artificer, mariners, fiſhermen, watermen, or any ſeruingman, ſhall from the ſaid feaſt of the Natiuitie of S. Iohn Baptiſt, play at the tables, tennis, dice, cardes, bowles, cloſh, coyting, logating, or any other vnlawfull game out of Chriſtmaſſe, vnder the paine of twenty ſhillings, to be forfeit for euery time, and in Chriſtmaſſe to play at any of the ſaid Games in their maſters houſes, or in their maſters preſence. And alſo, That no manner of perſon ſhall at anie time play at any bowle or bowles, in open places out of his garden or orchard, vnder the paine for euery time ſo offending, to forfeit fiue ſhillings eight pence. And that all Iuſtices of Peace, Maiors, Bailifes, Sherifes, and all other head Officers, and euery of them, finding and knowing any manner perſon or perſons vſing or exerciſing anie vnlawfull games contrarie to this preſent eſtatute, ſhall haue full power and authoritie to commit euery ſuch offender to ward, there to remaine without baile or mainepriſe, vntill ſuch time that they ſo offending, be bounden by Obligation to the Kings vſe, in ſuch ſummes of money, as by the diſcretion of the ſaide Iuſtices, Maiors, Bailifes and other head Officers, ſhall be thought reaſonable, that they or any of them ſhall not from thenceforth vſe ſuch vnlawfull games. Be it &c. That all other ſtatutes made for the reſtraint of vnlawful games, or for the maintenance of Artillerie, as touching the penalties, or forfeitures of the ſame, ſhall be

from

from henceforth vtterly voide. And that all informations, plaints, actions, or suites that shall be taken or sued vpon any part of this Estatute, shall be commenced within the yeare after the offence committed and none, or otherwise no aduantage or said thereof to be taken. And where any such forfeiture shall happen to be sued, within the precinct of anie Franchise, Leete, or Lawday, then the Lord of the same Franchise, Leete, or Lawday to haue the one moitie thereof, and the other moitie the vse to anie of the Kings subiects that will sue for the same in any of the Kings Courts, by Action, Information, Bill, or otherwise, in which action or suite, the defendant shall not be admitted to wage his Law &c. And where such forfeiture shall be founden out of the precinct of any Franchise, Leete, or Lawday, that the moitie of all such forfeitures shall be to the king our Soueraigne Lord, and the other moitie thereof to anie the Kings subiects that will sue, &c. in which suit &c. And to the intent that every person may haue knowledge of this Act, and auoid the dangers and penalties of the same: Be it enacted, &c. That all Maiors, Bailifes, Shriefes, and all other head Officers, shall foure times in the yeare, that is to say, euery quarter once, make open proclamation of this present Act, in euerie Market to be holden within their seuerall iurisdictions and authorities. And also that the Iustices of gaole deliuery, Assises, and Iustices of Peace, doe cause the same to be proclaimed in their seuerall Circuits and Sessions before them holden, and that this Estatute shall beginne to take his effect, concerning the penalties of the same, from the said feast of saint John Baptist now next comming, and to continue for euer. Prouided alway, and be it, &c. That if anie person or persons, haue taken by Lease, whether it be by word, writing, or otherwise, any house, alley, or place wherein any such vnlawfull game now is, and at the time of such Lease made was vsed: that then euery such Lease shall at the libertie of him or them, to whom such Lease is made, their executors, administrators, or assignes, from the said feast of the Natiuitie of Saint John Baptist, be vtterly void, except it be for breach of couenants or agreements, or payment of Rent due, or to be due at the said feast, or any time before, so that then at the same feast, or within one moneth next after the same, the said lessee giue knowledge to such Lessor or Lessors, their heires or assignes, that hee will no longer occupie the same, and that then it shall be lawfull to the Inheritor, Lessor or Owner thereof, or to his heires or assignes, in the same house, alley or place to reenter. Prouided also, and be it &c. That it shal be lawfull for euery Master to licence his or their seruants to play at cardes, dice, or tables with their said master, or with any other gentleman repairing to their said Maister openly in his or their house, or in his or their presence, according to his or their discretion. And that it shalbe lawfull to euery such seruant, for euery time so being commaunded or licensed by his said Master, as is aforesaid, to play at cardes, dice, or tables, with his said Master or other Gentleman so to him repayring, anie thing in this Act to the contrary notwithstanding. Prouided also, and be it &c. That it shall be lawfull to euerie noble man, and other hauing mannors, landes, tenements, or other yearely possessions, for terme of life in his owne right, or vnto his wiues right, to the yearely valleu an hundred pounds or aboue, to retaine vnto him by appoynt, or licence by his or their discretion, three of their seruants, or family of his or their house or houses, for to play within the precinct of his or their houses, gardens, or orchards, at cardes, dice, tables, bowles, or tennis, as well among themselues, as other repairing to the same house or houses. And that they so playing by commaundement, appointment, or licence, as is aforesaid, shall not incurre any danger or penalty contained in this Act for the same, this act or any thing therein contained to the contrary thereof in anie wise notwithstanding. Prouided alway, and be it &c. that all informations, actions and suites, now depending in any of the Kings Courts for, or concerning any penalties or forfeitures, contained in any of the said Statutes, by this Act repealed, and no Iudgement therein yet giuen, the same Information, Actions, and Suites shall be, remaine, and stand as good and effectuall in the Lawe, to all intents, constructions, and purposes, as if this Act had neuer been had nor made, any thing in this Act contained to the contrary thereof, in any wise notwithstanding. Anno 33 Hen. 8. cap. 9.

That from and after the Feast of the Birth of our Lord God next comming, euerie Licence, Placard or Graunt, made to anie person or persons, for the hauing, maintenaunce, or keeping of any Bowling alleys, Dicing houses, or any other vnlawfull Games, prohibited by the Lawes any Estatutes of this Realme, shall be from the saide Feast vtterly voyde, and of none effect. Anno secundo & tertio Philippi & Mariæ capitulo 9.

Noblemen

100. Marks Licence

Cardes Dice Tables Bowles Tennis

Licence Placard Bowling alleys Dicing houses

Void

Players.

BE it enacted &c. That if at anie time or times after the end of this present Session of Parliament, any person or persons, doe, or shall in anie Stage-play, Interlude, Shew, Maygame, or Pageant, openly, and prophanely speake, or vse the holy name of God, or of Christ Iesus, or of the holy Ghost, or of the Trinitie, which are not to be spoken but with feare and reuerence, shal forfeit for euery such offence by him or them committed, ten pounds: The one moitie thereof to the Kings Maiestie, his heyres and successours, the other moitie thereof to him or them that will sue for the same in anie Court of Record at Westminster, wherein no essoine, protection, or wager of Law shall be allowed. Anno tertio Iacobi capitulo vicesimo primo.

Prophane the name of God.

Fol.

Pleading and Pleaders.

ALl Plees, which be to be pleaded in any of his Courts before anie of his Iustices, or in his other places, or before any of his other Ministers, or

Pleading in Courts

or in the Courts and places of anie other Lordes within the realme, shall be pleaded, shewed and defended, answered, debated, and iudged, in the English tongue, and that they be entred and enrolled in Latine. And that the Lawes and Customes of the same Realme, Termes and Processes, be holden and kept, as they be and haue beene before this time, and that by the ancient termes and formes of the Declarations, no man be preiudiced, so that the matter of the action be fully shewed in the Declaration, and in the Writ. And it is accorded by the assent aforesaid, that this Ordinance and Statutes of Pleading, beginne and hold place at the xv. day of Saint Hillarie next comming. Anno 36. Ed. 3. cap. 15.

English
Latine

Pleas of the Crowne.

NO Sherife, Constable, Escheator, Coroner, nor any other Bailifes, shall hold pleas of our Crowne. Magna Charta cap. 17.

Sherife
Constable
Escheator
Coroners
Baylifes

Plumsted Marsh.

ANno 22. H. 8. ca. 3. An Act was made for the Ioining and Saning of Plumsted Marsh, and for the payment & leuying the tares and scots for the same. And 14. Elizab. the like, but not in Print. And Anno 23. Elizab. 13. a new Act made which is printed. Anno 27. Eli. ca. 27. a new Act was made for the Inning of Earith and Plumsted Marsh with diners Braunches for the prouision of Rede and Earth: And the same Statute is in Print.

Tares

Poole.

ANno 34. H. 8. cap. 25. An Act is made that thinhabitants of the towne of Poole in Dorsetshire, may erect a Windmill and a Conduite in a waste ground of the Kings.

Windmill
Conduit

Poore people.

EVery poore person or persons which haue, and hereafter shall haue cause of Action or Actions against any person or persons within this realme, shall haue by the discretion of the Chauncellour of this Realme for the time being, Writ or Writs of right all, and Writs of the Subpœna according vnto the nature of their causes, therfore nothing paying to your Highnesse for the Seales of the same, nor to any person for the writing of the same Writ or Writs to be hereafter sued, and that the said Chauncellour for the same time being, shall assigne such of the Clerks, which shall doe and vse the making and writing of the same Writs, to write the same ready to be sealed. And also learned Counsel, and Attorneys for the same, without any reward taking therefor. And after the said Writ or Writs be returned, if it be afore the King in his Bench, the Iustices there shal assigne to the same poore person or persons, Counsell learned, by their discretions, which shall giue their counsells, nothing taking for the same, and in like wise the Iustices shall appoynt Attorney & Attorneys for the same poore person and persons, and all other officers requisite and necessary to be had, for the speed of the said suite to be had and made, which shall doe their duelies without any reuards, for their counsels, help and busines in the same: and the same Lawe and Order shalbe obserued and kept in all such suites to be made afore the Kings Iustices of his Common Place, and Barons of his Exchequer, and all other Iustices in courts of Record, where any such suite shalbe. Anno 11. H. 7. cap. 12.

Action
Chauncelor
Writs
Without payment
Clerks
Counsell Attorneys
Iustices Counsell

Prærogatiua Regis.

FOrasmuch as the King hath ordayned these things, (that is to say, the Statute of Westminster 1.) unto the honour of God and holy Church, and for the common wealth, and for the remedie of such as be grieued, he would not that anie other time it should turne in preiudice of himselfe, or of his Crowne, but that such rights as appertaine to him should be saued in all points. Westminster 1. cap. 48.

Presentment to Benefices.

ANno 21. Rich. 2. cap. 8. it was enacted, That the King should haue the presentments of the Aduowsons which were of certaine attainted, but this Parliament was repealed by 1. Henr. 4. capit. 3.

President of the Counsell.

SEe of authority giuen to the President of the Counsell. Anno 3. H. 7. cap. 1.

2. The President of the Kings said most honorable Counsell for the time being, if he be then present, may be at all times hereafter associate with the Chancellor, Treasorer of England, and Keper of the Kings priue Seale for the time being, as well at the naming of Sherifes, and setting of prices of wines, as at all other Acts limited and appointed by any Statute to be done by the said Chauncellor and Treasorer, or Keper of the Kings priue seale for the time being: any act, statute, or vse heretofore made or vsed to the contrary notwithstanding. An 21. H. 8. cap. 20.

Primer seisin.

ALso the King shall haue the Primer seisin after the death of such as held of him in Chiefe, of all the lands and tenements, wherof they were seised in their demeane as of Fée, of what age soeuer that their heyres be, taking the issues of the lands and tenements, vntill Inquisition be made (as the maner is) and vntill he hath taken homage of such heyres. Prærogatiua Regis cap. 3. Anno 17. Ed. 2.

Prison,

Priſon, Priſoners, Impriſonment, Gaole and Gaylours.

1 Foraſmuche as the damage and deſtruction that often doth happen by Sheriffes, Gaylours, and Keepers of priſons within franchiſes and without, which haue power their priſoners, and by ſuch euill meanes compell them to become Appealours, and thus appeale harmeleſſe and guiltleſſe people, to the intent to haue raunſome of ſuch appealed perſons, or cauſe of impriſonment or other cauſe: the Juſtices of either Bench, and Juſtices of Aſſiſe and Gaole delinery, ſhall by force of this Statute enquire of ſuch Compoſitions, Conſideracions, and Raunſoms, and heare the complaints of all them that will complaine by bill, And to heare and determine ſuch plaints, as well at the Suite of the partie, as at the Kings ſuite. Anno 1. Edwar. 3. cap. 7.

2 Whereas perſons indicted of felonies, robberies, and theft, in times paſt haue removed the ſame indictment before the King, and there yelded themſelfe, and by the Marſhals of the Kings bench haue beene incontinently let to baile: And afterwards haue done many euill deedes, and lien in awaite to ſlay and euill intreat their indictors: And alſo perſons appealed of felonie, after the exigend awarded, haue yelded themſelf before the King, and alſo beene let to baile by the ſaid Marſhalls: It is ordeyned and eſtabliſhed, that ſuch indictes and appeales ſhall be ſafely and ſurely kept in priſon, as belongeth according to the charge which the ſaid Marſhals ſhall haue of the Juſtices. And if anie Marſhall doe otherwiſe, at the complaint of euerie man that will complaine, the Juſtice ſhall doe him right during the terme. And that in the end of the terme, the ſaid Marſhals ſhall chuſe before the ſaid Juſtices, before they depart the places, in what Towne they will keepe ſuch priſoners at their perill. And in the ſame towne they ſhall hire houſes to keep ſuch priſoners at their owne coſts and charges, and there they ſhall keepe them in priſon, and ſhall not ſuffer them to goe wandring abroad, neyther by baile, nor without baile. And if anie ſuch priſoner be found wandring out of priſon, by baile or without baile, and that be found at the Kings ſuite, or at the ſuite of the party, The Marſhalls which ſhall be found thereof guilty, ſhall haue halfe a yeares impriſonment, and beſides that, to be raunſomed at the Kings will: And the Juſtices ſhall thereof make enquiry when they ſee time. And as to the Marſhalls within the Clergie ſhall be done, that that reaſon will. And in caſe that the Marſhals ſuffer by their aſſent ſuch priſoners to eſcape, they ſhall be at the Lawe, as before this time they haue beene. And the King intendeth not by this ſtatute, to loſe the eſcape where he ought to haue the ſame. Anno 5. Ed. 3. ca. 8.

3 Item in the right of the Gaoles, which were wont to be in ward of the Sheriffes, and annexed to the Bailiwickes: It is aſſented and accorded, that they ſhall be reioyned to the Sheriffes, and the Sheriffes ſhall haue the cuſtodie of the ſame Gaoles, as before this time they were wont to haue: And they ſhall put in ſuch Keepers for whom they will anſwer. And if it happen, that the keeper of the priſon, or vnderkeeper, by too great dureſſe of impriſonment, and by paine, make any priſoner, that he hath in his ward, to become an Appealer againſt his will, and thereof be attainted, he ſhall haue iudgement of life and of member. And that the Juſtices before whom ſuch caſe ſhall happen, ſhall enquire vpon the trueth: And if they find by Enqueſt thereupon taken, that any keeper or vnderkeeper hath done the ſame, he ſhalbe thereof arraigned, and if he be found guiltie, he ſhall haue iudgement of life and of member, as afore is ſaid. Anno 14. Ed. 3. cap. 10.

Keeper

Appealer

Judgment

Enqueſt

Arraigned

4 That the Kings Caſtles and Gaoles which were wont to be ioyned to the bodies of the Counties, and be now ſeuered, ſhall be reioyned to the ſame Counties. Anno 13. R. 2. cap. 15.

Caſtles

5 Becauſe diuers Conſtables of Caſtles being aſſigned Juſtices of the peace, haue by colour thereof taken perſons, to whom they beare euill will, and haue impriſoned them in ſuch Caſtles, til they haue made fine and raunſome with them for their deliuerance: Be it &c. that none be impriſoned by anie Juſtice of peace, but only in the common Gaols, laying to Lords and other which haue gaoles in their franchiſes in this caſe. Anno 7. H. 4. cap. 10.

Juſt. of P.

6 Where diuers Felons and Murderers vpon indoute ſurmiſes, haue oftentimes removed their bodies and indictments by Writ or otherwiſe, before the King in his bench, and can not by the order of the Common law be ſent downe to the Juſtices of Gaole delinery, or of the Peace, nor to other Juſtice or Commiſſioner, to proceed vpon them, after the courſe of the common Lawe: Be it, &c. That the Juſtices of the Kings Bench (for the time being) haue full power and authority by their diſcretion to remaunde and ſend downe as well the bodies of all felons and murderers, brought or removed, or that ſhal be removed or brought before the King in his Bench, as their indictments into the Counties, whereas the ſame Murders or Felonies haue beene committed and done. And to commaund all Juſtices of Gaole delinerie, Juſtices of Peace, and all other Juſtices and Commiſſioners, and euery of them, to proceede and determine vpon all the foreſaid bodies and indictments ſo removed, after the courſe of the Common Lawe, in ſuch maner as the ſame Juſtices of Gaole delinerie, Juſtices of Peace, and other Commiſſioners, or any of them, might or ſhould haue done, if the ſaid priſoners or indictments had neuer beene brought into the ſaid Kings Bench. Anno 6. H. 8. cap. 6.

Juſt. of K. bench

Command

Juſt. of G.

Juſt. of P. Commiſſioners

7 That euerie Sherife within euerie Countie within this Realme of England, haue the cuſtody, rule, keeping, and charge, from the quindecim of Paſch. next comming, of euery of the Kings common Gaoles, priſons and priſoners in the ſame, in euerie of the ſaid Counties, where he is Sherife, during the time of his Office: Except all Gaoles whereof anie perſon or perſons ſpirituall or temporall, or body corporate, haue the keeping of eſtate of inheritance or by ſucceſſion. Anno 19. H. 7. capitulo

Sherifs

Priſon

Patents

pitulo 10. And by that Statute, all Patents before made for life or yeares, of the keeping of anie Gaoles or Caſtles, wherein is ſuch Common

Voyd

Gaoles, be made voyde and repealed, and euerie ſuch Sherife to bee charged with the ſaide Gaoles and priſoners therein. And in the ſaid

Eſcapes

Statute bee certaine ſeuerall Fines ſet for eſcapes, to endure to the next Parliament. And that Letters Patents before made for life, of keeping of

Caſtles Fortreſſes Voyd

Caſtles, Fortreſſes, and places, and of other Offices there recited, be made voyde and repealed. Prouided, that the Sherife of Surrey, or anie o-

Sherife of Surrey K. bench gaole Marſhalſey

ther Sherife ſhal not haue the Gaoles of the Kings Bench and Marſhalſey, and diuerſe perſons that had Letters Patents to bee Keepers, &c. bee excepted. And in the ſaid Statute bee certaine ſeuerall Fines ſet for eſcapes, but they were made to endure but to the end of the next Parliament.

8. Foraſmuch as it is meete, That Common Gaoles ſhould bee ſubſtantially edified in ſuch Townes as ſtand indifferently for euerie part of the Shire, and ſpecially in Townes where the Aſſemblies and Seſſions be vſually kept, that by the more reſort thither, fewer Offenders ſhould eſcape, and Charitie the better miniſtred: Bee it ec. That the Juſtices of Peace of euerie of the Shires of Eſſex, Suffolke, Dorſet, Suſſex, Surrey, Nottingham, Glocester, Bedford, Buckingham, Huntingdon, Wiltſhire, Kent, Warwicke, Stafford, Oxford, Barkeſhire, Leiceſter, Rutland, Lincolne, Hereford, Northampton, Saloppe, Norffolke, and Cornewall, or the moſt part of the ſaid Juſtices of Peace in euerie of the ſaid Shires within the limites of their Commiſſion, ſhall haue full power and authoritie to limit and appoynt at anie time within the terme of one yere from the end of this preſent Parliament, the Townes and places wherein they ſhall thinke moſt neceſſarie to haue a common Gaole newly edified and made. And that alſo the ſaid Juſtices of Peace in euery of the ſaid Shires, or the moſt part of the ſaide Juſtices of Peace within the limites of their Commiſſion, ſhall haue full power and authority to call before them at times and places by them to be appoynted, all the high Conſtables, Tythingmen, or Borough holders of euery Hundred, Lathe, or Wapentake in the Shire, whereof they be Juſtices, and in their preſence, and by their aſſents and agreements, or in the preſence, and by the aſſent of the moſt part of them, ſhall conclude and agree vpon ſuch conuenient and certayne ſummes of money, as ſhall be thought good by their diſcretions, and by examination of workemen to ſuffice for the making and perfect finiſhing of a new Gaole in the Shire whereof they bee Juſtices of Peace, and thereupon ſhall forthwith by their aſſents, agreements, and diſcretion, tare and ſet euery ſuch perſon and perſons, as then ſhall be reſiant in the ſame Shire, as well within Liberties, as without, hauing lands, tenements, rents, or annuities, of eſtate of inheritance, or for terme of life, to the cleere yearely value of xl. s, or aboue, or being worth in moueable ſubſtance the cleere value of xx.l or aboue, to ſuch reaſonable ayde and ſummes of money as ſhall be thought conuenient by their diſcretions, to and for the full building, making, and finiſhing of the ſaid Common Gaole of the Shire, where ſuch aſſeſſement ſhall be made. And after ſuch taxation, to name and appoynt ſuch number of Collectors for the leuying thereof, as ſhall ſeeme beſt by their diſcretions. And that the ſaid Collectors and euery of them, ſhall haue power and authoritie to diſtraine euery ſuch perſon, as ſhall be ſet or tared by the ſaid Juſtices of peace as aforeſaid in their lands or goods, as well within Liberties as without, and to ſel the diſtreſſes by them taken, by the appriſement of foure honeſt perſons, for the payment of the ſaide ſummes to be tared, if the perſon or perſons tared, refuſe to pay the ſame within tenne dayes next after ſuch diſtreſſe taken, taking vpon euerie ſuch ſale, but only the money tared with reaſonable coſts for taking of the diſtreſſe: and the ouerplus of ſuch ſales to be deliuered to the owner of the ſaid diſtreſſe. And that alſo the ſaide Juſtices of Peace in euery of the ſaid ſhires, or the moſt part of them within the limits of their Commiſſion, ſhall haue power and authority to name and appoynt two honeſt perſons inhabiting in the ſaide Shire wherein they be Juſtices, which two perſons ſhall ſurney, ſee and prouide, that the ſaide Gaoles ſhall be ſurely and ſubſtantially made and finiſhed: to whoſe hands the ſaid Collectors ſhall pay and deliuer the money by them collected of the Kings ſubiects, by the appoyntment and aſſignment of the ſaid Juſtices of peace, or ſix of them at the leaſt. And that as well euery of the ſaid Collectors, as euery of the ſaid two perſons to be named, their heires, executors, and adminiſtrators ſhall declare a true and a iuſt accompt to the ſaid Juſtices of Peace in euery of the ſaid ſhires, or to ſix of them at the leaſt, from time to time, when they ſhall be required. And in caſe any of them refuſe to make accompt, or refuſe to pay and imploy ſuch ſummes of money as ſhall come to their hands, in ſuch wiſe as ſhalbe limited and appoynted by the ſaid Juſtices of peace, or ſix of them (as is aforeſaid) that then the ſame Juſtices of Peace, or ſixe of them in euerie ſhire, where ſuch Gaoles ſhall be newly made, ſhall haue full power and authoritie (if the ſaid offenders be preſent) to commit them to ward, and if they be abſent, to make Attachments vnder their Seales by their diſcretions, againſt euery ſuch collector and perſon, to whoſe hands anie of the ſaid ſummes of money tared ſhall happen to come, their heires, executors, and adminiſtrators, and euery of them, into euery ſhire and part of this Realme, as well within Liberties as without, to be returnable afore the ſaid Juſtices of Peace, at ſuch day and places as by them ſhall be appointed, and to be directed to the ſherife or ſheriſes of the Shire, wherein the partie or parties, againſt whom ſuch Attachment ſhall be directed, ſhall be reſident and abiding, if it be within the Bailiwike of the Sherife, and if it bee without, then to be directed to the Baylife of the Libertie wherein ſuch party ſhall abide. And that euerie Sherife and Baylife of Liberties to whoſe handes ſuch Attachments ſhall come, without fauor or corruption, ſhall attach the ſaid

Juſt. of P.

Appoint

Towne

Gaole

Call

High conſtables Tything-men

Money

Diſcretion

Tare

Lands

Goods

the offenders, and personally bring them before the saide Justices, according to the tenor of the attachment to them directed, on paine before the returne of the sayd Attachment, some lawfull cause why he cannot so doe. Upon payne to forfeite twentie pounds by them or any of them committed contrary to this Act, to lose and forgeate an hundred shillings to the King our Soueraigne Lord, such time the appearance of euery such person so attached, the saide Justices, or three of them, shall haue full power and authoritie, to commit them to prison there to remaine without Baile or Mainprise, till they haue truely accounted and payde all such summes of money as come to their handes by the assignement of the sayde Justices by authoritie of this Act. And in case there happen to remaine any ouerplus of money after the Gaoles built and wholy finished: then it is ordered that the same ouerplus shall be employed and bestowed in almes to the prisoners, to bee committed to the sayde Gaole, by the discretions of the sayd Justices of Peace or the more part of them, as long as it will last. Prouided alway, that this Act extend not to charge any person inhabiting within any Cities, Townes or Boroughs corporate, which haue common Gaoles for Felons taken in the same, and haue Justices of Peace for deliuerance of such Felons, for any taxes or lots in the making of the sayde common Gaoles of any the Shires aboue named, but that euery such inhabitant in any such Citie, Towne, or Borough corporate, shall bee vtterly discharged thereof. And be it further enacted, that seuerall Commissions vnder the Kings great Seale, with this present Act thereto annexed, shall be directed to the Justices of Peace of the Shires aforenamed, authorizing them to accomplish and execute this present Act, according to the tenor thereof in euery behalfe. And that the sayd Justices of Peace in euerie of the Shires aforenamed, haue power and authoritie to limit to euery of the sayde Collectors & persons by them to be named, that shall take paynes in leuying of the mony taxed, or for the surueying of the making of the saide Gaoles, such reasonable summes for their paynes and labors, for the Collection of the sayd money and surueying the making of the saide gaoles. And be it further enacted by the authoritie &c. that all Murderers and Felons shall be imprisoned in the saide common Gaoles, and not elsewhere. And that the Shirifes shall haue the keeping and charge of the same newe Gaoles. And that euerie Shirife be allowed vpon his Accompt in the Exchequer for all and euerie such Summes of mony as he shall hereafter happen to expende, in, or about the necessarie Reparations or Amendment of the sayde Gaole, after they bee once made, from time to time, as often as neede shall require. And that the Barons of the Kings Exchequer shall haue power to allow euerie Shirife in euerie such case by their discretions, without any Will or Warrant to bee sought from the Kings Highnesse in that behalfe. Prouided alwayes, that this Act bee not in any wise hurtfull or preiuditiall to any person or persons, hauing any common Gaoles, by inheritance for terme of life or yeeres, but that they shall haue and enioy their sayd Gaoles, and the profits, fees and commodities of the same, as they had or might lawfully haue had before the making of this, and as if this act had neuer been nor ne made. Be it &c. that like prouision in euery behalfe be had for a newe Gaole to be made within the Countie of Derby, in like forme as is prouided for other Shires aforesayd. Anno 23. H. 8. ca. 8. This Act was by diuers Parliaments continued till Ann. 5. Eliz. And there cap. 24. continued and enlarged. And also after Anno 13. Eliz. cap. 11. continued and further enlarged, as you may see here 10 & 11.

Inheritance

Derby

9 Where, in the last Parliament holden at Westminster (5. An. 1. & 2. Ph. & M. ca. 13. See this Statute in Mainprise 7.) amongst other things it was enacted, that such Justices of the Peace as haue authoritie to Bayle any Prisoner brought before them for any manslaughter or felonie before any Baylement or Mainprise, should take the examination of the sayd Prisoner, and information of them that bring him, of the fact and circumstance thereof, and the same or as much thereof as shall bee materiall to the Felonie, shall put in writing before they make the same Baylement, which sayd Examination, together with the sayd Baylement, the sayde Justices shall certifie at the next generall Gaole deliuerie, to bee holden within the limits of their Commission, as by the same Act more plainely is contayned and may appeare. And forasmuch as the sayde act doth not extend to such Prisoners, as shall bee brought before any Justice of Peace for Manslaughter or Felonie, and by such Justice shall bee committed to ward for the suspition of such Manslaughter or Felonie, and not Bayled, in which case the Examination of such Prisoner, and of such as shall bring him, is as necessary, or rather more, that where such Prisoner shalbe let to Bayle or Mainprise. Be it therefore enacted by the authoritie of this present Parliament, that from henceforth such Justices or Justice before whom any person shall be brought for Manslaughter or Felonie, or for suspition thereof, before hee or they shall commit or send such Prisoner to ward, shall take the examination of such Prisoner, and information of those that bring him, of the fact and circumstance thereof, and the same or as much thereof as shall bee materiall to proue the Felonie, shall put in writing within two dayes after the sayd Examination, and the same shall certifie in such manner and forme, and at such time as they should and ought to doe if such Prisoner so committed or sent to Ward, had been Bayled, or let to Mainprise, vpon such payne as in the sayd former act is limited and appointed for not taking or not certifying such Examinations as in the said former Act is expressed. And be it further enacted, that the sayd Justices shall haue authoritie by this Act to binde all such by Recognisance or Obligation, as doe declare any thing materiall to proue the sayde Manslaughter or Felonie against such Prisoner as shall be

Ju. of peace
Baile
Manslaughter
Felonie
Examine
Examination
Certifie

Iust. of P.
Manslaughter
Felony
Suspition
Examine

Certifie

Pain

Recog.
Obligation

ſo committed to Mary, to appeare at the next generall Gaole Deliuerie to be holden within the Countie, Citie or Towne corporate, where the triall of the ſayde Manſlaughter or Felonie ſhall bee, there and there to giue euidence againſt the partie, and that the ſayd Juſtices ſhall certifie the ſayde bonds taken before them in like maner, as they ſhould and ought to certifie the bonds therein mentioned in this ſaid former act, vpon the paine as in the ſaid former Act is mentioned, for not certifying ſuch bondes as by the ſayde former Act is limited and appointed to be certified. Ann' 2. & 3. P. & M. cap. 10.

Euidence

☞ 10 Forasmuch as the ſayd Act for the making of Gaoles, made in the ſayd three and twentieth yeare of the Raigne of the ſayde late King Henry the eight (before 8.) is very good and profitable for the Common wealth of this Realme. Be it therefore enacted and eſtabliſhed by the authoritie of this preſent Parliament, that the ſayde act for making of gaoles, and all clauſes, Articles, and proviſions in the ſame contayned, ſhall continue and endure in full force and effect, and be obſerued and kept in all things, vnto the end and terme of tenne yeares, next enſuing the laſt day of this preſent Parliament. And be it further enacted by the authority aforeſayd, that the Juſtices of peace in euery of the Shires named and expreſſed in the ſayd act, or the moſt part of the ſayd Juſtices of Peace, in euery of the ſayd Shires, within the limittes of their Commiſſion, ſhall haue full power and authoritie by vertue of this act, at all time and times within the ſayde terme of tenne yeares, to doe, make and execute, and cauſe to bee done, made, and executed, all and euerie ſuch Act and Acts, thing and things requiſite for the making and building of the ſayd Gaoles, as they or any of them might or ought at any time haue done by vertue of the ſaide act, made in the ſayd three and twentieth yeare of the ſayde late King Henry the eight. Prouided alwayes, and be it enacted by the authoritie aforeſayd, that the Juſtices of Peace of the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, or the moſt part of them, reſiant within euerie of the ſayd Counties, and all ſuch Surueyors, Collectors, and other perſons to whom the execution of the ſayd firſt recited ſtatutes doth or may appertayne, ſhall haue ſuch and like power and authoritie to doe and execute all and euery ſuch thing and things for and concerning the building and new making of Gaoles, as the Juſtices of Peace and other perſons, before mentioned of any of the Counties contayned in the ſayd firſt recited Statute, haue in that behalfe. And that alſo the moſt part of the Juſtices of Peace, reſiant within any the Counties ſpecified in the ſayd firſt recited ſtatute, ſhall and may doe and execute all euery thing and things mentioned in the ſaid firſt recited ſtatute, touching or concerning the ſayde Gaoles: Any doubt or ambiguitie heretofore had or moued, or hereafter to bee had or moued, notwithſtanding. Prouided alſo, that the inhabitants of any of the Counties ſpecified in the ſayd firſt recited Act, or any of the Counties of Wales, ſhall not be charged by vertue hereof or of y ſaide firſt recited act, to beare and ſuſtaine any taxes or charges for the building, repayring, or new making of any Gaole or Gaoles, where any other perſon or perſons, body politick or corporate, ought by law, preſcription, or by any other good or lawfull meanes or meanes to build, make, or repaire the ſame. An. 5. Elizab. cap. 24.

Gaoles

Juſt. of P.

Juſt. of P.

Wales

Surueyors Collectors

Juſt. of P.

11 Be it enacted, that the ſayde Acts, (1. 23. H. 8. before 2. & 5. Eliz. cap. 24. before 10.) ſhall extend to the ſayde Countie of Cambridge, and to and for the making and repayring of Gaoles in the ſame County, in all & euery thing and article, as fully and in as ample maniter and forme, as the ſame acts and either of them doe extende to Counties and Gaoles in them, and either of them ſpecially mentioned, and as though the ſayde County of Cambridge, & Gaole in the ſame County, had bene in the ſame Acts, and either of them ſpecially mentioned. And that the ſayd Acts, and euerie clauſe, ſentence, and proviſion in them, and either of them contayned, ſhall continue and endure, and bee obſerued in all things as well within the ſayde Countie of Cambridge, as in other the Counties of Shires, in the ſame Acts & in either of them ſpecified, for ten whole yeares next enſuing the end and determination of the tenne yeares mentioned in the ſayde Act, made in the ſayde fift yeare of the Raigne of our Soueraigne Lady the Queenes maieſtie that now is. An 13. Elizab. cap. 25.

12 Be it ſet. That all and euery perſon and perſons whatſoeuer, that from and after the end of this preſent Seſſion of Parliament, ſhall be committed to the common or vſual Gaole within any County or Libertie within this realm by any Juſtice or Juſtices of the peace, for any offence or miſdemeanor, That the ſaid perſon or perſons ſo to be committed as aforeſayd, hauing meanes or ability thereunto, ſhall beare their owne reaſonable charges for ſo conueying or ſending them to the ſayde Gaole, and the charges alſo of ſuch as ſhall be appointed to guard them to ſuch Gaole, and ſhall to giue them further. And if any ſuch perſon or perſons ſo to be committed as aforeſayde, ſhall refuſe at the time of their commitment and ſending to the ſayd gaole, to defray the ſaide charges, or ſhall not then pay or beare the ſame, That then ſuch Juſtice or Juſtices of the Peace, ſhall and may by writing vnder his or their hand and ſeale, or hands and ſeales, giue warrant to the Conſtable or Conſtables of the Hundred, or Conſtable or Tything man of the Tything or Townethippe, where ſuch perſon or perſons ſhall be dwelling and inhabite, or from whence he or they ſhall be committed as aforeſayde, or where he or they ſhall haue any goods within the Countie or Liberty, to ſell ſuch and ſo much of the goodes and chattels of the ſayd perſons ſo to be committed, as by the diſcretion of the ſaid Juſtice or Juſtices of the Peace ſhall ſatiſfie and pay the charges of ſuch his or their conueying and ſending to the ſayde Gaole, the Appraiſement to be made by

ſuch

foure of the honeſt Inhabitants of the Parish or Tything, where ſuch goods or chattels ſhal remain and be, and the ouerplus of the mony which ſhalbe made thereof, to be deliuered to the partie to whom the ſaide goods ſhall belong. And beit further enacted by the authoritie aforeſayde, That if the ſayde perſon or perſons ſo to be committed, as aforeſayd, ſhall not haue, or bee knowne to haue any goods or chattels, which may be ſold for the purpoſe aforeſayd within the Countie or Libertie, That then an indifferent tare or aſſeſſement ſhall bee made by the Conſtables & Churchwardens, and two or three other the honeſt inhabitants of the parish, Townelhippe, or Tything, where the ſaid offendor or offendors ſhall be taken or apprehended, the ſaid Taration being allowed vnder the hand of one or more Juſtice or Juſtices of the Peace, if there bee ſuch Conſtables and Churchwardens there inhabiting, and in default of them by foure of the principall Inhabitants of the ſayde Parish, Townelhippe, or Tything, where ſuch offendors ſhall be taken or apprehended. And if any ſo tared, or aſſeſſed, ſhall refuſe to pay their ſaide Taration, then the Juſtice or Juſtices of Peace, by whom the ſayd offendors ſhal be committed to priſon as aforeſayd or any other Juſtice of Peace nere adioyning, ſhall and may giue warrant as aforeſayd to the Conſtable, Tythingman, or other Officer there to diſtraine the goods of any ſo aſſeſſed, which ſhall refuſe to pay the ſame and to ſell the ſame. And ỳ ſuch perſon or perſons ſo authorized ſhal haue ful power & authority ſo to diſtraine, and by appraiſement of foure ſubſtantiall Inhabitants of the ſaid place, to ſell a ſufficient quantity of the goods and chattels, of the ſaide perſons ſo refuſing, for the leuying of the ſame Tarations: And if any ouerplus of money come by the ſame thereof, the ſame to be deliuered to the perſon or perſõs, owner or owners thereof. And be it &c. That if any action of Treſpas or other ſuit ſhall happen to be attempted, and brought againſt the perſon or perſons, for taking of any diſtreſſe, making of any ſale, or any other act by authority of this preſent act, The Defendant or Defendants in any ſuch action or ſuit, ſhall and may either plead not guilty, or otherwiſe make Auowrie, Cognizance, or Juſtification for the taking of the ſaid Diſtreſſes, making of ſale or other act by vertue of this act, alleaging in ſuch Auowrie, Cognizance, or Juſtification, that the ſayd Diſtreſſe, Sale, Treſpas or other thing whereof the Plaintife or Plaintifes complayned, was done by authoritie of this Act, and according to the Tenor, Purport, and effect of this act, without any expreſſing or reherſall of any other matter of circumſtance contayned in this preſent act. To which auowry, Cognizance or Juſtification, the Plaintife ſhall bee admitted to replie, that the Defendant did take the ſayd Diſtres, made the ſaid Sale, or did any other Act or Treſpaſſe ſuppoſed in his declaration of his owne wrong, without any ſuch cauſe alleaged by the ſayd Defendant, whereupon the iſſue in euery ſuch action ſhall bee ioyned to bee tryed by verdit of twelue men, and not otherwiſe, accuſtomed in other perſonall actions: And vpon the triall of that iſſue, the whole matter to bee giuen on both parties in euidence, according to the verie trueth of the ſame. And after ſuch iſſue tried for the Defendant, or Nonſuit of the Plaintife after appearance, the ſayde Defendant to recouer treble Dammages, by reaſon of his wrongfull Treble damages
uexation in that behalfe, with coſtes alſo on that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ, to enquire of the damages, as the ſame ſhall require. This act to continue vntill the end of the firſt ſeſſion of the next Parliament. Anno 3. Iac. ca. 10.

Probate of Teſtaments.

WHereas the Miniſters of Biſhoppes, and other ordinaries of the holy Church, take of the people grieuous and outragious Fines for the Probate of Teſtaments, and for an eaſe thereof to be made, the King hath charged the Archbiſhoppe of Canterburie, and the other Biſhoppes, that they thereof make amendment, and if they do not, it is accorded that the King ſhall doe to bee inquired thereof by his Juſtices, of ſuch oppreſſions, and extortions, and to heare and determine them, as well at the Kings ſuite, as at the ſuite of the partie, as in old time hath beene vſed. Anno 31. E. 3. cap. 4. Archbiſhop Biſhops Juſtices Extortioners Diet & ter.

2 Añ 3. H. 5. c. 8. it was enacted to endure to ỳ next parliament, what ordinaries ſhould take for the Probate of Teſtaments.

3 From the firſt day of Aprill, in the yeare of our Lord MDxxx. that nothing ſhall be demaunded, receiued, nor taken by any Biſhop, Ordinary, Archdeacon, Chauncellour, Commiſſarie, Officiall, nor any other manner of perſon or perſons, whatſoeuer they be, which now haue, or which at any time hereafter ſhall haue authoritie or power, to take, or receiue, probation, inſinuatiõ, or approbation of teſtament or teſtaments, by himſelfe or themſelues, nor by his or their Regiſters, Scribes, praiſers, ſummoners, apparators, or by any other of the Miniſters, for their probatiõ, inſinuation, & approbation of any teſtament or teſtaments, or for writing, ſealing, praiſing, regiſtring fines, making of Inuentories, and giuing of acquitances, or for any other manner of cauſe concerning the ſame, where the goods of the Teſtator of the ſaid Teſtament or perſon ſo dying, doe not amount clearely ouer and aboue the value of a hundred ſhillings Sterling, except onely to the Scribe to haue for writing of the Probate of Teſtament of him that deceaſed, whoſe goods ſhall not bee aboue the ſame clere value of C. s. vj. d. and for the Commiſſion of miniſtration of the goods of any man deceaſing intеſtate not being aboue like value of C. s. clere vj. d. And that neuertheles the Biſhop, Ordinary or other perſon or perſons hauing power or authoritie, to take or receiue the Probation or Approbation of Teſtaments, refuſe not to approue any ſuch Teſtament, being lawfully tendered or offered to them to be proued or appro- Bilhop Ordinarie Archdeacon Chancelor Commiſſarie. Officiall Fees Regiſters Scribes Apparators C. s. vj. d.

ued, whereof the goods of the teſtator or perſon ſo dying, amount not aboue the value of a hundred ſhillings Sterling, ſo that the ſame teſtament bee exhibited to him or them in writing, with ware thereunto affixed ready to be ſealed and that the ſame teſtament be lawfully proued before the ſame Ordinarie, (before the Sealing) to be the true, whole and laſt Teſtament of the ſame Teſtator, in ſuch forme as hath beene commonly accuſtomed in that behalfe. And when the goods of the Teſtator doe amount ouer & aboue the cleere value of a hundred ſhillings, and doe not
xl.li. exceede the ſumme of forty pound ſterling, that then no Biſhop, Ordinarie, or other maner of perſon or perſons whatſoeuer he or they be, now hauing, or which hereafter ſhall haue authority to take probate or approbation of any teſtament or Teſtaments, as is aforeſaid, by themſelues, or any of the ſaid Regiſters, Scribes, Praiſers, Sunnmoners, Apparators, nor to any other their Miniſters, for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for Regiſtring, Sealing, writing, praiſing, making of Inuentories, giuing of acquitances, fines, or any other thing concerning the ſame, ſhall take or cauſe to be taken of any perſon or
iii.s.vi.d. perſons, but onely three ſhillings ſixe pence, and not aboue, whereof to be to the ſaide Biſhop or Ordinarie, or to the other perſon or perſons, hauing power & authority to take the probatiõ or approbation of any teſtament or teſtaments, for him
ii.s.vi.d. or his Miniſters, two ſhillings ſixe pence, & not
xij.d. aboue, and twelue pence reſidue of the ſaid three ſhillings ſixe pence to be to the Scribe for the regiſtring of the ſame. And where the goods of the Teſtator or perſon or perſons ſo dying, doe a-
xl.s. mount ouer and aboue the cleare value of forty pound ſterling, that then the Biſhop nor Ordinarie, nor other perſon nor perſons now hauing or which hereafter ſhall haue authority, or power to take probate of teſtaments, as is aforeſaid, by him or themſelues, nor any of his or their ſaid Regiſters, Scribes, Praiſers, Sunmnoners, Apparators, or any other their Miniſters, for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for the regiſtring, ſealing, writing, praiſing, making of In. ntories, fines, giuing of Acquitances, or any thing concerning the ſame probate of teſtament, ſhall from the ſaid firſt day of Aprill, take or cauſe to be taken of any
v.s. Biſhops perſon or perſons, but onely fiue ſhillings and not aboue, whereof to be to the ſaid Biſhop, Ordinarie, or other perſon hauing power to take the probation of ſuch Teſtament or teſtaments, for him and his Miniſters, two ſhillings and ſixe d. and not aboue, and y.s.vi.d. reſidue of the ſaid v.s. to be to the ſcribe for regiſtring of the ſame,
Scribe or elſe the ſame ſcribe to be at his liberty to refuſe thoſe y.s.vi.d. & to demand and haue for writing of
x.liues x.d. euerie ten lines of the ſame teſtament, whereof euery line to conteine in length tenne inches i.d. And that euerie ſuch biſhop or ordinarie, and other perſon or perſons ſo hauing or which hereafter ſhall haue authority or power to take or receiue the probation or approbation of any teſtament or teſtaments as is aboueſaid, their regiſters, ſcribes, and miniſters, ſhall approue, inſinuate, ſeale, and Regiſter from time to time the ſaid teſtaments, and deliuer the ſame, ſealed with the ſeale of their office, to the executor or executors, named in any ſuch te- Executo
ſtaments, for the ſaid ſum or ſums aboueſaid, and in maner and forme as is aboue rehearſed, to deliuer it with conuenient ſpeed, without any fruſtratorie delay. And in caſe any perſon die inteſtate Intestat
or that the executors named in any ſuch teſtaments refuſe to proue the ſaid teſtament: then the ſaid or- Refuſe
dinarie or other perſon or perſons hauing authority to take probate of teſtaments, as is aboue ſaide, ſhall grant the adminiſtration of the goods of the Teſtator or perſon deceaſed, to the widow of the ſame perſõ ſo deceaſed, or to the next of his kin, or to both, as by ỳ diſcretiõ of the ſame ordinarie ſhalbe thought good, taking ſurety of him or them, to whõ ſhalbe made ſuch commiſſion, for true adminiſtra- Surety
tion of the goods, cattels, & debts, he or they ſhall be Diuers equity and reaſon
authoriſed to miniſter. And in caſe where diuers perſons claime the adminiſtration, as next of kin, which be equall in degree of kinred to the teſtator or perſon deceaſed, and where any perſon onely deſireth the adminiſtration as the next of kin, where in deed diuers perſons be in equality of kindred, as Ordinary
is aforeſaid: Then in euerie ſuch caſe the ordinarie to be at his election and liberty to accept any one or moe, making requeſt where diuers doe require the adminiſtration: or where but one or mo of them, & Widow
not al being in equality of degree do make requeſt: then the Ordinarie to admit the widow, and him or them only making requeſt, or any one of them at his pleaſure taking nothing for the ſame, vnleſſe the goods of the perſon ſo deceaſed, amount aboue the value or ſumme of a hundred ſhillings. And in caſe the goods of the perſõ ſo deceaſed, amoũt aboue the C.l.
value of a hundred ſhillings and not aboue the va- xl.li.
lue or ſumme of forty pound: then the ſaid Biſhop, Ordinary, or other perſon or perſons ſo hauing authority to take probate of teſta- Ordinary
mẽts, as is aforeſaid, their miniſters & officers ſhall take onely ỳ.s.vi.d. ſterling and not aboue. And ỳ the Executor & executors named by the teſtator, or perſon ſo deceaſed, or ſuch other perſon or per- Executor
ſons to whom ſuch adminiſtratiõ ſhal be cõmitted, where any perſon dieth inteſtate, or by way of inteſtate, calling or taking to him or them of ſuch per- Kinſfolke
ſon or perſons, two at the leaſt, to whome the ſaid perſon ſo dying was indebted, or made any legacy, and vpon their refuſall or abſence, two other honeſt perſons being next of kinne to the perſon ſo dying, and in their default or abſence two other honeſt perſons, and in their preſence, and by Inuentorie
their diſcretions, ſhall make or cauſe to bee made a true and perfect Inuentorie of all the goods, Cattels, Wares, Marchandizes, as Inuentorie
well moueable as not moueable whatſoeuer, that were of the ſaide perſon ſo deceaſed, and the ſame ſhall cauſe to be indented, whereof the one part ſhall bee by the ſaide Executor, or Executors, Adminiſtrator or Adminiſtrators, vp-

on

on his or their Othe or Othes to be taken before the said Bishoppes, Ordinaries, their Officialls, or Commissaries, or other persons, hauing power to take Probate of Testaments, vpon the holy Euangelist to be good and true, and the same one part inuented shall present and deliuer into the keping of the said Bishoppe, Ordinarie, or Ordinaries, or other person hauing power to take Probate of Testaments, and the other part thereof to remaine with the sayd Executor or Executors, Administrator or Administrators, and that no Bishoppe, Ordinarie or other whatsoeuer person, hauing authority to take Probate of Testament or Testamentes, as is aboue said, vpon the payne in this Statute hereafter contayned, refuse to take any such Inuentorie or Inuentories to him or them presented or tendred to be deliuered as is aforesaid. Prouided alwayes, that if the person so deceased, will by his Testament or last Will, any Landes, Tenements, or Hereditaments to be sold, that the money thereof comming, nor the profites of the said Landes, for any time to be taken, shall not be accounted as any of the goods or tattels of the sayd person so deceased: and that the same Bishop, Ordinarie, or other person or persons, hauing authority to take Probate of Testament or Testaments, as is aforesayd, vpon the deliuerie of the seale and signe of the Testator, doe cause the same seale to bee defaced, and thereupon incontinently redeliuer the same Seale vnto the saide Executor or Executors without claime or challenge thereunto to be made. And in case any person or persons at any time hereafter require a Copie or Copies of the sayd Testaments so proued, or of the sayde Inuentorie so made: that then the sayde Ordinarie or Ordinaries, and other persons hauing authoritie to take Probate of Testaments, or their Ministers, shall from time to time with conuenient speed, without any frustratorie delay, deliuer, or cause to be deliuered a true Copie or Copies of the same, to the sayd person or persons so demaunding them or any of them, taking for the Search, and for the making of the Copie, of either of the sayd Testament or Inuentorie, but onely such fee, as is before rehearsed, for the registring of the said Testament, or else the Scribe or Register to bee at his election and libertie to demaunde, haue, and take for euery tenne lines thereof, being of the proportion before rehearsed, 1.d. Prouided alwayes, that where any person or persons, hauing power or authoritie to take Probate of Testaments, hauing vsed to take lesse sums of mony then is aboue sayd for the Probate of Testaments, or Commissions, or Administrations, or other cause concerning the same, shal take and receiue such summe or sums of money for the Probate of Testaments and Commissions of the Administrations, and other causes concerning the same, as they before the making of this act haue vsed to take and not aboue. And it is enacted, that euery Bishop, Ordinarie, Archdeacon, Chancellor, Commissarie, Officiall, and other person and persons, hauing, or they which hereafter shall haue authoritie to take Probate of Testamentes, their Registers, and Scribes, Paisers, Summoners, Apparators, and all other their Ministers whatsoeuer they be, that shall doe or attempt, or cause to be done and attempted against this act or ordinance in any thing, shall forfait and lose for euery time so offending to the partie grieued in this behalfe, so much money as any such person aboue sayd, shall take contrarie to this present Act. And ouer that shall lose and forfait tenne pound sterling, whereof the one Moitie shal be to the King, and the other Moitie to the partie grieued in that behalfe, that will sue &c. in any of the Kings Courts for the recouerie of the same, in which action no essoin shalbe admitted or allowed. And that euery of the same Bishops and other persons, which shall hereafter incurre or fal into the danger of such penaltie or forfaiture, shall be charged onely for himselfe, & none of them to be chargeable to the penaltie for others offence. Prouided that this Act be not preiudicial to any ordinarie or other person, which now haue, or hereafter shal haue authoritie or Probate of Testaments, but that euery of them shall and may conuent before them all and euery person and persons made and named Executor or Executors of any Testament, to the intent to proue or refuse the Testament or Testaments of their Testator or Testators, and to bring in Inuentories, and to do euerie other thing concerning the same, as they might doe before the making of this Acte, so that alwayes any such Ordinarie, or other person or persons, hauing such authoritie by themselues, their Commissaries, Scribes, Registers, or other Ministers aforesayd, shall not in any wise take for the same aboue the fees limited by this act, ne in any wise attempt any thing contrary to any part of the same Act. Añ 21. H. 8. ca. 5.

Fork. Fork. Moitie Bishops Ordinarie Conuent

Processe.

Summons Attachmēts

IN summons & attachments in plea of land, the Writs from henceforth shall contayne xv. daies full at the least according to the Common law, if it be not in attachment of assises taken in the Kings presence, or of pleas before Justices in Eire during the Eire. Artic. super Chart. cap. 15. Anno 28. Ed. 1.

Pleas Justices in Eire

2 Such proces shalbe made for trespas done in the time of king Edw. father to the K. that now is, as for trespas done in the time of the K. that now is. An. 2. E. 3. cap. 14.

Trespasse

3 Where, in times past some persons appealed or indicted of diuers Felonies in one Countie, or outlawed, in the same Countie, haue beene diwelling or receiued in any other Countie, whereby such felonious persons indicted and outlawed haue beene encouraged in their misthiefe, because they may not be attached in any other Countie: It is enacted that the Iustices assigned to heare and determine such Felonies, shall direct their writ in all the Counties of England where neede shall be, to take such persons indicted. Anno 5. Edw. 3. cap. 11.

Felons Countie Justices

4 Such Procesle shal be made in a writ of debt and detinue of Cattels and taking of beastes by

Debt Detinue

Exigent Sherife

writ of Capias, & by proces of Exigent vpon the returne of the Sherife, as is now vsed in a writ of Accompt. An. 23. Ed. 3. cap. 17.

Forgerie

5 In writs to be purchased against those that forge vntrue charters or minuments, and proclaim them or cause them to be read, like proces shall be made by Capias and Exigend, as in writs of trespasse, An 7. H. 5. cap. 1.

6 Because that diuers of the Kings faithfull Subiects by false imagination, couin and conspiracie of certaine offendors, be indicted before our Soueraigne Lord the King in his Bench, of diuers Felonies and Treason, by suspect Iurors, hired and procured to the same by confederacie and couin of the said conspirators, by force of which indictments a Capias is awarded to the Shirife of ỳ Countie, where the sayd Bench is, returnable within two or foure dayes: at which day if the partie so indicted come not, an Exigend is awarded, whereby the goods and cattels of such person indicted, be forfait to our Soueraigne Lord the King, to the finall destruction of diuers of the Kinges faithfull Subiects, as the same our Soueraigne Lorde the King hath conceiued by by the grieuous complaint of the Commons made to him in this Parliament: Wherefore he hath ordained, that before that any Exigend be awarded against such persons indicted before the King in his sayde Bench, writs of Capias shall be directed as wel to the Shirife or Shirifes of the Countie, whereof they bee named in the indictments, the same Capias having the space of fiue weekes at the least, or longer time, by the discretion of the Justices, if the case that require, before the returne of the same, which writs so returned, the Justices shall proceed in the manner as they haue done before this time, and if any Exigend be awarded, or any outlagary pronoũced hereafter against such persons indicted, before the return of the said writs, the same Exigẽd so awarded without outlagary therof pronounced, shalbe void and holden for none. And this ordinãce shal endure so long as shal please the King. An. 6. H. 6. cap. 1.

Indictment

Conspiracie

Capias 6. weekes

Outlagarie

Void

7 Forasmuch as diuers persons haue bẽne by subtil imaginations indicted of Treasons, Felony and Trespasses, before Justices of Peace, and other Commissioners in forreine Counties and Liberties, in which the said persons be not, nor at any time were conuersant, and thereby haue bẽne outlawed, and haue forfeited their goods and lands, & bẽne in ieopardie of their lines, for ỳ they neuer had knowledge of such Indictments, Appeales or Outlagaries: Be it ꝛc. that vpon euery indictment or appeale, by ỳ which any of ỳ said lieges, dwelling in other Counties, then there where such Indictment or Appeale is or shall bee taken of Treason, Felonie or Trespasse, to bee taken hereafter before Justices of the Peace, or before any other, hauing power to take such indictments or appeales, or other Commissioners or Justices in any Countie, Franchise or Libertie of England, before any Exigend awarded vpon any Indictment or Appeale in the forme aforesaid to be taken, that forthwith after the first writ of Capias, vpon euerie such Indictment or Appeale awarded & returned another Writ of Capias shall be awarded, directed to the Sherife of the Countie, whereof hee which is so indicted, is, or was supposed to be conuersant in the same Indictment, returnable before the same Justices or Commissioners, before whom he is indicted, or appealed at a certaine day, containing the space of three Monethes from the date of the last Writ, where the Counties be holden from moneth to moneth, & where ỳ coũties be holden from 6. weekes to 6. weekes, he shall haue the space of foure Monethes, vntil the day of the return of the same Writ, by which Writ of second Capias it be contained and commanded to the same Shirife, to take him which is so indicted or appealed by his body if he may bee found within his Bailiwicke, and if he may not be found within his Bailiwicke, that the said Shirife shall make Proclamation in two Counties before the returne of the same writ, that he which is so Indicted or Appealed, shall appeare before the saide Justices or Commissioners in the Countie, Liberty and Franchise, where he is Indicted or Appealed, at the day contayned in the sayd last writ of Capias, to answere to our Soueraigne Lorde the King, or to the partie, of the Felonie, Treason or Trespasse, whereof hee is so Indicted or Appealed, after which second writ of Capias so serued and returned, if he which is so Indicted or Appealed, come not at the day of the same writ of Capias returned, the Exigend shall bee awarded against such persons indicted or appealed, and euery of them. And if any Exigend hereafter be awarded in any such indictment or appeale, against the forme aforesaid, or any outlagarie be vpon that pronounced, or as well the Exigend so awarded, as the outlagarie vpon that pronounced, and euery of them, shall be holden for none and void, and that the partie, vpon whom such Exigend against the forme aforesayd is awarded, or outlagary pronounced, bee not indamnaged nor put to losse of his goods or cattels, landes or tenements, nor of his life. Prouided alwayes, that the Statute made in the last Parliament (before 6.) of Proces to be made in such case before the King in his Bench, stand in his force. And moreouer the same our Soueraigne Lord the king hath graunted by authoritie aforesaid, that euerie person Indicted or Appealed in ỳ forme aforesaid, from henceforth after that he be duely acquit by verdict, that he shall haue a writ and action vpon his case against euery Procurer of such Indictments or Appeales. And like Proceſſe shall be vpon and in the same Writte, as in a Writte of Trespasse done with force and armes. And if such Procurer be attainted in this behalfe, that the Plaintife shall recouer his treble dammages. Prouided alwayes, that this ordinance shall not extend to Indictments or Appeales taken, or to be taken, within the Countie of Chester. Prouided also, that if any of the said lieges, or any their heires, bee or shall be Appealed or Indicted of Felony or Treason, and at the time of the same felony or treason supposed hee is and was conuersant with the Countie, whereof the Indictment or

Indictment Appeale Countie Treason ỳ elonie Trespasse In of peace

Capias

or appeale maketh mention, the like Proceſſe be made againſt ſuch indicted perſon or appealed, as hath beene vſed alwayes before this time. An. 8. H. 6. cap. 10.

8 The ſaid Statute, that is to ſay (An. 8. H. 6. cap. 10. before 7.) be holden and kept, and put in due execution in all points: Ioyned to the ſame, That if any ſuch Indictments taken or to be taken before any Iuſtices of Peace, or before any other hauing power to take ſuch indictments or appeals, as other Iuſtices or Commiſſioners in any Countie, Franchiſe, or Libertie of England, ſhall be remoued before the King in his Bench, or elſewhere, by Certiorare, or otherwiſe, that then after ſuch remouing before any Exigent awarded vpon any ſuch indictment or appeale, in the forme aforeſaid taken or to be taken; that forthwith after the firſt writ of Capias vpon euerie ſuch indictment or appeale awarded and returned, that another writ of Capias be awarded, directed to the Sheriffe of the Countie, whereof he that is ſo indicted or appealed, is, or was ſuppoſed to be conuerſant by the ſame indictment or appeale, returnable before the King in his Bench at a certaine day, containing the ſpace of three monethes or foure, of the date of the ſaid laſt writ of Capias, according to the maner and forme that the Iuſtices of peace, and other in the ſaid firſt Statute contained, ought to haue done, before ſuch remouing, after the maner of the ſaid firſt Statute. And if any ſuch Exigent bee hereafter awarded vpon any ſuch indictment or appeale, after ſuch remouing againſt the forme aforeſaid, or any outlagarie thereupon pronounced, as well the ſame Exigent ſo award, as the outlagarie thereupon pronounced, and euerie of them ſhall be holden for none and void, according as in the ſayd firſt Statute is more fully contained. Anno. 10. H. 6. cap. 6.

9 Like Proceſſe to be had hereafter in actions vpon the caſe as well ſued as to be vſed in any of ſaid Courts, (as the Kings Bench and Common place) as in actions of treſpaſſe or debts. An. 19. H. 7. cap. 9.

10 Like Proces be had hereafter in euerie action from henceforth to be brought vpon the ſaid Eſtatute, (ſ. An. 5. R. 2. ca. 7. which is in Forcible entrie 1.) as in a common action of treſpaſſe at the Common Law, and the like Proces to be had in euerie writ of annuitie and couenant hereafter to be ſued, as in action of debt. An. 23. H. 8. cap. 44.

11 Be it &c. That when and as often as any perſon or perſons, after the firſt day of Ianuarie next comming, ſhall ſue forth, or by any meanes cauſe or procure to be ſued forth of the ſaid Court commonly called the Kings Bench, any of the writs or proceſſe before mentioned (Latitat, Alias and Pluries Capias) againſt any perſon or perſons, which vpon the ſame Writ or Writs ſhall happen to be arreſted, or which ſhall appeare vpon the returne of any the ſaid writs or proces and ſhall put in his or their baile or bailes, to anſwer ſuch ſuit as ſhall be obiected againſt him, according to the common order of the Court: That then in euerie ſuch caſe, if the partie or parties at whoſe ſuit, meanes, or procurement, the ſame writ or writs, or proces was obtained or ſued forth, doe not within three dayes next after ſuch baile had and taken, put into the ſame Court his or their declaration againſt the ſame partie or parties againſt whom ſuch writs or proces hath beene or ſhall be ſued, or if after declaration had and put into the ſame Court, the plaintife in ſuch caſe ſhal not proſecute the ſame with effect, but ſhall willing and apparantly to the ſame Court, ſuffer his or their ſaid ſuit to be delaied, or ſhall after declaration ſo had, ſuffer the ſame ſuit to be diſcontinued, or otherwiſe ſhall be nonſuit in the ſame: That then in euerie ſuch caſe the Iudges of ỹ ſaid Court for the time being, ſhal by their diſcretions from time to time, as they ſhall ſee or perceiue any ſuch default to be in the parties, at whoſe ſuit, meanes, or procurement, ſuch writs or proces was ſued forth, award and inioge to euerie ſuch perſon or perſons, ſo arreſted, bered, moleſted and troubled by ſuch writs or ſuit, his & their coſts, damages, and charges, by any meanes ſuſtained by occaſion of any ſuch writs, proces, arreſts, or ſuites taken, ſued, or had againſt him, to bee payed by ſuch perſon or perſons that ſo doeth, or ſhall cauſe or procure any ſuch writs or proceſſe to be ſued forth, as is aforeſaid. And be it further enacted by authoritie aforeſaid, That if any perſon or perſons ſhall after the firſt day of Ianuarie, cauſe or procure any other perſon or perſons to be attached or arreſted to anſwer to any bill, plaint, action, or ſuit, in the ſaid Court of Marſhalſey, or in any Court within the ſayd Citie of London, or in any Citie, Borough, Towne corporate, or other place or places, where any Libertie or Priuiledge is vſed to hold plea, in any action or actions perſonall, and doe not in all Courts, hauing their continuance De die in diem, loithin three dayes next after ſuch time as the partie defendant or defendants ſhall be bailed or otherwiſe appeare in Court by force of any arreſt or attachment had and returned (and in all other Courts at the next Seſſion or Court to be holden, after ſuch arreſts or attachments, and appearance of the partie defendant or defendants, whereas the ſaid partie defendant or defendants ſhall be compelled, or ought to appeare, vnleſſe a further day ſhall be eſpecially giuen by the diſcretion of the Court, from whence any precept, proces, or attachment ſhal be awarded) put and exhibit his bill, or declaration againſt ſuch perſon or perſons, as ſo by his ſuit and meanes ſhall be attached or arreſted into ſuch Court, where the partie by ſuch attachments or arreſt is cõpelled or ought to appeare, or if any ſuch perſon or perſons, at whoſe ſuit or means any ſuch attachment or arreſt of any perſon or perſons ſhall be ſo had or made, after his declaration, bill, or plaint exhibited, do not from henceforth proſecute the ſame his ſuit with effect, or ſhall ſuffer the ſame to be diſcontinued, or ſhall after be nonſuit in the ſame, or willingly and apparantly to the ſame Court, ſhall for veration of the defendant in ſuit, delay the ſame: That then in euerie ſuch caſe, the Iudge and Iudges of euerie ſuch Court, before whom any perſon or perſons ſhall be ſo ſued, moleſted or troubled, by occaſion or

3. Dayes — Declaratiõ — Proſecute — Delay — Diſcontinued — Nonſuit — Iudges — Default — Coſt — Damages Charges — Procure — Arreſt — Marſhalſey — London Citie — Borough — 3. Dayes — All Courts — Def. — Day — Bill Declaratiõ — Proſecute — Diſcontinued Nonſuit — Delay — Iudges

or meane of any ſuch attachment or arreſt, or by ſuch ſuit or ſuits, ſhall forthwith, by his or their diſcretion, from time to time, as he or they ſhall ſee or perceiue any ſuch default or delay in the partie that cauſed or procured any ſuch attachment or arreſt to be had, award and iudge to euerie ſuch perſon or perſons, which after the ſaid firſt day of Ianuarie ſhalbe ſo attached, arreſted, moleſted, vexed or troubled, his coſts, damages, & charges by any meanes ſuſtained, by occaſion of any ſuch attachment, arreſt, and ſuit, ſo had and taken againſt him, to bee paied by ſuch perſon or perſons, that ſo doeth, or ſhall cauſe or procure any ſuch attachment or arreſt to be ſo had or made. And if any perſon or perſons at any time after the firſt day of Ianuarie, ſhall by any way or meane, maliciouſly, or for vexation and trouble, cauſe or procure any other perſon or perſons, to be arreſted or attached, to anſwer in any the Courts or places aforeſaid, at the ſuit or in the name of any perſon or perſons, where indeed there is no ſuch perſon or perſons knowen, or without the aſſent, conſent, or agreement of ſuch perſon or perſons, at whoſe ſuit, or in whoſe name ſuch arreſt, or attachment, is, or ſhall be ſo had and procured: That then euerie ſuch perſon or perſons, that ſhall ſo cauſe or procure any ſuch arreſt or attachment of any other perſon or perſons to be had or made, for vexation or trouble, as is aforeſaid, and ſhall thereof be conuicted, or lawfully accuſed by indictment, preſentment, or by the teſtimonie of two ſufficient witneſſes, or moe, or other due proofe: ſhall for euerie ſuch offence by him or them committed, done, or procured, haue and ſuffer impriſonment of his or their bodie or bodies, by the ſpace of ſix monethes, without baile or mainprize: And before he or they ſhall be deliuered out of priſon, ſhall pay vnto the partie or parties ſo arreſted or attached by his or their meanes or procurement, treble the coſts, charges, damages, and expences, that he or they ſhall be put vnto, by reaſon or occaſion of ſuch attachment ſo had, and ſhall alſo forfeit and pay vnto ſuch perſon or perſons, in whoſe name or at whoſe ſuit he or they ſhall ſo procure ſuch arreſt or attachment to be had or made, if then there ſhall be any ſuch perſon knowne, the ſumme of ten pounds for euerie ſuch offence. And be it further enacted by the authoritie aforeſaid, That euerie perſon and perſons, to whom any coſts, charges, damages, forfeiture, or paiment of any ſumme or ſummes of money, by authoritie of this Act, ſhall be awarded, iudged, or forfeited, ſhal and may at all times hereafter haue his or their remedie for the recouerie thereof, by action of debt, bill or plaint, in any Court of Record, againſt ſuch perſon or perſons, their Heires, Executors, or Adminiſtrators, as ſhould or ought to pay the ſame by vertue or force of this Act. In which Action, Bill, or Plaint, no Eſſoine, Protection, or Wager of Law, ſhall bee admitted or allowed to any the defendant or defendants in the ſame. An. 8. El. ca. 2.

Coſts Damages Charges

Vexation Arreſt

Vnknowne names

Conuict Indictment Preſentment & Witneſſes

Impriſon

Mainprize

& Damages

Forf.

£. pounds

Action of debt Bill Plaint Heires Executors Admin. ſtrators

Procheine amy.

IF a Warden or chiefe Lord enfeoffe any man of the land, that is of the inheritance of the child within age, which is in his Ward, to the diſheritance of the heire: It is prouided, That the heire ſhall forthwith haue his recouerie by Aſſiſe of nouel diſſeiſin, againſt his Wardan, and againſt the Tenant; and the ſeiſin ſhall be deliuered by the Iuſticers (if it be recouered) to the next friend of the heire (to whom the inheritance cannot deſcend) for to improue it to the vſe of the heire, and to anſwer the iſſues vnto the heire, when he ſhall come to full age, and the Warden during his life, ſhall loſe the cuſtodie of the thing recouered, and all the inheritance that he holdeth by reaſon of the heire. And if another Warden then the chiefe Lord doe it, he ſhall loſe the Wardſhip of all that thing, and be grieuouſly puniſhed towards the King. And if the Infant be carried away, or diſturbed by the Warden, or by the feoffor, or by other, by reaſon whereof he cannot ſue his Aſſiſe, then may one of his next friends that will ſue for him, and he ſhall be thereto admitted. Weſtm. 1. cap. 48. Anno 3. Edw. 1.

Ward Heir Recouerie Nouel diſſeiſin Warden Infant

2 In euerie caſe where ſuch as be within age may ſue, it is ordained, that if ſuch be eloigned, ſo that they cannot ſue perſonally, their next friends ſhall be admitted for to ſue for them. Weſt. 2. ca. 15. An. 13. Ed. 1.

Proclamations.

AND foraſmuch as there is much more encreaſe of malefactors in the Realme then was wont to be, and that robberies, murders, burnings, and manſlaughters are committed out of meaſure, and the peace not well obſerued, by reaſon that the ſtatute which the King not long paſt made at Winchester (ſ. after in Robberie 2.) is not obſerued: The King will that the ſame Statute be ſent again into the Counties, to be read and publiſhed foure times in the yeare, and kept in euerie point as ſtraitly as the two great Charters, vpon the pains therein limited. And for the obſeruing and maintenance of the Statute, the Knights that be aſſigned in the Shires for to redreſſe things done againſt the ſaid great Charters, ſhall be charged, and ſhall haue their warrant therefore. Art. ſuper chartas cap. 17. An. 18. E. 1.

Statute Winch. Knights

2 For the grieuous miſchiefes and complaints that doe daily happen by robberies, theſts, manſlaughters, burning of houſes, & ridings in routs and great companies in euerie part of the Realme, It is ordained and aſſented, That the Statute of Winchester (after in Robberie 2.) the tenor whereof is ſent by our Soueraigne Lord the King this yeare laſt paſt, into euerie Countie of England to be proclaimed, be holden and kept in all points, and put in good and haſtie execution, at the complaint and purſuit of euery man that feeleth himſelfe grieued againſt the tenor of the ſame. And to the intent that no man ſhall excuſe himſelfe by ignorance of the ſame Statute, it is alſo aſſented, That euerie Sherife of England ſhal be bound from henceforth in proper perſon to make proclamation of the ſame Statute foure times in a yeare, in euerie Hundred of his Bailiwike, and by his Bailifes in ene-

Statute Winch. Sheriffe Bailifes

euerie Market, as well within Liberties as without. An.7.R.2.cap.6.

3 Euerie Iustice of peace within euerie Shire within this his said realm, within the Shire where he is Iustice of peace, doe cause openly and solemnly to be proclaimed yeerely, foure times a yeere in foure principall Sessions, the tenor of this Proclamation of this bill annexed, and that euerie Iustice of peace being present at any of the sayd Sessions, if they cause not the said Proclamation to be made in forme aboue said, shall forfeit to our said Soueraigne Lord at euerie time x.li.

The Proclamation.

HEnricus Dei gratia &c. The King our Soueraigne Lord considereth how daily within this Realme his coyne is traiterously counterfeited, murders, robberies, felonies beene grieuously committed and done, also vnlawfull retainers, ibienelle, vnlawfull playes, extortions, misdemeanings of Sherifes, Escheators, and many other enormities & vnlawfull demeanings daily groweth more and more within this his Realme, to the great displeasure of God, hurt and impouerishing of his subiects, and to the subuersion of the policie and good gouernance of this his Realme: and by these said enormities and mischieses his peace is broken, his subiects troubled, inquieted, and impouerished, the husbandrie of this land decayed, whereby the Church of England is vpholden, the seruice of God continued, euerie man thereby hath sustenance, euerie inheritor his rent for his land: For repressing and auoyding of the said mischieses sufficient lawes and ordinances be made by authoritie of many & diuers Parliaments holden within this Realme, to the great costs of the King, his Lords, and Commons of the same, and lacketh nothing, but that the said lawes be not put in due execution, which lawes ought to be put in due execution by the Iustices of Peace in euerie Shire of this Realme, to whom his Grace hath put and giuen full authoritie so to do, sith the beginning of his raigne: And now it is commen to his knowledge, that his subiects be little eased of the said mischiefe by the said Iustices, but by many of them rather hurt then helped. And if his subiects complaine of these Iustices of Peace, of any wrongs done to them, they haue thereby no remedie, and the sayd mischiefs do encrease and not subdued. The Kings Grace considereth, that a great part of the wealth and prosperitie of this land standeth in that, that his subiects may liue in suretie vnder his peace in their bodies and goods, and that the husbandrie of this land may encrease & be vpholden, which must be had by due execution of the said Lawes and ordinances: chargeth and commaundeth the Iustices of Peace of these his Shires to endeuor them to doe and execute the tenor of their commission, and the said Lawes and ordinances, ordained for subduing of the premisses, as they wil stand in loue and fauour of his Grace, and in auoyding of the paines that be ordained if they doe the contrarie. And ouer that, he chargeth and commaundeth, that euerie man, what degree or condition that he be of, that let them in word or deed, to execute their said authoritie in any manner and forme aboue said, that they shew it to his Grace. And if they doe it not, and it come to his knowledge by other then by the, they shall not stand in his fauour, but be taken as men out of credence, and be put out of Commission for euer. And ouer this, he chargeth and commaundeth all manner of men, as well the poore as the rich (which be to him all one in due ministration of iustice) that is hurt or grieued in any thing, that the sayd Iustice of peace may heare, determin, or execute in any wise, that he so grieued make his complaint to the Iustice of y peace that next dwelleth vnto him, or to any of his fellowes, and desire a remedie. And if he then haue no remedie, if it be nigh such time as his Iustices of Assises come into that Shire, that the he so grieued shew his complaint to the same Iustices. And if he then haue no remedie, or if the complaint be made long before the comming of the Iustices of Assise, then he so grieued come to the Kings Highnelle, or to his Chancellor for the time being, and shew his griefe, and his said Highnelle then shall send for the said Iustices, to know the cause why his said subiects be not eased, and his lawes executed, wherupon if he find any of them in default of executing of his lawes in the premisses, according to his Highnelle cõmaundement, he shall doe him so offending, to be put out of the Commission, & furthermore to be punished according to his demerits. And ouer that his said Highnelle shal not let for any fauour, affectiõ, cost, charge, nor any other cause, but that he shall see his lawes to haue plaine and true execution, and his subiects to liue in suretie of their lands, bodies, and goods, according to his said lawes, and the said mischieses to be auoyded, that his subiects may encrease in wealth and prosperitie, to the pleasure of God. An.4.H.7.cap.12.

4 An.13.H.6.cap.2. An Act was made to endure for 7. yeares, that writs with proclamation should be made against them that disobey the kings writs or priuy Seales, and certaine forfeiture and punishment against them.

5 An.31.H.8.cap.8. An Act was made, that Proclamations made by the King, with the aduice of certain of his Counsell named in that Act, should be obeyed and kept as though they were made by Act of Parliament. And after, An.34.H.8.ca.23. another Act was made concerning the offendors of the said former Act, but both these Acts were repealed by 1.E.6.ca.12.

Put out of commission

Diet a ter.

Complaint Iust. of P.

Iust. of Ass.

King & Chancelor

Put out of commission Punish

Execution of law

Writs

Priuie Seales Forf.

Act of parliament

Repealed

Procurements.

FOrasmuch as Lords of Courts, and other that keepe Courts, and Stewards, intending to grieue their tenants (where they haue no lawfull meane so to doe) procure other to moue matters against them, and to put in suretie and other pledges, or to purchase writs, and at the suit of such plaintifes compell them to follow the Countie, Hundred, Wapentake, and other like, vntill they haue made fine with them at their will: It is ordained,

Lords Courts Stewards

Suretie

dained, That it ſhall not be ſo hereafter. And if any be attached vpon ſuch falſe complaints, he ſhall repleuie his diſtreſſe ſo taken, and ſhall cauſe the matter to be brought afore the Iuſticers, before whom, if the Sherife, Bailife, or other Lord, (after that the partie diſtrained hath formed his plaint) will auow the diſtreſſe lawfully taken by reaſon of ſuch complaints made vnto them, and it be replied, that ſuch plaints were moued maliciouſly againſt the partie, by the ſolicitation or procurement of the Sherife, Bailife, or Lord, the ſame replication ſhall be admitted, and if they be conuict hereupon, they ſhall make fine to the King, and neuertheleſſe reſtore treble damages to the partie grieued. Weſt. 2. ca. 36.

Repleuie

Sheriffe

Malice

Bailife Lord

Treble damages

Prohibition and Conſultation.

Tithes Oblations Mortuaries

IN tithes, oblations, obuentions, mortuaries (when they are propounded vnder theſe names) the Kings prohibition ſhall hold no place, although for the long withholding of the ſame, they come to a pecuniarie eſtimation, and ſentence for the ſame. But if a Clerk or religious man, doe ſell his tithes being in the barne, or other where, to any man for money, if the money be demaunded before a Spirituall Iudge, the Kings prohibition ſhall lye, for by the ſale the Spirituall goods are made Temporall, and the tithes turned into cattels. Alſo if debate doe ariſe vpon the right of tithes, hauing his originall of the right of the patronage, and the quantitie of the ſame tithes doe paſſe the fourth part of the goods of the Church, the Kings prohibition ſhall hold place, if the cauſe come before a Iudge Spirituall. And if a Prelate enioyne a penance pecuniarie to any man for his offence, and it be demaunded, the Kings prohibition ſhall hold place. Notwithſtanding if Prelates enioyne a penance corporall, and the partie will redeeme ſuch penance by money, if the money be demaunded before a Iudge Spiritual, the Kings prohibition ſhal hold no place. Moreouer if any lay violent hands on a Clerke, the amends for the violence done ſhall be made in the Kings Court. And for excommunication before a Prelate, where penance corporal is enioyned, if the defender will redeeme his penance by giuing money to the Prelate, or to the partie grieued, it may be required before the Prelate, and the Kings prohibition ſhall not lye. Articuli cleri cap. 1. 2. & 3.

Spirituall Iudge Sale Temporall Tithes

Penance Pecuniarie

Corporall

Clerke

Excommunication Penance

Money

2 Alſo if any doe arreare in his ground a Will of new, and after the Parſon of the ſame place demaundeth tithe for the ſame, the Kings prohibition doth iſſue in this forme. Quia de tali molendino hactenus decimæ non fuerunt ſolutæ, prohibemus &c. Et ſententiam excommunicationis, ſi quam hac occaſione promulgaueritis, reuocetis omnino.

Will

Tithe

The anſwer. In ſuch caſe the Kings writ of prohibition was neuer yet graunted by the Kings aſſent, nor neuer ſhall, which hath decreed that it ſhall not hereafter lie in ſuch caſes. Articuli cleri cap. 5. An. 9. E. 2.

3 The King to his Iudges ſendeth greeting. Vſe your ſelfe circumſpectly in all matters concerning the Biſhop of Norwich and his Clergie, not puniſhing them if they hold plea in Court Chriſtian, of ſuch things as be meerely Spirituall, that is to wit, of penance enioyned for deadly ſinne, as fornication, aduoutrie, and ſuch like, for the which many times, corporal penance or pecuniarie is enioyned, ſpecially if a free man be conuict of ſuch things. Alſo if Prelates doe puniſh for leaning Churchyards vncloſed, or for that the Church is vncouered, or not conueniently decked, in which caſes none other penance can be enioyned, but pecuniarie. Item if a Parſon demaund of his parſhioners oblations & tithes due & accuſtomed, or if any perſon plead againſt another for tithes more or leſſe, ſo that the fourth part of the value of the benefit be not demaunded. Item, if a perſon demand mortuaries in places where a mortuarie hath vſed to be giuen. Item, if a Prelate of a Church, or the Patron demaund of the Parſon a penſion due to themſelues, all ſuch demands are to be made in the Spirituall Court. And for laying violent hands on a Prieſt: And in cauſe of defamation, it hath beene graunted alreadie, that it ſhall be tried in the Spirituall Court, when money is not demaunded, but the ſuit is proſecuted for the puniſhment of ſinne, and likewiſe for breaking an oath. In all the caſes afore rehearſed, the Spirituall Iudge ſhall haue power to take knowledge, notwithſtanding the Kings prohibition. An. 13. E. 1.

4 Whereas Eccleſiaſticall Iudges haue oftentimes ſurceaſed to proceed in caſes moued before them, by force of the Kings writ of prohibition, in caſes whereas a remedie could not be giuen to the complainants in the Kings court, by any writ out of the Chauncerie, becauſe that ſuch complainants were deferred of the right & remedie in both Courts as well Temporall as Spiritual, to their great damage, as the King hath been aduertiſed by the grieuous complaint of his ſubiects. Our Soueraigne Lord the King commaundeth, that where Eccleſiaſticall Iudges doe ſurceaſe in the foreſaid caſes, by the Kings prohibition directed vnto them, that the Chauncellor or the chiefe Iuſtices of the King for the time being, vpon ſight of the libell of the ſame matter, at the inſtance of the plaintife, if he ſhal ſée that the caſe cannot be redreſſed by any writ out of Chauncerie, but that the Spirituall Court ought to determine the matters, ſhall writs to the Iudges, before whom the caſe was firſt moued, that they proceed therein, notwithſtanding the Kings prohibition to them directed before. Stat. de conſultatione ædit An. 24. E. 1.

5 Edward &c. To the Prelates, Archdeacons, Officials, and other Miniſters Spiritual through the dioceſſe of Norwich, greeting. Whereas cognizances of pleas vpon feodals, and liberties of feodals, diſtreſſes, offices of miniſters, executions done againſt our peace, denials of felons, cuſtoms ſecular, attachments vi laica, malefactors accuſed, robberies, arreſts, manors, aduowſons of Churches, ſufficient couenants, Aſſiſes, Iuries, Recognitions touching lay fée, and other matters & cauſes of money, and of other cattels and debts, which are not

out of Parliament as maintenance, cantine to any extreme and riguity by euidence apparent, and the statutes thereof not made in the same Parliament, and the Lords Parliament, as other of the Kings Realme to the Prince of our counsell as kings of England, and of our same, by any means authority hereof with or against such customs upon any such matters of the nature in fact as compellen to any spirituall Iudge. And we our predecessors for us and others of the same realme, haue alwaies vsed such liberties as pertain to our regall dignitie. And for as much as it is to vs, as by relation of our subiects haue to certainly heard say: We prohibite you that you hold no such plea in the Spirituall Court, chiefly seeing such pleas appertain vnto vs, & not to any other in ȝ same realme. And vpon these & other, the cognisance whereof pertaineth vnto vs, we ready by vs and our ministers in our Court, to giue full and speedy Iustice to any subiect soeuer. And we command our welbeloued and faithfull E. and our Sheriffs of our foresaid Counties, that they straitly forbid on our behalfe, you and other as shall attempt such things in preiudice of our regall honor. And that if any of you hold such pleas, or if any prosecute the same before you in the Spirituall Court against our prohibition aforesaid, that our said Sheriffe bring you and such others holding and following such pleas, by sureties and safe pledges, that you or they be before our Iustices at Westminster at a certain day, to answer before them vpon the premisses, and to doe further, which hitherunto in such cases and the like hath beene accustomed to be done. And that they suffer not that any lay men within their Bailiwike, come together in any places to make any such recognitions by their oathes, except in causes of matrimonie and testamentarie: And that they yeild not to passe vpon such fees, debts, and tithes before you, and other Spirituall Iudges in preiudice of your Princely iurisdiction, belonging to our Crowne and dignitie: And that which you shall doe of these matters in this behalfe, he doe fully giue vs to vnderstand. In witnesse whereof &c. Witnesse &c. A Prohibition made vpon the articles of the Clergie.

6 They that purchase a prohibition and attachment against the Ordinaries, of a thing that belongeth not to the lay Court, shall yeild damages to the Ordinaries by the award of the Iustices &c. In mente ordinationibus An. 5 E.2. But it is repealed An. 15 E.2. I find not this but in the Abridgements.

7 The Commons doe grieuously complaine, That when diuers persons as well Clerkes as lay people, haue beene in diuers before the Sheriffes in sundries, and afterward be deliuered by Endwells procured before the Iustices: after their deliuerance they doe sue in the Spirituall Court, & plaint such indictors, surmising against them, that they haue defamed them; to the great damage of the indictors, wherefore many of the people in the Shires be in fears to indict such offenders. The King will, that in such case euerie man that falsely surmiseth grieued thereby, shal haue a prohibition formed in the Chancerie vpon his case. Anno 1 E.3. cap.11.

8 That no prohibition goe out of the Chancerie but in case where we haue the cognisance, and right ought to haue it. An. 18 E.3.ca.5.

9 Item at the complaint of the said great men and Commons, shewing by their petition, that whereas they sell their great woods, of the age of xx. yeares, or of greater age, to Marchants to their ayme profit, or in aid of the king in his warres, Prelates and Vicars of holy Church doe implead and draw the Marchants in the Spiritu. Court, for the tithes of the said wood in the name of this wood called Sylua cædua, whereby they cannot sell their woods to the berie value, to the great damage of them and of the Realme: It is ordained and established, that a prohibition in this case shall be graunted, & vpon the same an attachment, as it hath beene vsed before this time. Anno 45 E.3.cap.3.

10 Whereas a consultation is once duely granted vpon a prohibition made to the Iudge of holy Church, that the same Iudge may proceed in the cause by vertue of the same consultation, notwithstanding any other prohibition thereupon to him deliuered. Prouided alwayes, That the matter in the libell of the said cause be not augmented, inlarged, nor otherwise charged. An. 50. Ed.3.ca.4.

Great woods
Marchants
Warres
Tithes
Sylua cædua
Attachmẽt
Spirituall Iudge

Prophesies.

AN.3.E.6.cap.15. was an Act made against fantasticall prophesies to endure to the end of the next Parliament, and after An.7.E.6.cap.11. it was continued to endure to the last day of the next Parliament, and then it expired.

2 Forasmuch as since the expiration of the Statute 3.E.6.cap.15. (before 1.) against fantasticall prophesies, diuers factions and rebellious persons haue borne the bolder to imagine and publish such prophesies, as well concerning the Queenes Maiestie as others of the Realme, to the great perill of the same: Be it ordained &c. That if any person or persons, after the first day of May next coming, doe aduisedly and directly aduance, publish, and set forth by writing, printing, singing, or any other open speech or deed, to any person or persons, any false, fantasticall, or false prophesie, vpon or by the occasion of any armes, fields, beasts, badges, or such like things accustomed in armes, cognisances, or signets, or vpon or by reason of any time, yere, or day, name, bloudshed, or warre, to the intent thereby to make any rebellion, insurrection, dissention, losse of life, or other disturbance within this Realme, and other the Queenes dominions, that then euerie such person being thereof lawfully conuicted, according to the due course of the Lawes of this Realme, for euerie such offence shall suffer imprisonment of his bodie, by the space of one yeare, without baile or mainprise, and shall forfeit for euerie such offence the summe of tenne pounds. And if

Writing
Printing
Singing
Armes
Badges
Rebellion
Insurrectiõ
Conuict
Fine & ransome
Imprisonment.
Mainprise
Forfeit.

if any such offendor doe after such conuiction of the same offend in any of the premisses, and be thereof lawfully conuicted as is aforesaid, that then vpon such offendor shall for his second offence and conuiction, as is aforesaid, suffer imprisonment of his bodie, without baile or mainprise, during his life, and shall forfeit all his goods and catteles reall and personals. The moities of which forfeitures shall be to the Queenes Highnesse, her heires and successors: And the other moitie thereof to him that shall or will sue for the same in any of the Queenes Courts of Record, by action, bill, plaint, or information, in which case no essoine, wager of law, or protection, shall be allowed or admitted. And be it further ordained by the authoritie aforesaid, That all and euerie Justice of Assise, Justice of Oier and determiner, Justice of Peace, shall haue full power and authoritie by vertue hereof, to inquire, heare and determine all and euerie offence or offences aboue said, committed or done within the limits of their Commission, contrarie to the tenor and meaning of this Act. Prouided alwayes, that it be enacted by the authoritie aforesaid, That no person or persons shall at any time hereafter be impeached for any offence hereafter to be committed or done, contrarie to this Act, vnlesse he be thereof impeached or accused, within six monethes next ensuing any such offence by him or them committed or done. Anno 5. Elizabeth. cap. 15.

Second offence Impris. Mainprise Forf. Moitie

Just. of Ass. Just. of oier Just. of D. Oier & ter.

Prouiso

6. monethes

*

Protection.

EDward by the grace of God &c. To all his true and faithfull subiects greeting. Forasmuch as many doe purchase the protection of our Soueraigne Lord the King, alleaging that they were out of the Realme in the Kings seruice: It is prouided, That if the aduersarie will challenge the protection, and immediately when it is shewed in the Court, will averre that they were within the foure seas, and out of the Kings seruice in a place certaine, so that they might haue conueniently appeared, their challenge shall be entred in the roll, and the matter shall remaine without day according to the nature of the protections. And when it shalbe resummoned, and the partie commeth into the Court, he shall demaund iudgement and hearing of the Proces, and shall offer to averre his challenge, if his aduersarie will abide it. And if the countrey doe passe against him that cast it, the protection shall turne as a default to him that cast it, if he be tenant: And if he be demaundant, he shall lose his writ, and shalbe answered vnto the King. Given at Westminster the 18. day of Nouember, the 33. of King Edward the sonne of King Henrie. Anno 33. E. 1.

Ouer sea Challenge Auerre

Default Tenant Demaundt

2 The King to all &c. Reciting the Statute of An. 3. E. 1. (which see in Purueyors 4.) We grant and commaund for vs and our heirs, that no Sheriffes, or other our ministers, or of our heires or other whatsoeuer, presume to take any corne, and the same, or any other victuals, or goods, or else horses, oxen, waines, carts, ships or boats of Prelates, Religious men, Patrons of Churches, or Clerks, vnder colour of purueyance by vertue of any Commission or Warrant, to whose power soeuer it pertaine, against the will of the Bishop therein, or other Patron of them, rule, custo, or lord thereof, by such manner of pretence as any man, vnder all and singular the paines mentioned [illegible] and singular persons dwelling within the Realme, whether they be of high estate, or low, shall leaue the paines aforesaid. And that all and singular our Officers, and of our power, viz. Escuets of them as much as to him by reason shall appertaine, shall vpon such as shall be conuicted to haue done the contrarie, execute the paines aforesaid: And that they to whom shall happen to be committed to gather by such manner, shall not be deliuered out of the same, without the speciall commandement of vs and our heires. In testimonie whereof &c. Witnesse my selfe at Yorke the 14. day of November, in the 10. yeare of our raigne. A Letter patent vpon the taking of goods of the Clergie. See Purueyors 2.

Take Goods

Imp.

3 Forasmuch as our Soueraigne Lord the King hath made before this time diuers prouisions to diuers people, which were bounden to him in any manner of debt, that they should not be impleaded of the debts which they owed to others, till they haue made gree to our Soueraigne Lord the King of that that to him was due by them, by reason of his prerogatiue, and so during such prouisions no man durst implead such debtors: It is ordered and assented, That notwithstanding such prouisions, the parties which haue actions against their debtors, shall be answered in the Kings court by their debtors. And if iudgement be thereupon giuen for the plaintife or demaundant, the execution of the same iudgement shall be put in suspence, vntil gree be made to the King of his debt. And if the creditors will vndertake for the kings debt, let them be restored their rents. And further, they shall haue execution against the debtors of the debt due to them, and also shall recouer against them as much as they shall pay to the King for them. An. 25. E. 3. cap. 19.

Answ. Iudg. Execut. cap.

4 From henceforth no protection with the clause of Volumus be allowed before any Iudge, for victuals taken or brought vpon the voyage or seruice, wherein the protection maketh mention, nor in pleas of trespasse, or of other contract made or perpetrate after the date of the same protection. An. 1. R. 2. cap. 8.

Attorn

5 No protection with clause De prosecutoris be allowed in any plea, wherein the suit is commenced before the date of the protection, if he be not in the voyage that the King himselfe goeth, or other voyages royall, or in the Kings messages, for businesse of the Realme, but they that be impleaded, shall make their Attorneys for to answer for them in such pleas, or else let them tarrie themselues, if they will: howbeit, it is not the intent of the said king of this Statute, but that the protection with clause, Quia moratur, be allowed in all cases, as they haue bene before this time. And if any tarry in the countrey, without going to their seruice, for the which he is retained, ouer a conuenient time after

so that he hath any protection, or repaire from the same seruice, if the Chauncellor be therof duely informed, he shall repeale such protections, as it hath beene vsed before this time. Anno 13. R. 2. cap. 16.

6 Because that when diuers people being debtors, be condemned to their creditors by due Processe of Law, and committed to prison, that is to say, the gaoles of the Marshalsey, Kings Bench, Fleet, and other prisons, in diuers Cities, Boroughes, and Townes within the Realme, the Wardens of the gaoles and prisons aforesaid, of their owne authoritie doe let the said debtors to goe at large at their will, and whereas by a Statute (An. 1. R. 2. cap. 12. which is in Debt 41) It was ordained, That if any Gaoler doe let such prisoner to goe at large, by mainprise or in baile, that then the person to whom the prisoner is condemned, shall haue his action and recouerie against the said Gaoler: The same Wardens to purchase to themselues the Kings Protections, whereby the said creditors by the same Protections be delayed and deferred from their duetie and rightfull recouerie, as well against the said Wardens of the said gaoles, as against the said prisoners, to the great damnage and preiudice of the common people, and derogation of the Common Law: It is ordained and established, that no protection be available, nor allowed in such case. An. 7. H. 4. ca. 4.

7 Anno 9. H. 5. cap. 3. & Anno 4. H. 6. cap. 9. & Anno 8. H. 6. cap. 13. & Anno 14. Ed. 4. cap. 4. Foure Acts were made to endure for certaine yeares concerning Protections of them that should passe ouer the sea with the King.

8 No Protection be hereafter allowable nor allowed in the Court before the Maior, Constables, and Fellowship of Marchants of the Staple of Calice, nor in the Court before the Lieutenant, Constable, and Fellowship of Marchants of the same Staple, nor in the Court before the Maior and his Brethren of the same Towne of Calice, nor in any Court or Courts within the same Towne or Marches there, in any action so sued, or hereafter to be sued, by any of the said Marchants, their Factors, Seruants, or Atturneyes, against any of the said Marchants, their Factors, Seruants, or Atturneyes. An. 1. H. 7. ca. 3.

9 Anno 4. H. 7. cap. 4. Protections of Protecture and Pouerture were granted to all them that were or should bee in the Kings warres in Britaine.

10 Anno 7. H. 7. cap. 12. Protections of Protecture and Pouerture were graunted to all them that should serue the King in his warres (beyond the sea, or on the sea) which the King then intended to make.

11 Anno 3. H. 8. cap. 4. Protections of Protecture and Pouerture were graunted to all them that should serue the King in his warres (beyond the sea, or on this side) which the King then intended to make.

12 See Purueyors 12. That all goods and things of Bishops and Monasteries were taken into the Kings Protection, that they should not be taken for the King, &c.

13 Where Protection is put out in any action, see in euerie such title as any such action is spoken of.

Prouiso and Præmunire.

BEcause that some doe purchase in the Court of Rome, Prouisions to haue Abbies and Priories in England, in destruction of the Realm, and holy Religion: It is accorded, That euerie man that purchaseth such Prouisions, of Abbies or Priories, that he and his Executors and procurators, which doe sue and make execution of such Prouisions, shall be out of the Kings protection. And that a man may doe with them, as with enemies of our Soueraigne Lord the King and his Realme. And he that shall commit any thing against such prouisors, in bodie or in goods, or in other possessions, shall bee excused against all people, and shall neuer bee impeached nor grieued for the same at any mans suit. An. 25. Ed. 3. cap. 22. Rome Abbies Priories Executors Protection Excused

2 Whereas long since in the Parliament of good memory of Edward King of England, grandfather of our Soueraigne Lord the King that now is, the thirtieth yeare of his raigne, holden at Karlile, the petition being heard which was offered vnto the sayd grandfather and his Counsell by the Communaltie of his sayd Realme, containing, That whereas the holy Church of England was founded in the estate of Prelacie within the realm of England by the sayd grandfather and his progenitors, and the Earles, Barons, and other Nobles of his sayd Realme, and their auncestors for to sustaine them and their people in the Law of God, and for to keepe hospitalities, and to do alms, and other workes of charitie in the places where the Churches were founded, for the soules of the founders, their heires, and of all Christen, and certaine possessions, as well in fees, lands, rents, as in aduowsons, which doe extend to a great value, were assigned by the sayd Founders to the Prelates and other people of the holy Church of the sayd Realme, to sustaine the same charge, and namely of the possessions which were assigned to Archbishops, Bishops, Abbots, Priors, Religious men, and other people of holy Church, by the Kings of the sayd Realme, Earles, Barons, and other great men of his Realme, the same Kings, Earles, Barons, and other Nobles, as Lords and Patrons haue had and ought to haue the custodie of such voidances and the presentments & the collations of the benefices belonging to such Prelacies. And the said Kings in times past were woont to haue the greatest part of their Counsell for the safegard of the Realme, when they had need, of such Prelates and Clerkes so aduanced: The Bishops of Rome vsurping the Signiorities of such possessions and Benefices, did giue and graunt the same Benefices to Aliens, which did neuer dwell in England, and to Cardinals which might not dwell here, and to other, as well Aliens as Denizens, as if he had beene Patron, or aduowee of the said dignities & benefices, whereas Pope Benefices Aliens Cardinals

hée was not ſo of right after the law of England, by which gifts and graunts, if they ſhould be ſuffered, there ſhould vnneth be any benefice within ſhort time in the ſaid Realme, but that it ſhould be in the hands of aliens and forrainers by vertue of ſuch prouiſions, againſt the good will and diſpoſition of the founders of the ſame benefices. And ſo the elections of Archbiſhops, Biſhops, and other religious, ſhould faile, and the almes, hoſpitalities, and other workes of charitie, which ſhould be done in the ſaid places, ſhould bee withdrawne, the ſaid grandfather, and other lay Patrons, in the time of ſuch voydances, ſhould loſe their preſentments, the ſaid councell ſhould periſh, and goods without number ſhould be carried out of the Realme, in adnullation of the eſtate of the holy Church of England, and diſheriſon of the ſayd grandfather, and the Earles, Barons, and other Nobles of the ſaid Realme, and in offence and deſtruction of the lawes and rights of his Realme, and againſt the good diſpoſition and will of the firſt founders: by the aſſent of the Earles, Barons, and other Nobles, and of all the ſaid Communaltie, at their inſtances and requeſts (the damage and grieuances aforeſaid conſidered) in the ſaid full Parliament it was ordained, That the ſaid oppreſſions, grieuances, and damage in the ſame Realme, from henceforth ſhould not be ſuffered in any manner. And now it is ſhewed to our Soueraigne Lord the King, in this preſent Parliament holden at Weſtminſter, at the Vtas of the Purification of our Ladie, the xvb. yeare of his raigne of England, and of Fraunce the twelfth, by the grieuous complaints of all the Commons of this Realme, that the grieuances and miſchiefes aforeſaid dos daily abound to more greater damage and deſtruction of all this Realme, more then euer were before, viz. That now of late the Biſhop of Rome, by procurement of Clerkes and otherwiſe, hath reſerued, and doth daily reſerue to his collation generally and ſpecially, as well Archbiſhoprickes, Abbeyes, and Priories, as all other dignities, and other benefices of England, which be of the aduowrie of the people of holy Church, and doth giue the ſame as well to aliens as to denizens, and taketh of all ſuch benefices the firſt fruits, and many other profits, and that a great part of the treaſure of the Realme is carried away and ſpent out of the Realme by the purchaſors of ſuch graces, and alſo that by ſuch priuie reſeruations many Clerkes aduanced in this Realme by their true Patrons, which haue peaceably holden their aduancements by long time, be ſuddenly put out, whereupon the ſaid Commons haue prayed our ſaid Soueraigne Lord the King, ſith the right of the Crowne of England, and the Law of the ſayd Realme is ſuch, that vpon the miſchiefes and damage, which happeneth to his Realme, he ought and is bounden by his oath, with the aſſent of his ſaid people in his Parliament, thereof to prouide remedie, and doe Law for the voiding of the miſchiefes and dammage, which doe ſo happen, that it would pleaſe him hereupon to ordaine a remedie: Our Soueraigne Lord the King ſeeing the miſchiefes and dammage before named, and hauing regard to the ſaid Statute made in the time of his ſayd grandfather, and to the cauſes contained in the ſame, which Statute ſtandeth ſtill in force, and was neuer defeated nor annulled in any point, and foraſmuch as he is bounden by his oath, to cauſe the ſame to bee kept as a Law of his Realme, though that by ſufferance and negligence it hath béene ſithence attempted to the contrarie: and alſo hauing regard to the grieuous complaints made to him by his people in diuers his Parliaments holden heretofore, willing to ordaine remedie for the great dammage and miſchiefes, which haue happened, and daily doe happen to the Church of England by the ſaid cauſe: By the aſſent of all the great men, and the Comminaltie of the ſaid Realme, to the honour of God, and profit of the ſaid Church of England, and of all his Realme, hath ordained and eſtabliſhed, That the frée elections of Archbiſhops, Biſhops, and all other dignities and benefices electiue in England, ſhal ſtand from henceforth in the manner as they were graunted by the Kings progenitors, and by the auncеſtors of other Lords the founders of them: And that all Prelates, and other people of holy Church, which haue aduowſons of any benefices of the Kings gift, or of any of his progenitors, or of other Lords and Donours, to do Diuine Seruices and other charges ordained for the ſame, ſhall haue their collations and preſentments freely in the manner as they were infeoffed by their Donours. And in caſe that any reſeruation, collation, or prouiſion, be made by the Court of Rome, of any Archbiſhopricke, Biſhopricke, dignitie, or other benefice, in diſturbance of the election, collations, or preſentations aforenamed, that at the time of the voidance, when ſuch reſeruations, collations, and prouiſions, ſhall take effect, our Soueraigne Lord the King and his heires ſhall haue and enioy for the ſame time collations to the Archbiſhoprickes and other dignities electiue, which be of his aduowrie, ſuch as his progenitors had before that frée election was graunted, ſeeing that the elections were firſt graunted by the Kings progenitors vpon a certaine forme and condition, as to demaund licence of the King to chuſe, and after the election to haue his royall aſſent, and not in other manner. Which conditions being not kept, the thing ought by reaſon to reſort to his firſt nature: And if any ſuch reſeruation, prouiſion, or collation be made of any houſe of Religion of the Kings aduowrie, in diſturbance of the frée election, our Soueraigne Lord the King and his heires ſhall haue for that time the collation to giue this dignitie to a conuenient perſon. And in caſe that collation, reſeruation, or prouiſion be made by the Court of Rome, of any Church, Prebend, or other benefices, which be of the aduowrie of the people of holy Church, whereof the King is aduowe paramount immediat, that at the ſame time of the voydance, at which time the collation, reſeruation, or prouiſion ſhould take effect as afore is ſaid, the King and his heires ſhall haue the preſentment or collation thereof for that time. And ſo from time to time whenſoeuer ſuch

Pope

Archbiſhops

Aliens

Firſt fruits

Dean

Frée Archbiſhops Biſhops

Aduow

Patrons

Dean

Conge Leire

Royall aſſent

Patron

such people of holy church shalbe disturbed of their presentments or collations, by such reseruations, collations, or prouisions, as afore is said. Sauing to them the right of their aduowsons and their presentments, when no collation or prouision of the court of Rome is thereof made, where that the said people of holy church shall or will to the same benefices present or make collation. And that their presentees may enioy the effect of their collations or presentments: And in the same manner euery other Lord of what condition that he be, shal haue the collations or presentments to the houses of religion which be of his aduowrie, and other benefices of holy Church, which be perteining to the same houses. And if such aduowees do not present to such benefices within the halfe yeare after such voydances, nor the Bishop of the place do not giue the same by lapse of time within a moneth after the halfe yeare: that then the king shall haue the collation presentments and collations as he hath of other of his owne aduowrie. And in case that the presentments of the king or the presentees of other patrons of holy Church, or of their aduowees, or they to whome the king or such patrons or aduowees aforesaid haue giuen benefices, perteining to their presentments or collations bee disturbed by such prouisors, so that they cannot haue the possession of such benefices by vertue of the presentments or collations so to thē made, or that they which be in possession of such benefices be impeached vpō their said possessions by such prouisors: then the said prouisors, their procurators, executors, and notaries shall bee attached by their body, and brought in to answere. And if they be conuict, they shall abide in prison without being let to mainprise or bayle, or otherwise deliuered, till they haue made fine & ransome to the king at his will, and gree to the partie that shall feele himselfe grieued. And neuertheless, before that they be deliuered, they shal make full renunciation and find sufficient surety, that they shal not attempt such thinges in times to come, nor sue ne procese by them nor other against any man in the Court of Rome, nor in any part elsewhere, to any such imprisonments or renunciations, nor any other thing depending of them. And in case that such prouisors, procurators, executors, and notaries be not found, that the erigend shall runne against them by due procese and that writs shall goe forth to take their bodies, in what parts that they be found, aswell at the kings suit as at the suit of the party. And that in the meane time the king haue ỹ profits of such benefices so occupied by such prouisors, except abbies, priories, and other houses which haue Colledges or couents. And in such houses the Colledges and Couents shall haue the profits. Sauing alwaies to our Soueraigne Lord the King, and to all other Lordes, their old right. And this Statute shall haue place, aswell of reseruations, collations, and prouisions made and granted in times past against all them which haue not yet obteined the corporall possession of the benefices granted to them by the same reseruations, collations, and prouisions, as against all other in time to come. And this Statute shall take place, and begin at the said vtas. Anno 25. Ed. 3. Stat. de Prouisoribus.

3 Because that it is shewed to our Soueraign Lord the king by the grieuous & clamorous complaints of the great men and commons aforesaid, how that diuers of the people bee and haue bene drawen out of the realme, to answer of things, whereof the cognisance pertaineth to the kings court: And also that the iudgements giuen in the same Court bee impeached in an other Court, in prejudice and disherison of our Soueraigne Lord the king, and of his Crowne, and of all the people of his said Realme, and in the vndoing and destruction of the Common law of the same Realme at all times heretofore vsed, whereupon good deliberation being had with the great men, and other of his said Councell, it is assented and accorded by our Soueraigne Lord the king, and the great men and Commons aforesaid, that all the people of the kings liegeance, of what condition that they be, which draw any out of the realme in plee whereof the cognisance pertaineth to the kings court, or of things whereof iudgements be giuen in the kings Court, or which doe sue in any other Court, to defeat or impeach the iudgements giuen in the kings Court, shall haue day, conteining the space of two moneths, by warning to be made to them in the place where the possessions be which be in debate, or else where they haue lands or other possessions, by the Shirifes or other the kings Ministers, to bee before the King and his Councell, or in his Chauncerie, or before the kings Iustices in his places of the one Bench or the other, or before other the kings Iustices, which, to the same shal be deputed to answer in their proper persons to the king of the contempt done in this behalfe. And if they come not at the said day in their proper persons to stand to the law, then they, their procurators, attourneyes, executors, notaries, and maintainers, shall from that day forth be put out of the kings protection, and their lands, goods and cattels forfeit to the King. And their bodies, wheresoeuer they may bee found, shall be taken and imprisoned, and ransomed at the Kings will, and vpon the same a writ shall bee made to take them by their bodies, and to seise their lands, goods, and possessions into the kings hands. And if it be returned, that they be not found, they shall be put in exigent and outlawed. Prouided alwayes, that at what time they come before that they bee outlawed, and will yeld them to the kings prison, to bee iustified by the law, and to receiue that that the Court shall award in this behalfe, that they shall be thereto received. The forfeiture of the lands, goods, and cattels abiding in their force, if they doe not yeld them within the said two moneths as afore is said. Anno 27. Ed. 3. cap. 1.

Court
Sue
Two moneths
Shirifs
Answer
Attournies Executors
Protection
Forf.
Imprif.
Exigent

4 To nourish loue, peace, and concord betweē holy Church and the Realme, and to appease and cease the great hurt and perils, and importable losses and grieuances that haue bene done and happened in times past, and that may happen hereafter, if it from henceforth bee suffered to goe on,

by reaſon of perſonall citations, and other Proceſſe that haue paſſed before this time, and commonly
Rome do paſſe from day to day out of the Court of Rome by fained and falſe ſuggeſtions and propoſitions, againſt all manner of perſons of the Realme, vpon cauſes, whoſe cogniſance and finall diſcuſſing pertaineth to our Soueraigne Lord the King, and his royall Court, and alſo of impetrations and prouiſions of benefices and offices of holy Church, pertaining to the preſentation, donation, and diſpoſition of our ſaid Soueraigne Lord the King, and of other lay Patrons of his Realm, as of churches, chappels, and other benefices appropried to
Churches Cathedrall Churches, Abbies, Priories, Chauntries, Hoſpitals, and other poore houſes, and of other dignities, offices, and benefices occupied in
Hoſpitals the times paſt, and preſented by diuers and notable perſons of the ſaid Realme, for which cauſes, and the dependancies thereof, the good auncient lawes, vſages, and cuſtomes, and Franchiſes of the ſaid Realme haue beene, and be greatly appayred, blemiſhed, and confounded, the Crowne of our Soueraigne Lord the King minished, and his perſon falſly defamed, the treaſure and riches of his Realme carried away, the inhabitants and ſubiects of the Realme impouerished and troubled, the benefices of holy Church walked and deſtroyed, Diuine Seruice, hoſpitalities, alms deeds, and works of charitie withdrawne and ſet apart, the great men and Commons of the Realme trauelled, and in goods and bodie dammaged. Our Soueraigne Lord the King at his Parliament holden at Weſtminſter, in the vtas of S. Hillarie, the 38. yeare of his raigne, hauing regard to the quiethelle of his people, which he chiefly deſireth to ſuſtaine in tranquilitie, peace, and reſt, and to gouerne according to the lawes, vſages, and franchiſes of his land, as he is bound by his oath made at his Coronation: And in ayd & comfort of the Pope, who hath beene many times troubled, by ſuch and like importunate clamors, impetrations, for which would willingly prouide a conuenient remedie, if his Holineſſe were informed thereof: and following the wayes of his progenitors, which for their time made certaine good ordinances and prouiſions, againſt the ſaid grieuances and perils: Which ordinances and prouiſions, and all the other made in his time, and eſpecially in the 25. and 27. yeares of his raigne, (before 1.2.3.) Our Soueraigne Lord the King, by the aſſent and expreſſe will and concord of the Dukes, Earles, Barons, and the Commons of this Realme, and of all other whom theſe things doe touch, by good and ſound deliberation and aduiſement, hath approued, accepted, and confirmed: Sauing the eſtate of the Prelates and other Lords of the Realme, touching the liberties of their bodies, ſo that by force of this Statute their bodies be not taken. Joining to the ſame, hath prouided and ordained, That all they which haue obtained, purchaſed, or purſued ſuch perſonall Citations, or other Proceſſe in times paſt, or hereafter
Citations ſhall obtaine, purchaſe, or purſue ſuch like againſt him, or any of his ſubiects, and alſo all they that haue obtained, or ſhall obtaine in the ſayd Court, Deaneries, Archdeaconries, Prouoſties, and other dignities, offices, chappels, or benefices of Dignit.
holy Church, pertaining to the collation, gift, preſentation, or diſpoſition of our ſaid Soueraigne Lord the King, or of other lay Patron of his ſayd Realme, & alſo all like perſons, obtainers of Churches, Chappels, Offices, or benefices of holy Church, penſions, or rents amortiſed, and appropriated to Churches Cathedrall, or Collegiall, Abbies, Priories, Chauntries, Hoſpitals, or other houſeholds, before that ſuch appropriations, and amortiſements, be auoyded and annulled by due Proceſſe, and alſo all they which haue obtained in the ſame Court, dignities, offices, hoſpitals, or any benefices of Churches which be occupied at this preſent ſeaſon, by reaſonable title, by any perſons of the ſaid Realme, if ſuch impetrations bee not fully executed, or ſhall obtaine hereafter like benefice, whereby preiudice, damage, or let, hath beene or may be done hereafter to him, or to his ſaid ſubiects, or perſons, heritages, poſſeſſions, rights, or any goods, or to the Lawes, vſages, cuſtoms, franchiſes and liberties of this ſaid Realme, and of his Crowne, and alſo all their maintainers, counſellors, abettors, and other aiders and fauters wittingly, as well at the ſuit of the King, as of the partie, or other whatſoeuer he be of the Realm, finding pledges and ſuretie to purſue againſt them: in this Garniſh.
caſe all the ſayd perſons defamed, and violently ſuſpected of ſuch impetrations, purſuites, or grieuances, by ſuſpition, ſhall be arreſted and taken by Arreſt
the Sheriſes of the places, and Juſtices in their Sheriſ.
Seſſions, Deputies, Bailifes, and other the Kings Miniſters, and by good and ſufficient mainprize, Mainp.
plead, put in baile, or other ſuretie, (the ſhorteſt that may be) and ſhall be preſented to the King and his Counſell, there to remaine and ſtand to right, to receiue what the law ſhall giue them: And if they be attainted or conuict of any of the ſaid things, they ſhall haue the paine comprized in the Statute made in the fiue and twentieth yeare of the raigne of our Soueraigne Lord the King, which beginneth: Whereas long ſince in the Parliament &c. (before 2.) And if any perſon defamed or ſuſpect of Def.
the ſaid impetrations, proſecutions, or grieuances, or enterprizes, be they out of the Realme, or within, cannot be attached nor arreſted in their proper perſons, and doe not preſent themſelues before the King or his Counſell, within two monethes next after 4. Mo.
that they be thereupon warned in their places (if they haue any) in any of the Kings Courts, or in the Counties, or before the Kings Juſtices in their Iuſtic. Ralis.
Seſſions, or otherwiſe ſufficient to anſwer to the King and to the partie, to ſtand, and be at the law in this caſe before the King and his Counſell, ſhall be puniſhed by the forme and manner comprized in the Statute made in the ſaid ſeuen and twentieth yeare of this Kings raigne, and otherwiſe, as to the King and his Counſell ſhal ſeeme to be done, without any grace, pardon, or remiſſiõ, to be made Par.
by the King, without the will and aſſent of the partie which ſhal preue him to be grieued, and without making to him due ſatiſfaction in this caſe. An. 38. E. 3. Stat. 2. cap. 1.

5 It is accorded, That none other ſubiect of the ſaid Realm, keeping and ſuſtaining theſe ordinances, ſhall incurre any forfeiture of life and member, nor of lands, heritage, nor goods, againſt the King, nor other perſon, nor loſe eſtate nor fauour becauſe of the ſaid things ordained, nor he nor his heires may, nor ought not to be reproued, defamed, nor impeached for any of the ſaid things at any time hereafter. An. 38. E. 3. cap. 2.

6 And if any perſon, of what eſtate or condition that he be, by any maner attempt, or doe a thing againſt the ſaid ordinances, or any thing comprized in them, that ſame perſon ſhall bee brought to anſwer in the manner as afore is ſaid: And if he be thereupon attainted or conuict, he ſhalbe put out of the Kings protection, and puniſhed after the forme of the ſaid Statute made the ſaid 27. yeare. An. 38. E. 3. ca. 4. Stat. 2.

7 And if any perſon maliciouſly or falſly make any purſuit againſt any perſon of the ſaid Realme, for cauſe comprized in theſe preſent ordinances, and thereof be duely attainted, ſuch plaintife ſhall be duely puniſhed, at the ordinance of the King and his Counſell, and neuertheleſſe, he ſhall make gree and amends to the partie grieued by his purſuit. And to the intent that the ſaid ordinances and euerie of the ſame, for the eaſe, quietneſſe, and wealth of the Commons be the better ſuſtained, executed, and kept, and that all thoſe that haue offended, or ſhall offend againſt theſe ordinances, by proſecutions, accuſations, denunciations, citations, or other proces made or to be made out of the ſaid Realme, or within, or otherwiſe againſt any manner perſon of the ſaid Realme, be the more conueniently and ſpeedily brought to aunſwer, to receiue right according to their deſert: The King, the Prelates, Dukes, Earles, Barons, Nobles, and other Commons, Clerkes, and lay people, ſhal be bound by this preſent ordinance to ayde, comfort, and to counſell the one the other, as often as ſhall need, and by all the beſt meanes that may be made of word and of deed, to impeach ſuch offenders, and reſiſt their deeds and enterpriſes, and without ſuffering them to inhabit, abide, or paſſe by their Seigniories, poſſeſſions, lands, iuriſdictions, or places, and ſhall be bound to keepe and defend the one the other from all dammage, villanie, and reproſe, as they would doe their own perſons, and for their owne deed and buſineſſe, and in ſuch maner, and as far forth as if ſuch proſecutions or proceſſe were made or attempted againſt them in eſpeciall, generall, or in common. An. 38. Ed. 3. ca. 4. Stat. 2.

8 Anno 2. Ric. 2. cap. 7. It was agreed, That Urban was duely elected Pope, and ought to bee obeyed as head of the Church, and that all benefices and poſſeſſions of Cardinals, rebels, and other the Kings enemies, ſhould be ſeiſed. And it was enacted, That if any purchaſed by prouiſion any benefice or grace, by any other named Pope, then of Pope Urban, or be obedient to any other perſon as Pope, he ſhould be out of the Kings protection, and his goods ſeiſed.

9 None of the Kings liege people, nor other perſon, of what eſtate or condition that he be, ſhall take nor receiue within the ſayd Realme of England, Procuracie, letter of Atturney, nor ferme, nor other adminiſtration by Indenture, nor in any other manner of any perſon of the world, of any benefice within the ſaid Realme, but onely of the Kings liege people of the ſame Realme, without the ſpeciall grace and expreſſe licence of our ſaid Soueraigne Lord the King, by the aduiſe of his Counſell. And if any before this time haue accepted of any Aliens ſuch Procuracies, fermes, or adminiſtration, that they ſhall vtterly leaue them within fortie dayes after publication of this ordinance. And that none of the ſaid liege people, nor other that may be found in the ſaid Realme, ſhall ſend by vertue of ſuch procuracie, ferme, or adminiſtration, gold, ſiluer, nor other treaſure nor commoditie, out of the ſayd Realme, by letter of exchaunge, by marchandiſe, nor in other maner, to the profit of the ſaid Aliens, without like licence of the King, by the aduiſe of his ſayd Counſell. And if any doe the contraie in any point contayned in this ordinance, hee ſhall incurre the paine and puniſhment contained in the Statute of Prouiſors, made in the time of the Kings grandfather the ſeuen and twentieth yeare of his raigne (before 3.) by the ſame Proces comprized in the ſayd Statute, and by warning to be made to them in their benefices, or other their poſſeſſions within the Realme. And if they bee out of the ſayd Realme, and not beneficed, nor hauing poſſeſſion within the ſame Realme where they may bee warned, then a writ ſhall be made in the Chaunceric, grounded vpon this ordinance, to the Sherife of London, or to the Sherife of the Countie, in which they were or ſhall be borne, at the Kings ſuit, returnable in the one Bench or the other, by which writ it ſhall be commaunded, That Proclamation be made openly, That they be before the Iuſtices in the Bench, where the writ is returnable at a certaine day comprized in the ſame writ, containing the ſpace of halfe a yeare, to aunſwer vpon the matters comprized in the ſaid writ, and after this writ returned, the Iuſtices ſhall proceed againſt them, according to the forme aboue ordained. And it is aſſented by the King in the ſame Parliament, by the aſſent aforeſayd, That no Biſhop, nor other perſon of holy Church thorow the Realme, ſhall meddle by way of ſequeſtration, nor in any other manner with the fruits of ſuch benefices, giuen or to be giuen to the ſayd Aliens, to the profit of the ſame Aliens, vpon the peril that belongeth. Dated &c. An. 2. R. 2. cap. 3.

Farmes
Benefice
Licence
Aliens
Gold
Siluer
Bill of exchange
Licence
Chancerie
Sherife
Proclamation
Iuſtices
Biſhop
Sequeſter
Aliens

10 The ſame Statute, (as of Anno 3. R. 2. ca. 3. before 9.) ſhall keepe his force and effect in all points. And moreouer it is alſo aſſented, That if any Alien haue purchaſed, or from henceforth ſhall purchaſe any benefices of holy Church, dignitie, or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupie it himſelfe within the Realme, whether it be to his owne proper vſe, or to the vſe of any other, without ſpeciall licence of the King, he ſhall be comprized with-

Alien
Benefice
Licence

Foꝛf. in the ſame Statute, and moꝛeouer that incurre all paines and foꝛfeitures in all points, as is beſoꝛe oꝛdained by another Statute made the twentie firſt yeare of the noble King Edward the third, grandfather to our Soueraigne Lord the King that now is, (before 1.) concerning them that purchaſe pꝛouiſions of Abbies, oꝛ Pꝛioꝛies. And to the intent that ſuch licences ſhall not be from henceforth made, the King will and commaundeth to all ſubiects and other, that they ſhall abſtaine them from henceforth to pꝛay him foꝛ any ſuch licence to be giuen. And alſo the King himſelfe will abſtaine to giue any ſuch licence during the warres, except to the Cardinall of Naples, oꝛ to ſome other ſpeciall perſon, to whom the King is bounden foꝛ ſome eſpeciall cauſe. An. 7. R. 2. cap. 12.

Paſſe ouer ſea Licence

Benefice

Pꝛotection Uoid Patron

Pꝛeſent

11 No liegeman of the King, of what eſtate oꝛ condition that he bee, great oꝛ little, ſhall paſſe ouer the Sea, noꝛ ſend out of the Realme of England, by licence, noꝛ without licence, without ſpeciall leaue of the King himſelfe, to pꝛouide oꝛ purchaſe foꝛ himſelfe a benefice of holy Church, with cure, oꝛ without cure in the ſaid Realme: And if any doe, and by vertue of ſuch pꝛouiſion accept by himſelfe, oꝛ by any other, any benefice of the ſame Realme, that from that time the ſame pꝛouiſoꝛ ſhall be out of the Kings pꝛotection, and the ſame benefice void, ſo that it ſhall be lawfull to the Patron of the ſame benefice, as well Spirituall as Tempoꝛall, to pꝛeſent to the ſame an able Clerke at his pleaſure. An. 12. R. 2. ca. 15.

Election Archbiſhop Biſhop

12 Whereas the noble King Edward, grandfather to our Soueraign Lord the King that now is, at his Parliament holden at Weſtminſter at the vtas of the Puꝛification of our Ladie, the fiue and twentieth yeare of his raigne (before 3.) did to bee rehearſed the Statute made at Carliſle in the time of King Edward, ſonne of King Henrie, touching the eſtate of the holy Church of England, the ſayd grandfather of the King that now is, by the aſſent of the great men of his Realme, being in the ſame Parliament, holden the ſaid xxv. yeere, to the honoꝛ of God and of holy Church, and of all his Realme, did oꝛdaine and ſtabliſh, That the free elections of Archbiſhoꝛpicks, Biſhoꝛpicks, and all other dignities and benefices elective in England, ſhould hold from henceforth in the maner as they were graunted by his pꝛogenitoꝛs, and by the auncеſtoꝛs of other Lords founders. And that all Pꝛelates, and other people of holy Church, which had aduowſons of any benefices of the gift of the King, oꝛ of his pꝛogenitoꝛs, oꝛ of other Lords and donoꝛs, ſhould freely haue their collations, and pꝛeſentments: and thereupon a certaine puniſhment was oꝛdained in the ſame Statute, foꝛ them which ſhould accept any benefice oꝛ dignitie, contrarie to the ſaid Statute made the ſaid fiue and twentieth yeare, as afoꝛe is ſaid, which Statute our Soueraign Lord the King hath done to be recited in this pꝛeſent Parliament, at the requeſt of his Commons in the ſame Parliament: The tenoꝛ whereof is ſuch as hereafter followeth. Whereas long ſince in the Parliament of good memoꝛie of Edward King of England &c. (rehearſing the whole Statute made the ſaid fiue and twentieth yeare, and thenthus) Our Soueraigne Lord the King that now is, of the aſſent of the great men of his Realme, being in this pꝛeſent Parliament, hath oꝛdained and ſtabliſhed, That concerning all Archbiſhoꝛpicks, Biſhoꝛpicks, and other dignities and benefices elective, and all other benefices of holy church, which began to be void indeed the 29. day of Januarie, the thirteenth yeare of the raigne of our Soueraigne Lord the King that now is, oꝛ after, oꝛ which ſhall bee void in time to come within the Realme of England, the ſaid Statute made the ſaid fiue and twentieth yeare ſhall be firmely holden foꝛ euer, and put in due execution from time to time, in all manner points. And if any make any acceptation of any benefice of holy Church, contrarie to this Statute, and that duely pꝛoued, and be beyond the ſea, he ſhall abide exiled and baniſhed out of the Realme foꝛ euer, his lands and tenements, goods and catels foꝛfeit to the King, & if he be within the realme, he ſhall be alſo exiled and baniſhed as afoꝛe is ſayd, and ſhall incurre the ſame foꝛfeiture, and take his iourney, ſo that he be out of the Realme within ſix weekes next after ſuch acceptation. And if any receiue any ſuch perſon baniſhed, comming from beyond the ſea, oꝛ being within the Realme after the ſaid ſix weekes, knowing thereof, he ſhal be alſo exiled and baniſhed, and incurre ſuch foꝛfeiture as afoꝛe is ſaid. And that their pꝛocuratoꝛs, notaries, executoꝛs, and ſummoners, ſuffer the pain and foꝛfeiture afoꝛeſaid. Pꝛouided neuertheleſſe, that all they to whom our holy father the Pope, oꝛ his pꝛedeceſſoꝛs, haue pꝛouided any Archbiſhoꝛpicke, Biſhoꝛpicke, oꝛ other dignitie, oꝛ other benefices of holy Church, of the patronage of men of holy Church, by reaſon of any voidance beſoꝛe the ſaid twentie ninth day of Januarie, and thereof were in poſſeſſion beſoꝛe the ſame xxix. day, ſhal haue and enioy the ſaid Archbiſhoꝛpicks, Biſhoꝛpickes, dignities, and other benefices, peaceably foꝛ their liues, notwithſtanding the Statutes and oꝛdinances afoꝛeſaid. And if the King ſend by letter oꝛ in other maner to the Church of Rome, at the inteꝛceſſiõ of any perſon, oꝛ if any other ſend to pꝛay to the ſame Court, whereby any thing be done contrarie to this Statute, touching any Archbiſhoꝛpricke, Biſhoꝛpricke, dignitie, oꝛ other benefice of holy Church, within the ſaid Realme, if he that maketh ſuch excitation oꝛ pꝛayer be a Pꝛelat of holy Church, he ſhall pay to the King the value of his tempoꝛalties of one yeare, and if he be a Tempoꝛall Lord, hee ſhall pay the King the value of his lands and poſſeſſions vnmouable of one yere. And it is the intent of this Statute, that of all dignities and benefices of holy Church, which were void indeed the ſaid twentie ninth day of Januarie, which be giuen, oꝛ to whom it is pꝛouided by the Apoſtle beſoꝛe the ſame xxix. day, that they to whom ſuch gifts oꝛ pꝛouiſions bee made, may freely of ſuch gifts and pꝛouiſions, ſue execution without offence of this Statute. Pꝛouided neuertheleſſe, that of no dignities oꝛ benefices, which were full the ſaid twenty ninth day of Januarie, no man by reaſon of any collation, gift, reſeruation, & pꝛouiſiõ, oꝛ other

other grace Apoſtolicke, not executed before the ſaid xxix. day, ſhall ſue thereof execution, vpon the paines and forfeitures contained in this preſent ſtatute. An 13. R. 2. Stat 2. cap. 2.

13 And it is ordayned and eſtabliſhed, that if any muſt bring or ſend within the Realm, or the power, any ſummons, ſentence, or excommunication againſt any perſon of what condition that he be, for the cauſe of making motion, aſſent, or execution of the ſayd ſtatute of Prouiſors, (before ſaid) he ſhall be taken, arreſted, and put in Priſon, and forfeit all his lands and tenements, goods and catels for euer: And moreouer incurre the payne of life and member. And if any Prelate make execution of ſuch ſummons, ſentences, or excommunications, that his temporalties be taken and remain in the K. hands, til due redreſſe & correctiō be therof made. And if any perſon of leſſe eſtate then a Prelate, of what condition that he be, make ſuch execution, he ſhall be taken, arreſted, and put in priſon, & make fine and ranſome by the diſcretion of the K. Counſell. An. 13. R. 2. Stat. 2. cap. 3.

14 Whereas the Commons of the Realme in this preſent Parliament haue ſhewed to our redoubted Soueraigne Lord the King, grieuouſly complayning, that whereas the ſaid our Lord the King, and all his liege people, ought of right, and alwayes were wont to ſue in the Kings Court, to receiue their preſentments to Churches, Prebēds, and other benefices of holy Church, to the which they haue right to preſent: the Cognizance of plea of which preſentment belongeth onely to the kings court of the antient right of his own crown, vſed and approued in the time of his Progenitors Kings of England: And when Iudgement hath bene giuen in the ſame Court vpon ſuch plea and preſentment, the Archbiſhoppes, Biſhoppes, and other ſpirituall perſons which haue the inſtitution of ſuch benefices within their Iuriſdictions, be bound and haue made execution of ſuch Iudgements by the Kings Commaundements all the time aforeſayd, without interruption, (for a Lay perſon may not make ſuch execution) and alſo be bound of right to make execution of many other the Kings Commaundements, of which right the Crowne of England hath bene peaceably ſeiſed, aſwell in the time of our ſayde Soueraigne Lord the King that now is, as in the time of his progenitors till this day: But now of late, diuers Proceſſes be made by the holy Father the Pope, and cenſures of Excommunication, vpon certain Biſhops of England, becauſe that they haue made execution of ſuch Commaundements, to the open diſheriſon of the ſaide Crowne, and deſtruction of the Regaltie of our ſayd Soueraigne Lord the K. his Lawe, and all this Realme, if remedie be not prouided. And alſo it is ſayd, and a common clamour made, that the ſayde Father the Pope hath ordayned and purpoſed to tranſlate ſome Prelates of the ſame Realme, ſome of them out of the realm, and ſome from one Biſhoprike to another within the ſame realm, without the kings aſſent & knowledge, and without the aſſent of the prelates which ſo ſhal be tranſlated, which Prelates be much profitable and neceſſarie to our ſaid Soueraigne Lord the King, and to all his Realme: by which tranſlations (if they were ſuffered) the Statutes ſhould be defeated and auoyded, and his wiſe liege men of his Councell, without his aſſent, and againſt his will withdrawne, and gotten out of this Realme, and the ſubſtance and treaſure of the Realme borne away, and ſo the Realme deſtitute aſwell of counſell, as of ſubſtance, to the finall deſtruction of the ſame Realme. And ſo, the Crowne of England, which hath bene ſo free at all times, that it hath bin in ſubiection to no realm, but immediatly ſubiect to God, and to none other, in all things touching the Regalitie of the ſame Crowne, ſhould bee ſubmitted to the Pope, and the Lawes and Statutes of the Realme by him defeated and fruſtrated at his will, to the perpetuall deſtruction of the King our ſayd ſouereigne Lord, his ſouereigntie, his crowne and regaltie, and of all his Realm, which God defend. And moreouer, the Commons aforeſaide haue ſayd, that the things ſo attempted, be clerely againſt the Kings Crowne and his Regaltie, vſed and approued in the time of all his Progenitors: Wherefore they, and all his liege Commons of the ſame Realme will ſtand with our ſaide ſoueraigne Lord the King, and his ſaide Crowne, and his Regaltie in the caſes aforeſayd, and in all other caſes attempted againſt him, his Crown, and his Regaltie in all points, to liue and to die. And moreouer they haue prayed the King, and him required by way of Iuſtice, that he would examine all the Lords in the Parliament, as well Spirituall as Temporall ſeuerally, and all the States of the Parliament, how they thinke of the caſes aforeſayd, which be ſo openly againſt the Kings crown, and in Derogation of his Regaltie, and how they will ſtand in the ſame caſes with our Soueraigne Lord the King, in vpholding the rights of the ſayd Crowne and Regaltie. Whereupon the Lordes Temporall ſo demaunded, haue anſwered, euerie one by himſelfe, that the caſes aforeſayd be clerely in Derogation of the Kings Crowne, and of his Regaltie, as it is well knowne, and hath bene of a long time knowne, and that they will ſtand with the ſame Crowne and regaltie in theſe caſes ſpecially, and in all other caſes which ſhall bee attempted againſt the ſame Crowne and Regaltie in all points, with all their power. And moreouer it was demaunded of the Lords Spirituall there being, and the Procurators of other being abſent, their aduice and will in all theſe caſes: which lords, that is to ſay, the Archbiſhoppes, Biſhoppes, and other Prelates, being in the Parliament ſeuerally examined, making Proteſtations, that it is not their mind to deny or affirme that our Holie Father the Pope, may not Excommunicate Biſhops, nor that he may make tranſlation of Prelates, after the Lawe of Holy Church, anſwered and ſayd, that if any Executions of Proceſſes made in the Kings Court (as before) be made by any, & Cenſures of Excommunication be made againſt any Biſhoppe of England, or any other of the Kings liege people, for that they haue made Execution of ſuch Commaundements: And that

Diſturbe

Pope

if

Translations

if any executions of such translations be made of anie Prelates of the same Realme, which Prelates be very profitable and necessary to our said Soueraigne Lord the King, and to his said Realme, or that his sage men of his Councell without his assent, and against his will be withdrawen and eloyned out of the Realme, so that the substaunce and treasure of the Realme may be destroyed, that the same is against the King and his Crowne, and is contained in the Petition before named. And likewise the same Procurors, euery one by himselfe examined vpon the said matters, haue answered and said in the name, and for their Lords, as the said Bishops haue said and answered, and that the said Lords Spirituall will and ought to stand with the King in these cases lawfully in maintaining of his Crowne, and in all other cases touching his Crowne and his Regalitie, as they be bound by their allegeance: Whereupon our said soueraigne Lord the King by the assent aforesaid, and at the prayer of the said Commons, hath ordained and stablished, That if any purchase or pursue, or cause to be purchased or pursued in the Court of Rome, or elsewhere, any such translations, processes, and sentences of excommunications, bulles, instruments, or anie other things which touch the King our Lord, against him, his Crowne, and his Regalitie, or his Realme, as is aforesaid, and they which bring within the Realme, or them receiue, or make thereof notification, or any other execution within the same Realme, or without, that they, their notaries, procurators, maintainors, abettors, fautors, and counsailors, shall be put out of the Kings protection, and their lands and tenements, goods and cattels forfeit to the King, and that they be attached by their bodies, if they may be found and brought before the King and his Counsell, there to answere to the Cases aforesaid, or that procelle be made against them by Præmunire facias, in maner as it is ordained in other Statutes of Prouisours and others, which do sue in any other Court in derogation of the Regality of our soueraigne Lord the King. Anno 16. Ric. 2. cap. 5.

Crowne

Due

Court of Rome

Bulles

Procurators Maintenors Protection Forf.

Præmunire facias

15 If any prouision be made by our holy Father the Pope to anie person of Religion, or to anie other person, to be exempt of obedience regular, or of Obedience Ordinarie, or to haue anie office perpetuall within houses of religion, or as much as one regular person of religion, or two or more haue in the same, that if such prouisors from henceforth doe accept or inioy any such prouision, they shall incurre the paines comprised in the Statute of Prouisors, made in the thirteenth yeare of King Richard the second (before 12.) Anno 2. H. 4. cap. 3.

Pope Exempt

Office

Paine

16 Anno 2. H. 4. ca. 4. it was enacted, that the religious of the order of the Cistercienſis, that had purchased Bulles to be discharged to pay tithes, should be in the state that they were before.

Cistercienſis Tythes

17 As well they of the said order, (s. of Cisteaux) as all other religious and seculars, of what estate or condition they be, which do put ỹ said Buls in execution, or from henceforth doe purchase other such Bulles of new, or by colour of the same Bulles purchased, doth take aduantage in any maner: Proces shall be made against them, and euery of them by garnishment of two Monethes by writ of Præmunire facias. And if they make default or be attainted, then they shall incurre the paynes and forfeitures contained in the statute of Prouisors made the xiij. yeare of the sayd King Richard. An. 2. H. 4. cap. 4.

Bulles

Præmunire facias. Forf.

18 For the grieuous complaints made to our Soueraigne Lord the King by his Commons of this present Parliament, holden at Couentrie, the first day of October, the 6. yere of his Raign, of the horrible mischieles, and damnable custome which is brought in of new in the Court of Rome, that no Parson, Abbot, nor other, should haue prouision of any Archbishoppricke or Bishoppricke, which shall be voyde, till that hee hath compounded with the Popes Chamber to pay great and excessiue summes of money, as well for the first Fruites of the same Archbishoppricke or Bishoppricke, as for other lesse services in the same Court, and that the same summes, or the greater part thereof be payed before hand, which summes passeth the treble or the double at the least, of that that was accustomed of old time to be payed to the sayde Chamber and otherwise by reason of such prouisions, wherby a great part of the Treasure of this Realme hath beene brought and caried to the sayd Court, and also shall bee in the time to come, to the great impouerishing of the Archbishoppes, and Bishoppes within the same Realme, and elsewhere within the Kings Dominions, if conuenient remedie bee not for the same prouided: Our sayd Soueraigne Lord the King, to the honour of God, as well to eschewe the dammage of this Realme, as the perills of their soules, which owen to bee aduaunced to any Archbishoppricks and Bishoppricks within the Realme of England, and elsewhere within the Kings Dominions out of the same Realme: By the aduice and assent of the great men of his Realme in the Parliament, hath ordayned and established, that they and euery of them that shall pay to the sayde Chamber, or otherwise for such fruites and seruices greater summes of money, then hath beene accustomed to be paied in old time passed: They and euery of them shall incurre the payne of the forfeiture of as much as they may forfeit towards the same our Soueraigne Lord the King. Anno 6. H. 4. cap. 1.

Rome

First fruits Archbishop Bishop

Chamber

Forf.

19 No person religious nor secular, of what estate or condition that he bee, by colour of any Bulles, containing such priuiledges to bee discharged of Dismes pertayning to Parish Churches, Prebends, Hospitals, or Vicarages, purchased before the first yere of King Richard the second, or after not executed, shall put in execution any such Buls, so purchased, or any such buls to be purchased in time to come. And if any such religious or secular person frō henceforth by colours of such Buls, do trouble any persōs of holy church, prebendaries, keepers of hospitalls, or Vicars, so that they can not take and inioy the dismes due or appertayning to them of their sayde benefices, that

Bulles'

Religious

Disturbe

that then ſuch diſturber ſhall incurre like Pꝛoces and payne, as is oꝛdained by the Statute made againſt them of the oꝛder of Cilleaux, in the ſecond yeare of the Raigne of our ſaide Soueraigne Lord the King. (before 17.) Anno 7. H. 4. cap. 6. before 16.

20 To eſchew many diſſenſions, diſcoꝛds, and debates, and diuers other miſchiefes likely to riſe and groꝛo, by the cauſe of many pꝛouiſions made, and to be made by thappoſtle, and alſo by the cauſe of the licence graunted vpon the ſame by the King our ſoueraigne Lord: It is oꝛdayned and eſtabliſhed, that no licence oꝛ pardon ſo graunted beſoꝛe this time, noꝛ to be graunted in time to come, ſhall be anaileable to any benefice full of any Incumbẽt at the day of the date of ſuch licence oꝛ pardon grãted. An. 7. H. 4. c. 8.

21 All the Statutes and Oꝛdinances made againſt Pꝛouiſoꝛs, tranſlation of Archbiſhoppꝛicks, and Biſhoppꝛickes, their Executoꝛs, Pꝛocuratoꝛs, Notaries, Fautoꝛs, Mainteinoꝛs, and Receiuoꝛs, aſwell in the times of King Edward the third, and King Richard the ſecond, as in the time of our ſaid Soueraigne Lord the King that now is, with all the paynes and additions to the ſame, ſhall be from henceforth firmely holden and kept in all points, the moderation of the ſayde Statutes made beſoꝛe this time to our ſaid Soueraigne Lord the K. notwithſtanding. And that from henceforth all the elections of all Archbiſhoppꝛickes, Biſhoppꝛickes, Abbeys, Pꝛioꝛies, Deanries, and other dignities, oꝛ any other Elections be free without being in any wiſe interrupted by the ſayd Pope, oꝛ by commandement of our ſaid ſoueraigne Lord the King. Pꝛouided allwaies, ẏ our ſaid ſoueraigne Lord the king, haue as freely his liberties and pꝛerogatiues, as any of his noble Pꝛogenitours hath had beſoꝛe this time, and as he himſelfe had beſoꝛe this time of he making of this ſtat. And alſo ẏ ſame our ſoueraign lord ẏ K. hath pardoned al thẽ ẏ haue purchaſed pꝛouiſions oꝛ tranſlations of Archbiſhoppꝛicks, oꝛ Biſhoppꝛickes, purchaſed and executed, oꝛ non executed beſoꝛe this firſt day of December, and all their pꝛocuratoꝛs, notaries, fautoꝛs, and executoꝛs, all manner of Treſpaſſes, Contempts, foꝛfeitures, and miſpꝛiſions done by them, oꝛ any of them concerning the ſaide purchaſes, ſo that they may put their graces in execution, aſwel by themſelfe, as by their pꝛocuratoꝛs, notaries, & executoꝛs afoꝛeſaide. An. 9. H. 4. cap. 8.

22 Wheꝛeas in the time of King Henry the 4. father to our Soueraigne Lord the King that now is, ẏ ſeuenth yeare of his Raigne (before 20.) to eſchew many diſcoꝛds and debates, and diuers other miſchiefes, which were likely to ariſe and happen, becauſe of many pꝛouiſiõs thẽ made, oꝛ to be made by the Pope, and alſo of licence thereupon graunted by the ſaid late King, amongſt other things it was oꝛdayned and eſtabliſhed, that no ſuch licence oꝛ pardon ſo graunted beſoꝛe the ſame oꝛdinance, noꝛ afterward to be graunted, ſhould be anaileable to any benefice, full of any Incumbent at the day of the date of ſuch Licence oꝛ Pardon graunted: Neuertheleſſe, diuers perſons hauing pꝛouiſions of the Pope of diuers benefices in England and elſewhere, and licences royall, to execute the ſaid pꝛouiſions, haue by colour of the ſame pꝛouiſions, licences, and acceptations of the ſaid benefices, ſubtilly put diuers perſons out of their benefices, in which they haue bẽn Incumbents by a long ſeaſon of the collation of the true Patrons ſpirituall, to them duely made in their opinions, to the finall deſtruction and eneruation of the eſtates of the ſaid Incumbents. The King willing to take away ſuch miſchiefes, hath oꝛdayned and ſtabliſhed, that all the Incumbents of euery benefice of holy Church, of the patronage, collation, oꝛ preſentation, of ſpirituall Patrons, may peaceably and quietly enioy their ſaid benefices, without bẽing inquieted, moleſted, oꝛ any wiſe grieued by any colour of ſuch pꝛouiſions, licentes, and acceptations: And that all the licentes and Pardons, vpon and by ſuch pꝛouiſions made in any manner, ſhalbe void and of no valour. And if any ſeele himſelfe grieued, moleſted, oꝛ inquieted, in any wiſe from henceforth by any, by colour of ſuch pꝛouiſions, licences, pardons, oꝛ acceptations, that the ſame moleſtoꝛs, grieuoꝛs, and inquietoꝛs, and euery of them, haue and incurre the payne and puniſhments contained in the Statute of Pꝛouiſoꝛs, beſoꝛe this time made, and that by pꝛoces of Præmunire facias fourmed vpon the caſe. And that the party which ſhall ſue by the ſame writ, ſhal recouer his treble damages, if the defendants named in the ſame writ, oꝛ any of them be conuict in this behalf. An. 3. H. 5. cap 4.

Incumbẽts

Void

Moleſtoꝛs

Paine

Præmunire facias

3. Damages

Purpreſture.

COncerning purpꝛeſtures, oꝛ any maner of vſurpations made vpon the King within franchiſes oꝛ elſewhere: It is agreed & determined in the time of King Henry, ẏ where ſuch vſurpers be liuing, the King ſhall plainely reſume the land ſo vſurped out of the hands of the vſurpers, the which thing alſo ſhall be from henceforth obſerued in the Realme: And if any doe complain of ſuch reſeiſers, he ſhalbe heard as right requireth. An. 4. E. 1. cap. 4. Stat. de Bigamis.

Purueyors.

NO Shiriſe noꝛ Baylife of ours, oꝛ any other, ſhall take the hoꝛſes oꝛ Cartes of any man to make cariage, except he pay the old pꝛice limited, that is to ſay: foꝛ cariage with two hoꝛſe x. pence a day, foꝛ thꝛee hoꝛſe viij. d. a day. No demeane Cart of any ſpiritual perſon, oꝛ knight, oꝛ any other loꝛd ſhalbe taken by our Baylifs, noꝛ wee, noꝛ our baylifes, noꝛ any other ſhall take any mans wood foꝛ our caſtles, oꝛ other our neceſſaries to be done, but by the will of him whoſe the wood is. Magna charta cap. 22.

Shiriſe

Bailife

Horſes

Cartes

Cariage

Spirituall perſon

Knight

Wood

Licence

2 None of our Miniſters, noꝛ of our heires ſhall take Coꝛne, Vides, oꝛ any other goods of any man, without the will & aſſent of him whoſe the goods

Takings

Owners will

goods bee. Stat' de Tallagio non concedend' temp. Hen. 3.

Takings Constables of castles

3 Of takings made by Constables, or Castellaines vpon such folke as bee not of the Townes where the Castle is: It is prouided, that no Constable nor Castellain from henceforth make any taking of any other, then of such as be of the Towne where the Castle is: And that it be payed, or else agreement to be made within xl. dayes, if it be not an ancient taking due to the King, or to the Castle, or to the Lord of the Castle. An. 3. E. 1. West. 1. cap. 7. See the like Castles 1.

xl. Dayes

Vitaile

4 Of such as take Vitaile, or any other thing to the Kings vse vpon credence, or to the garrison of a Castle, or otherwise, and when they haue receiued their payment in the Exchequer, Wardroabe, or other where, they withhold the payment from the creditors to their great dammage, and to the slaunder of the King: It is prouided for such as haue Lands or Tenements, that incontinent it shall bee leuyed of their Landes, or of their goods, and payed vnto their Creditors with the dammages they shall haue sustayned, and shal make Fine for the Trespas: And if they haue noe Lands nor Tenements, they shall bee imprisoned at the Kings will. And of such as take part of the Kings debts, or other rewardes, of the Kings Creditors, for to make the payment of the same debtes: It is prouided, that they shal pay the double thereof, and bee grieuously punished at the Kings pleasure. And of such as take Horse or Cartes for the Kings cariage more then is need, and take rewards to let such Horse or Cartes go: It is prouided, that if any of the Court so doe, hee shall bee grieuously punished by the Marshals: and if it bee done out of the Court, or by one that is not of the Court, and bee thereof attainted, hee shall pay treble dammages, and shall remaine in the Kings Prison fortie dayes. West 1. cap. 31. Ann 3. Ed. 1.

Withhold payment

Lands Goods

Damages Fine

Imprison

Double

Horse Cartes Cariage

Punish Marshall

3. Damages Imprison

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5 For as much as their is a great grieuance in the Realme, and dammage without number, for that the King and his Ministers of his retinue, as well Aliens, as Denizens, doe make their takings whersoeuer they passe through the Realm, and take the goods as well of Clerks, as of Lay people, and pay nothing at all therefore, or else much lesse then the value: It is ordayned, that from henceforth none do make any takings within the Realme, but only the Kings Takers, and the Purueyors for his houshold, and that the Kings Takers and Purueyors of his house, shal take nothing, but onely for his houshold. And touching such things as they shall take in the Countrey, of Meate and Drinke, and such other little things necessary for the houshold, they shall pay for the same, or make agreement with them of whom the things shall bee taken. And that all such the Kings Takers, Purueyors, or Buyers, from henceforth shall haue their warāt with them, vnder the Kings great or pettie seale, containing their authoritie, and the things whereof they haue power to make taking or purueyance, the which warrant they shall shew to them whose goods they take, before that they take any thing. And that those takers, purueyors, or buyers for the King, shall take noe more then is needful for the King his houshold and his Children. And that they shall not take any thing for them that be at wages, nor for any other. And that they shall answer in the house, or in the Wardroabe fully for all things taken by them, without making their larges any other where, or liueries of such things as they haue takē for the King. And if any taker for the Kings house, by reason of his warrant, make any taking or liuerie, or otherwise then before is mentioned, vpon complaint made to the Steward, or to the Treasorer of the house, the trueth shal bee inquired. And if he be attainted thereof, he shall forthwith satisfie the partie, and shall bee put from the Kings seruice for euer, and shall remaine in Prison at the Kings pleasure. And if any make takings without warrant, and carry them away against the wil of the owner, hee shall immediatly be arrested by the Towne where the taking was made, and shal bee had vnto the next Gaole, and if he bee attainted thereupon, it shall bee done of him as of a Theefe, if the quantitie of the goods will warrant it. And concerning takings made in Faires, good townes, and in Hauens, for the Kings great Wardroabe, the Takers shall haue their common warrant vnder the great Seale. And for the things that they shall take, it shall be testified vnder the seale of the keeper of the Wardroabe. And of the number of the things taken, the quantitie, and the value, there shall bee a diuidend made betweene the Takers, and Keepers of Faires, Maiors, or chiefe Baylifes of Townes and Hauens, by the viewe of the Marchants, whose goods shall bee so taken: And they shall not bee suffered to take any more then shall be put into their diuidend, which diuidend shall bee brought into the Wardroabe, vnder the seale of the Warden, Mayor, or chiefe Baylife aforesayd, and there shall remaine, vntill the accompt of the Wardroabe of the King. And if it be found, that any hath takē otherwise then he ought to doe, vpon his account hee shall bee punished by the keepers of the Kings Wardroabe after his desert, and if any make such takings without warrant, and be attainted thereupon, he shall incurre the same payn, as they which make takings for the Kings houses without warrant, as before is sayd. Neuertheless the king and his Counsel, do not intend by reason of this estatute to diminish the right for auncient takings due and accustomed, as of wines and other goods, but that his right shal be saued to him whole in all points. An. 28. E. 1. Articuli super chart. 2.

Takings

Kings Purueyors

Meate and Drinke

Pay

Warrant

Mercials

Accompt

Out of seruice

Without warrant

Felony

Tokens in Faires

Diuidend

Ancient kings

* ✠

6 As much of the Statute of Articuli sup chartas c. 2. (before 5.) as concerneth the purueyors for the Kings houshold, is confirmed by An. 18. Ed. 2. cap. 2. and also, An. 4. Ed. 3. cap. 4. and Anno 25. E. 3. cap. 1.

7 Because the people haue been greatly grieued that their Corne, Hay, Litture, Beastaile and other vitaile and goods haue been taken as well by the K. Purueyors, as by others, for which no payment hath bin made: And because the Kings, Queenes, and

and their children Takers, take Corne at an vnder value, and take one and twentie quarters for twentie, measuring by heape, and take Hay and Litture also at a great vnder price: It is agreed that no person great nor small, of what estate or condition soeuer hee be (the Takers and Purueiors of the Kings house, the Quænes and their children onely except) shall take Corne, Litture, or Hay, nor Bestaile, Wittailes, nor none other goods, nor Cattels from any man, nor make cariage against the wil of them to whom such goods and cariage shall be. And that the said Takers and Purueyors for the said houses, shall take them by measure striked, according as is vsed throughout ỹ Realme. And that all the Corne, Hay, Litture, Bestaile, and other Wittailes and things whatsoeuer they be, that shalbe taken for the said houses, shalbe from henceforth praised at the very value by the Constables, and other good men of Townes where such Takings shall be. And that the praisers shall not be constrayned by threates or dures to set any price other then their othes will. An. 4. E. 3. cap. 3. See after 8.

Sheriffe

8 For as much as the Purueyors of the kings houses, the Quænes and their children, haue not ceased notwithstanding the former Statutes of 28. E. 1. (before 5.) and of 4. E. 3. c. 3. (before 7.) to make outragious and vnlawfull takings. For the honour of the King, the peace of people, and the restraint of such enormities: Be it enacted &c. that the takings and purueyances for the saide houses, be made by praisments made by the Constables & other discreet men of the Townes where there shal bée such takings and purueyances, thereto sworn, and without menace, as in the sayd Statutes is contayned. And that betwixt the Purueyors and them whose goods shalbe taken, there bee in the presence of the Constables and Praisers, tayles made and sealed with the purueyors seales. By which tayles, satisfactiõ shalbe made to them, from whom such goods shall be taken. And if any taker or pureyor for the said houses, do take in any other maner, hée shall bée incontinently arrested by the Town, where such taking was made, and brought to the nert Gaole. And if he be thereof attainted, it shall bée done of him as of a Théefe, if the quantitie of the goods the same require. And from thencefoth it shall be contayned in the Commissions of such Takers and Purueyors, be they vnder the small Seale or the great, the forme and the payne contayned in this Statute. An. 5. E. 3. cap. 2. See after 9. and 15.

Inventures

Diet & ter.

9 To repelle the malice of the Purueyors of the Kings, Quænes, and their children's houses, & other duresses by them done to the said people, by their outragious taking for the same houses, and otherwise then is contayned in the article, in a Statute made at Westminster, in the fifth yéere of the Kings Raigne that now is (before 8.) the same Statute shall bée from henceforth published, kept, and holden in all points. Anno 10. E. 3. cap. 1.

Warrant

10 Purueyances from henceforth to be made for the said horses, as long as they be soiourned in any partes, shall bée made by the Shirifes of the Counties, where the said horses ought to soiourne, and not by other. And that the Commissions made afore this time to such keepers shall be from henceforth of none effect and vtterly repealed. And that the purueyances to be made by the said Shirifs in this case, shall be deliuered to the sayde kéepers by Indentures. Item it is accorded, that certain people shall be assigned to heare and determine all the offences done by the said keepers, aswell at the suit of the king as of the partie. Howbeit this is holden for no Statute, as it appeareth by the roll. Anñ 10. E. 3. cap. 4. and 5.

Payment

Vierge

Vitaile

Warres

Marchants

Treasurer

Commissis

Shirife

Horses

Ouercharge

Imprest.

11 The purueyances which shall bee made for the Kings house and the Queenes, where they doe abide and passe through the countrey, shalbe made by warrant, and power giuen to them, which shall make the purueyances. In which shalbe expressely contained, that they shal take nor buy nothing, vnlesse it be by promise made betwixt the buyer and the seller, and by the agreement of the sellers. And if any wil any thing take by colour of his Commission against this ordinance, none shall bee bound to obey him no more then if he had no commission. And of that which shalbe so brought and purueyed, payment shalbe made to the seller before that the K. passe out of the vierge. And of great purueyances to be made, as of flesh, fish, and other vittailes for the Kings warres, and for to vittaile the Castles & towns of Scotland and England, & other places, certain Marchants and other good people shall bee deputed by the Treasorer, to make the said purueiances without Commissions, & without ỹ Kings or other power, so that the people nor none of them be put to sell any thing against their will. And that no commission be made to the keepers of the kings horses, but be it only commaunded to the Shirife, that he make purueyance by him and by his, of the issues of his Bailiwicke. And the number of the horses, for which he shall make such purueiance, shalbe contayned in the said commandement. And that no purueiance be made ouer the this number. Sauing that the chief keeper haue an hackney, and that he take good heed, that the country be not charged of more then shal keep the horses, but for euery horse a boy, without bringing women, pages, or dogs with them. And if more be found abiding in charge of the countrey, they shall be brought to the prison, there to remaine till the king hath sent his will. And in the same maner be it commaunded to the shirifes, that they make their purueyances for the K. dogs of the issues of their Bailiwicks where they dwell. And that such purueyances be made by none other but by the shirifes. And be it contayned in his commandement the number of the dogges for which he shall make purueiãce, ouer which nũber no purueiance shalbe made, so that they liue of their certain, without charging the country. And if any find him grieued against this ordinance, hee shall haue his recouery against the shirife, of such grieuances done to him. An. 14. E. 3. c. 19.

Shirifs Dogges

12 That none from hy, nor by other commission of the great seale, nor of the small, nor without commission, shal take any corn, hay, beasts, cariage, nor

Corne Hay Beasts

Tarlage
Archbishops
Bishops
Religious

nor other goods of Archbishops, Bishops, Abbots, Priors, Abbesses, Prioresses, Parsons, Vicars, or of other people of holy church, nor without, against the agreement & will of the owners of ỳ same goods. And we do defend that from henceforth no such cõmissions vnder the great seale nor the smal, shal in any wise go forth for any takings to be made. For wee doe take the saide prelates and clergy, with their possessions, goods, and cattels into our especiall protection and defence. Also we grant for vs & our heires, that we shal not from henceforth charge

Prelates

any of the prelates or clergy, nor their houses to receiue guests, nor soiourners of Scotland, nor of o-

Horses
Dogges
Hawkes

ther Countries, nor our horses, nor dogs, faucons nor other haukes of ours nor others, against their gree and will. Sauing alwaies to vs the seruices, which be due to vs of right of them which owe to vs the same seruices, to sustaine and receiue dogs, horses, or haukes. Anno 14. E. 3. cap. 1. Stat. for the Clergie.

13 The statutes made for the purueyances, to be made for the houses of the king, the Queene, and their children, where it is contayned, that they shal not buy nor take nothing, vnles it be by agreement of the sellers, & by promise made betwixt the buiers & the sellers. And the statutes made of the state of ỳ Steward & Marshall of the kings house, and what

Statutes

Pleas
Marshalley

pleas they shall hold and determine before them in the Marshalsey, shalbe holden and kept in all their points. An. 18. E. 3. cap. 7.

14 The statutes touching the purueyances of vs, & our sons, made in times past by vs & our progenitors for people of holy church, be holden in all points. And that in the commissions to be made vpon such purueiances, the fees of holy Church shall

Church

be excepted in euery place, where they be found. An. 18. E. 3. c. 4. Stat. pro clero.

15 Forasmuch as outragious damage hath bin done to the people by the purueyors of vittailes for the houses of the King, the Queene, and their children: It is &c. that the takers of Corne for the said

Corne
Measure

houses, shall take the same by measure striked, according as is vsed throughout the land. And that such Corne, Hay, Litture, Beastaile, and other Victuals and things which shall be taken for the sayd houses, shall be praysed by the very value, by the

Hay
Vittaile
Constable

Constable and other good people of the Townes, where such takings shall be made, without that the praysers by menace or dures shall bee driuen to set

Othe

any other price then their Othe will, and as it commonly runneth in the next Markets. And that betwixt the Purueyors and them whose goods shall bee taken, in the presence of the Constables and praisers, tailes be made incontinently without that the people whose the goods shall bee, bee drawen or trauailed elsewhere, and the same

Tailes

tayles bee sealed with the Seales of the takers of the things so taken, by which tayles satisfaction shalbe made to them whose goods shall be so taken: and if any purueyor or taker for the said houses, do

Arrest

in any other manner, hee shall be immediatly arrested by the Towne where the taking shal be made,

Imprisi.

and brought to the nert Gaole, and if hee be there-

Felony

of attainted, it shall bee done of him as of a Theefe, if the quantity of the goods the same require: according as in a statute made in the time of our Soueraigne L. the King that now is, the fifteene of his reigne (before 8.) and in another made in the time of the K. grandfather vpon such takings (before 5.) is conteined at the full. And that from henceforth in the Commissions of such takers and

Commis.

purueyors, the intent and paine limitted in this Statute shall bee conteined. And that no Commission bee made, but onely vnder the kings great Seale, or priue Seale. Nor no man bee bound to

Great Seale
Priue Seale

obey any such commissions, in other maner then is aforesaid. And that the same statutes take place in all points against euery taker and purueyor of euery maner of vittaile in euery part of the Realm, of what condition soeuer he be. Anno 25. E. 3. c. 1.

16 No taker of wood nor of timber to the kings vse, for worke, nor for to make other thing, shall cut or cast downe the trees of any man growing about or within his house: And if any do the contrarie, he shall make gree to the partie of his treble damage, and to haue one yeares imprisonment, and to be forciudged of his office. An. 25. E. 3. cap. 6.

Wood
Timber

3. Dam. Impri. Loss of

17 Forasmuch as the takers and buyers of the kings takings, doe take sheepe betweene Easter and Saint John Baptist, with their wools, and praise the same at a smale price, and after send the to their owne houses, and cause them to be shorne to their owne profits: It is &c. that no such taker, purueior, nor buyer, shall take any sheepe before ỳ time of shearing, but onely so manie as may reasonably suffice till the time of shearing. And after ỳ time they shall take as manie sheepe shorne, and none other, as may reasonably suffice them for the time to come. And if any taker, purueyor, or buyer of the Realme, doe against the same, & be thereof attainted at the sute of the king or of the partie, it shall be done of him as of a theefe or a robber. And the paine shall be conteined in euery commission of such Purueyors. An. 25. Ed. 3. cap. 15.

Oxen
Sheepe

Felon

18 All purueyances which be or shall be made to his vse, or to any others vse within the summe of xx. s. payment shall be thereof made incontinently vpon the purueyance made, without deliuering any taile for anie day or place elsewhere to be thereof assigned. and that of other purueyances made to the summe of xx. s. and aboue, payment shall be made within a quarter of a yeere then nert following, after such purueyances made, at certain dayes and places, according as it may be most for the ease and lesse trauaile of the people. Anno 28. Ed. 3. cap. 12.

xx. s. Payment
Quarter a yeare

19 Takings shall not be from henceforth made by other then the purueyors of the king, of the Queene, and of the Prince their eldest sonne, and that if anie other mans purueyors make such takings, it shall be done of them, as of those which doe without warrant, and their deede iudged as a thing done against the peace and the law of the land. And such as doe not in the maner aforesaid, shall bee duely punished. Anno 34. E. 3. cap. 2. But see after 33.

Punish

20 Of purueyances made to the vse of the Queene, and of the prince, of poultrie and of o-

Poultrie

ther

ther small things, payment shall be made in hand vpon the taking. And of other great purueyances, within the moneth or sixe weekes in the Counties where they shall be taken, and that the number of such Purueyors be abridged in as much as conueniently may, for the aide and quietnesse of the common people. Anno 34.Ed.3.ca.3.

21 Vpon grieuous complaint against Purueiors, the King of his owne will, without motion hath ordained, that from henceforth no man of his Realme shall haue any taking, but onely himselfe and the Quéene his companion. And moreouer of the assent aforesaid, it is ordained and established, that vpon such purueyances from henceforth to be made for the houses of the King and the Quéene, ready payment shal be made in hand, that is to say, the prices of such vitailes be solde commonly in the markets thereabout. And that the heinous name of Purueyor be chaunged and named Buyer: and if the buyer can not well agrée with the seller for that hée shall need, then the takings which shalbe made for the said houses, shall be made by the view, testimonie, and the appreciation of the Lords or theyr Bailifes, Constables, and foure good men of euerie towne, and that by Indenture to be made betwixt the buiers and the said lords, or bailifes, constables, and foure men, containing the quantitie of their taking, and of the price, and of what persons. And that the praisements be made in conuenable and easie maner without duresse, compulsion, menace, or other villanie. And that the takings & buyings be made in such places, where greatest plentie is, and that in a conuenable time, & that no more be taken, then shall be nédefull in the season for the said two houses, and that the number of the buyers bée minished in as much as well may, and that such bée buyers, which be sufficient to answer to the King and his people, and that none of them haue Deputie, and that the Commissions be sealed with the great Seale, and euery halfe yeare restored in the Chauncery, and other newly made. And that in the said Commissions be comprised all the matter and maner of their takings and buyings. And that the said Commissions be made vpon the end of the said parliament, and then all the other Commissions of Purueyors heretofore made, be wholy repealed. And that no man be bound to obey to the buyers of other Lords against their grée and will, nor to the buyers of the said houses, vnlesse they make readie payment in hand, as before is said. And that no man be put in contempt because of disobedience made in this behalfe. And that the takings of all maner of corne and mault, for the said two houses, be measured by measure, according to the standerd stricken, and not by heape. And for the carriages of the said corne and mault, and for all maner of takings and buyings to be made for the said two houses, ready payment be made in hand in the same maner, as for the takings and buyings aforesaid. And that there be no more carriage taken then néedeth and shalbe necessary in this behalfe. And if any buyer after the new Commissions made, make any takings or buying, or taking of carriage in other manner then is comprised in their saide Commissions, hée shall haue punishment of life and of member, as in other Statutes is ordained of Purueyors. Anno 36.Ed.3.cap.2. See after 32. Life and member

22 No buyers of vitailes, nor takers of carriages, take nor receiue of any, one or other, any gift or other good turne, for sparing to be made, nor shall not charge, nor grieue any man by occasion of such takings buying and carriages, for hatred, enuy, & euill will, or procurement, and if he do, and be thereof attainted at the suite of the party, hc shall yéld to the party his treble damage, and shall haue imprisonment of two yéres, and also be ransomed at the Kings will, and after forsweare the Court, and if the party will not sue, he that will sue for the King, shall haue the third peny of that that shal be recouered for his labour, and neuertheless the buyer and taker shall haue the paine, as before is said, in the same Article, and that euerie buyer vpon his account shall declare and diuide seuerally all the takings and buyings of euerie Countie, Towne, Village and Person. Anno 36.Ed.3.capit.3. See after 32. Extortion Reward: Malice 3. Damages Imprison Account

23 Item to restraine the malice of Buyers of vitailes, and takers of carriages, Commissions shal be made to two good men and lawfull of euerie Countie, and the third shall be of the Kings house named in the said Commissions, so that if anie of the thrée come not, that the two shall procéde to enquire of the behauiour and actes of the said buyers and takers. And how much the same buyers haue taken and bought, and how much carriage the said takers haue taken seuerally of euerie towne or singuler persons. And to heare and determine the contempts, outrages, and trespasses done in this behalfe, as well at the Kings suite as at the suite of euery man that will complaine of them. And for information to be made to the saide Iustices of the things aforesaid, the Stewards, Treasorers, and Controulers of euery of the said two houses, shall assemble and call before them all the Clerks and other Officers whatsoeuer they be, of euerie Office of the said two houses, and shall sée the receits of the parcels prouided in the Country, and dispended in the said two houses. And at euery quarter or halfe yeare they shall certifie in the Chauncerie, the parcels taken in euerie Towne, and of euery person, and the Chauncellor shall send his certification to the Iustices which shall be so assigned. And if it be found in the Countrey by euidence of their Indentures, or in other manner, that they haue taken more then they haue deliuered into the saide two houses, and that they haue not payed for that they haue taken at the suite of the partie, or at the Kings suite, hée shall haue paine of life and of member, as afore is said. And that this ordinance extend & hold place aswel against the purueiors for the great horses of the said two houses, as against the buyers and takers before named. An.36.Ed.3.ca.4. Commiſſio 2. Goodmen Enquire Carriage Oier & ter. Stewards Treasorer Controuler Certifie Chauncerie Life and member Horses

24 No man of the saide two houses (before 21.) holde more Horses in the Liuerie, where these houses shall be, then is ordained by the Statute of the K. house. And if any do otherwise, then of the horses found ouer the number limited to him by the statute, it shalbe done as the said statute will. Horses

And that no man of the ſaid two houſes, of what eſtate or condition that he be, haue purueyor or foregoer, to make any purueyance or taking, but that they or their people buy that that then needeth, of them that will ſell the ſame of their good agreement, and pay readily in hand, according as they may agree with the ſellers, and if they do otherwiſe, ſuch puniſhment ſhall be made vpon them, as afore is ſaid of buyers. And that hunters, fauconers, ſergeants at Armes, and all other which be at wages or pertaining to the ſaid two houſes, ſhall haue the ſame penance if they doe againſt the ſame. Anno 36.Ed.3.cap.5.

Hunters Fauconers Sergeants of Armes

25 Item that no Lord of England, nor none other of the ſaid realme, of what eſtate or condition that he be, except the King and the Queene, ſhall make any taking by him or any of his ſeruants, in any maner of any vitailes, but ſhall buy that which they ſhall need, of ſuch as will ſell the ſame of their good will, and for the ſame ſhall make readie payment in hand, according as they may agree with the ſeller. And if the people of Lords, or of other do in other maner, and thereof be attainted, it ſhall be done of them, ſuch puniſhment of life and member, as is ordained of buyers. Anno 36.Ed.3.ca.6. See the penaltie otherwiſe after 33.

Lord

Vitailes

Ready payment

Life and member

26 The Statutes late made in the time of the noble K.Ed. grandfather to our ſoueraigne lord the King that now is, for purueiors and buyers, ſhalbe firmly obſerued and kept in al points. And alſo becauſe that prelates and clerks may not thereof commence their ſuites againſt anie by way of crime (as the ſaid Statutes requireth) all prelates and clerks ſhall from henceforth haue their Actions againſt al ſuch purueiors and buyers by Actions of treſpaſſe, and recouer their treble damage. Anno 1.Rich.2. cap.3.

Prelates

Actions

3. Damages

27 The ſtatutes of purueiors of vitailes, and of carriage for the Kings houſhold, in all their articles be holden and put in due execution. Anno 6.Ric.2. cap.2.Stat.2.

28 The ſtatutes of purueyors made before this time, be firmely holden & kept and put in good and due execution: ioyning to the ſame, that if the ſeruants of other lords & ladies which be not comprized in the ſaid ſtatute, do from henceforth take in any part within this realme, vitailes or carriages to the vſe of their Lords & Ladies, otherwiſe then they thereof may agree with the owners and ſellers of the ſame by payment thereof to be made readily in hand, that the ſame ſeruants ſhal incurre the paine comprized in the ſaid ſtatutes of Purueyors. And neuertheles the party indamaged by ſuch ſeruants, (if he will) haue his ſuit at the Common Law. Anno 7.R.2.ca.8. But ſee after 33.

Seruants

Vitailes Carriage

29 The ſtatutes of purueyors made before this time, be holden and kept, and put in due execution: ioyned to the ſame, that from henceforth no purueior nor buyer, make anie purueyance or buying for the Kings houſe of anie thing to the value of fortie ſhillings or vnder, vnleſſe he make ready payment in hand, vpon paine to loſe his office, and to pay as much to the partie grieued. Anno ſecundo Henr. 4.cap.14.

xl. ſhill.

30 All the Statutes and Ordinances made of Purueyors and buyers, and not repealed, be kept and executed in all points, and alſo proclaimed in all counties thorough the realme by the Kings commandement. And that euery Sheriffe of the realme of England, after that he hath receiued the ſaid ſtatutes, thereof to make proclamation by ſuch commaundement, he ſhall proclaime them euery yeare foure times thorough his bailiwicke, vpon paine to pay to the King at euery time that he thereof faileth C.ſ. And that vpon the ſame paine euery of the ſaid Shirifes ſhall deliuer the ſaid commandement to his ſucceſſor immediately by Indenture to be made betwixt them, whereby hee may make like proclamation for the time that he is in the ſaid Office, for the eaſe and ſurety of the people. And that euerie ſuch ſucceſſor, after ſuch commaundement by him receiued, ſhall make ſuch proclamations iiij. times in the yeare, and ſhall make ſuch deliueraunce of the ſaid commandement to his ſucceſſor, as aboue is ſaid, vpon the paine aforeſaid. Añ 1.H.6.ca.2.

Proclamation

Sheriffe

Proclamation

Fort.

Sheriffe

Indenture

4. Times yearly

31 The ſtatutes before this time made of Purueiors & buyers, ſhalbe holden and kept, and put in due execution. And in caſe that any purueyor, buyer, or taker will take & make purueiance, or buy any thing to the value of xl.ſ. or vnder of any perſon, & make not ready payment in hand: that then it ſhall be lawfull to euery of the K. liege people, to retaine their goods & cattells, and to reſiſt ſuch purueyors & buyers, & in no maner wiſe ſuffer thē to make any ſuch purueiances, buyings, or takings. And for the peace better to be kept, that euery cōſtable, tithingman, or chiefe pledge of euery Towne, or Hamlet, where ſuch takings or purueyances ſhall be made, ſhall be ayding or aſſiſting to the owner or ſeller of ſuch things to be taken againſt the forme of this ordinance, to make reſiſtance in the forme aforeſaid, in caſe that ſuch Conſtables, Tithingman, or chiefe pledge be required that to do, vpon paine to yeld to the party ſo grieued, the value of the things ſo take, with his double damages. And that none of the K. liege people be put to loſſe or damage by the King, or any officer for ſuch reſiſtance. And that none of the Kings officers ſhall do to be arreſted, vexed, or impleaded in the Court of the Marſhalſey, or elſewhere, any of the Kings liege people, for ſuch withholding, or not ſuffering to be done: vpon paine to loſe xx.l: the one moity of that to the King, and the other moity to him which will in that caſe ſue. And that the Iuſtices of Peace in euerie Countie ſhall haue power by authority of this ordinaunce, to enquire, heare, and determine, as well at the ſuite of K. as of him which will ſue, of any thing done againſt this ordinance, & therof to make due punihment and execution, and to award damages to the partie plaint. when any def. is therof duly conuict. And that in euery Action to be taken, vpon this ordinance, euery party defen. ſhalbe put to anſwer to that without aide of the King. And in ſuch actions to be taken, proces ſhalbe made, as in a writ of treſpas, done againſt the peace, and that in euery commiſſion of Purueyors, Buyers, or Takers to be made, this ordinance ſhall be conteined and expreſſed. And moreouer, that this Ordinance among other

xl. ſhill. Ready payment

Reſiſt

Conſtable Tithingman

Chiefe pledge

Double damages

Iuſt. of Peace

Diers

Damages

No aide of the King

Commiſſion

other Statutes of Purueyors, buyers or takers, before this time made, shall be sent to the Sheriffes of euery County of England, to proclaime and deliuer the said Statutes and Ordinances in the maner and forme contained in the Statute of Purueyors and Buyers, made in the sixt yeare of the raigne of our saide Soueraigne Lord the King that now is. And moreouer, the King will and commaundeth, That the Statute made the 36. of King Edward late K. of England after the Conquest, touching purueyors of other persons then of the King (before 25.) shalbe put in due execution. Ann 20. H.6.ca.8.

Iuſt. of P. to proclaime

32 The King hath ordained, that the said Statutes (of Anno 36. Edwardi tertij before 21. & 22.) from henceforth shall be duely kept and put in due execution. And moreouer hath ordained by the same authoritie, that euerie Purueyour and buyer, before that they shall haue anie Commission, shall be sworne in the Chauncerie, that hee shall take nothing of the people contrarie to the said Ordinaunces. And moreouer, forasmuch as the poore people be not of power, nor dare make resistance against the Purueyors and Buyers, nor sue them by the Law, though that they doe contrary to the said Statutes: It is ordained by the same authoritie, that the preists and also all the towne by townes adioyning if neede be, shall be bound to doe their deuoire and power to resist the Buyers and Purueyors doing contrarie to the saide Statutes, and as much as in them is, to execute the said Statutes vpon the same Purueyors, if they be required. And that he which is grieued of his goods taken contrarie to the said Statutes and Ordinances, may chuse to haue eyther an Action of Debt against the said preisers, towne or townes, and euery of them, which doe not their deuoire in resistance of the said Purueyors or Buyers, in the forme aforesaid, when they shalbe required, or else against the said Purueyors or Buyers, and euerie of them, to recouer the trebble value of his goods so taken, and moreouer, his trebble costs and his damages: and if anie Purueyor or other the Kings officer, do trouble or vexe any of the Kings liege people in the Marshalsey or elsewhere, by any euil suggestion or false fained, imagined or coloured vpon them, because of the execution of the said ordinances, he shal incurre the paine of twentie pounds, to be paied to the party grieued, ouer his damages and costs in that behalfe sustained, and that he thereupon shall haue a Writ of Debt. And that euery issue triable in this Action, shall be tried in the county where the taking of the said goods was made. And that the defendants in all the said causes shall not be admitted to wage their law. And shalbe put to answer without fourching, and no essoine, aide of the King, nor protection shall be to them allowed. And that the Sergeant of the Catery shall satisfie all the damages, debts, and executions, which shalbe recouered against euery purueyor and buyer, vnderneath him in all the cases aforesaid, in case that the purueyor or buyer be not sufficient to satisfie. And the partie complainant shall haue a Scire facias to haue execution against the said Sergeants in the case. And that these statutes and ordinances shall be sent to the Iustices of the Peace in euery County, to proclaime them euery yeare, and thereof to informe the people. Ann 23. H.6. cap. 1.

*

33 If any buyer or other Officer of the duke of Glocester, or of any other Lord or person, of what estate, degree, or condition that he be, presume vpon him to take, or otherwise doe take, any vitailes, corne, hay, carriages, or any other thing whatsoeuer, of any of the Kings liege people, in any wise against their will, without lawfull bargaine betwixt the said buyers or officers, and the said liege people thereof to be made, to the vse of the said Duke or other Lord for their houses, but all only for the King and the Q. and their houses: that then if notice or request be made to the maior, sheriffe, bailife, constable, officers, or other of the Kings ministers, of cities and boroughs, or other Counties or places, where such taking shall happen to be, that the said mayor, sheriffe, constable, officer and minister, to whom such notice or request shall be made, hee by shall take and arrest all such buyers and officers so doing or offending, and them shal send to the Kings next prison, there to remaine and not to be let to baile nor mainepriſe, till the time that they haue restored all the said vitailes, carriages, & other things so taken, or the very value of the same. And if the said maior, sheriffes, bailifes, constables, & officers aforesaid, doe contrary to this, that then they shall forfeit 10. l, whereof the King shall haue the halfe, and the party to whom such things be taken, the other halfe, if he will sue, by an Action of Debt, in the which the defendant shall not doe his Law, and if he will not sue, whosoeuer will sue for the King and himselfe, shall haue the sute to recouer to himselfe the one halfe thereof, and the King the other halfe. And if any of the said buyers, other then of the King and the Quene, be duely conuict of such vnlawfull taking (as afore is recited) at the suit of such parties as shal be against them in this behalfe, that then they shal yeld to the party which so sueth, the treble value of the vitailes or other thing so taken, and the double costs of their suites, and for the said trespasses to make fine and ransome to the K. And that in all such actions or suites aforesaid, the Kings protection shall not be allowed nor auaileable for the Defendant. And this Ordinance shall beginne to take effect at the feast of Easter, which shall be in the yeare of our Lord 1446. Prouided alwayes, That by this Act the punishment ordained against the Kings Purueyors in no wise shall be restrained. Anno 23. H.6. cap. 14. See before 25.

L 30

Vitailes Corne Hay Carriage

Maior Sheriffe Bayliffe Constable

Arreſt

Imprison.

Mainepriſe

Mayor Bailife Sheriffe Constable Fine. Ayoutie

Action of Debt

Conuict

3. Value 2. Costs Fine

34 All such Letters Patents (that is to say, to take Horses and Cartes for the King and Queenes carriage) graunted to anie person or persons holding anie Hostries, Brewhouses, or house of retailing of vitaile, shall be voide and of no value nor effect, and if anie such graunt be made to anie such person or persons from henceforth, that all such patents so granted shalbe void and of none effect. And that no person nor persons shall take horse nor cart in anie place within this realme, but by the deliuerance of the Mayor, Sheriffe, Bailifes or

Letters P.

Hoſtlers Brewers Lord

Horſe Cart Mayor Sheriffe Bailifs

Constable

or Constable, where such taking shall be had. And if any such person or persons take any horse or cart of any person or persons, without gree made to the owner for the same, and by the deliuerance of the Maior, Sherife, Bailife, or Constable, where such takings shal be had, that then he or they from whom such horse or cart is taken, and he or they of whom such fines or payments be taken, as is afore rehearsed, shall haue an action of tresspasse at the Common Law, for such takings. And that he or they that feleth himselfe grieued in such action, shall recouer treble dammages against him or them which so take any horse or cart, fines or payments contrarie to this ordinance. Sauing alwayes to the king his Prerogatiue and his preheminence, of and in the premisses. Anno 28. H. 6. capit. 2. Stat. 2.

Action of tresspasse

3. damages

K. Prerogatiue

35 An. 2. E. 6. cap. 3. A Statute was made against Purueyors and takers, and for prices of horses and carts taken for the King, to endure for thee yeares.

☞ 36 For the auoyding of the great hinderance done to the subiects by Purueyors and takers, and as well to eschew the great deceit, as to aduance the Queenes better seruice therein, with the contentation of her said Subiects: Be it &c. That after the feast of the Birth of our Lord next insuing, euerie such Commission as shall be made, graunted, and directed to anie person or persons whatsoeuer, whereby the same person or persons, or their deputies shall haue authority to take anie beeues, weathers, lambes, calues, or any kind of saltfish, or any kind or kinds of graine, or any butter in barrells, or other vessells, cheese, bacon, conies, pigges, geese, capons, or hennes, that the same Commission or Commission shal not extend or continue aboue the space of fiue moneths at the furthest next insuing the date of anie of the said Commissions. And after the end of the said fiue moneths, euery of the said Commissions to be voide and of no force nor effect, what soeuer words, matter or sentences shalbe contained or expressed in anie of the same Commissions. And be it &c. that in all and euery such Commission or Commissions to be graunted after the said feast of the Birth of our Lord, shall be plainely as well contained and expressed such Countie or Counties, where any of the said beeues, weathers, lambes, calues, hogges, or swine, or any kinde of saltfish, or any kinde or kindes of graine, butter, cheese, bacon, conies, pigs, geese, capons or hens, or any of them is to be leuied, purueyed, or taken, in or by anie of the person or persons, or their deputie or deputies so authorized by the vertue of the said Commission or Commissions, as also the iust, true, and full proportion and number of all and euery such beeues, weathers, lambes, calues, swine, any kind of saltfish, or any kind or kinds of graine, butter in barrells, or other vessels, cheese, bacon, conies, pigges, geese, capons, and hennes, or anie of them, as the said person or persons, their deputie or deputies or any of them shall be by force and vertue of the said Commission or Commissions authorized to leuy, take or puruey, within anie of the said Countie or Counties. And be it enacted &c. That to euery such Commission or Commissions after the said Birth of our Lord to be made, graunted, and directed, as is aforesaid, shall be annexed so many blankes in parchment, as there shall be seuerall Counties expressed, named, and contained within the same Commission or Commissions, or any of them, in the which blankes shalbe faire and leageably written all and euery such beeues, weathers, lambes, calues, swine, any kind of saltfish, or any kind or kinds of graine, butter, cheese, bacon, conies, pigges, geese, capons, and hennes, with the true and seuerall prices of the same, and euerie of them as shall be leuied, gathered, and purueyed by any person or persons, their deputie or deputies, or any of them, as shall be thereunto authorized by any such Commissions aforesaid, within any particular Towne, Parish, or Hamlet, set, lying, or being within any those Countie or Counties, as shall be named, contained, or expressed within the saide Commission or Commissions, or anie of them, whereunto shall be subscribed the name or signe Manuell of all and euerie such high Constable or Constables, petie Constable or Constables, Headborough or Headboroughs, as shall be by any precept to him or them directed by any person or persons, their deputie or deputies, or any of them, authorized thereunto by such commission or commissions to be graunted, as is aforesaid, priuie or knowleging to the deliuerie of the said beeues, weathers, lambs, calues, any kind of saltfish, or anie kind or kinds of grain, butter, cheese, bacon, conies, piggs, geese, capons, and hennes, or anie of them. And be it &c. That euery person or persons, their deputie or deputies, or any of them, which shall be by Commission or Commissions hereafter to be graunted, as is aforesaid, authorized to leuy, take, or puruey, anie beeues, weathers, lambes, calues, swine, saltfish, or any kind or kinds of graine, butter in barrels, or other vessels, cheese, bacon, conies, pigges, geese, capons and hennes, or any of them, as is before said, shal make a docket or briefe in writting, subscribed with his or their name or names containing all and euerie such beeues, weathers, lambs, calues, swine, kind of saltfish, kind or kinds of graine, butter in barrels, or other vessels, cheese, bacon, conies, pigges, geese, capons, and hennes, or any of them, as hee or they shall by vertue of the said Commission or Commissions, leuie, take, or puruey within any particular Towne, Parish, or Hamlet, set, lying, or being within any Countie or Counties, as shalbe named, contained, and expressed within the said Commission or Commissions, or anie of them, and the same docket or dockets, briefe or briefes, faire and leageably written and subscribed, as is aforesaid, shall well and truely deliuer to the saide high Constable, or Headborough, or one of them, at such present time as the said beeues, weathers, lambes, calues, swine, saltfish, kind or kinds of graine, butter, cheese, bacon, conies, pigges, geese, capons, and hennes, or any of them shall be deliuered to them, or any of them, vpon paine of forfeiture of an hundred Marks of lawfull money, and one yeares Imprisonment as often as hee shall so offend: The one Moitie of

Commissions

Beeues
Sheepe
Calues
Saltfish
Graine
Victailes

Continue 6. Months

Void after

Expresse County

Number

Annexe Blankes

The number

Prices

Constable
High constable
Headborough

Docket
Subscribed

Deliuer Disbursable

Faul. Market
Imprison
Moitie

of which forfeiture to be to the King and Quéenes Maiesties, and the other moity to him that will sue therefore in any of the K. or Quéens court of record, by bill, plaint, writte, information, or otherwise, wherin no wager of law &c. to be allowed. All which dockets or briefs the said high constable or constables, petty constable or constables, headborough or headboroughs, shal deliuer ouer to the Iust. of P. at the next generall Sessions to be holden within any of the said counties. And that the same Iustices or two of them, may and shall from time to time certifie the whole number and content of all and euerie the said dockets and brieues, to the Lord Steward of the King and Quéenes most honourable houshold for the time being, or to the treasorer or Controuler of the same, or any of them, or to the Treasorer and Controuler of the King and Quéenes ships, if prouisions of any of the things afore mentioned be prouided, or taken for the victualling of the naule, of any of the King or Quéenes maiesties shippes, whereby the seruing at any of the foresaid Commissions, and true answering of the same shal fully appéere. Prouided alwaies, and be it &c. that it shal not be lawful to anie person or persons, their deputy or deputies, or any of them, which shall be authorized by such Commission or Commissions hereafter to be graunted, as is aforesaid, to leuie, take, or puruey any bœues, wethers, lambs, calues, any kind of saltfish, kind or kinds of graine, butter in barrells, or other vessells, chéese, bacon, conies, pigges, gœse, capons, and hens, or any of them, otherwise, or in any other sort and manner, then is in seuerall statutes heretofore for purueyors made, ordained, prouided, appointed, limited and expressed, vpon paine and paines, as in the said seuerall estatutes is contained and expressed. And forasmuch as the good and necessarie Lawes heretofore made and prouided against the abuses and euill doings of Purueyors, are not taken to extend to the vndertakers, deputies, and seruants of anie such Purueyors, by whom therefore the people of this Realme be oftentimes very vncharitably and vnlawfully vsed, and oppressed: Be it therfore &c. that all and euery such Lawes, Statutes, and Prouisions, as heretofore haue béene made and ordained against Purueyors, and all and euerie the paines, penalties, forfeiture, and losse, contained, mentioned, or appointed, in any of the same Lawes or Statutes against Purueyors and Takers, or anie of them, shall also be extended and executed vpon euery of their vndertakers, deputies, and seruants, and all other, which by colour shall after the first day of Ianuarie next comming, take any victuall, or any other thing, by vertue or force of anie such Commission, from anie the King and Quéenes maiesties subiects, contrary to the tenor and effect of anie of the said Lawes or Statutes, in like maner and forme to all intents and purposes, as the same lawes and estatutes, or anie of them, and the paines and forfeitures therein contained, should, might, or ought to be executed & extended against Purueyors and Takers themselues, or anie of them, and as strongly and amply, as if the said vndertakers, deputies, and seruants, were specially and particularly recited and named in euerie of the same Statutes. Prouided alwayes, and be it &c. for the better execution of this Act, and all other Acts concerning Purueyors, That all and euerie Commission and Commissions, that from henceforth shall be made and graunted vnto anie Purueyor or Purueyors, shall be written and set forth from time to time in the English tongue, and not otherwise. Anno 2. & 3. Phil. & Mar. cap. 6. Prouiso. Cómission. English. *

Quare impedit.

AND in a plea of Quare impedit, if the disturber come not at the first day, to which hee is summoned, nor doe cast essoine, then hee shall be attached to another day, at which day if hee come not, nor doe cast essoine, he shall be distrained by the great distresse aboue giuen: And if he come not then, by his default a Writ shall goe to the Bishop of the same place, that the reclamation of the disturber for that time, shall not be preiudiciall to the Plaintife: Sauing to the disturber his right at an other time, when hee will pleade thereto. The same Lawe in making of Attachments shall from henceforth be obserued in all Writtes (where Attachments lie) as to the making of distresses, so that the second Attachment be made by better pledges, and after at the last a distresse. Marleb. ca. 12. Disturber. Essoyne. Distreined.

Queene.

BE it &c. That the Law of the Realme is, and euer hath béene, and ought to be vnderstand, that the Kinglie, or Regall office of the realme, and all dignities, prerogatiue royall, power, prehemminences, priuiledges, authorities, and iurisdictions thereunto annered, united, or belonging, being inuested either in male, or female, are, and be, and ought to be, as fully, wholy, absolutely, and intirely déemed, iudged, accepted, inuested, and taken, in the one as in the other, so that what or when soeuer statute or Law doth limit and appoynt, that the King of this realme may, or shall haue, execute, and doe any thing as King, or doth giue any profit or commodity to the King, or doth limit or appoint any paines or punishment for the correction of Offendors or transgressors against the regalitie and dignitie of the King, or of the Crowne: The same the Quéene (being supreame gouernesse, possessor, and inheritour to the Imperiall Crowne of this Realme, as our said Soueraigne Lady the Quéene most iustly presently is) may by the same authoritie and power likewise haue, exercise, execute, punish, correct and doe, to all intents, constructions, and purposes, without doubt, ambiguitie, scruple, or question, any custome, vse, or scruple, or anie other thing whatsoeuer, to be made to the contrarie notwithstanding. Anno 1. Mar. parl. 2. cap. 1.

2 Anno 1. Mar. parl. 2. ca. 2. was one act made concerning the marriage of King Philip & Quéene Mary, which is determined: and An. 1. & 2. P. & M. ca. 1. there was one other Act made, repealing one Article in that former Statute concerning signing of patents &c. by the Quéene.

Quod permittat.

Parson Common of pasture

IN like maner as a Parson of a Church may recouer a common of pasture by a Writ of Nouel disseisin, so hereafter the successor shall recouer against the disseisor, or his heyre, by a writ of Quod permittat, although such a Writ heretofore hath not beene graunted in the Chancerie. Westmin 2. cap. 25.

Radipoll.

ANno 1. Iacobi cap. 30. An Act was made for building a Church in Welcombe Regis in the County of Dorset, to be the Parish Church of Radipoll in the said Countie: and for making the old Church of Radipoll a Chappell belonging to the same.

Rape.

Walden

AND the King prohibiteth, That none doe rauish, nor take away by force any Damsell within age (neyther by her owne consent, nor without) nor any wife or damsell of full age, nor any other woman against her will. And if any doe so, then at his suite that will sue within forty dayes, the King shall doe common right, and if none commence the suite within forty dayes, the King shall sue: And such as be found culpable, shall haue two yeares imprisonment, and after shall make fine at the Kings pleasure, and if they haue not wherof, they shall be punished by longer imprisonment, according as the trespasse requireth. Westminst. 1. cap. 14. Anno 3. E. 1.

p'. Dayes King

Imprison Fine

Woman Maid

Felony

Consent

Iudgement

2 If any man from hencefoorth rauish any woman married, Lady, Damsell, or other, where she did not consent, neyther before nor after, he shall haue iudgement of life and of member. And likewise where a man rauisheth a woman maried, Lady, damsell, or other with force, although she consent afterward, he shall haue such iudgement as before is said, if he be attainted, and if no man wil sue, the King shall haue the suite. And for women carried away with the goods of theyr husbands, the King shall haue the suite for the goods taken away. And in case the wife wilfully forsake her husband, and goe away, and continue with the adulterer, he shalbe barred for euer of action to demaund her dower, that she ought to haue of her husbands lands, if she be conuict thereupon, except that her husband willingly and without cohertion of the Church reconcile her, and suffer her to dwell with him, in which case she shall be restored to her Action. He that carieth away a Nun from her house, although she consent, shalbe punished by three yeares imprisonment, and shall make conuenient satisfaction to the house from whence she was taken, and neuertheless shal make fine at the Kings will. W. 2. c. 34.

Goods

Dower

Nunne

Imprison

Fine

Ladies

3 Against offenders and rauishers of Ladies, and the daughters of noble men, and other women in euery part of the said realme, nowadaies offending more violently, and much more then they were wont: It is ordeined and established, that where-soeuer, and whensoeuer such Ladies, daughters, and other women aforesaid, be from henceforth rauished, and after such rape doe consent to such rauishors, that as well the rauishors, as they that be rauished, and euery of them, be from henceforth disabled, and (ipso facto) be vnable, to haue, or challenge any heritage, dower, or ioynt feoffement after the death of their husbands and ancestors: And that incontinently in this case the nert of the bloud of those rauishors, or of them that be so rauished, to whom such heritage, dower, or ioynt-feoffement ought to reuert, remaine, or fall, after the death of the rauishor, or of her that is so rauished, shall haue title incontinently, by and by after the rape, to enter vpon the rauishor, or her that is rauished, and their assignes and land tenants, in the same heritage, dower, or ioynt-feoffement, and the same to hold in state of heritage. And that the husbands of such women, if they haue husbands, or if they haue no husbands in life, that then the fathers, or other nert of their blod, haue from henceforth, the suit to pursue, and may sue against the same offenders and rauishors in this behalfe: And to haue them thereof conuict of life and of member, although the same woman after such rape doe consent to the said rauishors. And further it is accorded, that the defendant in this case, shall not be receiued to wage battell, but that the troth of the matter be thereof tried by Inquisition of the Countrie. Sauing alwayes to our souereigne Lord the King, and to other Lords of the said Realme, all their escheates of the said rauishors, if peraduenture they be thereof conuict. Anno 6. R. 2. cap. 6.

Consent

Disabled

Dower

Heire

Enter

Husband

Nert of bloud

Suite

Consent

Battell

Rebellion.

ANno 9. H. 6. cap. 3. it is enacted, That all indictments, processe, iudgements, and statutes made against Owen Glendor and his adherents, that made an insurrection against Hen. the fourth, should be effectuall &c.

Owen Glendor

2 Anno 9. H. 6. cap. 1. John Cade of his insurrection is conuicted of treason, and his goods and lands forfeited.

John Cade

3 Anno 31. H. 6. cap. 1. it was enacted, That John Cade should be a Traitor, and all his tyrannous acts voide, and all Indictments vnder that tyranny voide, and no blod to be corrupted thereby: And that al indictments after that in like case, vnder the power of tyrannie, rebellion, and commotion, to be void, and all Petitions deliuered to King Henry the first, in the nine and twentieth yeare of his raigne, and not agreed by him, should be void.

Iudgement Loyd.

Receiuors.

SEe Courts, how Receiuors that pay pensions, fees, or rents, shal make theyr acquitances, and what they shall take for those acquitances, and for the money that they shall pay.

Acquittance

2 Euery high Collector of any Fifteene, Subsidy, or other tare or loane, and all and euery other the Kings said particular and generall Receiuors of any the said summes of money, and other dueties belong-

belonging to the king, from and after the first day of July next comming, shall within the space of three Moneths next after such daies and times, as any the fifteenes, Subsidies, Rents, sums of money, or other yearely profits shall be due and payable to the king, his heires or successors, by any statute, ordinance, or other meane, and by the same Collector, or generall Receiuor, or any of them retained or gathered, truely content, deliuer, and pay the same to the kings vse, at such place or places, & to such person or persons, as be, or shall be named, appointed, & limitted for the same, vpō pain to forfeit to the K. his heires & successors, for euery pound so being receiued, & after that retained, kept, or laid out for gaine, & not paid within three Monthes to the Kings vse, as is aforesaid, foure shillings for euerie month, that the same money shall be so retained, kept, or laid out for gaine, as is aforesaid, and also shall lose and forfeit his or their said Office, concerning the same, and all profits thereunto belonging. And that the king shall at his pleasure, charge the said Collector, particuler or generall receiuer, vpon his or their accompts, with the penalty and forfeiture aboue rehearsed, or else at his pleasure demaund, aske, and recouer the same by actiō, bill, plaint, or suit of debt against the same Collector or Collectors particular or generall receiuer, their heires, executors, or administrators, in which action, bill, plaint, or sute, no protection &c. shall be allowed nor admitted. Prouided alway, that if any of the said Collectors, particuler or generall Receiuer, tender paiment of all such mony by them receiued to the kings vse, within the said ix. months, in such place, and vnto such person or persons, as bee, or shall be charged with the receipt of the same, and doe as much as in him or them is, or then shall bee, for to make true paiment therof, & cannot be thereunto admitted, by reason of importunate businesse, or other lawfull impediment or cause in him or the that should accept or receiue the same: that in euery such case, the Collector, particuler or general receiuer or receiuers, as shall so make tender of all such money, by him or them receiued or gathered to the Kings vse, as is aforesaid, and cannot be thereunto admitted for any the causes aboue said, shall not be charged with, or incur any danger or penalty conteined in this act: this act, or any thing therein cōteined to the contrary notwithstanding. Prouided alwaies, and be it &c. that the heire or heires of any Collector or Collectors aforesaid shall not be charged or chargeable by reason of this act, but only for and in such lands, tenements, or hereditaments, which the said heire or heires haue, or shall haue, by descent in fee simple, or fee taile, or by gift, or else by any other assurance had or made to any such heire or heires onely by couin, from the said Collector or Receiuor, or any of them or any their assigns. And that in all and euerie such case and cases, the kings Maiesty, his heires and successors, to haue execution onely of and in such lands, tenements, or hereditaments, discended, giuen, or otherwise assured, as is aforesaid, vntill such time as his Maiestie, his heires and successors, be fully satisfied and paied, of all and euerie such summe and summes of money, due or to be due by any such Collector or Receiuor. And it is further enacted &c. ỳ the executor or executors, administrator or administrators of euerie such Collector or Receiuor, shall not be otherwise charged or chargeable by this act, but as Executors & Administrators be or should be charged & chargeable by the order of the Common lawes of this Realme, in actions of debt vsed and commenced against them, as executors or administrators. Prouided also, and be it further enacted: that where the heire or heires of any ỳ K. receiuors or collectors, or debtors, is or shall be charged, of, and for his fathers or ancestors debts or duties, whose heire he is whereby the lands discended or giuen to him, by couin, to defraud the kings execution of such lād, vnto him or them from the said father or ancestors is put in execution, that then such heire or heires shall & may haue his or their action of debt, against the Executors or Administrators of the said father or ancestor, and shall haue execution of the goods & Cattels of the said father or ancestor, being in the hands of the said Executors or Administrators, at the time of the said action brought, in which said action none essoine, protection, nor wager of law shal be admitted or allowed. Prouided alway, that this act shall not extend to the Collectors of the Kings custome, and of the Subsidie of Tonnage and pondage, which be accomptable yearely in the kinges Maiesties Exchequer. Prouided alway, that this act or any thing therein conteined, shall not extend or be preiudiciall to any the said generall or particuler Receiuor or Receiuors, to or for the paiments of any pensions, fees, annuities, rents, or other allowances by them, or any of them paied, or to be paied to any person or persons, according to such allowance, order, or decree, as be, or hereafter shall be allowed, ordered or decreed in any of the said Courts: any thing in this act to the contrary notwithstanding. Anno 34. H. 8. cap. 2.

Executors Admnistrators

Heire

Charged Debts

Action of debt

Customes Tonnage & pondage

Payment of fees

3 Euerie Treasorer, and generall and particuler Receiuor, Collector, and Bailife, and other minister accomptant, which now is charged, or chargeable, with, or for the receipt of any of the Kings Maiesties mony, rents, or reuenues whatsoeuer, not being bound with surety or sureties by obligations, recognisance, or otherwise, to our late Soueraigne Lord the King, or to our Soueraign Lord the king that now is, for or concerning their Office or Offices, before the twenty day of December next comming, or at any time or times before the said twenty day of December, if they or any of them be reasonably required, shall vpon paine of forfeiture of his Office bee bound to the Kings Maiestie by sufficeut writing obligatory, in reasonable summe or summes of money, the same writing Obligatory to be made, with or vpon condition, that the person which so shall bee bounden, his heires, Executors, Administrators, Deputie, or Deputies, or one of them, from time to time shall yeld a perfect and true accompt of all summes of money, and other things that the same Treasorer and generall and particuler Receiuor, Collector, Bailifes, or other minister accomptant shall, may, or reasonably might be charged with, concerning

Treasorer Collector Baylifes

Sureties

Forf. Office Bound

Condition

Accompt

or

or by reason of his or their office or offices: And also shall make paiments of the same summes of money, at such daies and times, and in such manner & forme, as hereafter in this act is expressed and declared. And be it &c. that all and euerie person and persons hereafter to be named, assigned, or appointed to be treasorer, or generall or particuler Receiuor, Collector, or Bailife, or Minister accomptant of our said Soueraigne Lord the K. shal before their entrie, executing, vsing, or exercising of his or their office or offices whereunto he or they shall be so nominated or appointed together with surety or sureties, acknowledge and make sufficient and lawfull bond or bonds to the kings Maiestie, in such Court of Record, where the same officer or officers is or shall be accomptable and chargeable, that they, their heires, executors, Administrators, assignes, or deputies shall truely accompt and pay al such sums of mony, as shall come to their hãds, or shal, may, or reasonably might be charged with, not concerning his or their office or offices, to the kings vse, within the circuits of their seuerall receipts and collections, at such or like daies & times, & in such maner and forme, as is abouesaid, to bee conteined in the conditions of euery of the said bonds, vpon paine of losse and forfeiture of his or their Office or Offices, and of his or their letters Patents of the same office or offices. Be it &c. that euerie Receiuor of the kings Maiesties honours, manors, lands, possessions, rents, and reuenues, for the time being, or his Deputy or Deputies, shall yearely make his seuerall precepts to all and singuler the Collectors, Ministers, and Bailifes accomptant within the circuit of his office, charging and commanding them on the kings Maiesties behalfe by the same precept, to appeare before them personally, or by their sufficient deputy or deputes, for whome they will answere within the Countie where the same Offices, Baliwike, receipts, or collections doe light, at a certaine day and place in the same precept to be limitted, and to pay to the kings Maiesties vse, such summes of mony as they ought to doe, by reason of any of their saide offices being due to our said Soueraigne Lord the king, at or before the feast of Easter, which they haue or may by any lawfull or due meane, leuy, or receiue within, or by reason of their said offices or collectiõs. And that the same precepts shall be so seuerally deliuered to euerie of the said officers, Ministers, and Bailifes accomptant, or to their deputy or deputies, or else be left at their dwelling houses, or at the manor, Lordship, or place where their receipt or collection is, or ought to be, twelue daies at the least, before the day of appearance to them giuen, and prefixed, in the same precept or precepts. And if any of the said Ministers, Collectors, or Bailifes accomptants, vpon or after any such precept or precepts, at any time hereafter made by any such Receiuor, and being deliuered or left in forme aforesaid, doe make default at the same day and place assigned and appointed, in, and by the said precept or precepts: that then the same Collector, Minister, or Bailife accomptant so making default, & not appearing, as is aforesaid, & being thereof duely and lawfully conuicted in the Court where the reuenue is or shall be answered, shall for the first offence lose and forfeit to the king our Soueraigne Lord his whole fée for that yeare, wherein he shall so make default, or the value thereof: And for the paiment of the said money due and payable, at or before the said feast of Easter, vnto our said Soueraigne Lord the King, within, or by reason of his abouesaid office, collection or Bailywicke, shall lose and forfeit for the first offence of non paiment six pence of the pound, in the name of a paine for euerie Moneth after the said day of appearance, vntill the same money shall be by him, or his deputy paide to the hands of the said Receiuer, to the kings Maiesties vse. And after the first default of appearance made by any of the said officers and an other like precept by the said Receiuer bee made and deliuered, or left in forme aforesaid, then the said officer or officers making againe default, & being therof lawfully conuict, as is aforesaid, for the second default and offence of non appearance, shall lose and forfeit to the king our Soueraign Lord his office, and fée. And for the said second offence in the non paiment of the said money due & payable within, and by reason of his office, Collection, or Bailywicke, at or before the said feast of Easter, shall lose and forfeit twelue pence of euerie pound, in the name of a paine for euery Month, after the said last day of appearance, & default made, as is aforesaid, vntill the same money shall be by him or his deputie paied to the hands of the said Receiuor, to the vse of our Soueraigne Lord the king. And further be it &c. that all and euerie Auditour and Auditors of our said Soueraigne Lord the King, of his Maiesties honours, manors, lands, possessions, rents, and reuenues, for the time being, or his or their sufficient deputy or deputies, shal haue ful power and authority by vertue of this act, yerely to make their precept or precepts to all Ministers, Collectors, and Bailifs accomptant, commanding them in the behalfe of our said Soueraigne Lord, the King, to appeare and accompt, before him or them personally, or else by their sufficient deputy or deputies, at a place certaine within the County where the same lands and possessions doe lie, at the kings Maiesties audit, to be holden there yearely between the feast of Saint Michael the Archangell, and the Natiuity of our Lord God, of, and for all rents, reuenues, and profits, due and payable within, or by reason of their said offices, collections, or Bailywickes, at or before the feast of Saint Michaell the Archangell next before the same audit, expressing in the same precept or precepts, the time & place when and where the same Ministers, Collectors, or bailifes accomptable, or their sufficient Deputy or deputies, for whome they will answere, shall appeare, the same precepts to be deliuered to the same ministers, collectors, or bailifes accõptant, or their deputy or deputies, or left at their dwelling houses, or at the manor, Lordship, or place where their receipts or Collections are, or ought to be, twelue daies at the least before the day of appearance, to him or thẽ prefixed in the same precept or precepts. And if any minister, Collector, or Bailife accomptant

Pay
Sureties Bonds
Accompt Pay
Forf.
Office
Receiuors
Precepts
Collectors Bailifes
Default
Conuict
Forf.
Forf.
Forf. Office
Forf.
Auditors
Precepts

tant do not appeare before the said Auditour or Auditours, or his or their deputie or deputies at the said audit, according to the said precept, or else if he doe appeare, and refuse to accompt for his saide receipt, collection, & bailywick, before the said Auditor or auditors, or his or their deputy or deputies; that then the said minister, Collector, or bailife accomptant, so making default and not appearing, or so refusing to accompt, as is aforesaid, and being thereof duely and lawfully conuicted in the Court where the reuenue is or shall be answerable, shall for his first offence lose and forfeit to our Soueraigne Lord the king his whole fee for that yeare wherin he shal so make default, or the value therof. And for the no paiment of the said mony, due & payable within his Collection, Office, or Bailywicke, at or before the same feast of S. Michael the Archangell, shall lose & forfeit to the K. our Soueraigne Lord for his said first offence sixe pence of euery pound, in the name of a paine for euery Moneth after the said day of appearance and default made as is afore said, vntill he or his sufficient Deputy or Deputies shall accompt before the said Auditor or Auditors, or his or their deputy or deputies for his saide Collection, receipt, or Bailiwick: And also pay vnto the hands of the said Receiuor or Receiuors, all and euerie such summe and summes of money, as shall be iustly found due by the said accomptant, before the said Auditor or Auditors, or his or their Deputy or Deputies, to the kings Maiesty, vpon the forte & determination of his accompt. And after the first default of appearance made before the saide Auditor or Auditors, or his or their Deputy or deputies, by any of the said officers accomptant being so warned as is aforesaid: And after another like precept made and deliuered, or left in forme aforesaid: that then the said Officer or Officers that so shall make againe default of appearance, for the said second offence in making default in his appearance as is aforesaid, and being thereof duely and lawfully conuicted in the court, where the reuenue of his said office is, or shall be answerable, shall lose and forfeit to the king our Soueraigne Lord his office and fee. And for the second offence in the non paiment of the said money due and payable, with & by reason of his receipt, Collection or Bailiwicke, at or before the said feast of S. Michaell the Archangell, shall lose and forfeit to our Soueraigne Lord the K. twelue pence of euerie pound, in the name of a paine, for euerie moneth after the said last day of appearance, and default made, as is aforesaid, vntil he or his sufficient deputy or deputies shall accōpt before the said Auditor Auditors, or his or their deputy or deputies for the said receipt, Collection, or Bailiwicke, and also pay vnto the hands of the said Receiuor or receiuors, or his or their Deputy or Deputies, to the kings vse, all such summes of money, as shall be iustly found due by the said accomptant, vpon the forte and determination of his said account. And further be it &c. that al and euery receiuor and receiuors of the kings Maiesties honors, manors, lands, possessions, rents and reuenues, shall make ready and full payment yearely to the Treasorer, or generall receiuor of the Court, where the said reuenue is or shall be answerable, or otherwise, as he or they are or shall be appointed & assigned by sufficient warrant, of all such sums of mony, as he or they shal knowe to be done to our Soueraigne Lord the king, & can by any lawfull or due meane, obtaine, get, haue or receiue of the rents or reuenues of our said Soueraigne Lord the king within or by reason of their Offices, being due at or before the feast of Easter, by the xx. day of June then next following at the farthest. And also shall make like paiment yearely of all their like receits of the rents and reuenues of our saide Soueraigne Lord the king, that shall be due at or before the feast of Saint Michaell the Archangell, by the twentieth day of Janu. then next following at the farthest, vpon paine of losse and forfeiture for euery default at any time of the said dates, two pence of euerie pound for euery day that the saide money so by them or any of them shall be vnpaid. And also it is, &c. That all and euery of the said Receiuor and Receiuors, or their Deputy or deputies, for whome they will answere, shall enter into their account yearely in the terme of Saint Hillarie, and fully and clearely finish the same account before the tenth day of March they next following, and make full and ready paiment of the money that shall appeare to be due vpon the forte & determination of the same accoūt before the twentieth day of the said month of March, vpon pain of forfeiture to our said Soueraigne Lord the king the offices and fees, and foure pence of the poūd for euerie day that they shall detaine and withholde the said money, without making any paiment thereof as is aforesaid. And further be it &c. that all and euery Receiuors, Collectors and Bailifes of any the kings, manors, lands, tenements, rents, or reuenues for lacke of paiment, & leuying of their said rents, issues, and reuenues, within their Offices and charges, shall and may haue power and authority from henceforth by vertue of this act, to distreine for the same, and to vse and order the same distresse in such sort and forme as any Officer or Officers of the Kings Court of the Exchequer for leuying and lacke of paiment of the kings rents & reuenues answerable in the same Court, heretofore haue lawfully done, and may lawfully vse to do deliuering to the party destrained, the surplusage and ouerplus of the value of euery such distresse, if any shal be, the kings debts and duties being first paid, the destrainant answered of reasonable costs: and that the head and chiefe Officer or Officers of euerie of the kings courts of reuenues being of record, or that shall be of record, shall haue full power and authority by vertue of this act, to set, and assesse reasonable fines and amerciaments vpon any Shirife or Shirifes, for not returning or misreturning of any writ to them directed, and deliuered out of any the same Courts, touching or concerning the leuying, or answering of any of the sayd issues, rents, or reuenues, or of any debts due to our said Soueraigne Lord the king, in such sort, and after such maner and forme as now is, or hereafter hath bēn lawfully vsed in the like and such other cases in the Kings Highnesse Court of the Exchequer.

Fort.

Finish accompt

Fort.

Collectors Bailifes

Distreine

Ouerplus

Amerce Shirifes

We

Treasurers Chamberlaines

Be it enacted &c. That all Treasorers and Chamberlaines, and generall Receinors of any of the Kings gracious Courts of reuenne, for the time being, and all Customers, and Collectors of Customes, or certaine and stalled Subsidies within any Port, Hauen, or Creke of this the Kings Realme of England, that now bee, or hereafter shall be, within tenne daies next after notice to him or them giuen from the King, or sire of his most Honorable priuy Counsell in writing, signed with their hands, shall by themselues, or their sufficient Deputy or Deputies, for whome they will answere, declare in writing, what summes of money then being due vnto our said Soueraigne Lord the King, be at that time in his or their hands, or custody, and shall make ready and full payment of all the said summes of money, as then shall remaine in his or their hands or custodie, ouer and aboue the ordinary paiments and summes of money, contained and expressed in sufficent warrant or warrants, or resting and remaining in his or their Office or Offices; and being in their full force, strength, and effect, and not lawfully countermanded, nor reuoked to their knowledge, to the vse of our soueraigne Lord the King, at such time, and in such sort, as he or they shall be commanded, and appointed by sufficient warrant, vpon paine of forfeiture of his or their office or offices. And be it &c. that the same Treasurers, Chamberlaines, & generall Receinors by themselues, or by their deputy or Deputies, for whom they will answer, shal yearely before the twentieth day of June, make a perfect account of all such money or treasure, as hath comen to their hands to the Kings vse, yerely, at or before the said twentieth day of March then next before the said twentieth day of June, and shall make a perfect and whole declaration in writing, of the money remaining in euery of their hands, to the Kings Maiesty, or to his priuie Counsell, yearely before the last day of June then next following, and make paiment of the same, at such time, and in such sort, as her or they shall bee commaunded or appointed by sufficient warrant, vpon paine of forfeiture of his or their Office or Offices. And be it enacted &c. That if any Treasurer, Receinor, or Minister accomptant, or their Deputie or Deputies, doe take or receiue of any person or persons any summe or summes of money, or other profit, of and for the paiment of any fies, annuities, Pensions, dueties, or warrants, more, or otherwise then he or they may lawfully doe by former Lawes and Statutes therein prouided, that the said Treasurer, Receinor, and Minister so offending, shall forfeit and lose for euerie peny or penyworth so to be taken or receiued, fiue shillings eight pence to the party grieued, so to be recouered in any &c. in which suite &c. And be it also &c. that if any Auditor or Auditors &c. or his or their Deputie or Deputies, which ought to take the account of any Treasurer, Chamberlain, Receinor, or other Officer, accomptable before him or them, doe refuse, or willingly protract, and delay the taking of the same accompt, in such wise, as it cannot be finished within the time or times limitted and appointed by this act, for the taking and finishing thereof, that then euery Auditor so refusing, or protracting and delaying, as is aforesaid, and being thereof duely and lawfully conuict in the Court where the reuenue or charge of the same account is or shall be answerable to the king, shall incurre, forfeit and lose such like paine, losse, and forfeiture, as the Treasurer, Chamberlains, Receinor, or other Officer aboue said, shall and ought to doe by this act, for not accompting, of, and for their charges and office or offices, and thereby the same Treasurer, Chamberlaine, Receinor, and other Officer that should accompt, and shall be refused, or shal be protracted and delayed as is aforesaid, shall be discharged of any paine, losse, or forfeiture, for not accompting, as is aforesaid. And be it &c. that the duplicate, or copie of euerie accompt that shall be made by any Treasurer or Receiuer, or by their Deputie or Deputies in forme aforesaide, within conuenient time, after the finishing of the same accompt, and at the reasonable request and costs of such accomptant, shall be deliuered to them, or any of them, subscribed with the hands of the Auditor or Auditors, that shal take the same accompt, or of his or their Deputy or Deputies, for whome hee or they will answere, vpon paine that the same Auditor or Auditours shall lose and forfeit to the Kings Maiestie tenne pound for euerie such default. Prouided alwaies, and be it &c. That this Act, nor any thing therein conteined, shall in any wise extend to charge any Archbishop or Bishops of this realme, or of any other the Kings Maiesties Dominions, or any of them, at any time hereafter to make any manner of Bonds, or to make their accompt and paiment of the Tenthes, arising or growing within any of their Diocese, due, or to be due to our said Soueraigne Lord the King, otherwise, or in any other maner and forme, then they or any of them heretofore haue beene charged, or accomptable, and chargeable by the Lawes and Statutes of this Realme: any thing in this Act to the contrarie notwithstanding. Prouided alwaies, that this Act, or any thing therein conteined, shall not extend to cause the rents, profits, and reuenus, rising and growing to the Kings Maiesty within the Towne or Marches of Calice, to answered or paied otherwise, or at any other daies or times, then heretofore hath beene vsed and accustomed: any thing in this Act to the contrarie notwithstanding. Prouided alwaies, and be it &c. That this Act, nor any thing therein conteined, shall in any wise extend to touch or charge any Shirife, Escheator, or Collector of any dismes, quindismes, benevolences, contributions or Subsidies (Subsidies of Tonnage and Pondage onely except) but that they, and euerie of them, shall and may doe and exercise their said seuerall offices, and pay such summes of money, as they or any of the be, or hereafter shall be charged with all, by their said seuerall offices, in such and like sort

Customers Subsidies Port

Pay

Forf. office

Accompt

Forf. Office

Forf.

Auditor

Refuse

Debtor

Tenths

Calis

Sheriffs Escheators Collectors

sort, maner and forme as they and euerie of them haue vsually done, or should or ought to doe, if this Act had neuer beene had or made: this act or any thing therein conteined in any wise to the contrary notwithstanding. Anno 7. Ed. 6. cap. 6.

Recognisance and Statute Merchant.

EVery Merchant which will be sure of his debt, shall cause his Debtor to come before the Maior of London, or of Yorke, or Bristow or before the Maior and a Clerke (which the K. shall appoint for the same) to knowledge the debt, and the day of paiment, and the acknowledgement shall be entred into a roll by the hand of the said Clerke, which shall be knowen. Moreouer the Clerke shall make with his owne hand a bill Obligatorie, whereunto the Seale of the Debtor shall be put, with the Kings seale, which shall be prouided for the same purpose, the which Seale shall remaine in the keeping of the Maior and Clerke aforesaid. And if the Debtor doe not pay at the day to him limitted, the Creditor shal come before the said Maior and Clerke with his bill Obligatorie: And if it be found by the roll, or by the bill, that the debt was knowledged, and that the day of paiment is expired, the Maior shall incontinent cause the moueables of the debtor and his burgages deuisable, as Chattels, to be sold as farre as the debt doth amount, by the praising of honest men, vntill the whole summe of the debt and the money be fully paied to the creditor: And if the Maior can finde no buyer, he shall cause the moueables to be deliuered to the creditor at a reasonable price, as much as doth amount to the summe of the debt, and the Kings seale shall be put vnto the sale and deliuerance of the Burgages deuisable for a perpetuall witnesse. And if the Debtor haue no moueables within the iurisdiction of the Maior, whereupon the debt may be leuied, but peraduenture hath some other where, within the Realme, then shall the Maior send the Recognisance made before him and the Clerke aforesaid vnto the Chancelor, vnder the Kings seale aforesaide, and the Chancelor shall direct a writ vnto the Shirife, in whose Bailywicke that the moueables of the debtor hap to be, that the Shirife shall cause the creditor to be satisfied, in such form as the Maior should haue done, in case that the moueables of the Debtor had been within his power. And let them that haue praised the moueable goods to bee deliuered vnto the Creditor, take good heed that they doe set a reasonable price vpon them, for if they doe set an ouer high price for fauour borne to the debtor, to the damage of the creditor, then shall the thing so praised, be deliuered vnto themselues, at such price as they haue set them, and they shall forthwith answere vnto the creditor his debt. And if the debtor will say, that the moueable goods were deliuered, or sold for lesse then they were worth, hee shall haue no remedy thereby, for when the Maior or the Shirife hath sold the moueable goods lawfully to him that hath offered most, he may accompt it his owne folly, that he did not sel his own moueable goods himselfe before the day of the suit (which he might well enough) and so haue leuyed the money with his owne hands: And if the Debtor haue no moueables, whereupon the debt may be leuied, then shall his body be taken, where it may be found, and kept in prison, vntill that hee haue made agreement, or his friends for him: And if he haue not wherewith hee may sustaine himselfe in prison, the creditor shall finde him bread and water, to the end that he die not in prison for default of sustenance, the which costs the debtor shall recompence him with his debt, before that he be let out of prison. And if the Creditor be a Merchant stranger, he shall remaine at the costs of the debter for so long time as he tarieth about the suit of his debt, and vntill the moueable goods of the debtor be sold or deliuered vnto him. And if the Creditor doe not content himselfe with the Debtor alone for the surety of this paiment, by reason whereof pledges or mainpernors be found vnto him: If those pledges or mainpernors doe come before the Maior and Clerke abouesaid, and bind themselues by writing and Recognisance in like maner as the principall debtor, then in like maner if the debt be not paide at the day limitted, such execution shall be awarded against the pledges or Mainpernors, as before is appointed for the debtor. Howeuertheless that as long as the debt may be fully leuied of the moueable goods of the debtor, in the forme aforesaid, the mainpernors or pledges be not indamaged, but in default of moueable goods of the Debtor, the Creditor shall haue haue his recouerie against the mainpernors or pledges in the forme as is aforesaid against the debtor. Stat Acton Burnel Anno 11. Ed. 1.

Impall.

Bread and water

Merchant stranger

Goods sold

Mainpernors

Execution

2 Forasmuch as Merchants which heretofore haue lent their goods to diuers persons, bee fallen in pouertie, because there was no such ready lawe prouided, whereby they might thereby recouer their debt at the day of payment assessed: and for that mischiefe, many merchants haue forborne to come into the realme with their merchandise, to the great damage of Merchants, and of al the Realme: The king and his Councel at his Parliament holden at Acton Burnell after the feast of S. Michael ỹ 11. yere of his raign (before 1.) ordeined certaine establishments thereupon for the remedie of such merchants, which ordinances & establishments the K. commanded that they shalbe firmely kept & obserued throughout his Realm, whereby Merchãts haue had remedie and lesse trouble & businesse to recouer their debts then they haue had before. But for as much the merchants since that haue complained vnto the K. that the shirifs do misinterpret his said statute, & sometime by malice and false interpretation, doe delay the execution of the Statute, to the great damage of the merchants: the K. at his Parliament holden at Westminster after Easter, the 13. yere of his raigne hath caused the said Statute made at Acton Burnel, to be rehearsed. And for the declaration of certaine articles in the statute aforesaid, hath ordained and established that a merchant which

Merchants

Sherifes

which will be sure of his Debt, shall cause his Debtor to come before some chiefe Warden of the Citie, or other good Towne, where the King shall appoint, and before the Maior or chiefe Wardens, or other discreete men chosen and sworn thereto, when the Maior or chiefe warden cannot attend thereto, and before one of the Clerkes that the king shall thereto assigne, when both cannot bee attendant, and knowledge the debt and day of paiment, and the Recognisance shall be enrolled by one of the said Clerks hands being knowen, and the Roll shall be double, whereof one part shall remaine with the Mayor or chiefe Warden, and the other with the Clerks that thereto shall be first named. And further one of the saide Clerkes with his owne hand shall write an Obligation, whereunto the seale of the Debtor shall bee put, with the Kings seale prouided for the same intent, which seale shalbe of two pieces, whereof the great piece shall remaine with the Maior or chiefe Warden, and the other in the keeping of the aforesaid Clerkes. And if the Debtor doe not pay the Debt, at the day limitted vnto him, then shall the Merchant come before the Maiors and Clerke with his Obligation, and if it be found by the Roll or Obligation, that the debt was knowledged, and the day of paiment expired, the Maior or chiefe Warden shall cause the body of the debtor to be taken (if hee be lay) whensoeuer he hapneth to come in their power, and shall commit him to the prison of the Towne, if there be any, and shall remaine there at their owne costs, vntill hee hath agréed for the debt. And it is commanded that the kéeper of the Towne prison, shall retaine him vpon the deliuerie of the Maior or the chiefe Warden, and if the Kéeper will not receiue him, he shall be answerable for the debt, if he haue whereof, & if he haue not wherof, he that committed the prison to his keeping shall answere it. And if the Debtor cannot bee found by the Maior or chiefe Warden, then shall the Maior or chiefe Warden send into the Chauncerie vnder the Kings seale, the Recognisance of the Debt: and the Chancellour shall direct a writ vnto the Shirife, in whose shire the Debtor happeneth to be, for to take his body (if he be lay) and safely to keepe him in prison, vntill hee hath agréed for the debt. And within a quarter of a yeere after that he is taken, his goods and landes shall bee deliuered to him, so that of his owne hee may leuy and pay the Debt. And it shall be lawfull vnto him, during the same quarter, to sell his lands and tenements, for the discharge of his debt, and his sale shall be good and effectuall. And if he do not satisfie it within the quarter then after the quarter expired, all the lands and goods of the Debtor shall be deliuered vnto the Merchant by a reasonable extent, to holde them vntill such time as the debt is wholy leuied: And nevertheless his body shall remaine in prison, as before is saide. And the Merchant shall finde him breade & water. And the Marchant or his assignes, shall haue such seisin in the lands and tenements deliuered vnto him that he may maintaine a writ of Nouel disseisin, if he be put out, and a redisseisin also, as of freehold to hold to him and his Assignes, vntill the Debt be paide. And as soone as the debt is leuied the body of the Debtor shall be deliuered with his lands. And in the Writs which the Chancellour shall award, mention shall be made, that the Shirife shall certifie the Justices of the one Bench or of the other, how he hath performed the Kings commaundement at a certaine day: At which day the Merchant shall sue before the said Justices, if they bee not satisfied. And if the Shirife doe not returne the Writ, or doe returne that the Writ came too late, or that hee hath directed it to the Bailife of some Franchise, the Justices shall doe as it is contained in the last Statute of Westminster. And if the Shirife returne that the Debtor cannot be found or that he is Clerke, the Merchant shall haue writs to all the Shirifes, where he shall haue any land, that they shall deliuer all the goods and lands of the Debtor, by a reasonable extent, to hold vnto him and his assignes in the forme aforesaid. And nevertheless hee shall haue a Writ to what Shirife that hee will, to take his body (if he be lay) and to detaine it in maner aforesaid. And let the Kéeper of the Prison take héed for he must answere the body, or the debt. And after that the Debtors lands be deliuered to the Merchant the Debtor may lawfully sell his land, so as the Merchant haue no damnage by the aprouements: And the Merchants shall be alwaies allowed their damnages, and all necessary and reasonable costs in their labours, suits, delaies, and expences. And if the debtor finde sureties, which shall acknowledge themselues as principall debtors, then after the day passed, the sureties shall be ordered in all things as is said of the principall debtor, as to the arrest of body, deliuerie of lands, and other things. And when the lands of the debtor be to be deliuered vnto the Merchant, hee shall haue seisin of all the lands that were in the hands of the Debtor, the day of the Recognisance made, in whose hands so euer that they come afterward, either by feoffement or otherwise. And after the debt paid, the lands and the issues thereof shall returne againe, as well to the feoffées, as the other lands vnto ỳ debtor: And if the debtor or his sureties dye, the Merchant shall haue none authority to take the body of his Heires, but he shall haue his lands as is beforesaid, if hée be of age, or when he shall be of full age, vntill such time as he hath leuied of the lands the amountance and value of the debt. And there shall be also another seale prouided, that shall serue for Faires, and the same shall be sent vnto euerie Faire vnder the Kinges Seale by a Clerke sworne, or by a Kéeper of the Faire. And of the Comminalty of London two Merchants shall be chosen, that shall be sworne, and the seale shall be opened before them, and the one péece shall be deliuered vnto the aforesaid merchants, and other shall remaine with the Clerke. And before them or one of the Merchants (if both cannot attend) the Recognisances

Maior London Warden

Clerke Knowledge

Enroll

Obligation

Seale

Debtor

Maior

Imprif.

Gaoler

Chancerie

Writ

Shirife

3. Months

Lands

Sell

Extent

Bread and water

Deliu

Debt pa

Shirife Certifie Iuſtices

Retorne

Iuſtices

Clerke

Lay Eſtate

Capias

Gaoler

Damages Coſts

Sureties

Recital

Debtor

Deliu

Heires

Lands

Seale

Faires

London Merch.

Clerke

misances shall be taken, as before is saide, and before that the Recognisances bee Inrolled, the paine of the Statute shall be openly read before the Debtor, so that afterward hee shall not excuse himselfe by ignorance of the paine, whereto hee bound himselfe, and to maintaine the costs of the saide Clerke, the King shall take of euerie pound a penny in euerie Townes where the Seale is, except Faires, where hee shall take one penny ob. of the pound. This ordinance and Act the King willeth to bee obserued from henceforthy throughout all his Realme of England and Ireland, betweene any that will of their owne accord make any such Recognisances (except Iewes) to whome this ordinance shall not extend, and by this Statute the Writ of Debt shall not bee abated. And also Chauncellour, Iustices of either Bench, and Iustices errants, shall not bee by this estopped to take Recognisances of Debtes before them knowledged and made, but the execution of recognisances made before them, shall not be made in the forme abouesaid, but by the law and maner before vsed, and otherwise prouided in other Statutes. Breue fundatum super statutum predictum. Rex vic' salutem. Quia coram tali Maiore, vel custode talis villæ, vel coram custode sigilli nostri de mercatoribus in nundinis de tali loco, & tali clerico nostro A. recognouit debere B. tantum quod soluisse debuit tali die & tali Anno, quod idem B. nondum soluit, vt dicit: Tibi præcipimus, quod corpus prædicti A. (si laicus sit) capias, & in prisona nostra saluo custodiri facias, quousque de prædicto debito satisfecerit. Et qualiter hoc præceptum nostrum fueris executus, scire facias iusticiarijs nostris apud Westmonasterium per literas tuas sigillatas, & habeas ibi hoc breue. Teste &c. Statut de mercatoribus. Anno 13. E. 1.

3 Euerie Clerke, which shall bee deputed to receiue Recognisances in Cities and Boroughs, according to the Statute Merchant, shall there abide in proper person to doe his Office, according as is conteined in the Statute of Acton Burnell. And that hee haue Lands sufficient in the same Countie whereof hee may answere to all persons if hee offend. And if any other be in the same Office, hee shall bee remoued, and another conuenient set in his place. Anno 14. Ed. 3. cap. 11.

4 At the complaint of the said Comminalty, made to the King in the Parliament for that great disherison in times past hath beene done to the people, and may bee done hereafter by the false entring of Pleas, rasing of Rolles, and changing of Verdicts: It is accorded and assented, that if any Iudge or Clerke be of such default (so that by the same default there ensueth disherison of eyther of the parties) sufficiently conuict before the King and his Councell by the maner and forme, which to the same our Soueraigne Lord the King and his Councell shall seeme reasonable, and within two yeares after such default made, if the party grieued be of full age, and if hee bee within age, within two yeres after that he shall come to his full age, hee shall be punished by fine and ransome at the kings will, and shall satisfie the party. And as to the restitution of the inheritance desired by the saide Commons, the party grieued shall sue by Writ of Error or otherwise according to the lawes, if he see it expedient for him. Anno 8. R. 2. cap. 4. Restitution

5 When any Statute Merchant is certified into the Chauncerie, and thereupon a Writ awarded to the Shirife, and returned into the Common place, and the Statute there once shewed, that howsoeuer the Processe after the same shewing be discontinued, that at what time the party sueth to haue Processe recontinued, and to haue execution of the Statute Merchant aforesaide: That the Iustices of the Bench where the Statute was once shewed, may vpon the same Record, make and award full execution of the Statute Merchant, without hauing the sight or shewing thereof at any other time after, and that this Statute hold place of all Statutes Merchants not fully executed at this time. Anno 5. H. 4. cap. 12. Execution

6 Whereas diuers persons within this realme of England in times past, oftentimes haue been taken and arrested by diuers Sheriffes and other Officers of our Soueraigne Lord the King by Writs, aswell going out of the Chauncerie of our Soueraigne Lord the King, as of his noble Progenitours, for to haue execution of diuers Recognisances made before the Maiors of the Staple of diuers summes, of which summes such persons, to whome the duty belonged, had no conuenient remedy, other then the saide executions, which persons thereby taken and arrested for executions of the same Recognisances, be oftentimes come in by diuers Writs de corpus cum causa, before the King in his Chauncerie out of the prison in the which they bee so kept, because of such executions, and there they doe sue, shewing forth diuers Indentures and other thinges, in defeasance of such Recognisances, desiring Writs of Scire facias, to warne the party or parties, at whose sute they bee taken and arrested, to answere vpon the same. And thereupon by surety found to the King in his Chauncerie, haue beene deliuered out of prison, notwithstanding their said arrest for the executions of such Recognisances, as aboue is saide, no surety being found to the Recognisees, to whome they be so bound, to satisfie them of their duties, in case that the matter, comprised within the said Writs of Scire facias, be not found nor adiudged for the Recognisors therby bound, whereby the said Recognisees haue beene sometime greatly delayed of their execution, and sometime their execution vtterly lost, and in time to come likely to bee lost, because that no aduantage nor auaile thereof may come, be or grow to the saide recognisees to whome such persons be so bound, by the said surety so found to the King, because that the same person so bound, may by the Kinges pardon bee acquit and discharged for euer: Our Soueraigns Lord the King considering that the Surety

said Recognisees to whome persons be bound, bee oftentimes without remedie, if so be the said Recognisors will not pursue their said Writtes of Scire facias with effect, or otherwise, if the matters of their saide Writs of Scire facias, bee found or adiudged against them, and thereupon they doe withdraw them to places priuileged, or eloine them out of the Realme, or else will not appeare, so as their bodies cannot be taken and put in execution, to the great hinderance and vndoing of such recognisees in time to come, and also because that the King is inherited of the taking of such sureties to himselfe by the Course of the Chancerie, the King willeth from henceforth that such sureties be made generally aswell to the King as to the party. Anno 11. Henr. 6. cap. 10.

Maior of the Staple Constable

7 For asmuch as the Maiors of the Staple in diuers places of this Realme, where any staple is kept, in the presence of the Constables of the same Staple, before this time, haue and might lawfully take Recognisance or knowledge for debts, onely concerning and touching the Merchandize of the same Staple, betwixt merchant and merchant of of the same Staple, according to diuers laudable estatutes and prouisions before this time had, ordained and made. Which Maiors and Constables, many and sundrie times since the making of the same Estatute haue taken diuers Recognisances and knowledges of diuers of the Kings subiects for debts, surmising the same knowledge or Recognisance to be made for surety of paiment of summes of money for such wares as were or beene bought in the same staple: where of truth the same Recognisance did not in any wise touch or concerne the merchandize of the same, ne also the parties, that is to say, the cognisor, ne the cognisee that did knowledge and take the same Recognisances were Merchants of the same staple: which recognisances and knowledges taken in forme aforesaid, are not onely cleere contrarie to the true meaning and intent of the same former estatutes, but also thereby diuers great and sundrie inconueniences, dammages and deceits doe daily rise and growe to diuers of the subiects of our said Soueraign Lord the King, by reason of the misusing of the same. And for asmuch as the kings Highnesse of his most high wisdome, perceiueth the misusing and execution of the same to bee contrarie to the forme of the said former estatutes: Therefore his pleasure is, that some true, lawfull, and reasonable Bond for surety of paiment of the said debts of his Subiects, shall be made and deuised by true and iust meanes, which in it selfe may and shall purport right and equity, and also consonant to reason: In consideration whereof, by the assent &c. that from the first day of Aprill next comming, the chiefe Iustice of the Kings Bench, and the chiefe Iustice of the Common place, which now be, or at any time hereafter shall be and euery of them by himselfe, & in their absence out of terme, the Maior of the Staple at Westminster, and Recorder of the Citie of London for the time being, iointly together by their discretion, shall haue

Chiefe Iustices of both benches

Maior of the Staple Recorder of London

full power and authority to take recognisances or knowledges of euerie of the Kings subiects for the paiment of Debts, according to such formes as hereafter ensueth.

Nouerint vniuersi per praesentes nos A. B. & Cl. D. teneri & firmiter obligari Iohanni in Scale in Cxlib. sterling. soluendum eidem Iohanni aut suo certo Attornato hoc scriptum ostend. haered. vel executoribus suis, in tali festo &c. proxime futuro post datum praesentium. Et si defecero vel defecerimus in solutione debiti praedict' volo & concedo, vel sic, volumus & concedimus quod tutè liceat super me, haeredes & executor meos, vel super nos & quemlibet nostrum, haered & executores nostros poena in statuto stapulae de debitis pro merchandisis in eadem emptis recuperand' ordinaris & prouil. Dat. tali die Anno Regni Regis &c. And that euerie Obligation that shall be made, as is aforesaid, & acknowledged before any of the chiefe Iustices, or the said Maior and Recorder according to this act, shall be sealed with the seale of the party or parties, that shall recognise or knowlege the same, and also with such seales as the Kings Highnesse shal ordein and appoint for the same, with the seale of one such of the said Iustices, or with the seales of the said Maior and Recorder, and with his or their name or names subscribed, that so shall take the same recognisance or knowledge. And that euery of the said two Iustices, and the said Maior and Recorder shall haue the custodie of one such seale by the Kings Highnesse to bee appointed, with one like Poynt, Scripture and fashion, which shall seuerally remaine with them to the intent aboue rehearsed. And further be it &c. That such an honest and discrete person as shall bee assigned by the Kings Highnesse, or the sufficient Deputy or Deputies of the same person so to be assigned, shall make and write all such Obligations, as shall be knowledged and recognised by authority of this Act, and shall cause the same Obligations recognised and knowledged in form as is aboue said, to bee Inrolled in two seuerall Rolles indented, whereof one shall remaine with such of the said Iustices, or with the said Maior and Recorder, that so shall take the same Recognisance in forme aforesaid, and the other rolle with the Writer thereof, appointed for the same. And that the said person by the Kings Highnes to bee appointed for making, writing, and Inrolling such Obligations, or his sufficient Deputy or Deputies, shall be dwelling or abiding in the said City of London, vpon paine to forfeit for euerie time that hee and his Deputy shall be absent by the space of two daies ten pound. And further it is &c. that the said person so to be assigned by the Kings Highnesse, to write, make and inroll such Obligations, or his sufficient deputy or deputies, at the requell of the Creditors, their executors or administrators, shal certifie such Obligations, as shall be taken and recognised by authoritie of this act into the Kings Court of Chancery, vnder the seale of the said person so to be appointed for Writting, Making, and Inrolling such Obligati-

Seale

Seale

Clerk

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Certifie

Chancerie

ligations: And that euerie person and persons, to whome any such Obligation shall bee made, acknowledged and inrolled, as is aforesaid, their Executors, Administrators, and the Executors and Administrators of euerie of them, for default of payment of the Debtes contained in such Obligations, shall haue in euery point, degree, and condition against the said Recognisour, and Recognisors, and euerie of them, their Heires, Executors, and Administrators, and the Heires, executors and Administrators, of euerie of them, like Processe, Execution, commodity and aduantage in euerie behalfe, as both beene vsed and accustomed before this time, to be had, done, or made of and vpon any Obligation of the Statute of the Staple, and vnder such manner and forme as is for the same Statute of the Staple prouided, paying for such Processe and Execution to be had, such like fees as is accustomed for Processe and Execution to be had vpon Obligations of the same Statute of the Staple and not aboue. And that euerie such person and persons, that shall bee bounden or otherwise grieued by vertue of any Obligation to be made by authority of this Act, shall haue the like remedy by Audita querela, and all other remedies in the law, that they might haue had in case they had beene bounden by Obligation of the Statute of the Staple. And that euerie such person and persons, that shall haue processe for execution to bee had, by reason of any such Obligation to be made and knowledged, according to this Act, shall pay to the Kings Highnesse his Heires or Successors, at the time of the ensealing of the Processe for the execution to be had, one halfe peny for euery pound that shall be conteined in the Obligation, whereof execution shall be required and not aboue. And that euery such person and persons, that shall happen to haue any execution of any lands, tenements, or hereditaments, by reason of any such Obligations to be made and knowledged as is aboue said, their Executors, Administrators or assignes, and the Executors, Administrators and Assignes of euery of them, if they or any of them beene put out or disseised, shall haue like remedie in euerie point and condition, as persons hauing execution in and vpon any Statute of the Staple after execution of them had, may or might haue, by vertue of the said writing Obligatory of the Statute of the Staple, and execution of the same. And further be it &c. That euerie of the said Justices and the said Maior and Recorder before whome any such obligations shall be recognised, shall take for euerie knowledge of euerie one such Recognisance three shillings foure pence and not aboue. And the Clerke that shall write, make, and Inroll the same Obligations, three shillings foure pence. And for the Certificate of euerie one such Obligation twenty pence. And if any of the said Justices, Maior, Recorder, or Clerke, take of any of the Kings subiects, aboue the summe or summes to them limited by this estatute, that then the saide Justices, Maior, Recorder, or Clerke, that so shall take contrarie to the forme aforesaid, shall forfeit for euery time so offending forty pounds. And further it is, &c. that from the first day of Aprill, no Maior or Constable of the Staple, for the paiment of any summe or sums of money, take any knowledge or recognisance of the said Statute of the Staple, of any of the Kings subiects, vpon pain to forfeit for euery time so offending forty pound, the one moity of all & singuler the said penalties to be to the Kings Highnesse, and the other moity to the party that will sue for the same. For the recouery whereof, the party that will pursue, shall haue his remedie by information, action of Debt, Bill, or plaint, in any of the Kings Courts, in which no essoine, protection, nor Wager of Law, shall bee admitted. Prouided alway that this act nor any thing therein conteined, be in any wise preiudicial or hurtful to any Maior, & Constables of the Staple, for any Bond or writing of the Statute of the Staple, to be taken or receiued between Merchants being free of the same Staple, for Merchandize of the same Staple between them lawfully bought and solde. Prouided also, and be it further enacted, that all recognisances before this time taken before the Maior and Constables of any of the said Staples, whereof the summes now be not paide, or otherwise contented, lawfully auoided or discharged by the law, shall be as good and effectuall, as though they had beene verily made for merchandize of the same Staple, and betweene Merchant and Merchant of the same Staple, and as they should haue beene if this act had neuer been had ne made. Anno 23. H. 8. cap. 6.

Fork.

Fork. Moity

Merchants

Records.

IUstices of Assises, gaole deliuery, & of oyer and terminer, shall send all their records & processes determined & put in execution, to the Eschequer at Michaelmas euery yere once, to be deliuered there; and the Treasurer & Chamberlaines, which for the time shall be, hauing the sight of the commissions of such Justices, shall receiue the same Records and Processes of the said Justices vnder their seales, & keepe them in the treasurie as the maner is. So alwaies that the Justices doe first take out the Estreates of the said records & processe themselues to send them to the Eeheq. as they were wont before. An. 9. E. 3. cap. 5.

Justices

Records Eschequer

Estreats

Recoueries.

WHereas diuers, as well noble men as other the K. subiects, haue suffered recoueries against them of diuers their Manors, Lordships, lands and tenements, for the performance of their wils or for the surety of their wiues ioynture, or for the ioynture of sonnes & heires apparant, and their wiues, or for any other person or persons, according to their couenants and agreements, and those persons that so haue recouered the saide manors by the Course of the common law, had no remedy nor may haue, to compell the farmer, freeholders, and Tenant, which hold of the same manors by the rents, seruices, or customes to attorne to them,

Attorne

not could by ꝑ power of the law attaine to the rents seruices or customes (if they were denyed) by distresse or action, without they could sure attaine to the possessions of the same rents, seruices and customes, by paying or doing the said rents, seruices or custom by the same tenholders, farmers and tenants, which to doe, diuers and many of them haue sometimes refused, and yet doe, to the great vexation and charge of their consciences, not onely to the disheritance of the said recouerors, but also in breaking of the last wylles of them against whome such recouerie is had, and also to the disheritance of the said husband, heires, and ꝑsons to whose vse the same recouerie was so had. Also if there were any aduowson appendant to any of the said mannors, the same aduowson had fallen voide, and a stranger haue presented, the said recouerers, nor they to whose vse the same recouerers were had, haue remedie for the same disturbance, and sometime thereby they haue been disherited. Be it therefore enacted, &c. that the recouerers in all such recouerie, their heires and all their assignes may hence forth distreine for the foresaid rents, seruices, and customes, so being due and vnpaid, & make auowrie or lawfull the same, as those persons against whome the said recouery is, should haue done, if the said Recouerie had not been had, and also haue like remedie for the recouering of the said rents, seruices, and customes by auowrie. And also Quare impe. for the said aduowson, if any disturbance be made, as those persons against whome the said recoueries were had, might or should haue had by the course of the common lawe, afore the said recouerie, if any such rents, seruices, or customes had beene denyed them, or any such disturbance had beene had in their times. And that euerie Auowant, and euery other person or persons that maketh Auowrie, cognisance or iustifie as Baylife to any other person or persons in any Replegiare or second deliuerance for any rent, custom, or seruice, if their auowrie, cognisance or iustification be found for them, or the Plaintifes in the said Actions are otherwise barred, shall recouer their damages and costs that they haue sustained, as the Plaintife should haue done, if they had recouered in the said Replevins. Anno 7. H. 8. cap. 4.

Vouchees
Meire
Distreine
Auowry
Quare impe.
Damages
Costs

2 Where afore this time diuers persons haue made Leases of their manors, lands, tenements and other hereditaments, sometime, by their indentures, and sometime without writings, to other persons for terme of yeares, taking of them great fines for the Incomes of the same Leases, and after the same Leallours, their heires or assignes haue caused & suffered recouerie, to be had against them in the Court of our Soueraign Lord the King in other Lords courts, vppon fained & vntrue title, by craft and couine, to put the said tenants from their said termes: And after such recouerie had, the same recouerors by reason of such recouerie and iudgements, haue entred into the said manors, lands, tenements, and other hereditaments, so to farme letten, and thereof haue expulled the said Farmers, contrarie to the said Leases, couenants, & agreements: And because it was doubted of some persons, whether the said lessors might ratifie such recoueries or not: Be it ꝛc. that all such tenants, shall and may take to their owne vse, such recouerie, & all benefite had, as hereafter to be had in such like and same wise as lands of freehold shall and may be by the Course of the Common law, where such graunt of freehold was neither pleny nor pleaded the same recouerie. And that the same tenants, their Executors and assignes notwithstanding such recouerie so had, shall retaine, holde, & enioy their said termes according to their said leases, against all such recouerors, their heires and assignes. And that all such recouerors, their heires and assignes, after such recouerie so had, shall haue like remedy & graunt the said tenants, their executors and assigns by auowrie or action of debt for the rents and seruices reserued vpon the same leases being due after the same recouerie, and also like actions against them for waste done after the same recouerie so had, in like maner and forme as the said lessors should or might haue had, if the same recouerie had neuer been had. And also it ꝛc. That no maner of Statute of the Staple, Statute Marchant, nor execution by Elegit, hereafter made, or in any wise made forfeitable by meanes of any fained recouerie, but that all persons hauing any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any mannors, lands or tenements by any such meanes, shall haue by force of this statute like remedy to auoid and falsifie the same recouerie, as before is ordeined and prouided for the Leasee for terme of yeares. Anno 21 H. 8. cap. 15.

Leases
Termes
Falsifie

3 A statute was made 32. H. 8. c. 31. for the auoiding of recouerie by collusion against tenants for life, out of the meaning whereof, because there were sundry exceptions, another statute more strait was made, Anno 14. Eliz. cap. 8. which is after; and this repealed.

4 Where diuers of the Kinges most noble Progenitours, and specially the King our Soueraigne Lord most liberally aboue all other, hath giuen and granted or otherwise prouided to his and their louing and good seruants and subiects, aswell Nobles as other, Mannors, Meases, Lands, Tenements, Seruices, and hereditaments, to them and to their heires Males of their bodies, or to the Heires of their bodies lawfully begotten, minding at the time of such giftes not onely to preferre and aduance presently the Donees, but also their heires in blood of their bodies, according to the limitation of the saide gifts, to the intent that the recompence for the seruice of such Donees, should not onely be a benefite for their owne persons, but a continuall profit & commodity to and for their heires coming of their bodies, whereby such heires should haue in special memorie & in daily remembrance, the profit that they haue and take by the seruice of their ancestors done to the Kings of this Realme, and there-

thereby be the better encouraged to doe the like ſeruices to their Soueraigne Lord, as to their duties or allegiance appertaineth: And forasmuch as ſundry ſuch donées in taile & their heirs haue ſuffered & daily ſuffer by their conſents, vntrue & fained recoueries to be had againſt them with cõmon voucher or otherwiſe, of manors, meaſes, lands, tenements, or hereditaments, ſo giuen, granted, or prouided in taile by the kings Maieſtie, or by his noble progenitors, as is aforeſaide, to the intent by fraud, couine, and vndue meanes, not onely to binde and defeate their heires inheritable by the limitation of ſuch gifts, but alſo the king of his prerogatiue, wardſhip, primer ſeiſin, & other his rights, whereby queſtions and diuerſities of opinions haue riſen and yet be, whether ſuch fained and vntrue recoueries againſt ſuch Tenants in taile, by their owne conſents of lands, tenements, or hereditaments, whereof the reuerſion or remainder is in the King at the time of ſuch recouerie or recoueries had, ſhould after the death of the tenant in taile, binde the heires in taile or not: For plaine declaration whereof, and to auoide and extinct from henceforth diuerſities of opinions in ſuch caſes, Be it &c. That ſuch fained recouerie hereafter to be had by aſſet of parties againſt any ſuch tenant or tenants in taile of any lands, tenements, or hereditaments, whereof the reuerſion or remainder at the time of ſuch recouery had, ſhall be in the K. ſhall binde or conclude the heires in taile, whether any condition, or voucher be had in any ſuch fained recouerie or not, but that after the death of euerie ſuch Tenant in taile, againſt whome any ſuch recoueries ſhall be had, the heires in taile may enter, haue, and enioy the lands, tenements and hereditaments, ſo recouered according to the forme of the gift of entaile: the ſaid recouerie or any other thing or things hereafter to be had, done, or ſuffered, by or againſt any ſuch Tenant in taile, to the contrarie notwithſtanding. And be it &c. that the heires of euerie ſuch tenant in taile, againſt whome any ſuch fained recouery ſhall be had, ſhall take none aduantage, for any recompence in value againſt the voucher nor his heires. Prouided alwaies, that this act nor any thing therein contained, be in any wiſe preiudiciall or hurtfull to the leſſe or leſſes of any ſuch Tenant in taile made, or to be made by writing indented of any manors, lands, tenements or hereditaments for terme of one and twentie yeares, three liues or vnder, whereupon the accuſtomable rent or rents, or more, is, or ſhall be reſerued yerely during the ſaid terme or termes, but the ſame leſſe or leſſes ſhall and may haue and enioy his or their termes or terme therein, againſt the heire and heires of euerie ſuch tenant in taile, according to the tenor, purport, and effect of the Statute made in the two and thirtieth yeare of the raigne of our Soueraigne Lord King Henrie the eight (which ſee in Leaſes 2.) any thing in this act contained to the contrarie thereof notwithſtanding. Anno 34. H. 8. cap. 20.

Where diuers perſons being ſeiſed, or that haue beene ſeiſed of lands, tenements, and hereditaments as tenants by the curteſie of England, tenants in taile after poſſibility of iſſue iſſue extinct, or otherwiſe, onely for terme of life or liues, or of eſtates determinable vpon life or liues, haue heretofore permitted & ſuffered other perſons by agreement or couine betweene them had, to recouer the ſame lands and tenements, and other hereditaments againſt the ſame particular tenants in the M. Maieſties Court, or haue permitted & ſuffered themſelues to be vouched by other perſons, by agreement of couine, betweene them had in recoueries ſuffered of the ſame lands, tenements, and other hereditaments, in the Quenes Maieſties Court, to the great preiudice of thoſe to whome the reuerſion or remainder thereof hath appertained, or ought to appertaine: For remedy whereof be it enacted, that all ſuch recoueries hereafter to be had or proſecuted by agreement of parties, or by couin, as is aforeſaid againſt any ſuch particular tenant of any lands, tenements, or hereditaments, whereof the ſame particuler tenant is, or hereafter ſhall be ſeiſed of any ſuch particuler eſtate, as is aforeſaid, or againſt any other with voucher ouer of any ſuch particuler tenant, or of any hauing, or that had right or title to any ſuch particuler eſtate or Tenancy, as is aforeſaid, ſhall from henceforth, as againſt ſuch perſon or perſons to whome any reuerſion or remainder thereof, by force of any conueyance or deuice before that time had or made, ſhal, ought, or lawfully may appertain, and againſt their heires and ſucceſſors, be clearely and vtterly void and of none effect: any law or vſage heretofore had to the contrarie thereof in any wiſe notwithſtanding. Prouided alway, that this act, nor any thing therein conteined, ſhall extend, or be preiudiciall to any perſon or perſons that ſhall hereafter by good title recouer any lands, tenements or hereditaments, without fraud or couine, by reaſon of any former right or title: but that all and euery ſuch recouerie & recoueries, ſo to be had or proſecuted vpon former rights or titles ſhall ſtand and be in like force, ſtrength & effect, as they were before the making of this act: any thing herein contained to the contrarie in any wiſe notwithſtanding. Prouided alſo, that all & euery ſuch recouery and recoueries, to be had or proſecuted of any lands, tenements, or hereditaments, as aforeſaid, by the aſſent and agreement of any perſon or perſons, to whom any reuerſion or remainder thereof, then ſhal or ought to appertaine (ſo that the ſame aſſent and agreement doe appeare of record in any Court of our ſoueraigne Lady the M. Maieſty, her heires and ſucceſſors) ſhall ſtand & bee in like force, ſtrength, & of like effect, againſt ſuch perſon & perſons that ſhall aſſent & agree, their heires & ſucceſſors, as they were before the making of this: any thing herein conteined to the contrary in any wiſe notwithſtanding. Be it further enacted by the authority aforeſaid, that one act made in the 32. yeare of our late Soueraigne Lord King Henry the viij. intituled, That for the auoiding of Recoueries by collusions, by tenants for terme of life (s. An. 32. H. 8. cap. 31. before 3.) ſhall bee from the firſt day of July next enſuing (s. Ann. 1572.) repealed, and ſhall no longer ſtand in force. Anno 14. Eliz. capitulo 8.

Tenant in taile Life

Tenant

Voucher

Void

Former right

Reuerſion Remainder

Repealed

Redisseisin.

Freehold Just. in eire Assise

IF any be disseised of his freeholds, and before the Justices in Eyre, hath recouered seisin by assise of Nouel disseisin, or by the confession of them which did the Disseisin, and the disseisee hath had seisin deliuered him by the Sherife, if the same disseisours after the circuit of the Justicers, or in the meane time shall againe disseise the same plaintife of the same freehold, and thereof be conuict, they shall be forthwith taken and kept in the Kings prison, vntill the King discharge them by ransome or by some other meane. And this is the forme how such conuict persons shall be punished: when the Plaintifes come to the Court, they shall haue the Kings writ directed to the Sherife, in which shall be conteined their declaration of the disseisin done vpon disseisin. And therefore it shall be commanded to the Shirife, that he taking with him the Keepers of the pleas of the Kings Crowne, and other lawfull Knights, in his proper person shall goe vnto the land or pasture, of which the plaint hath beene made: And that before them he make by the Iurors, and other neighbours and lawfull men diligent inquisition thereof. And if they finde him disseised againe (as before is said) then let them doe according to the prouision afore mentioned. And if it be found otherwise, the Plaintife shal be amerced, and the other shall goe quite. Neither shall the Sherife prosecute any such plaint without the speciall commandement of the King. In the same maner shall be done for them that haue recouered their seisin by assise of Mordancestor. And so shall it be of all lands and tenements recouered in the Kings Court by inquests, if they be disseised after by the first desorcours, against whome they haue recouered in any wise by inquest. Merton cap. 3. Anno 20. H. 3.

Imprison. Forme

Shirife

Iurors

Amerce

Mordancestor

Inquest

2 They which be taken and imprisoned for redisseisin, shall not be deliuered without the speciall commandement of the King, and shall make fine with the King for their said trespasse. And if it bee found, that the Shirife deliuereth any contrary to this ordinance, he shalbe grieuously amerced therfore. And neuertheless they which are so deliuered by the Sherife without the kinges commaundement, shall be grieuously punished for their trespas. Marleb. 8. Anno 52. H. 3.

Imprison Deliuer

Fine

Shirife

Amerce

Punish

3 In writs of redisseisin from henceforth the double dammages shall bee awarded, and the disseisours shall not be repleuiable hereafter by the common writ. And like as in the Statute of Merton the same writ was prouided for such as were disseised after they had recouered by Assise of Nouel disseisin, of Mordancestour, or other Iuries, euen so from henceforth the same writ shall further hold place for them that shall recouer by default, reddition, or otherwise without recognition of Assises of Iuries. W. 2. cap. 20. 21.

Double Damages

Nouel disseisin

Recouer Default

Reliefe.

Tenants Chiefe

IF any of our Earles, or Barons, or any other our Tenants, which hold of vs in chiefe by Knights seruice, die, and at the time of his death his heire is of full age, and oweth to vs reliefe, he shall haue his inheritance by the old reliefe, that is to say, the heire or heirs of an Earle for an whole Earledome, by one hundreth pound, the heire or heires of a Baron for a whole Barony by one hundreth markes. The heire or heires of a Knight for one whole Knights fee, by one hundreth shillings at the most. And he that hath lesse, shall giue lesse, according to the customes of the fees. Magna charta capitulo 2.

Knights seruice Heire Reliefe

Earle

Baron

Knight Knights fee

Religion.

ALL and euerie determination, declarations, decrees, definitions, resolutions, and ordinances, as according to Gods word & Christs Gospel, by his Maiesties aduice & confirmation, by his Letters Patents vnder his Graces great seale, shall at any time hereafter be made, set forth, declared, decreed, defined, resolued, and ordained by the saide Archbishops, bishops, and Doctors, now appointed, or other persons hereafter to be appointed, by his royall Maiesty, or else by the whole Clergie of England, in and vpon the matter of Christs Religion and the Christian faith, and the lawfull rites, ceremonies and obseruations of the same, shal bein all and euery point, limitation and circumstance thereof, by al his Graces subiects, & other resiants & inhabitants within this his Graces Realm, and other his graces Dominions, fully beleeued, obeyed, obserued and performed to all purposes, intents, constructions, and interpretations, vpon the pains and penalties therin to be compriſed, as if the same determinations, declarations, decrees, definitions, resolutions, and ordinances, and euerie of them, with the paines and penalties therein compriſed had beene, were, or should bee by expresse wordes, termes and sentences plainely and fully made, set forth, declared, rehearsed and conteined in this present Act: Any vse, custome or Statute heretofore vsed, obserued or accustomed, to the contrarie thereof in any wise notwithstãding. Prouided alwaies that nothing shall be done, ordeined, defined or prouided by authority of this act, which shall be repugnant or contrarie to the Lawes and Statutes of this Realme: any thing in this act conteined to the contrary thereof not withstãding. An. 32. H. 8. c. 26

Archb. Bps Bishops

Repugnant

Rents.

SEe Monasteries r. that vpon letters P. made of lands of monasteries, there must be reserued to the King the tenth part of the value.

Letters P. Tenth

ITem, Forasmuch as by the order of the common Law, the executors or administrators of tenants in fee simple, tenants in fee taile, & tenants for term of life, of rent seruices, rent charges, rent secks, & fee farmes, haue no remedie to recouer such arrerages of the saide rents, or fee farmes, as were due vnto their testators in their liues, nor yet ỹ heires of such testator, nor any person hauing the reuersiõ of his estate after his decease, may distreine, or haue any lawfull action to leuy any such arrerages of rents & fee farmes, due vnto him in his life, as is aforesaid, by reason

Executors Administrators

Arrerages

Heire

Distraine

reason whereof the tenants of the demeane of such lands, tenements, or hereditaments, out of the which such rents were due & payable, who of right ought to pay their rents and farmes at such days & termes as they were due, doe many times keepe, hold, and retaine such arrerages in their owne hands, so that the executors and administrators of the persons to whom such rents or fee farmes were due, can not haue or come by the said arrerages of the same towards the paiments of the debts, and performance of the will of the said testators: For remedy whereof be it &c. That the executors and administrators of every such person or persons, unto whom any such rent of fee farme is or shalbe due, and not paid at the time of his death, shall and may haue an Action of debt for all such arrerages against the tenant or tenants that ought to haue payed the said rent or fee farme, so being behind in the life of their testator, or against the executors and administrators of the said tenants. And also furthermore it shalbe lawfull to every such executor and administrator of any such person or persons, unto whom such rent or fee farme is or shalbe due, and not payed at the time of his death, as is aforesaid, to distrein for the arrerages of all such rents and fee farmes, upon the landes, tenements, and other hereditaments, which were chargeed with the payment of such rents or fee farmes, and chargeable to the distresse of the said testator, so long as the said lands, tenements, or hereditaments, continue, remaine, and be in the seisin or possession of the said tenant in demeane, who ought immediately to haue payed the said rent or fee farme so being behinde to the said testator in his life or in the seisin or possession of any other person or persons claiming the saide lands, tenements, and hereditaments, only by and from the same tenant by purchase, gift, or descent, in like manner and forme, as their saide Testator might or ought to haue done in his life time. And that the said executors and administrators shall for the same distresse lawfully make anowrie upon their matter aforesaid. Prouided alway, that this Act, nor any thing therein contained, shall not extend to any such mannor, lordshippe, or dominion in Wales, or in the Marches of the same, whereof the inhabitants haue vsed time out of mind of man to pay vnto every Lord and Owner of such lordshipp, manor, or dominion, at his or their first entrie into the same, any summe or summes of money for the redemption and discharge of all duties for forfeitures and penalties wherewith the said inhabitants were chargeable to any of the said Lords ancestors, or predecessors before his said entrie. And further be it ordeyned, That if any man which now hath, or hereafter shall haue in the right of his wife, any estate in fee simple, fee taile, or for terme of life, of, or in any rents or fee farmes, and the same rents or fee farmes nowbe, or hereafter shall be due, behind and vnpaid in the said wifes life: then the said husband after the death of his said wife, his executors and administrators, shall haue an action of debt for the saide arrerages against the tenant of the demeane that ought to haue payed the same, his executors, or administrators. And also the said husband after the death of his said wife, may distreine for the said arrerages in like manner and forme as hee might haue done if his said wife had beene then liuing, & make anowrie vpon his matter as is aforesaid. And likewise it is &c. that if any person or persons, which now hath, or hereafter shall haue any rents or fee farmes for terme of life or liues of any other person or persons, and the said rent or fee farme now be, or hereafter shall be due, behinde, and vnpayed in the life of such person or persons, for whose life or liues the estate of the said rent or fee farme did depend or continue, and after the said person or persons doth die: then hee vnto whom the said rent or fee farme was due in forme aforesaid, his executors and administrators, shall and may haue an Action of debt against the tenant in demeane that ought to haue payed the same when it was first due, his executors and administrators, and also distreine for the same arrerages vpon such lands and tenements, out of the which the said rents or fee farmes were issuing and payable, in such like manner and forme, as hee ought or might haue done if such person or persons by whose death the aforesaid estate in the said rents and fee farmes was determined and expired, had beene in full life, and not dead: And the anowrie for the taking of the same distresse, to be made in manner and forme aforesaid. Anno 32. H. 8. capit. 37.

Distreine

Anowry

Action of debt

Distreine

Repeale.

ANno 1. Ed. 3. ca. 2. the repeale that was made for the exile of the Spensers, was annulled, and the exile to stand in his force, &c.

2 Anno 15. Ed. 3. a statute was made containing fiue Articles, but it was repealed by an other parliament holden in that yeere.

3 Whereas it was ordeined at the last parliament for victualles and apparell, and that no English Merchant should vse but one kinde of marchandize: It is accorded that all people shall be as free as they were in ancient time before the said ordinance, & namely as they were in the time of the grandfather of our soueraigne Lord the King, and his other good progenitors. Anno 33. Edw. 3. capit. 2.

Victualls
Apparell
Marchant

4 Anno 21. Ric 2. cap. 13. it was enacted, that the Iudgement giuen against the Erle of Suffolke in 10. R. 2. should be repealed, and his heires restored, but this parliament of Anno 21. R. 2. was repealed by 1. H. 4. ca. 3.

5 By Anñ 1. H. 4. ca. 3. the parliament holden in Anno 21. Ric. 2. and all the circumstances and dependances thereof be repealed.

6 Anno 39. H. 6. ca. 1. the parliament holden at Couentrie in Anno 38. Henrici sexti, and all statutes made in the same parliament, were repealed.

7 The said pretended parliament (1. holden Anno 9. Ed. 4. & An. 49. H. 6. & Anno 1. of his redemption) with all the continuances and circumstances depending vpon the same, be voide, and of none effect. And that all acts, statutes, ordinances, treats, communications, conuentions, and workings

Lords

ings in the said pretensed parliament, treated, communed, accorded, wrought, had, or by the authority of the same Parliament enacted and ordained, and all exemplifications made upon the same, or anie part of them and euery of them, shall be reuersed, cancelled, void, vndone, reuoked, repealed, and of no force nor effect. Anno 17.Ed.4.cap.7.

Crowne

8 If the Imperiall Crowne of this Realme, after the decease of the Kings most royall Maiestie (whose life our Lord long preserue) descend, come, or remaine to the heyres of our saide Soueraigne Lord, or to anie person to be limited by his Highnesse, as of very right it must and ought to do, according to the Lawes of this Realme established for the same, the said heyres or such person being within the age of foure and twenty yeares, and that then anie Act or Acts of Parliament shall happen to bee made and established in any Parliament, that then shal be holden before such heyre or heyres, person or persons then being in possession of the said crown, shal be of their full age of foure and twenty yeares, that then euery such heyre or heyres of our said Soueraigne Lord, or such person so possessed of the Crowne, and being within the same age of foure and twenty yeares, shall haue full power and authority at all times after they shall come to their said full ages of foure and twenty yeares, by their Letters Patents vnder the great Seale of England, to reuoke, adnull, and repeale all and singuler such Acts, made and established by their royall assents in anie Parliament during the time that they were within their saide age of foure and twentie yeares, their royall assents had to the same, during the time that they were within the said age of foure and twenty yeares, or anie Act or Acts hereafter to be made to the contrary thereof notwithstanding. And be it &c. That euerie such repeale, adnullation and reuersion of any Act or Actes that shalbe made and established in any parliament holden before the time that such heyres or persons possessed of the Crowne, shalbe of the said age of foure and twentie yeares, shalbe as good and effectuall to all intents and purposes, as though it had beene done by authority of Parliament. Anno 28.H.8. cap.17. This Act is repealed by 1.Ed.6.cap.11. as here next following appeareth.

Yeres within age

24.Yeares

Letters P. Renoke

Repealed

9 The saide Act of Parliament aboue recited, made in the said eight & twenty yeare of the reigne of the said late King (cap.17. before 8.) and euerie word, article, clause, matter, sentence, and thing therein specified and contained, shall by authority of this present Parliament, be to all intents, constructions and purposes, vtterly void, adnulled, repealed, and of none effect, and as though the same had neuer beene had ne made. Neuertheleſſe, to the intent the Kings Maiestie our Soueraigne Lord may haue power, authoritie, preheminence, and prerogatiue, at his full age of foure and twentie yeares, or at any time after at his libertie & pleasure, to repeale all Statutes and Actes of Parliament, as well made in this present Parliament, as hereafter in anie other Parliament to be holden before hee shall accomplish the said age of foure and twentie yeares to bee made or ordained according to the true intent and meaning of the makers of the said former Statute. Be it further &c. that our said Soueraigne Lord the King that now is, at his full age of foure and twenty yeares, or at anie time after, and all and euery heyre and heyres of the said late King and other person and persons to whom the Imperiall Crowne of this Realme shall hereafter descend, come or remaine by the appointment of the said late King in that case prouided and made (then being within the age of foure and twentie yeares) shall haue full power and authoritie by vertue of this present Act (at all times after he or they shall come to his or their full age of foure and twentie yeares, by his or their Letters Patents, vnder the great Seale of England) to repeale all and singuler Act and Acts, or any of them, as be or shall be made or established by his or their royall assents in anie Parliament holden, or to be holden during the time that he or they was, were, or shall be within the said age of foure and twentie yeares, other then this present Act of Parliament, and other then all pardons graunted and to be graunted within the said seuerall ages of foure and twentie yeres by authoritie of parliament, so that the same repeale be made and vsed in maner and forme hereafter following, that is to say, that euerie such Letters patents of repeale, shall containe all such Acts as shall be repealed, and shalbe solemnely and openly proclaimed in the Kings Court of Chaunterie, betweene the houres of nine and ten before noone, at three seuerall dayes, in euerie second of the foure vsuall termes to be holden at Westminster, or elsewhere, within this Realme of England, and also one time in euery Countie of this Realme of Wales, at the seuerall Assises to be holden in the same seuerall Counties, betwixt like houres, and that then after forty dayes next after such proclamation in all and euerie place and Countie aboue said so had and made, the said Letters Patents of Repeale to take their force, strength and effect, and not before, or from any other time or season, nor in any other manner or forme. And that all and euery such Act and Acts, aswell made in this Parliament as hereafter to be made within the said age of foure and twenty yeres, of our Soueraigne Lord the Kings maiestie that now is, in the time of anie of the said heyre or heyres, or other the said person or persons, then being in possession of the Imperiall Crowne of this realme, and vnder the age of foure & twenty yeares, shall be good and effectuall to all intents, constructions, and purposes, vntill the said letters patents of repeale, proclamations, and forty dais, shalbe so had, made, runne, and past, and that all and euery Act and Acts, thing and things doen, had, committed, done, suffered, or executed by authority of the said Act or Acts or any of them, within any of the said ages of foure and twentie yeares; according to the purport, tenor and effect of the said Act or Acts or anie of them, shall be good and effectuall for euer, the saide Repeale so to be made in anie wise notwithstanding. And that all and euerie person and persons, bodies politique and corporat, shall and may by the authoritie of this present Act, from time to time, aswell after the said Repeale, as before,

Kings

Yeres

Repeale

Pardons

Letters

Proclam. Chaunc.

County Wales

21.Days

before, pleade or alledge for his or their defence, by cuse, inducemitie, profite, benefite, or aduantage, all and euery such Act or Acts, or any of them so reuoked, annulled, or repealed, or to be reuoked, annulled, or repealed, for or concerning, or in anie wise touching any thing or things, had, vsed, granted, suffered, possessed, committed, done, or agreed, by the authoritie, sufferance, or force of the said Act or Acts, or any of them, before the reuocation, annullation, or repealing of the same, in such and as ample manner and forme, as if the said Act or Acts so to be reuoked, annulled or repealed, and euerie of them had stood in their or their full strength, force, and effect, and as if the said Act or Acts had neuer been reuoked, annulled, or repealed: anie thing in such repeale contained notwithstanding. Prouided alwaies, and be it &c. that no King nor Kings of this realme shall haue authority, power, and prerogatiue, to repeale any Act of Parliament or statute that shall be made in the time of any King before the said age of fowre and twentie yeares, other then such as be or shalbe made in his owne time: anything aboue mentioned to the contrary in any wise notwithstanding. Anno 1 Ed. 6 cap. 12.

All clauses, sentences, and articles of euerie other Statute or Act of parliament, made since the said 25. yeare of the reigne of King Henrie the viij. against the supreme authoritie of the Popes Holinesse, or for the apostolike of Rome, or containing any other matter of the same effect, onely that is repealed in any of the Statutes aforesaid, shalbe also by authoritie hereof from henceforth vtterly voyde, frustrate, and of none effect. Anno 1 & 2. Phil. & Mar. ca. 8. See this in Rome 5. and see there what Statutes be repealed expressly.

Repleader.

FRom henceforth if anie issue be tried by the othe of twelue or more indifferent men, for the partie plaintife or demaundant, or for the party of the Tenant or Defendant, in any manner of Action or Suite, at the Common Lawe of this Realme, in any of the Kings Courts of Record, that then the Iustice and Iustices by whom Iudgement thereof ought to be giuen, shall proceede and giue iudgement in the same, any mispleading, lacke of colour, insufficient pleading, or Ieofaile, any miscontinuance, or discontinuance, or misconueying of processe, misloyning of the issues, lacke of warrant of Attorney for the partie against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their Counsellers or Atturnies had or made to the contrary notwithstanding. And the said Iudgement thereof so to be had and giuen, shal stand in full strength and force to all intents and purposes, according to the same verdict, without any reuersall or undoing of the same by Writ of Error or false Iudgement, in like manner and forme, as though no such default or negligence had neuer been had or committed. Prouided alway, and be it &c. in auoyding of errour and other great inconueniences, that do daily fortune to rise or grow in the Kings Courts at Westminster, through the negligence of Atturneys, because they deliuer not their warrants of Attorney, in such action and suites wherein they be named Atturney, according to the Lawes of this Realme, that all and euery such person and persons which shall fortune hereafter to be Atturney, to or for any other person or persons being Demaundant or Plaintife, Tenant or Defendant, in any Action or Suite, at anie time hereafter commenced or taken in any of the Kings said Courts, and pleade to an issue in the same action or suite: that then the same Atturneys and euerie of them from time to time, shall deliuer or cause to be deliuered his or their sufficient and lawfull warrant of Atturney to be entred of Record for euery of the said actions or suits, wherein they be named Atturneys, to the Officer or his Deputy ordained for the receipt and entring thereof in the same terme, when the said issue is entred of Record in the said Court, or afore, vpon paine of forfeiting vnto our said Soueraigne Lord terme pounds sterling for euery default for non deliuering of the said Warrant of Atturney. And also further to suffer such imprisonment, as by the discretion of the Iustices of the Court for the time being, where any such default shall fortune to be had or made, shall be thought conuenient: this present Act with the Prouiso, to indure to the last day of the next parliament. Anno 32. H. 8. ca. 30. This Act is continued Anno 33. H. 8. cap. 17. and Ann 37. H. 8. cap. 23. and after Anno 2. Ed. 6. cap. 32. it is made perpetuall.

Negligence

Warrant

Fine.

Imprison.

Repleuin of Cattell.

IF the Beasts of any man be taken, and wrongfully withholden, the Sherife after complaint made to him thereof, may deliuer them without the let or gaine-saying of him that toke the beasts, if they were taken out of Liberties. And if the beasts were taken within any Liberties, and the Bailifes of the Libertie will not deliuer them, then the Sherife for default of those Bailifes shall cause them to be deliuered. Marlebridge cap. 21.

Beasts
Sherife
Liberties
Baylifes
Sherifes

2 Forasmuch as the Lords of Fées distreining their tenants for Seruices and Customes due vnto them, are many times grieued, because their tenants do repleuy the distresse by Writ or without writ: And when the lords at the complaint of their tenants, do come by attachment to the Countie, or vnto another court, hauing power to hold pleas of repleuine, and do auow the taking to be reasonable and iust: by reason that the tenants doe disauow and disclaime to hold ought of him which toke the distresse and auowed it, he that distreined it is amerced, and the tenants goe quit to whom punishment can not be assigned for such disauowing by the record of the Countie, or of other Courts which haue no record. It is prouided and ordained from henceforth, that where such Lords can not obtaine Iustice in the counties, and such maner of courts, against their tenants, as soone as they shall be attached at the suite of their tenants, a Writ shall be granted to them to put the matter before the Iustices

Distreine
Seruice
Withernam
Auow
County Courts
Writ

ces, afore whom, and none other where, iuſtice may be miniſtred to ſuch Lordes. And the cauſe that ſhall be put in the Writ, ſhalbe this, Becauſe ſuch a man diſtreined in his fee for ſeruices and cuſtomes to him due. Neither is this Act preiudiciall to the Common Law vſed, which doth not permit that any plea ſhalbe put before the Iuſticers, at the ſuite of the Defendant: For though it appeare at the firſt ſhew, that the Tenant is Plaintife, and the Lord Defendant: Neuertheles, hauing reſpect to that that the Lord hath diſtreined, and ſueth for his Seruices and Cuſtomes being behinde, he appeareth indeed to be rather Plaintife then Defendant. And to the intent the Iuſtices may know of what late ſeiſin the Lords may aduow the diſtreſſe to be reaſonable vpon their tenants: From henceforth it is agreed and enacted, that a reaſonable diſtreſſe may be aduowed of the ſeiſin of any anceſtor or predeceſſor, from the time that the writ of Nouel diſſeiſin doth run. And becauſe it chanceth many times that the tenãt after that he hath repleuied his beaſts, doth ſell or eloigne them, whereby returns can not be made vnto the Lord that diſtreined, if it be adiudged: It is prouided, that Sheriffes or Bailifes from henceforth, ſhall not onely receiue of the Plaintifes pledges to purſue, before they make deliuerance of the diſtreſſe, but alſo for the returne of the beaſts, if returne be awarded. And if any take pledges otherwiſe, he ſhall anſwer for the price of the beaſts, and the Lord that diſtreineth ſhall haue his recouerie by writ, Quod reddat ei tot aueria vel tot catalla. And if the Bailife be not able to reſtore it, his Lord ſhal reſtore it. And foraſmuch as it happeneth ſometime, that after the returne of the beaſts is awarded vnto the diſtreiner, and the party ſo diſtreined, after that the beaſts be returned, doth repleuy them againe, and when he ſeeth the diſtreiner appearing in the Court ready to anſwer him, he doth make default, whereby returne of the beaſts is to to be awarded againe vnto the diſtreiner, and ſo the beaſts be repleuied twice or thrice, and ſo infinitely, and the Iudgements giuen in the Kings Court take no effect in this caſe, whereupon no remedy hath beene yet prouided: In this caſe ſuch Proceſſe ſhall be awarded, That ſo ſoone as the returne of the beaſts ſhall be awarded to the diſtreiner, the Sherife ſhall be commaunded by a iudicial writ to make returne of the beaſts vnto the diſtreiner, in which writ it ſhall be expreſſed, that the ſherife ſhall not deliuer them without writ, making mention of the iudgement giuen by the Iuſticers, which can not be without a Writ iſſuing out of the Rolles of the ſaide Iuſticers, before whom the matter was moued. Therefore when he commeth vnto the Iuſticers, and deſireth againe repleuine of the beaſts, he ſhall haue a iudiciall writ, that the Sherife taking ſuretie of him to proſecute the ſuit, and alſo for the beaſts and cattell to be returned, or the price of them if returne be awarded, ſhall deliuer vnto him the beaſts or cattell before returned, and the diſtreiner ſhal be attached to come at a certaine day before the Iuſticers, afore whom the plea ſhall be handled in the preſence of the parties. And if he that repleuied doe make default againe, or for an other cauſe returne of the diſtreſſe being new twice repleuied be awarded, the diſtreſſe ſhall remaine irrepleuiable, but if the diſtreſſe be taken of new, and and for a new cauſe, the proces aboueſaid ſhalbe obſerued in the ſame new diſtres. Weſtminſt. 2. ca. 2.

Diſtreſſe

Sherifes Baylifes

Pledges

Recouery

Default

Iudiciall writ

Gaurety

Receit.

IT is prouided alſo, That if a man leaſe his lands for terme of yeares within the City of London, and he to whom the freehold belongeth, cauſeth himſelfe to be impleaded by collution, and maketh default after default, or commeth into the Court, and giueth it vp for to make the termer loſe his terme, & the termer hath quarel, ſo that the termer may recouer by writ of Couenant: The Maior & the Bailifes may inquire by a good Inqueſt in the preſence of the termer & of the demaundant, whether the demãdant moued his plea vpõ good right that he had, or by collusion & fraud to make the ſaid termer loſe his term. And if it be found by the Inqueſt, that the ſaid Demaundant moued his plea vpon good right that he had, the iudgement ſhal be giuen forthwith. And if it be found by Inqueſt, that he impleaded him by fraud to put the termer from his terme, then ſhall the termer enioy his terme, and the execution of Iudgement for the Demaundant, ſhall be ſuſpended vntill the terme be expired. And in like maner it ſhal be of equitie before the Iuſticers in ſuch caſe, if the termer doe challenge it afore the iudgement giuen. Gloceſtr capitul. 11. Anno ſexto Edw. 1.

Leaſe

London Collusion Default

Termer againſt Bayliffes Inqueſt

Iudgement

2 When any by Writ demandeth any thing againſt tenants by the Curteſie, in taile, in dower, for terme of life, or of yeares, and the Demaundant ſueth ſo farre that the lands be in manner to be loſt, and thereupon an other commeth in on the ſide before iudgement giuen, and ſaith that he hath fee and right in thoſe lands, and prayeth the Court, that in as much as he is come before iudgement, he may be receiued to defend his right, and to make anſwer vnto the Demaundant thereof by force of a certaine Statute lately made by the King that now is at Weſtminſter (s. W. 2. cap. 4. which is in Cui in vita 1. & 2.) whereby, aſwell ſuch as haue no right, as they that haue oftentimes in the caſe afore mentioned, falſly, and in deceit of the Court, doe come in, and pray to be receiued to make anſwer, to the intent that their admiſſion might prolong the Demandant from the attaining vnto iudgement, and ſeiſin of his land, and for to cauſe the Demandants to repleade of new, whereby ſuch Demaundants are greatly delayed in the Caſe aforeſaid, of their right in the Kings Court, by reaſon of ſuch malice, as well by the fraud growing vpon the ſaid ſtatute, as by other iuſt and reaſonable cauſe, and this is vſed and found daily before our Iuſtices: In conſideration whereof our Soueraigne Lord the King, for to withſtand all ſuch malice in the foreſaid caſe, and intending to prouide a remedy therein, in his full parliament hath ordained, and from henceforth commaun-

Tenant

commaundeth strictly to be obserued, that is to wit, from the mundaye next after the feast of the Purification of our Lady, the twentieth yeare of his reigne: that if any before iudgement in the foresaid Case, commeth in on the side, and desireth to be receiued, before his receit he shall find sufficient suretie, (as the Court will award) to satisfie the Demaundant of the value of issues of the lands so to be recouered from the day that he is receiued to make answer, vntill the time that finall iudgement be giuen vpon the petition of the demaundant. And if the demaundant recouer his demaund, the defender shall be grieuously amerced, if he haue whereof: and if he haue not, he shall be imprisoned at the Kings pleasure. And if he can proue his right to be as good, as he affirmed at such time as he was receiued, he shall goe quite. Anno vicesimo Edwardi primi.

93 If any such tenant be impleaded, and he in the reuersion come into the Court, and prayeth to be receiued to defend his right at the day that the tenant pleadeth to the Action, or before, he shall be receiued to pleade in chiefe to the Action, without taking any delay by voucher, aide prayer, nonage, or any other delay, so that after such receit, he shall haue no manner delay by protection, essoine of the Kings seruice, common essoine, or any other delay, but that the busines be hasted, in asmuch as it may be by the Laive, and that daies of grace be giuen by the discretion of the Iudges, betweene the demaundant and him that is receiued in such case, without giuing the common day in plea of land, if the Demandant will not assent; to the intent that the demaundants be not too much delayed, because they must pleade with two aduersaries. And in the right of pleas that be now depending in such case, they in the reuersion shall be receiued in the maner, as before is said, at the next day that the parties haue in Court, although the same parties haue pleaded in chiefe before this time. Prouided alwayes, That they in the reuersion, which pray to be receiued, as before is said, shall find suretie of the issues of the tenements demaunded for the time that the same demaundants be delayed after the said plea determined betweene the demaundants and tenants, if the iudgement passe for the demandant, against them in the reuersion aforesaid, as well where the receit is counterpleaded, as where it is granted. Anno 13. Ric. 2. cap. 17.

Residence.

IT pleaseth our Soueraigne Lord the King, that such Clerks as attend in his seruice, shalbe corrected by their Ordinaries, like as other, but so long as they are occupied about his businesse they shall not be bounden to kéep residence in their churches. Here is added of new by the Kings Councell. The King and his auncestors since time out of minde haue vsed that Clerks, during such time as they are in his seruice, shall not be compelled to kéepe residence at their Benefices. And such things as be thought necessary for the K. & the common wealth, ought not to be called preiudiciall to the libertie of the Church. Artic. Cleri capite 3. Anno 9. Edw. secundi.

2 That no Spirituall person, secular or regular, of what degree soeuer he or they be, shall from henceforth take to farme to himselfe, or to any person or persons to his vse, of the lease or grauntes of the King our Soueraigne Lord, nor of any other person or persons, by letters patents, Indentures, writings, by word or otherwise, by any manner of meanes, any manors, lands, tenements, or other hereditaments for terme of life, for terme of yeares, or at will, vpon paine to forfeit tenne pounds for euery moneth, that he, or any other to his vse, shall occupy any such farme by reason of any such Lease or Graunt hereafter to be made. The one halfe of which forfeiture to be to the King &c. and the other halfe thereof to euery such person as will sue &c. in any of the Kings Courtes: In which Action and suite no wager of Law shall be admitted for the defendant &c. And be it &c. that all & euery such spirituall person or persons, which now haue or occupy in farme by themselues, or by any other to their vse, any manors, lands, tenements, or hereditaments, of the lease or grant of the K. our soueraigne Lord, or any other person or persons, for terme of life, or for yeres, or at will, by any writing or otherwise, or that now haue any annuall rents, or other annuall aduauntage or profite, by occasion or colour of any such lease or farme, shall clerely bargaine, sell, giue, or graunt away on this side the feast of Saint Michaell the Archangell next comming, to any such lay person or persons, as they will at their owne nominations and appointment, all such lease, terme, interest, and profit as any such Spirituall person, or any other to his vse now hath or haue, in, or by reason of any such farme: so that in no wise any such Spirituall person or persons, at any time after the same feast, by themselfe or any other to their vse by any other manner of meanes, fraud, or male engine, shall haue, vse, or occupie in farme, any manors, lands, tenements, or hereditaments, of the demise, lease or graunt of any person or persons heretofore made, or hereafter to bee made, to themselfe, or to any other to their vses, nor from the said feast shall take any annuall rent, or other annuall aduantage or profite, by occasion or colour of any such lease or farme by any manner of meanes, vpon paine to forfeit for every moneth so occupying any such farme at any time after the said feast contrary to this present Act ten pounds, and vpon paine to forfeit tenne times so much as any Spirituall person, or other to his vse, shall take in any annuall rent, aduantage or profite, by occasion or colour of any such lease at any time after the said feast. The one halfe of which forfeiture to be to the King &c. and the other halfe to him that will sue &c. in any of the Kings Courts, in which Action and Suite no wager of Law shall be admitted, &c. And be it &c. That all such Leases made, or hereafter to be made vnto any such Spirituall person or persons, or to any other to their vse for term of life, terme of yéres, or at will, of any manors, lands, tenements, or hereditaments, whereof they, or any of them, shall take any profite, or medling by themselfe,

Farmes of Lease

Letters P.

Forf.

Moity

Farme

Rents

Forf.

Fraud

Forf.

Moitie

Lloyd

Temporalties Vacation

Trauers

Buy Markets Faires

Vitaille Marchandies Folk.

Lloyd Woltie

Horses Mares

Cattels;

Till'age

Spirituall person

Religious persons

sale, or by any other to their vse, after the said feast of Saint Michaell, by colour of any such Lease or Graunt, and not by them bargained, granted, and sold away before the said feast, as is before limited, shall from thencefoorth be vtterly void, and of none effect, aswell against the lessor or lessors, graunter or graunters, their heires and assignes, and against euery of them, as against the lessee or lessees, and their executors and assigns, and euery of them. Prouided alway, that this present Act shall not extend to any spirituall person or persons, in, and for taking to farme any temporalties, during the time of vacations, of any Archbishoprickes, Abbies, Priories, or other Collegiall, Cathedrall, or Conuentuall Churches, nor to any spirituall person or persons, that shall tend or make any trauers vpon any offices or office, concerning his or their freehold. And be it &c. That no Spirituall person or persons, Secular or Regular, of what estate or degree soeuer they be, shall from henceforth by himselfe, nor by any other for him, nor to his vse, bargaine and buy to sell againe, for any lucre, gaine, or profite, in any faires, markets, or other places, anie manner cattels, corues, lead, tinne, hides, leather, tallow, fish, woll, wood, or any manner of vitaile or marchandize, what kinde soeuer they be of, vpon paine to forfeit treble the value of euerie thing by them, or by any other to their vse, bargained and bought to sell againe, contrary to this present Act. And that euery such bargaine and contract hereafter to be made by them, or by any to their vse, contrary to this Act, shall be vtterly voide, and of none effect: and the one halfe of euerie such forfeiture to be to the King our Soueraigne Lord, and the other halfe to him that will sue for the same by originall writ of debt, bill, plaint, or information in anie of the Kings Courts. In which action or suite, no wager of Law for the defendant shall be admitted, nor any essoine, nor protection allowed. Prouided alway, that if any such spirituall person or persons shall happen hereafter without fraud or couin to buy any horses, mares, mules, to the only intent to occupy for himselfe or his seruants to ride to and fro, vpon his necessary businesse, or any other cattels or goods, to the onely intent and purpose at the buying therof, to be imployed and put in and about his necessary apparell of his owne house, or of his person or seruants, or in, for, and about the only occupying, manuring, or tillage of his owne glebe or demeane lands annexed to his Church, or for the necessary expences of his owne houshold keeping: and after the buying of any such horses, cattells, or goods, or exercise of them or any of them, happeneth to mislike any of them, that they should not be good, profitable, nor conuenient for any of the purposes abouesaid, for the which they were bought: That then euery such Spirituall person or persons may lawfully bargaine and put away such things so by him bought, without fraud or couine, for anie of the purposes abouesaide, at his pleasure and aduantage. This Act, or anie thing therein contained, to the contrary notwithstanding. Prouided alwayes, that all Abbots, Priors, Abbesses, Prioresses, Prouosts, Presidents, Maisters of Colledges, and Hospitalles, and all other Spirituall Gouernors and Gouernelles of any spirituall Monasteries or houses of Religion, by what name or names soeuer they be called, hauing manors, lands, tenements, and hereditaments, and other yearely profits in the right of their monasteries or houses, of the yeerely value of vij. C. marks, or vnder, and not aboue, may vse and occupy asmuch, and as many of their demeane lands, as farmes, to their most aduantage, commodity, and profite, to, and for the onely maintenaunce of their houseliolds and hospitalities, in as ample and large manner, as they, or any of them or their predecessors, or the predecessors of any of them, at any time by the space of an hundred yeares last past, before the making of this Act, haue done, vsed and occupied: Anie thing in this present Act to the contrarie notwithstanding. Prouided also, that euerie spirituall person or persons, not hauing glebe or demeane lands in their owne hands, in the right of their Churches, Monasteries and Houses, for pasturage of cattells, or for increase of corne, to, and for the onely expences of their houshold, or for their carriages and iourneys, may take in farme other lands, and buy and sell corne and cattell, for the onely manurance, tillage, and pasturage of such farmes, so that the increase thereof be alwayes imployed, and put to, and for the onely expenses in their houseliolds and hospitalities, and not in any wise to buy and sel again, for any other commoditie, lucre, or aduantage, anie corne or cattell, renewing, comming, or growing in, and vpon any such farme, or otherwise, but only the remaine and ouerplus aboue their expences of their houshold, if any such shall happen to the increase thereof, without fraud or couin. Anie thing in this present Act to the contrary thereof notwithstanding. And be it further enacted, that if any person or persons, hauing one benefice with cure of soule, being of the yearely value of vij. or aboue, accept and take anie other with cure of soule, and be instituted and inducted in possession of the same: That then and immediatly after such possession had thereof, the first Benefice shalbe adiudged in the Law to be voyde. And that it shall be lawful to euery patron hauing thaduowson thereof, to present another, & the presentee to haue the benefit of the same, in such like maner & form, as though the Incumbent had died, or resigned: Any licence, vnion, or other dispensation, to the contrary hereof obtained notwithstanding. And that euery such licence, vnion, or dispensation, had, or hereafter to be obtained, contrary to this present Act, of what name or names, qualitie or qualities soeuer they be, shall be vtterly voide, and of none effect. And if anie person or persons at anie time after the first day of Aprill, in the yeare of our Lord God, one thousand fiue hundred and thirty, contrary to this present Act, procure and obtaine at the Court of Rome, or elsewhere, any licence or licences, vnion, tolleration, or dispensation, to receiue and take any moe Benefices with cure, then is aboue limited, or else at anie time after the saide day, put in execution any such licence, tolleration, or dispensation before that obteined contrarie to this act: that then euery

300. marks

Demeane lands

Glebe

Farmes

Corne

Pasture

Benefice

Lloyd Parson Patron

Vnion Dispensation

Lloyd

Rome Licence

euery such person or persons so after the said dew sueing for himselfe, or receiuing or taking such benefices by force of such licence or licences, vnion, tolleration, or dispensation that is so as the same person or persons only, and none other, shall for euery such default incurre the danger, paine, and penalties of twentie pounds sterling, and also lose the whole profits of euery such benefice or benefices, as he receiued or taketh by force of any such licence or licences, vnion, tolleration, or dispensation. The one halfe of which forfeiture to be to the King &c. And the other halfe thereof to him that will sue for the same, &c. In which suit no wager of Lawe to be admitted or allowed. Prouided allwais, that this Act concerning not keeping of moe benefices with cure of Soule then one, extend not be preiudicial to any person or persons, which at any time before the said first day of Aprill, in the yeere of our Lord God one thousand fiue hundred and thirtie, shall bee really intituled or possessed of any such benefices with cure of soule as concerning or touching any of the said benefices, whereof they shall then be already really intituled or possessed before the sayd day, to or vnder the number of foure, and not aboue, and if any such Spirituall person or persons so being intituled or possessed of moe benefices with cure of Soule, then foure, doe not by the sayd first day of Aprill, clearely and without yerely pension, pe-sione or otherwise giue vp all and euery such benefice or benefices, as he shall be so intituled and possessed of, aboue the sayd number, that then it shall be lawfull for euery patron, hauing the Aduowson of any such benefice ouer the nūber aforesayd, to present an other, and the Presentee to haue the benefit of the same, in like manner and forme, as though it had beene voyd by death or resignation of the incumbent, any Licence, Union, or other dispensation to the contrary hereof obtayned notwithstanding. And this clause of presentation to be taken and vnderstanden of such benefices with cure of Soule, as were giuen to any such Spirituall person after the sayde number of foure benefices with Cure, finished and fulfilled. Prouided also, that all Spirituall men now being, or which hereafter shall bee of the Kings Councell, may purchase Licence or Dispensation, and take, receiue, and keepe three Parsonages or Benefices, with cure of Soule, and that all other beeing the Kings Chapleines and not sworne of his Councell, and Chapleines of the Quéene, Prince or Princesse, or of any the Kings Children, Brethren, Sisters, Vncles, or Aunts, may semblably purchase licence or dispensation, and receiue and keepe two Parsonages or Benefices with cure of Soule. And in likewise, that euery Archbishoppe and Duke may haue six Chaplaines, whereof euerie one shall and may purchase Licence or Dispensation, and take, receiue, and keepe two Parsonages or Benefices with cure of Soule: and that euery Marquesse and euery Earle may haue fiue Chapleines, whereof euery one may purchase licence or Dispensation, and take receiue and keepe two Parsonages or Benefices with Cure of Soule. And that euerie Vicount and other Bishoppe may haue foure Chapleines, whereof euery one may purchase Licence, and receiue haue and keepe two Parsonages or Benefices with cure of Soule, as is aforesayd. And that the Chauncelor of England for the time being, and euery Baron and Knight of the Garter, may haue three Chapleines, whereof euerie one shall now purchase Licence or Dispensation, and receiue, haue, and keepe two Parsonages or Benefices, with cure of Soule. And that euery Duchesse, Marquesse, Countesse, and Baronesse, being Widowes, may haue two Chapleins, whereof euery one of them may purchase Licence or Dispensation to receiue, haue and keepe two Benefices, with cure of Soule, and that the Treasorer and Controuler of the Kings houses, the Kings Secretarie, and Deane of his Chappell, the Kings Almner, and the Maister of the Rolles, may haue euerie of them two Chapleins, and the chiefe Justice of the Kings Bench one Chapleine, and the Warden of the fiue Portes for the time being one Chapleine, whereof euery one may purchase Licence, and receiue, haue, and keepe two Parsonages or Benefices with cure of Soule. And that the brethren and sonnes of all Temporall Lords, which are borne in wedlocke, may euerie of them purchase Licence or Dispensation, and receiue, haue and keepe as many Parsonages or Benefices with cure, as the Chapleines of a Duke or an Archbishop. And likewise the brethren and sonnes borne in wedlocke of euerie Knight, may euerie of them purchase Licence or Dispensation, and receiue, take, and keepe two Parsonages or Benefices, with cure of Soule. Prouided alwayes, that the sayde Chapleines so purchasing, taking, receiuing, and keeping Benefices, with cure of Soule, as is aforesayde, shall be bound to haue and exhibite where need shall be, Letters vnder the signe and Seale of the King, or other their Lord and Master, testifying whose Chapleines they bee, and else not to enioy any such pluralitie of Benefices by such Chapleines: Any thing in this act notwithstanding. Be it also prouided, that all Doctors and bachelers of Diuinity, Doctors of law, and bachelers of the Canon law, and euery of them, which shalbe admitted to any of the said degrees, by any of the vniuersities of this realm, and not by grace only, may purchase licence, and take, haue and keepe two parsonages or benefices, with cure of soules, so that alwayes the said liberty by any of the prouisions before said, giuen to any of the said Councelors, Chapleines and other persons before specified, to purchase licence or dispensation, and take, receiue, and keepe more benefices then one, after the maner and form aforesaid, be taken and vnderstanden to extend in number to no more benefices, with cure of soule, then is aboue limited, accounting in the same, and as parcell thereof, such Benefices with cure of Soule, as any of the sayd persons shal haue in real title, or in their possession, at the sayd first day of Aprill, in the yeere of our Lord God, one thousand

Vicount
Bishop
Foure chapleines
Two benefices
Chancelor
Baron
Knight
Three chapleines
Two benefices
Duchesse
Countesse
Widowes
Two chapleines
Two benefices
Chief Iust.
Warden of the fiue portes
Lords sons
Lords brethren
Knight
Letters testimoniall
Doctors
Bachelers
Two benefices
Cure of soule

Archbiſhop Eight chapleines

Biſhop Seuē chapleines

fiue hundred and thirtie. Prouided alſo that euerie Archbiſhoppe, becauſe hee muſt occupie eight Chapleines, at conſecration of Biſhoppes: And euery Biſhoppe, becauſe hee muſt occupie ſeuen Chapleines at giuing of orders, and conſecration of Churches, may euery of them haue two Chapleines ouer and aboue the number aboue limited vnto the, whereof euery one may purchaſe licence of diſpenſations, and take, receiue, and keepe as many parſonages or benefices, with cure of Soule, as is before aſſigned to ſuch Chapleins: Prouided alſo and be it &c. that noe perſon or perſons, to whom any number of Chapleines, or any Chapleine by any of the prouiſions aforeſayd is limited, ſhall in any wiſe by colour of any of the ſame proui ſions, aduance any ſpirituall perſon or perſons, aboue the number of them appointed to receiue, or keepe any more benefices with cure of Soule, then is aboue limited by this Act: Any thing ſpecified in the ſaid prouiſions notwithſtanding. And if they doe, then euery ſuch Spirituall perſon or perſons ſo aduaunced aboue the ſayd number, to incurre the payne and penaltie contained in this Act. Bee it alſo enacted, that aſwell euery Spirituall perſon nowe being promoted to any Archdeaconrie, Deanrie, or dignitie to any Monaſterie or Cathedrall Church, or other Church conuentuall or collegiall, or being benificed with any Parſonage or Vicarage, as all and euerie Spirituall perſon or perſons, which hereafter ſhall bee promoted to any of the ſayde dignities or benefices, with any Parſonage or Vicarage, from the feaſt of Saint Michaell the Archangell next comming ſhall be perſonally reſident and abiding in, at, and vpon his ſayd dignitie, Prebend or Benefice, or at one of them at the leaſt. And in caſe any ſuch Spiritual perſon, at any time after the ſayd Feaſt, keepe not reſidence at one of the ſayd Dignities, Prebends or Benefices, as is aforeſaid, but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two Monethes, to be accounted at ſeuerall times in any one yeere, and make his reſidence and abiding in any other places by ſuch time, that then hee ſhall forfeite for euery ſuch default, tenne pounds ſterling. The one halfe thereof to the King &c. And the other halfe of the ſame to the partie that will ſue &c. In which action and ſuite the Defendant ſhall not wage his Lawe &c. And if any perſon or perſons procure or obtain at the Court of Rome, or elſewhere, any manner of licence or diſpenſation, to be non reſident at their ſaid Dignities, Prebends or Benefices, contrarie to this act, that then euery ſuch perſon or perſons putting in execution any ſuch diſpenſation or licence for himſelfe, from the ſayd firſt day of Aprill, in the yeere of our Lord God, one thouſand fiue hundred and thirtie, ſhall runne and incurre in the penaltie, damage, and payne of twenty pounds ſterling for euery time ſo doing, to be forfeited and recouered as is aboueſayd, and ſuch licence or diſpenſation ſo procured, or to be put in execution, to be voyd and of none effect. Prouided alwayes, that this Act of non reſidence, ſhall not in any wiſe extend, ne bee preiudiciall to any ſuch Spirituall perſon as ſhall chance to bee in the Kings ſeruice beyond the Sea, nor to any perſon or perſons going to any Pilgrimage, or holy place beyond the Sea, during the time that they ſhall be in the kinges ſeruice, or in the Pilgrimages going and returning home, nor to any Scholler or ſcholler being conuerſant and abiding for ſtudie without fraude or couin at any Vniuerſitie within this Realme or without, nor to any of the Chapleines of the Kings or Quenes, daily or quarterly attending and abiding in the kings or Quenes moſt honorable houſholds. Nor to any of the Chapleines of the Prince or Princes, or any of the Kings or Quens children, brethren or ſiſtern, attending daily in their honorable houſholds, during ſo long as they ſhall attend in any of their ſaid houſholds. Nor to any Chapleine of any Archbiſhop or Biſhop, or of ſpirituall or temporall Lords of the Parliament, daily attending, abiding, and remaining in any of their honorable houſholds. Nor to any chaplein of any Duchelle, Marquelle, Countelle, Vicountelle, or Baronelle, attending daily, & abiding in any their honorable houſholds. Nor to any Chapleine of the Lord Chancelor or Treaſorer of England, the Kings Chamberlaine or Steward of his houſholds for the time being, the Treaſorer and Comptroller of the kings moſt honorable houſhold for the time being, attending daily in any of their honorable houſholds. Nor to any chapleine of any of the knights of the honorable order of the garter, or of the chief Juſtice of the kings bench, warden of the Portes, or alſo of the Maſter of the rols. Nor to any Chapleine of the kings Secretarie, and Deane of the Chappell, or Amner for the time being, daily attending and dwelling in any of their houſholds, during the time ỳ any ſuch chaplein or chapleines ſhall abide & dwel, without fraud or couin, in any of ỳ ſaid honorable houſholds. Nor to the Maſter of the Rolles, nor Deane of the Arches. Nor to any Chancelor or commiſſary of any Archbiſhoppe or Biſhoppe. Nor to as many of the twelue Maſters of the Chauncerie, & twelue Aduocates of the Arches, as be or hereafter ſhall be ſpirituall men, during ſo long time as they ſhal occupie their ſaid rowmes and offices. Nor to any ſuch ſpirituall perſons as ſhall happen by iniunction of the L. Chancelor, or the kings councel to be bound to any daily appearance and attendance to anſwer to the Lawe, during the time of ſuch Iniunction. Prouided alſo, that it ſhall be lawfull to euery ſpirituall perſon or perſons, being Chapleines to the king our Soueraign Lord, to whom it ſhall pleaſe his Highneſſe to giue any Benefices or Promotions ſpirituall, to what number ſoeuer it bee, to accept and take the ſame without incurring the danger, penaltie and forfeiture, in this eſtatute compriſed. And that alſo it ſhall bee lawfull for the Kings Highneſſe, to giue licence to euerie of his owne Chapleines for non reſidence vpon their benefices: any thing in this preſent Act contayned to the contrarie notwithſtanding. And be it enacted &c. That no Spirituall perſon Secular, Regular beneficed with cure as is afore rehearſed, from the Feaſt of Saint Michaell the Archangell

next

Reſident

Abſent One moneth

Forf.

Moitie

Rome

Non reſident

Forf.

Voyd

R. ſeruice

Pilgrims

Scholler

R. Chapleins

Princes Chapleins

Archbiſh. Biſhop

Duches

Iniun.

Licence non reſi dence.

nert comming, by authoritie of any maner licence, dispensation, or otherwise, shal take any particular stipend or salarie to sing for any soule, nor haue, occupie by himselfe, or by any other to his vse, any parsonage or vicarie in farme, of the lease or graunt of any person or persons, nor take any profit or rent out of any such farme, vpon paine to forfeit fortie shillings for euery such weeke that he or any to his vse shall occupie or haue any such stipend or farme contrary to this present Act; and vpon payne to lose tenne times the value of such profit or rent as he shall take out of any such farme after the sayde fealty. The one halfe of which forfeiture to bee to the King &c. And the other Moitie to him that will sue &c. in any of the Kings Courts, in which suite &c. no wager of Lawe shall bee admitted &c. Prouided alwayes that no Deanrie, Archdeaconry, Chauncelorshippe, Treasurership, Chantership, or Prebend, in any Cathedrall or collegial church, nor parsonage that hath a Vicar indued, nor any benefice perpetually appropriate, be taken or comprehended vnder the name of benefice hauing cure of soule, in any article afore specified. Prouided also and bee it &c. That noe spirituall person or persons, regular or secular of what estate, degree or condition soeuer he or they be, from the first day of Aprill, next comming, haue, vse, or keepe, by him or themselues, or by any person or persons, to his or their vse or commoditie, any maner of Tanhouse or Tanhouses to be vsed or occupied to his or their owne vse, commoditie, or behoofe, nor from the sayd first day of Aprill nert comming, shall haue, vse or keepe any manner of Brewhouse or Brewhouses, to any other vse, intent, or behoofe, then onely to bee spent and occupied in his or their owne houses, vpon payne to forfeit for euerie moneth so vsing and occupying any of the sayd misteries or occupations, tenne pounds. The one Moitie thereof to the King &c. and the other Moitie to him that will sue &c. in any of the Kings Courts, in which action and suite no wager of Lawe shall be admitted &c. Prouided alwayes, that euerie Duchesse, Marquesse, Countesse, Baronesse, widowes, which haue taken, or that hereafter shall take any husbands vnder the degree of a Baron, may take such number of Chapleines as is aboue limited, to them being widowes, and that euerie such Chapleine may purchase Licence to haue and take such number of benefices with cure of Soule, and haue like libertie of Non residence, in manner and forme as they might haue done, if their said Ladies and Mistresses had kept themselues widowes: Any thing in this present act contayned to the contrary notwithstanding. Prouided alwayes, that euery Spirituall person or persons hauing Landes, Tenements, or other possessions in the right of their houses, aboue the yerely value of eight hundred Markes, may keepe and retayne in their occupation and manurance, as much of their said Landes and Tenements and other possessions, as shall bee necessarie and sufficient for pasturage of their Cattels, & for tillage of Corne, to bee imployed and spent for the onelie maintenance, sustentation and keeping of his or their household and hospitalles, without fraud or couin, any thing in this present Act to the contrary notwithstanding. Prouided alway, that it may bee lawfull to euerie Spirituall person and persons, to take in farme any Peales, Mansions, or dwelling houses, hauing but onely Orchardes or Gardens, in any Citie, Borough or Towne, for their owne habitation or dwelling: Any thing in this Act to the contrarie notwithstanding. So that noe person Spirituall, other then bee aboue prouided for, for their Non residence, haue any Libertie of Non residence by colour of this Prouiso. Anno 21. Henr. 8. cap. 13. See Rome 5. diuers Articles of this Act repealed. Farme Dwelling house. Non residence.

3 As well euerie Iudge of the sayd high courts (s. of the common place and Kings Bench) and euery of the Chauncelor and chiefe Baron of the said Exchequer, the Kings generall Attorney, and generall Solicitor, which for the time is, be, or shal be, shall and may from henceforth at his libertie retaine and haue singularly to euery of them in his house, or attendant on his person, one Chapleine to haue one benefice with cure of soules, which may bee absent from his sayde benefice, and not resident vpon the same: The sayde Statute made in the sayd one & twentieth yere cap. 13. (before 2.) or any other Statute, Act, or Ordinance made to the contrary, in any wise notwithstading. An. 25. H. 8. cap. 16. Iudges. Chapleins.

4 All and singular Spirituall person and persons which now be, or hereafter shall be to any benefice or benefices promoted, as is aforesaid, being aboue the age of fortie yeres: The Chauncelor, Vicechauncelor, Commissarie of the saide Vniuersities, or any of them, Wardens, Deanes, Prouostes, Presidents, Rectors, Masters, Principals and other head rulers of Colledges, Halles, and other houses or places corporate within the sayde Vniuersities, or any of them, Doctors of the chaire, Readers of Diuinitie in the common Scholes of Diuinitie in any of the sayde Vniuersities onely excepted, shall bee resident and abiding, at, and vpon one of their said benefices, according to the intent and true meaning of the said former act, vpon such pain & penalties as be contained in the said former act, made & appointed for such benefices persons for their non residence. And y none of the said beneficed persons, being aboue the age aforesaid (except before excepted) shal from henceforth be excused of their non residence vpon the said benefices, for that they be students, or resiant within the said vniuersities, or any of the: any prouiso, or any other clause or sentence specified or conteined in the said former act of nō residence, or any other thing or things to the contrary hereof in any wise notwithstanding. And ouer this be it &c. that all & singuler such beneficed persons, being vnder the age of forty yeres, resiant & abiding within the said vniuersities, or any of them, shall not enioy the priuiledge and libertie of non residence, contayned in the Prouiso of the sayde former act, made for the Scholers and Students of the sayde Vniuersities, or any of them, vnlesse he or they bee present, at the ordinaris Age.

Lecture and Lectures, as well at home in their houſes, as in the common Schoole or Schooles, and in their proper perſons, keepe Sophemes, Problemes, Diſputations, and other exercíſes of learning, bee apponent and reſpondent in the ſame, according to the Ordinances and Statutes of eyther of the ſayde Vniuerſities, where hee or they ſhall bee ſo abiding or reſiant, any thing contayned in the ſayd Prouiſo, or former Act, to the contrarie notwithſtanding. Prouided alway, that this Act ſhall begin to take effect at the feaſt of Saint Michaell the Archangell next comming, and not before. Prouided alway, that this Act, nor any thing therein contayned, ſhall extend to any perſon or perſons, which now is, or hereafter ſhall bee Readers of any publike or common Lecture in Diuinitie, Lawe ciuill, Phiſicke, Philoſophie, Vmanitie, or any of the liberall Sciences, or publike or common interpreters or Teachers of the Hebrew Tongue, Chaldie or Græcke, in whatſoeuer Colledge or place of any of the ſayde Vniuerſities the ſayd perſons for the time being, ſhall reade the ſame common or publike Lectures. Nor yet to any perſon or perſons, which after or about the age of fortie yeares, ſhall reſort to any of the ſayde Vniuerſities to proceed Doctors in Diuinitie, Lawe ciuill, or Phiſicke for the time of their proceedings, and executing of ſuch Sermon, diſpoſitions of Lectures, which they be found in the Statutes of the Vniuerſities there to doe for the ſayde degrees ſo obtayned. Anno 28. Henr. 8. cap. 13.

Readers

5 That the Chauncelor of the ſayde Court of the Duchie of Lancaſter, the Chauncelor of your Highneſſe Court of Augmentations, the Chauncelor of your Graces Court of firſt Fruites and tenths, the Maſter of your Highneſſe Wardes and Lineries, and euery of your Graces ſeuerall Surueyors, of your Highneſſe Landes, the Treaſorer of your Graces Chamber, the Treaſorer of your Highneſſe Court of Augmentations, and the groome of your graces ſtole, and euery of them for the time being, ſhall and may receiue ſingularly to euery of them in his houſe, or attendant vnto his perſon, one Chapleine hauing one Benefice with cure of ſoules, which may be abſent from his ſayde benefice, and not reſident vpon the ſame, the ſaid eſtatute made in the one & twentieth yeare of your moſt gratious raigne (cap. 13. before 2.) or any other eſtatute, act or ordinance made to the contrary in any wiſe notwithſtanding. Prouided alway & be it &c. ỳ euery of ỳ ſayd Chapleins ſo being beneficed, as is aforeſaide, and dwelling with any of the officers aforenamed, ſhall perſonally repaire two times in euery yere at the leaſt, to his ſayd benefice and cure, and there to tarie and abide by the ſpace of eight daies at euery ſuch time at the leaſt, to viſit and inſtruct his ſaid cure, vpon the payn to forfeit for euery time ſo fayling, forty ſhillings, the one moitie thereof to the King &c. the other to ſuch as will ſue &c. in any of the Kings Courts of Record, in which ſuit no eſſoine &c. ſhalbe allowed. Añ 33. H. 8. cap. 28.

Chancelor Lancaſter
Chancelor
Maſter of wards
Surueyors
Treaſorer
Groome
Chapleine
Non reſident
8. Daies
Forf.
Moitie

Reaſonable ayde.

Reaſonable ayde.

FOraſmuch as before this time reaſonable ayde to make ones Sonne Knight, or to marie his daughter, was neuer put in certain, nor how much ſhould be taken, nor at what time, whereby ſome leuyed vnreaſonable aid, and more then often ſeemed neceſſary, whereby the people were ſore grieued: It is prouided, that from hencefoorth of a whole knights fee there bee taken but twentie ſhillings. And of twenty pound land holden in ſocage, twentie ſhillings, and of more, more, and of leſſe, leſſe, after the rate. And that none ſhall leuie ſuch aide to make his ſon knight, vntill his ſonne be fiftene yeares of age, nor to marie his daughter, vntill ſhe be of the age of ſeauen yeares. And of that there ſhall be made mention in the kings writ, ſommes on the ſame, when any will demaund it. And if it happen, that the father, after hee hath leuyed ſuch aide of his tenants, die before hee hath married his daughter, the executors of the father ſhall be bound to the daughter, for ſo much as the father receiued for the aid. And if the fathers goods be not ſufficient, his heire ſhalbe charged therewith vnto the daughter. Weſt. 1. cap. 35. An. 3. E. 1.

Knights
Knight Some Daughter
Executors
Heires

2 Reaſonable ayd to make the Kings eldeſt ſon knight, and to marrie his eldeſt daughter, ſhall bee demaunded and leuyed after the forme of the Statute therof made, and not in other maner, that is to ſay, of euery fee holden of the King without mean, twentie ſhillings, and noe more, and of euerie twentie pound of land holden of the King without mean in ſocage, twentie ſhillings and noe more. An. 25. E. 3. cap. 11.

K. ſonne K. daughter

Reſtitution.

ANno 1. H. 4. c. 5. it was enacted, that they that were forejudged by the parliament holden añ 21. R. 2. or their heires, ſhould bee reſtored to their lands, & to ſuch of their goods, as the King was not anſwered of.

2 If any felon or felons hereafter do rob or take away any mony, goods, or cattels, from any of the K. ſubiects from their perſon, or otherwiſe within this realm, & therof ỳ ſaid felon or felõs be indicted, & after arraigned of the ſame felony, & found guiltie therof, or otherwiſe attainted by reaſon of euidence giuen by the party ſo robbed, or owner of ỳ ſaid mony, goods or cattels, or by any other by their procurement, that then the party ſo robbed, or owner ſhalbe reſtored to his ſaid money, goods & cattels, & that aſwel the Juſtices of Gaole deliuery, as other Juſtices, afore whom any ſuch felon or felons ſhall be found guilty, or otherwiſe attainted, by reaſon of euidence giuen by the party ſo robbed or owner, or by any other their procurement, haue power by this preſent act, to award from time to time writs of reſtitution for the ſaid money, goods, & cattels, in like maner as though any ſuch felon or felons were attainted at the ſuit of the party in appeale. An. 21. H. 8. cap. 11.

Felon
Reſtitution goods Juſtices
Writs reſtitution

Reſtitu-

Resumption.

ANno 1.R.3.cap.15. An act was made whereby all letters patents, statutes, confirmation, and acts of parliament of any hereditanents made to Quéene Elizabeth, wife to king Edward the 4. were made voide, and all men to bee discharged of the profits and trespasses thereof.

8. Ann' 28.H.6. An act was made, whereby all lands, tenements, graunts, annuities, rents, and fees, graunted by the king since the first day of his raigne, were resumed. And after An. 31.H.6. c.8. the resumption was repealed concetning the fees, wages, rewards, & profits of the Officers, which were the first day of his raigne or before.

Returne of Shirifes and Baylifes.

SUch as doe feare the subtilty of Shirifes, shall deliuer their writs originall and iudiciall in the open county, or againe in the shire, where the collection of the kings mony is, and may take of the shirife or vndershirife being present, a Bill, wherein the names of the demaundants and tenants mentioned in the writ shall bee contayned, and at the request of him that deliuered the writ, the Seale of the shirife or vndershirife shall be put to the bill for a testimonie, and mention shall bee made of the day of the deliuerance of the writ. And if the Shirife or Vndershirife will not put his seale to the bil, the witnesse of Knights and other credible persons being in presence, shalbe taken, that put their seales to such bill. And if the shirife will not return writs deliuered vnto him, and complaint therof be made to the Justices, a writ iudiciall shall goe vnto the Justices assigned to take Assises, that they shal inquire by such as were present at the deliuerance of the writ of the Shirife, if they knew of the deliuerance, and the inquest shall be returned. And if it be found by the inquest, that the writ was deliuered to him, damages shall be awarded to the plaintife or demandant, hauing respect vnto the qualitie and quantity of the action, & to the perill that might haue come to him by reason of the delay that he sustained, and by this meane there is remedie when the Shirife returneth, that the writ came too late, whereby he could not execute the kings commaundement. Oftentimes also plees, be delayed, by reason that the shirif returneth, that he hath commanded the bailifes of some Liberty, which did nothing therein, and nameth Liberties that neuer had the returne of Writs, whereupon our soueraigne lord the king hath ordained, that the Treasorer and barons of the Exchequer shall deliuer in a Rol all the liberties in all maner of Shires that haue returne of writs. And if the Shirife answere, that he hath made returne to a Bailife of any other liberty, then is contained in the said Roll, the Shirife shall bee forthwith punished, as a disheritor of the King and his Coowne. And if peraduenture he return, that he hath deliuered the writ to a Bailife of some Libertie, that indeed hath returne, the Shirife shal be commaunded, that hée shall not spare for no Libertie, but to execute the Kings Precept, and that he doe the Baylifes to wit, to whom hee returned the Writ, that hee be ready at a day contayned in the Writ, to answer why they did not execute the Kings precept. And if they come at the day, and acquite themselues, that no returne was made to them, the Shirife shall be forthwith condemned to the Lord of the same Libertie, and likewise to the party grieued by the delay, for to render damma- Damages Bailifes
ges. And if the Bailifes come not in at the day, or doe not acquite themselues in manner aforesaid in euery iudiciall Writ, so long as the plée hangeth, the Shirife shall bée commaunded to spare for noe Libertie, &c. Many times also Shirifes make false Returnes as touching these Articles, Quod de exitibus &c. Returning sometime, and lying, that there bée noe issues, sometimes that there are are small issues, when they may returne great, and sometime doe make mention of noe issues: wherefore it is ordayned and agréed, that if the plaintife demaund of the Shirifes returne, it shall bee graunted him. And if hée offer to auerre, that the Shirife might haue returned greater issues vnto the King, hée shall haue a writ Judiciall vnto the Justices assigned to take Assises, that they shall inquire in presente of the Shirife, (if he will bee there) of what and how great issues the Shirifes might haue made returne from the day of the Writ purchased, vnto the day contayned in the Writ. And when the Inquest is returned, if he haue not afore answered for the whole, hee shall be charged with the ouerplus by the estreats of the Estreats
Justices deliuered in the Exchequer, & neuertheless shall be grieuously amerced for the concealement. And let the Shirife knowe, that Rents, Corne in the Granage, and all moueables (except Horse harnesse, and household stuffe) be contayned within the name of the issues. And the Issues
King hath commaunded, that Shirifes shall be punished by the Justices once or twice (if néed bée) for such false Returnes. And if they offende the third time, none shall haue to doe therewith but they king. They make also many times false answers, returning that they could not execute the False answers
Kings Precept, for the resistance of some great man: wherefore let the Shirifes beware from henceforth, for such manner of answeres redound much to the dishonour of the King and of his Crowne. And as sone as his vnderbailifes doe testifie, that they found such resistance, forthwith all things set apart, (taking with him the power of the shire) he shall goe in proper person to do execution: And if he find his vnderbailifes false, he shall punish them by imprisonment, so ỹ other by their example may be informed. And if he doe find them true, hee shall punish the resisters, by imprison- Imprison-
ment, from whéce they shall not be deliuered with- ment.
out the kings speciall commandement. And if perease the Shirife when hée commeth, doe finde resistance, hée shall certifie to the Court the names of the resisters, ayders, consenters, com-

Attach

maunders, and fauourers, and by a writ Judiciall they shalbe attached by the bodies to appeare in the Kings Court: And if they bee conuict of such resistance, they shal be punished at the Kings pleasure: neither shall any Officer of the Kings meddle in assigning the punishment, for our Soueraigne Lord the King hath reserued it specially to himself, because that resisters bene reputed disturbers of of his peace and of his Realme. West. 2. ca. 39. An. 13. E. 1.

Shirife

2 Because the punishment of Trespas for the desert of any person offending ought to be set, and many Shirifes of the Realme are altogether lay, hauing no knowledge of returne of Writs, which hitherunto haue bene returned into the Kings Court, sometime are learned, yet hauing so great confidence ouer their Clerks doings, that of writs to them directed, to bee ouerseene and examined, they care not any thing to meddle themselues therwithall, and alwayes in times past, as well in the Exchequer, as elsewhere in the Kings Courts it hath beene vsed, that for writs executed vnduely, the Shirifes to whom they were directed, haue beene amerced, and their Clerkes which haue returned and made false, fained, and friuolous answers to the same writs, nothing at all, whereby it is presumed, and thought to be true, those clerks to haue taken more audacitie of offending. The honorable Fathers W. of Hotham, Archbishoppe of Dublin, W. of Luda, of Ely, W. of Grauesend of London, W. of Langton of Couentry, and the Bishoppe of Lichfield the Kings Treasorer, and John of Langton Chancelor of England, John of Cobham, and his fellowes Barons of the Exchequer aforesaid: also the Justices of eyther Bench, and other more of the Kings Counsell called together to the same Exchequer at Westminster the thursday in the feast of S. Valentine, in the yeere of King Edward twenty six consulting to prouide a remedie in the case aforesaid, that hereafter clerks of Shirifes, giuing false answers to the K. writs, may know, not to passe ouer such their deceitfulnesse vnpunished, as hitherto they haue done, neyther the Shirifes in that case for the doings of their Clerkes, may receiue punishment, as before veris often they haue done. They haue agreed and prouided, that they answere before the Treasorer and Barons of the Exchequer of our Lord the King, and elsewhere in the Courts of the same King, before his Justices whatsoeuer, of false returns, and aswel the Clerkes as the Shirifes themselues bee punished, so that if default of returne bee found in the person of the Clerke, and not in the person of the Shirif, the Clerk shal satisfie to the party hurt, of the losse which the party can lawfully shew, that he sustained for default of the return aforesaid, and neuertheless towards the King, shall be punished, according to the discretion of the Justices before whom hee shall bee conuicted, hauing regard to the quantitie of the offence, and the Shirifes then in that case shall be quiet, so that their Clerkes be sufficient to satisfie, as is aforesaide, to which if they be not, for their default, the Shirifes vnder whom these Clerkes do intend such office, shall answer and satisfie, and it is to be knowne that this prouision, from the day of the making of the same, hath beene obserued of the Shirifs and their clerks in London and Middlesex, because they are forewarned of the same &c. And as to the other Shirifes of the Realme, and their Clerkes, the prouision aforesaid shall hold place in the morow of the clause of Easter next comming, and not before, because then they shall bee forewarned, vpon their proffer, and afterward in the morow of the clause of Easter in the yeere of King Edward 28. the prouision aforesaid was expounded in the Exchequer to all Shirifes of England, and then it was agreed by the K. Councel, that clerks of shirifs giuing false answers, should be punished at the summons of the Exchequer vpon the account of shirifes, if they bee conuicted hereupon in forme as aboue is prouided to punish them for writs falsly executed. Tractatus contra Vicecomites & Clericos.

Shirife

Clerke of the shirife

Amerce Clerke

Clerici

Parish

Shirife

Clerke Damages

Shirife

Shirife

Shirife

Auditor

Account

Execution

3 And because it is many times complayned in the Kings Court vpon returnes, that Baylifes of franchises (hauing full power to returne the Kings writs) haue deliuered to Shirifes that haue beene afterward changed, and otherwise returned in the Kings Court, to the dammage of the parties, and the delay of right: It is agréed, that to such returnes as hereafter be deliuered to Shirifes by such Bailifes of franchises, an Indenture shall be made betweene the Baylife of the franchise by his proper name, and the Shirife by his proper name. And if the Shirife change the returne so deliuered to him by Indenture, and be thereof conuict of the suit of the Lord of the franchise, of whom he receiued the returne, if the Lord haue had any damage, or if his franchise bee distrained, or at the suit of the party that hath sustained losse through that occasion, he shall be punished by the King for his false returne, and shall yéld vnto the Lord and to the partie double dammages. Also it is agréed, that from henceforth Shirifes and other Bailifes, that receiue the Kings writs, returnable in his Court, shall send their owne name with the returnes, so that the Court may know of whom they toke such returnes if néed be, and if any Shirife or other Bailife leaue out his name in his returns, he shall bee grieuously amerced to the Kings vse. An 12. E. 2. cap. 5.

Bailifes

Indenture

2. Damage

Amerc

4 Such execution shall bee done of them that make false returnes of writs (whereby right is deferred) as it is ordayned in the second Statute of Westminster with like payne at the Kings commandement. An. 28. E. 1. cap. 16. Stat. de Articul. super chartas.

5 It is prouided, that from henceforth against the false returnes of Bailifes of franchises, which haue full return of writs, a man shall haue auerrement and recouer as well against them, as against the K. shirif, aswel of two little issues returned, as in other cases, so that it falleth not in preiudice of the Lords, nor in the blemish of their franchise. And y the estate of holy Church bee alwaies saued. And that all the punishment fal only vpon the Bailifes by punishment of their bodies, if they haue not whereof to answer. An. 1. E. 3. cap. 5.

Bailifes

Auerrement

Church

6 Where

6 Where it was ordained by the Statute of Weſtminſter 2. thoſe that will deliuer their writs to the Sherife, ſhall deliuer them in the full Countie, or in the nexte Countie, and that the Sherife or Vndersherife ſhall thereupon make a bill: It is accorded and eſtabliſhed, That at what time or place in the Countie a man doth deliuer any writ to the Sherife, that they ſhall receiue the ſame writs, and make a bill, after the forme contained in the ſame Statute, without taking any thing therefore. And if they refuſe to make a bill, other that be preſent ſhall ſet to their Seales, and if the Sherife or Vndersherifes doe not returne the ſayd writs, they ſhall be puniſhed after the forme contained in the ſame Statute. And alſo the Juſtices of Aſſiſes ſhall haue power to inquire thereof at euerie mans complaint, and to award dammages, as hauing reſpect to the delay, and to the loſſe and perill that might happen. Anno 2. Edw. 3. cap. 5.

7 An. 4. H. 6. cap. 1. An Act was made to endure to the nexte Parliament, concerning the returne of Sherifes.

Reuenues.

ANno 1. H. 8. cap. 3. An Act was made. That Acquitãces made by Iohn Peiron the kings generall Receiuor, or any other appointed to the Office, ſhall be a good diſcharge againſt the King, to endure to the nexte Parliament. And that the ſame Iohn Peiron, and euerie other perſon that ſhall haue the ſaid or like Office of Receipt, be chargeable and charged to euerie perſon and perſons, Spirituall and Temporall, now hauing, or that hereafter ſhall haue any intereſt in any part of his or their receipts, by title of inheritance, or ſucceſſion, or by graunt, aſſignement, Act of Parliament, or otherwiſe. And that euerie of them haue like remedie againſt the ſaid Iohn, and euerie other perſon that ſhall haue the ſaid or like Office of Receipt, as they haue had, or ought to haue had againſt any other perſon that haue receiued of any of the premiſſes, this preſent Act notwithſtanding. And that euerie ſuch perſon Spirituall or Temporall, for non payment of all ſuch ſummes of money, as they or any of them ought to haue of the ſaid Receipts, by title of inheritance, or ſucceſſion, or by graunt, aſſignement, Act of Parliament, or otherwiſe, haue their actions and remedies in euerie of the Kings Courts againſt the ſaid Iohn, and euerie other perſon, hauing the ſame or like Office of Receipt, for their recouerie and paiment of all ſummes that ſhall be ſo due vnto them, or any of them, after the firſt day of this preſent Parliament. An. 1. H. 8. cap. 3.

Rie and Winchelſey.

ANno 2. Ed. 6. cap. 30. Is an Act made againſt Balaſt to bee caſt into the Chanell. See the Statute.

Richmond.

FRom the Feaſt of Saint Marke the Euangeliſt nexte comming, no manner of Spirituall perſon or others, now haning, or that from the ſaid Feaſt ſhall haue any manner of benefice or other Spirituall promotion within the ſaid Archdeaconrie (of Richmond in Yorkeſhire) ſhall in no wiſe aſke, leuie, demaund, or take, after the deceaſe of any perſon or perſons, any ſuch portions, or penſions, nor any other demaund or duetie, in the name or lieu of the ſame, vpon paine to incurre ſuch dangers, forfeitures, and penalties, as be contained in the Statute of Prouiſors, made in the fiue and twentieth yeare of the raigne of our moſt noble progenitor King Edward the third, but that all and euerie the Kings ſubiects of the ſaid Archdeaconrie, and their executors and adminiſtrators from henceforth ſhall be ordered, intreated, and vſed for their goods and cattels, after their deceaſe, in like maner, forme, order, and condition, as is contayned in the Statute made in the one and twentieth yere of your moſt noble and victorious raigne, for Probate of Teſtaments, and none otherwiſe: Any vſe, cuſtome, bill, compoſition, preſcription, or ordinance heretofore had, obtained, or vſed to the contrarie, within the foreſaid Archdeaconrie, in any wiſe notwithſtanding. An. 26. H. 8. cap. 15. See the Statute.

Spirituall perſon

Benefice

Yorkeſhire

Right.

THe writ that is called Præcipe in capite, ſhall be from henceforth granted to no man vpon any freehold, whereby any freeman may loſe his Court. Magna charta cap. 24.

Riots, Routs, Vnlawfull aſſemblies, and Rebellions.

ANno 2. R. 2. cap. 6. An Act was made concerning Routs: But Anno 2. R. 2. Stat. 2. that Act was repealed.

Repealed

2 Where at the Parliament holden An. 5. R. 2. cap. 6. Foraſmuch as villains and other offendors had made inſurrection, and had riſen by aſſemblies in outragious number: It was ſtraitly defended, that none from thenceforth ſhould make, or begin againe thoſe riots, or rumors, nor other like, vpon paine of being taken for a Traitor: And neuertheleſſe diuers haue made of late ſuch aſſemblies in outragious number: Therefore the King in this preſent Parliament hath defended to all the liege people, as well Lords as other, of whatſoeuer eſtate that they be, that none ſhall make ſuch aſſemblies, riot, or rumor, againſt the Peace in no wiſe. And if any ſuch aſſemblie be begun, as ſoone as the Sheriſes and other the Kings Miniſters, may thereof haue knowledge, they with the ſtrength of the Countie and Countrey, where ſuch caſe ſhall happen, ſhall ſet diſturbance againſt ſuch malice, with all their power, and ſhall take ſuch offendors, and put them in priſon, till due execution of the Law

Aſſemblies

Sheriſes

Impriſ

Lords Law be of them made. And all Lords and other liege people of the Realme, shall be attending with all their strength and power to the Sherifes and Ministers aforesaid. An. 17. R. 2. ca. 8.

☞ 3 If any Riot, Assemblie, or Rout of people against the Law be made in any parts of the realme, 2. Just. of p. that the Justices of Peace, three, or two of them at Sherife the least, and the Sherife or Undersherife of the Countie where such riot, assemblie, or rout shall be made hereafter, shall come with the power of the Arrest Countie (if need be) to arrest them, and shall arrest them, and the same Justices and Sherife, or Undersherife, shal haue power to record that that they Record shall find so done in their presence against the law. And that by the record of the same Justices, and Sherife or Undersherife, such trespassers and of- Convict fenders shal be conuict in the manner and forme as is contained in the Statute of Forcible entries, (before in Forcible entrie 2.) And if it happen that such trespassers and offenders be departed before the comming of the said Justices and Sherife or Undersherife, that then the same Justices, three, or Inquire two of them, shall diligently inquire within a moneth after, of such riot, assemblie, or rout of people Diet & ter. so made, and shall heare and determine the same according to the Law of the Land. And if the truth cannot be found in the maner as afore is said, then within a moneth then next following, the Justices, 2. Just. of p. Shirife three, or two of them, and the Sherife or Undersherife aforesaid, shall certifie before the King and his Certifie Counsell, all the deeds and circumstances thereof, which Certificate shall be of like strength and forme as the presentment of twelue men, vpon which Certificate the sayd trespassers and offenders shall Answer be put to answer, and they which shall bee found Punish guiltie, shall be punished after the discretion of the King and his Counsell. And if such trespassers and offenders doe trauers the matter so certified, the Trauers same Certificate and Trauers shall be sent into the K. Bench Kings Bench, there to be tried and determined as the Law requireth. And if the same trespassers and Default offenders doe not come before the King and his Counsell, at the first commaundement, then there shall be made another commaundement, directed to the Sherife of the Countie, to take the said trespassers and offenders, if they may be found, and to bring them at a certaine day before the King and his said Counsell, or in the Kings Bench: And if Sherife they cannot be found, the Sherife or Undersherife Proclamation shall make Proclamation in his full Countie, next ensuing the deliuerie of the said second commaundement, that they come before the King and his said Counsell, or in the Kings Bench, or in the Chauncerie in time of vacatiõ, within three weeks then next following. And in case the same offenders come not as afore is said, and the Proclamation made and returned, they shall be conuict and Convict Attaint attainted of the riot, assemblie, or rout, aforesayd, notwithstanding any article or ordinance made to Just. of P. the contrarie. And moreouer, that the Justices of Peace dwelling most nighest in euerie Countie where such riot, assemblie, or rout of people shalbe Sherife made hereafter, together with the Sherife or Undersherife of the same Countie, and also the Justices of Assises for the time that they shall be there in Just. of A. their Sessions, in case that any such riot, assembly, or rout, be made in their presence, shall doe execution of the same Statute, euerie one vpon paine of an hundred pounds to bee paied to the King, as often as they shall be found in default of execution of the same Statute. Anno 13. H. 4. cap. 7. See after 7.

4 Forasmuch as many riots, routs, and assemblies, haue beene made since the making of the Statute of 13. H. 4. cap. 7. (before 3.) because it hath not beene put in due execution: Be it &c. That if Default default be found in the said two Justices of peace, Just. of P. or Justices of Assise, (that is to say, named in the Just. of A. said Statute Anno 13. H. 4. cap. 7. before 3.) and Sherife the Sherife or Undersherife of the Countie where such riot, assemblie, or rout should be made, touching the execution that they ought to make, by vertue of the sayd Statute, and whereof the said Statute maketh mention: That then at the instance Commiss. of the partie grieued, the Kings Commission shall goe out vnder his great Seale, to inquire as well Inquire of the trueth of the cause, and of the originall matter for the partie complainant, as of the default or defaults of the said Justices, Sherife or Undersherife, in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination, and by the aduise of the Chauncelor of the Chancer. Realme of England. And that the said Commissioners incontinent shall send into the Chauncerie, the Inquests and matters before them in this Inquest behalfe taken and found. And moreouer, that the Coroners of the same Countie for the time being, Coroners in which Countie such riot, assemblie, or rout shal be made, shall make the panell that shall be vpon Panell the said Commission returnable, for the time that the Sherife that is so supposed in default, shall stand in his Office, which Coroners shall returne no persons, but onely such which haue lands, tenements, or rents, to the value of ten pounds by the L. L. Land yeare at the least. And also that the same Coroners shall returne vpon euerie of the said persons impanelled at the first day, when issues be to be Issues lost, twentie shillings at the least, and at the second day forty shillings at the least, and at the third day one hundred shillings at the least, and at euerie day after, the double at the least, which issues so returned, because of non appearance of such persons Forf. impanelled, shal be adiudged as forfeit to the King, Defaut and leuiable to his vse. And if default be found in Comm. the said Coroners, touching the returne of such persons to be impanelled, or touching the returne of such issues, as afore is said, that euerie of them Forf. L. shall pay to the Kings vse forty pounds. And if it Sherif happen that the said Sherife so reputed in default, be discharged of his Office at the time that such Commission shall goe out of the Chauncerie, that then the new Sherife of the same Countie, his successor mediate or immediat for the time being, and not the Coroners of the same Countie, shall make Panell the panell vpon this Commission, returnable in manner and forme as the said Coroners should do in time when the Sherife so reputed in default stood in his Office. And that the same new Sherife

rise shal incurre like paine of foꝛtie pounds against the King, if any default in him be found, touching the returne of any persons by him to be impanelled, which haue not lands, tenements, oꝛ rents, to the value of ten pounds by yeare, oꝛ foꝛ returning such issues as the said Coꝛoners be aboue charged to returne, as the said Coꝛoners be to lose against the King in this behalfe. And that the Chauncelloꝛ of England foꝛ the time being, as soone as he may haue knowledge of the same riot, assemblie, oꝛ rout, he shall doe to be sent the Kings writ to the Justices of the Peace, and to the Sherife oꝛ Undersherife of the Countie, where they be so made, that they shall put the Statute thereof made in execution, vpon the paine contained in the same. And though that such writ come not to the said Justices, Sherife, oꝛ Undersherif, they shal not be excused of the paine afoꝛesaid, if they make not execution of the said Statute. Pꝛouided alwaies, That the Justices & other officers afoꝛesaid, shal doe their offices afoꝛesaid at the R. colls, in going, tarrying, & returning, in doing their said offices, by paiment thereof to be made by the Sherife of the same County foꝛ ỳ time being, by Indentures betwixt the Sherife and the said Justices and other Officers afoꝛesaid, to be made of the payment afoꝛesayd: Whereof the said Sherife vpon his accompt in the Exchequer, may haue due allowance. And that such rioteꝛs attainted of great and hainous riots, shal haue one whole yeares impꝛisonment at the least, without being let out of pꝛison by baile, mainpꝛise, oꝛ in any other maner, during the yere afoꝛesaid: And that the rioteꝛs attainted of petie riots, shall haue impꝛisonment as best shall seeme to the King and his Counsell. And that the fines of such rioteꝛs attainted, shall be by the said Justices increased and put in greater summes then they were wont to be put in such cases befoꝛe this time, in aid and suppoꝛtation of the costs of Justices and other Officers afoꝛesaid in this behalfe. And that the Kings liege people being sufficient to trauell in the Countie where such routs, assemblies, oꝛ riots be, shall be assistant to the Justices, Commissioners, Sherife, oꝛ Undersherife of the same Countie, when they shall be reasonably warned, to ride with the said Justices, Commissioners, and Sherife oꝛ Undersherife, in ayde to resist such riots, routs, and assemblies, vpon paine of impꝛisonment, and to make fine and ransome to the King. And that the Bailifes of Franchises shall doe to be impanelled sufficient people, as befoꝛe, vpon paine to lose to the King foꝛtie pounds, in case that such sufficient persons may be found within the same Franchises. And that like oꝛdinances and pains shall hold place and take effect in Cities, Boꝛoughes, and other places and Townes infranchised, which haue Justices of Peace within the Cities, Boꝛoughes, Towns, and other places afoꝛesaid. And that this Statute shall begin to hold place incontinent after the pꝛoclamation thereof made. An. 2. H. 5. cap. 8.

5 Foꝛasmuch as great and grieuous complaints haue beene made to our Soueraigne Loꝛd the King by the Commons in this pꝛesent Parliament, of diuers murders, manslaughters, robberies, batteries, assemblies of people in great number, in maner of insurrection, and of diuers other rebellious riots, and after such offences the said felons and offendoꝛs flie, and withdꝛaw them to diuers woods, and secret and vnknowne places, and elsewhere, to the intent and purpose to auoyd the execution of the Common Law, and that they should not be bꝛought to aunswer: Wherupon our Soueraigne Loꝛd the King, considering the foꝛesaid complaint, by the aduise and assent of the Loꝛds Spirituall and Tempoꝛal in the same Parliament assembled, hath oꝛdained and stablished at the request of the sayd Commons, That if any person in time to come, come into the Chauncerie, and make complaint duely, that any such felon oꝛ offendoꝛ, as afoꝛe is said, flie oꝛ withdꝛaw them to any such place, oꝛ elsewhere, to the intent afoꝛesaid, vpon such complaint a bill shall beé sufficiently made foꝛ the King: And the Chauncelloꝛ of England foꝛ the time being, after such bil to him deliuered (if he may be duely insoꝛmed, that such bill containeth truth) shall haue power to make, accoꝛding to his discretion, a writ of Capias at the Kings suit, directed to the Sherife of the Countie oꝛ Counties, where the said murders, manslaughters, robberies, batteries, and other offences, be supposed by the said bill to be done and perpetrate, returnable in the said Chancerie at a certaine day. And if the persons in the sayd writ contained, be taken by the said Sherife, oꝛ yeeld them in the same Chauncerie, that then such persons shall be put in ward, oꝛ to mainpꝛise, after the discretion of the Chauncelloꝛ. And moꝛeouer, that he send to inquire of such offences, and vpon that shall be done as the Law requireth. And if the Sherife returne at the day of the Capias returnable, that the persons in the same compꝛised foꝛ any of these causes afoꝛesaid, cannot be by him taken, and the same persons doe not yeeld them in the said Chauncerie, that then the said Chancelloꝛ shall doe to be made a writ of Pꝛoclamation directed to the said Sherife, returnable in the K. Bench at a certaine day, that he shall make Pꝛoclamation in two Counties, that the persons named in the said writ, shall come at the said day in the Bench afoꝛesaid, there to aunswer to the matter compꝛised within the said bill, vpon paine to be conuict of the matter compꝛised in the said bill. And that in euerie such writ of Pꝛoclamation shall be contayned the substance of the matter compꝛised within the said bill, and if they come not at the day of such Pꝛoclamation returned, then shall they be holden and adiudged foꝛ conuict, and attainted, as afoꝛe is sayd. And if they come at the Pꝛoclamation, be it of them inquired and done in manner as aboue is said. Pꝛouided alwayes, That the suggestions of such riots be witnessed to the Chauncelloꝛ of England by letters sealed vnder the Seales of two Justices of Peace at the least, and the Sherife of the Countie where such riots shall be made, befoꝛe that the writ of Capias be graunted, in which writ of Capias the matter which is compꝛised within the same bill, shall be as well expꝛessed, as in the writ of Pꝛoclamation thereof to be made. And if such cause happen in the Countie Palantine of Lancaster,

Insurrection
Flie
Chancellor
Bill
Chancellor
Capias
Sheriffe
Imprison. Mainprise
Proclamation. K. Bench
Answer
Paine
Writ
Conuict Attaint
2. Iust. of p. Sheriffe
Lancaster

ter, or elsewhere in any Franchise, where there is a Chauncelor and a Seale: That then the Chauncelor of England shall doe to be written or sent by the Kings writ to the Chauncelor of such Countie or Franchise, all the suggestion in the sayd bill compriſed, commaunding him to make such execution, as in the said article is compriſed: so alwayes that the Kings writ do not runne out of the Chancerie of England into such a County or Franchise, otherwise then hath beene vsed in time past. And that this ordinance shall stand in his force vntil the end of the next Parliament. An. 2. H. 5. ca. 9. This Act is made perpetuall, as appeareth here next following.

Chauncelor

Execution

☞ 6 The said late Statute (s. An. 2. H. 5. cap. 9. before 5.) shall now be kept and firmely holden for a Statute for euer, as well of murders, manslaughters, robberies, batteries, assemblies of people in great number, in maner of insurrections, and diuers other rebellions and riots made and committed before the beginning of this present Parliament as in time to come. Prouided alwayes, That it be witnessed by two Iustices of the peace of the counties where such Riots shall be supposed, that the common fame and voyce runneth in the same Counties of the same Riots, before that the writ of Capias shall be awarded. Prouided also, that if any such case happen in the said Countie Palantine of Lancaster, or elsewhere in a place infranchised, where there is a Chauncellor and a Seale, that then the said Chauncellor of such Countie or place infranchised for the time being, after complaint to him duely made and witnessed by a Iustice, or the Lieutenant of a Iustice, and the sherife of such Counties Palantine or place infranchised, for the time being, in the forme aforesaid, shall haue like power to award a Capias, and a writ of Proclamation aforesaid, as the said Chancellor of England hath. Anno 8. H. 6. cap. 14.

Murders Manslaughters

2. Iu. of P.

Lancaster Chauncelor

Sherife

Capias Proclamation

☞ 7 Because the Statute of 13. H. 4. cap. 7. (before 3.) is thought good and necessarie: Therefore be it &c. that the said Act made the said thirteenth yere of King Henry the fourth, concerning Riots, Assemblies, or Routs of people, and all and euerie article and articles compriſed in the same: And also all other estatutes before this time made, concerning the punishment of Riotors at the time of the making of this Act being in force, from henceforth stand in their forces, and be duely put in execution after the tenours and reports of the same. And forasmuch as in the said Statute made in the said thirteenth yere, it is not expressed of what sufficiency the Iurors impanelled should be, or what issues they should lose if they appeare not, nor no mention therein made of anie punishment of the maintainers and imbracetors of the Iurours that shall be so impanelled, should haue for their misdemeanor, if any be: It is therefore &c. That if anie Riot, Rout, or vnlawfull Assembly be committed and done at any time after the first day of Maie next comming, within this Realme of England, that the Sherife hauing a precept direct to him, shal returne foure and twenty persons dwelling within the shire where such riot, rout, or vnlawfull assembly shall be so committed and done, whereof euery of them shall haue lands and tenements within the same Shire, to the yerely value of twentie shillings of Charter hold, or freehold, or xx s. shillings viij. pence of copy hold, or of both, ouer and aboue all charges, for to inquire of the saide Riot, Rout, or vnlawfull Assembly. And he shal returne vpon euery person by him impanelled in issues, at the first day twenty shillings, and at the second day forty shil. if that they appeare not, and be sworne to inquire of the premisses at the first day. And if default be found in the Sherife, or Vnder sherife, for returning of other persons not being of the said sufficiencie, or returne not issues in forme aforesaid, that then the said Sherife shall forfeit to our Soueraigne Lord the King for either xx. pounds. And if the said Riot, Rout, or vnlawfull Assembly be not found by the said Iurie, by reason of anie maintenance or imbracerie of the said Iurours: then the same Iustices, and the Sherife, or vndersherife, ouer and aboue all such certificate that they must, and be bound to make, according to the said Statute made the said thirteenth yere, shall in the same certificate certifie the names of the maintainers and imbracetors in that behalfe, if anie be, with their misdemeanors that they know, vpon paine of euery of the said Iustices, and Sherife, or Undersherife, to forfeit xx. pound, if the same Iustices, Sherife, and vndersherife, haue no reasonable excuse, for non certifying of the same: which certificate so made, shalbe of like force and effect in the Lawe, as if the matter contained in the same, were duly found by the verdict of twelue men. And euery person duly proued to be a mainteiner or imbracetor in the same, shall forfeit to our said soueraigne Lord xx. l. And as well the same maintainers as the imbracetors shal be committed to ward, there to remaine by the discretion of the Iustices. Anno 19. H. 7. cap. 13.

Sherife Precept Impanell

Iurors

Issues

Lands

Issues

Default Sherife

For.

Maintenance Imbracery Iust. of P. Sherif. Certifie

Fort.

Maintenance Imbracery Fort.

Imprison.

8 Anno 3. Ed. 6. ca. 5. a great Act was made against Rebellion, and vnlawfull Assemblies, and rising of the Kings people, to continue to the end of the next Parliament. And after Anno 7. Ed. 6. cap. 11. it was continued to indure to the last day of the next Parliament. And after Anno 1. Mar. 1. parliament. cap. 12. it was repealed, as hereafter followeth 9.

Rebellion

Repealed

9 Forasmuch as it is most necessary in a Common wealth, to prouide that Peace may be continued in the Realme, and that all things contrarie thereunto by foresight be eschewed: Be it &c. that if any persons to the number of twelue, or aboue, being assembled together at anie time after the xx. day of December next comming, shall intend, goe about, practise, or put in vre with force of armes, vnlawfully, and of their owne authoritie, to alter or change any Lawes made or established for Religion by authority of parliament, which shall stand in force, after the said xx. day of December, or anie other Lawes or Statutes of this Realme, or anie of them, the same number of twelue, or aboue, being commaunded or required by the Sherife of the Shire, or anie Iustice of Peace of the same shire, or by the Mayor, Sherife, Iustices of peace, or

Pub. Peace

Force

Change lawes Religion

Sherife

1. Iu. of Peace

or Bailifes of any Citie, Borough, or Towne corporate, where any such assemblies shall be vnlawfully had or made; by proclamation in the Queens name, to retire and repaire to their owne houses, habitations, or places from whence they came, and they or any of them notwithstanding such proclamation, shall remaine and make their abode, or continue together by the space of one whole houre after such commandement or request made by proclamation, or after that shall wilfully in forcible and riotous manner attempt to do, or put in vre any thing aboue specified: That then as well euery such abode or continuing together, as euerie such act or offence, that after such commaundement or request by proclamation had or made, shall bee attempted to be done, practised, or put in vre by any persons, being of the number aforesaid, shalbe iudged felonie in all and singular those persons, that so shall make their abode, or continue together, or shal attempt, or commit any such act, and the offenders therein to be adiudged Felons, and shall suffer onely execution of death, as in case of felonie. And furthermore it is enacted, ordained, and established &c. That if any persons to the said number of ry. or aboue, after the said twentieth day of December, shall intend, go about, practise, or put in vre, in maner and forme aforesaid, to ouerthrow, cut, breake, cast downe, or dig vp the pales, hedges, ditches, or other inclosure, or any parkes, parke, or other grounds or ground inclosed, or the bankes of any fishpond, or poole, or any conduit for water, conduit heads, or conduit pipes, hauing course of water, to the intent that the same, or any of them from thencefoorth should remaine open, not inclosed, or void, or vnlawfully to haue common or way in the said parke or parkes, or other ground or grounds inclosed, or in any of them: or to destroy in maner and forme aforesaid, the Deere in any manner of parkes or parke, or any warrens or warren of Conies, or any douehouses: or any fish in any fishpond or poole: or to pull or cut downe any houses, barnes, mills, or bayes: or to burne any stackes of corne or graine, or to abate, defaulke, or diminish the rents or yearely value of any manors, lands, or tenements: or the price of any victuall, corne, or graine, or any other thing vsuall for the sustenance of men, and being required or commaunded by any Iustice of the Peace, or by the Sherife of the Countie, or by the Maior, Bailife, or Bailifes, or other head Officers of any Cities or Towne corporate, where such assemblie shall be had, by Proclamation to be made in the Quenes name, to retire or returne in peaceable manner to their habitations, places, and houses from whence they came: And they, or any of them, notwithstanding such Proclamation, shall remaine, or make their abode, or continue together by the space of one whole houre, after such commandement or request made by proclamation: or after that shall in forcible maner doe, or put in vre any of the things last before mentioned, That then as well euerie such abode, or continuing together, as euerie such act that after such commaundement or request by proclamation had or made, shall be done, practised, or put in vre, by any persons being aboue the number of twelue, shall be adiudged felonie, and the offendors therein to be adiudged felons, and shall suffer onely the execution of death, as in case of felonie. And also it is &c. That if any person or persons, after the said twentieth day of December, vnlawfully and without authoritie, by ringing of any Bels, sounding of any Trumpet, Drumme, Horne, or other Instrument whatsoeuer, or by fiering of any Beacon, or by malicious speaking or vttering of any words, or making of any outcrie, or by setting vp, or casting of any bills, bill, or writing whatsoeuer, or by any other deed or act, shall raise, or cause to be raised or assembled, any persons to the number of twelue, or aboue, to the intent that the same persons should doe, commit, or put in vre, any of the acts or things aboue mentioned, and that the persons to the number of twelue, or aboue, so raysed and assembled, after request or commaundemēt had or giuen in forme aforesaid, shall make their abode, or continue together, as is aforesaid, or vnlawfully and in forcible manner, perpetrate, do, commit, or put in vre, any of the acts or things aboue said: That then all and singular persons, by whose speaking, deed, act, or any other the meanes aboue specified, any persons to the number of ry. or aboue, shall be raised or assembled, for the doing, committing, or putting in vre any of the acts or things abouementioned, shall be adiudged for his so speaking, or doing, a felon, and shall suffer execution of death, as in case of felonie. And also it is &c. That if a wife, or seruant, of any of the same persons, or any other person whatsoeuer, shall willingly, and without compulsion, bring, send, deliuer, or conuey, any money, harnesse, artillerie, weapon, meat, bread, drinke, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as he or they shall so bee assembled, or be together, as is aforesaid: That then euerie wife, seruant, or other person so bringing, sending, deliuering or conueying any money, harnesse, artillerie, weapon, meat, drinke, or victuall, to the same persons so being assembled together in forcible manner, or to any of them, and not departing to their house, or dwelling places, vpō request or commaundement made vnto them, as is aforesaid, shall be adiudged a felon, and shall suffer execution of death, as in case of felonie. And furthermore it is &c. That if any persons aboue the number of two, and vnder the number of twelue, being assembled together at any time, after the said twentieth day of December, shall intend, goe about, practise, or put in vre with force of armes vnlawfully, and of their owne authoritie, to murder, kill, or slay any of the Quenes Maiesties subiects, or to ouerthrow, cut, breake, or cast down, or dig vp the pales, hedges, ditches, wal, or other closure, of any parks, parke, or other ground inclosed, or the banke of any fishpond, or poole, to the intent that the same, or any of them, from thencefoorth should remaine open, not inclosed, or voyd, or to haue common or way in the same parke or parkes, or other grounds or ground inclosed, or in any of them, or to destroy any manner of parks or parke, or fishpond or poole, or

ry. Persons
Felonie
Ringing
Trumpet
Drumme
Horne
Words
Bills
ry. Persons
After request
Felonie
Seruant
Money
Armour
Victuall
Wife
Felonie
Aboue two persons
Force of Armes
Murder
Pales
Hedges
Inclosure
Parkes
Ponds

Conies Doue houses Houle

Rents

Victuall Corne

Any Justice of peace Sherife Maior Baylike

Proclamation

Imprl.

Painprise

3. Damages Costs.

6. Persons

Any Iust. of peace Sherife Maior Bailike

or any warrens or warren of Conies, or any doue-houses, or to pull or cut downe any house, barne, mill, or to burne any stackes of corne or graine, or to alter, defaulke, or abate the rents or yearely value of any manors, lands, or tenements, of any the Quenes subiects, or the price of any victual, corne or graine, or any other thing vsuall for the sustenance or apparell of men, and being required or commaunded by any Iustice of the Peace, or the Sherife of the Countie, or by any Maiors, Baylifes, or Bailife, or other head Officer of any City, or Towne corporate, where such assemblie shall be had, by Proclamation to be made in the Quenes name, to retire, or returne to their habitations, place, or houses, and they so required by such Proclamation, shall not so doe, but after that, shall in forcible manner, in forme aforesaid, attempt to do, or put in vre, any of the things last aboue mentioned: That then euerie of the same persons, being aboue the number of two, and vnder the number of twelue, shall suffer imprisonment of his or their bodies, by the space of one yeare, without baile or mainprise. And also, that if any person or persons, at any time after the said twentieth day of December, shal be damnified or hurted, by the doing, committing, or putting in vre of any vnlawfull act, or thing aboue mentioned: That then all and singular persons so damnified, and hurt, shall recouer and haue dammages with the costs of their suit sustained in that behalfe trebled, against the offendors therein. And forasmuch as such euill disposed persons, which of late time made commotions and rebellion in certaine places within this realm, being but few in number, at such time as they did begin the same commotion, were not in short time after the beginning thereof suppressed by strength, for that the louing subiects at that time, for feare to incurre in daunger of the lawes of this Realme, durst not take vpon them so to doe, a great number of euill disposed persons did come and ioyne themselues to the said small number, whereby the same euill disposed persons tooke vpon them such boldnesse, that they would not be reduced to obedience without much bloudshedding, to the great daunger of the person of the Prince, where if the sayd subiects durst haue taken vpon them to haue suppressed them at the beginning, such inconuenience and bloudshed should not haue followed: Therefore it is enacted &c. That if any persons aboue the number of two, that at any time after the said xx. day of December, shall be vnlawfully, and of their owne authoritie assembled together, to the intent with force and armes to doe, practise, or put in vre any of the things aboue mentioned, that then it shall be lawfull to euerie Iustice of Peace, and to euerie Sherife in any Countie being within the Quenes dominions, and to euerie Maior, Baylife, or other head Officer of any Citie or Towne corporate, for the time he shall be in Office, or any other person or persons, hauing the Quenes commission, or letters from her Highnesse, as well to raise and assemble the Quenes louing subiects, in manner of warre, to be arreared in such great number, as he or they shall thinke meet or able, to the intent by violence and strength, to suppresse, apprehend, and take the said persons that so shall be vnlawfully assembled: And that if the said persons so vnlawfully assembled, after such commaundement or request by proclamation made, shall continue together, and not indeuor themselues to returne towards their habitations, houses, or places from whence they came, in such short time as they may conueniently: That then it shall be lawfull to euerie Iustice of Peace, Sherife, and euerie Maior, Baylife, and other head Officer of any Citie, or Towne corporate, and to euerie other person hauing authoritie, as is aforesaid, after such commaundement or request by proclamation made, and to such persons as shall be assembled with any Iustice of Peace, or Sherife, or with any Maior, Bailife, or other head Officer of any Citie or Towne corporate, and with euerie other person hauing authoritie, as is aforesaid, to suppresse, apprehend, and take those persons so vnlawfully assembled, which after such Proclamation made, shall continue together, and not indeuour themselues to returne toward their habitations, or places from whence they came. And that if the sayd persons so vnlawfully assembled together, or any of them shall fortune to be killed, slaine, maymed, or hurt, in, or about the suppressing, or taking of them: That then euerie such Iustice of Peace, Sherife, Maior, Bailife, and other head Officer, and euerie other person hauing authoritie, as is aforesaid, and all and singular persons by him or them assembled, shall be free, discharged, and vnpunishable, as well against the Quene, as against all and euerie other person and persons, of, for, or concerning the killing, slaying, maiming, and hurting of any person or persons, so vnlawfully assembled, that shall fortune to be killed, slaine, maimed, or hurt, about or by occasion of suppressing or taking of them. And furthermore be it &c. That all and euerie Copiholder, or Customarie holder, being Yeoman, Artificer, Husbandman, or Labourer, and being of the age of eighteene yeares, or more, and vnder the age of threescore yeares, not sicke, impotent, lame, maimed, ne hauing any other iust or reasonable excuse or cause to the contrarie, and being required by the Sherife, Iustice of peace, or other hauing authoritie by this Act, or by Commission, or letters, as is aboue said in that behalfe, they declaring their said authoritie, or being required by the immediate Lord or Lords, of whom such Copiholds, or Customarie holdes then shall be holden to serue the Quenes Maiestie for any the causes aboue rehearsed, and refuse so to do, shall onely during the life of such person or persons so refusing, forfeit and lose to his or their Lord or Lords, of whom such copie or customarie holdes then shall be immediately holden, and should bee holden, during the life of such person or persons so refusing, in case he or they had not so refused, all their copiholds and customarie holds. And that it shall be lawfull to euerie such Lord or Lords, their heires or assignes of whom such copiholds or customarie holds shalbe immediately holden, and should beene holden, in case that such person or persons had

Proclamation

Any Iust. of peace Sherife Maior Bailike

Suppresse

Kill &c slaue

Iust. of P. Sherife

Discharge

Copiholder Artificer Labourer 18. yeres

Sherife Iust. of P.

Forf.

Lords Heires

hath not so refused, by vertue of this present Act, to enter and take into his or their hands or possession all such Copie holds and Customarie holdes, so holden of them, or any of them immediately, and to retaine the same during onely the life of euerie such offendor or offendors, in such manner and forme, as he or they should haue had the rents or farmes of such Copie holds and Customarie holds, in case such person or persons so refusing had not refused. And that all and euerie Farmor, being a Husbandman, Husbandman, Artificer, or Labourer, and being of the age of eighteene yeares or more, and vnder the age of threescore yeares, not sicke, impotent, lame, maimed, ne hauing any other iust or reasonable excuse, or cause to the contrarie, and being required by the Sherife, Justice or Justices of the Peace, or other hauing authoritie by this Act, or by Commission, or letters, as is aforesaid: in that behalfe, they declaring their said authoritie, or being required by their Landlord or Landlords for the time being, to whom the rents of such farmes shall be then rising, comming, or growing, to serue the Queenes Maiestie for any the causes aboue rehearsed, and refuse so to doe, shall during onely the life of such Farmor or Farmors, so refusing, forfeit and lose to such Landlord and Landlords, as should haue had the rent of such Farmors during the life and lines of such person and persons so refusing, all their said Farmes, and that it shall be lawfull to euerie such Landlord and Landlords, their heires and assignes, to whom the rents of such Farmes should haue beene due, during the life of such person or persons so refusing, in case such person or persons had not so refused, by vertue of this present Act to enter and take into his or their hands or possession, all such Farmes, and to retaine the same during onely the life of euerie such offendor or offendors. Prouided alwaies, and be it &c. That after the death, expiration, or determination of the interest or terme of yeares, of euerie such Copie holder, Customarie holder, or Farmor, as so shall offend & forfeit any of the said Copie holdes, Customarie holdes, or Farmes, as is aforesaid, that then all and euerie such person and persons, as should or ought to haue had the said Copie holdes, Customarie holdes, or Farmes, after, or by the death, expiration, or determination of the interest or terme of yeares, of such Copie holder, Customarie holder, or Farmer, in case such Copie holder, Customarie holder, or Farmer had not so offended ne forfeited, shall and may haue the same Copie holdes, Customarie holdes, and Farmes, by entrie, action, admission, or otherwise, in like manner, forme, and condition, and by such wayes and meanes as they and euerie of them should, might, or ought to haue had, if no such forfeiture or offence had beene had, done, or committed. And also be it &c. That if any person or persons, which at that time after the said twentieth day of December shall be spoken vnto, moued, or stirred, to make any Commotion, Insurrection, or vnlawfull assemblie, for any of the intents aboue mentioned, and doe not within foure and twentie houres next after he or they shall be spoken vnto, moued, or stirred, vnlesse he haue a good reasonable cause of excuse, declare the same to one Justice of the Peace, or Sherife of the said Countie, or to the Maior, Sherifes, Baylifes, or other head Officers of any Citie or Towne corporate, where such speaking, motion, or stirring, shall be had, shall suffer imprisonment by the space of three monethes, without baile or mainprise, vnlesse he shall be discharged by three Justices of peace of the same Shire, where the offence shall be, whereof one of the said Justices shall be of the Quorum. And it is &c. That if any person or persons, being aboue the age of eighteene yeares, and vnder the age of threescore yeares, being able to serue, and not sicke, lame, or impotent, shall be required by any Justice of the Peace, or any Sherife of any Countie, where any such assemblie shall be, or by any Maior, Baylife, or other head Officers of any Citie, Borough, or Towne corporate, or by any other, by the commaundement of any such Justice of Peace, Sherife, Maior, Baylife, or other head Officer, to goe with him or them, to suppresse the persons vnlawfully assembled, in manner and forme aforesaid, That then euerie person which so being able and required, doth willingly and obstinately refuse so to doe, shall suffer imprisonment of bodie for one yeare, without bayle or mainprise. Prouided alwayes and be it &c. That if the Queenes Highnesse shall by her Letters Patents make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any Commotion, Rebellion, or vnlawfull assemblie, that then as well all Justices of Peace of euerie such Countie, and the Sherife and Sherifes of the same, as all Maiors, Bailifes, and other head Officers, and all Inhabitants and Subiects of any Countie, Citie, Borough, or Towne Corporate, within euerie such Countie, shall vpon the declaration of the said Letters Patents and request made, be bound to giue attendance vpon the same Lieutenant, to suppresse any Commotion, Rebellion, or vnlawfull assemblie, vnlesse he or they being so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeare. And be it &c. That the order and forme of the Proclamations that shall be made by the authoritie of this Act, shall be as hereafter followeth, or with the like order and words in effect, that is to say, The Justices, or other person authorised by this Act to make the said Proclamation, shall make or cause to be made an Oyes, and after that shall openly pronounce, or cause to be pronounced these words, or like in effect. The Queene our Soueraygne Ladie chargeth and commaundeth all persons being assembled, immediately to disperse themselues, and peaceably to depart to their habitations, or to their lawfull businesse, vpon the paynes contayned in the Act lately made against vnlawfull and rebellious assemblies. And God saue the Queene. Prouided alwayes, and be it enacted by the authoritie aforesayde, That if any person or persons doe or shall molest, let, hinder, or hurt

Declare
Just. of P.
Sherife
Maior
Baylike
Imprisonment
Mainprise
3. Just. of P.
Quorum
18. yeares
Just. of P.
Shirife
Maior
Baylike
Imprison
Mainprise
Lieutenants
All Justices of peace
Sherife
Mayors
Baylikes
Proclamation
Molest

hurt any person or persons, that shall proclaime, or goe to proclaime, according to the Proclamation and order, made in the Statute aforesayd, whereby such Proclamation shall not bee made: That then all and everie such person and persons so molesting, letting, hindering, or hurting, and having knowledge of his message, shall incurre and be in such daunger, and suffer such paine or paines and
Fork. forfeitures, as the persons assembled, to whom the Proclamation should have beene made, should by this Act incurre, for not obeying this Proclamation, if it had beene made, or for doing after the Proclamation of any of the things before in this Act expressed. And also all and everie such person and persons being assembled, to the number aforesaid, to attempt or doe any of the things aforesayd, to whom Proclamation should or ought to have beene made, if the same had not beene let, as is aforesayd, shall likewise in case they doe afterwards commit, put in ure, and doe any things aforesayd, they having any manner wayes knowledge of the let to made, or by any meanes procuring the same let, incurre, and bee in like daunger,
Fork. and suffer like paine or paines and forfeiture aforesayd in everie their degrees, as though the Proclamation had beene made: Any clause, article, or sentence heretofore in this Act included, made to the contrarie notwithstanding. And bee it &c. That this Act, or the effect thereof shall bee openly
Quarter Sessions Leet Lawday Proviso Heire read, published, or declared, at everie Quarter Sessions, and at everie Leet and Lawday. Provided alwayes, and be it &c. That all and everie the heire and heires of all and everie the offendor or offendors in any the cases aforesayd, and all and
Bodies politike everie person and person, bodies politike and corporate, and their heyres, successors, and executors, and everie of them, other then such person and persons onely as shall bee attainted, convicted, or outlawed, of any the aforesaid offences of Felonies, shall have, hold, and enioy all such right, title, entrie, interest, leases, possessions, rents, conditions, profits, commodities, and advantages, as they or any of them have, or hereafter shall have, or of right ought to have, in, or to any Honours, Castles, Mannors, landes, tenements, woodes, rents, reuersions, services, or hereditaments, whatsoeuer, in, or to any part or parcell thereof, in as large and ample manner and forme, to all intents, constructions, and purposes, as if such attainder had neuer beene had ne made: Any thing in this Act to the contrarie in any wise notwithstanding. Sauing to all and everie person and per-
Sauing sons, bodies politike and corporate, and their
Liberties successors, their Liberties and Franchises, in such manner and forme, as if this Act had neuer beene had ne made. And be it enacted, That if any person or persons, after the said twentieth day of De-
Procure cember, doe moue, stirre, or procure any person or persons, to commit or doe any of the offences in this present Act specified, That then euery such person which shall so procure, stirre, or moue, any person or persons so to offend, shall suffer such
Impill. paine and punishment by imprisonment, with-
Mainprise out bayle or mainprise, as is before expressed in this present Act against Counsellors of such offenders. And that if any persons, to the number of forty or moe, after the said twentieth day of De- 1. Pri
cember, shall assemble together in forcible maner, vnlawfully and of their owne authoritie, to the intent to doe, execute, or put in vre, any of the things above specified, or to doe other felonious or rebellious act or acts, and so shall continue together by the space of three houres, after Proclamation shall 1. Hour
be made, or nigh the place where they shall to bee assembled, or in some Market Towne thereunto next adioyning, and after notice thereof to them given: That then euerie person so willingly assembled in forcible manner, and so continuing together by the space of three houres, after such Pro- Proclam
clamation shall bee made, and notice thereof gi- tion
uen, shall bee adiudged a Felon, and shall suffer Felon
death as in case of Felonie. And bee it &c. That no Lieutenant or Lieutenants, that shall bee ap- Lieut
pointed or made by authoritie or colour of this Act, or for to execute this Act, shall in any wise make, put, or constitute vnder him or them, or in his or their place, any Deputie or Deputies, nor Depu
shall commit, or appoint to appeare before him or Comm
them, by the onely authoritie of Lieutenancie, or of Commission of Lieutenancie, any person or persons, for any cause or matter whatsoeuer, saue onely for the causes and matters expressed in this present Act, and for none other. And that no person or persons shall bee put to any losse, forfeiture, payne, or punishment of life, land, or goods, as Acces
accessarie to any person or persons that shall com- Acces
mit any of the offences contained in this present Act, for receiuing, comforting, or ayding of a- Recei
ny such offendor, after such act committed or done. And that no Attaynder or conuiction of Attain
any person or persons for any offence or offen- Convi
ces herein contayned, shall bee any manner of corruption of bloud betweene the offendor and Bloud
any of his auncestours, or such person and persons as should haue beene heire to such offendour, if no such Attaynder or Conuiction had beene had, Sauing to all and euerie person and persons, Bodie and Bodies Politike and corporate, and their successours, their Liberties and Fraunchises, in such manner and forme as if Fran
this Act had neuer beene had ne made. And be it &c. That one Act of Parliament made in the Session of the Parliament holden vpon prorogation at Westminster, the fourth day of Nouember, in the third yeare of the raigne of King Edward Ann. I
the first, and there continued and kept to the first Reg
day of February, in the fourth yeare of the raygne of the sayd King, intituled by the name of an Act for the punishment of vnlawfull Assemblies, and riding of the Kings Subiects, and all and everie braunch, clause, sentence, and article therein contayned, shall bee from the twentieth day of December next comming, vtterly Clau
voyd and of no force, to all intents, constructions, and purposes. And this Act onely to bee put in execution, for, and concerning the offences mentioned in the sayd former Act. This Act to continue vnto the end of the next Parliament.

Anno

Anno 1. Mar. 1, Parliamento capitulo 12. And after Anno 1. Mar. 2, Parliamento capitulo 12, this Act is continued to the last day of the next Parliament. And after Anno 1. & 2. Phil. & Mar. capitulo 16. it is continued to the last day of the next Parliament. And after Anno 2. & 3. Phil. & Mar. capitulo 21. it is continued to the last day of the next Parliament. And after Anno 4. & 5. Ph. & Mar. it is continued to the last day of the next Parliament. And it is continued 1. Eliz. cap. 16. as followeth.

10 Forasmuch as experience hath made manifest, that the Statute of Anno 4. Mar. Parliament 1. capitulo 12. (before 9.) is a verie good and beneficiall law, for the Commonwealth and quiet of the Realme: Be it &c. That the sayd Act and Statute and euerie braunch, clause, and article therein contained, shall stand, remaine, continue, and bee in full force and strength, to all intents and purposes, for and during the naturall life of the Quéens most excellent Maiestie that now is (which Almightie God long preserue and continue) and to the end of the next Parliament then next following. And that the said Act and Statute, and the words and sentences mentioned and contained in the said Act, shall extend and be in the Quéenes Highnesse that now is, as fully and amply as euer the same did extend to the said late Quéene Marie. An. 1. Eliz. cap. 16.

11 Anno 11. Henr. 7. capitul. 8. An Act was made against riots & routs, to endure to the nert Parliament.

Robberies.

FOrasmuch as the Peace of this Realme hath beene weakly kept heretofore for lacke of quick and fresh suit making after felons in due manner, and namely because of Franchises, where the felons are receiued: It is prouided, That all generally bée readie and apparelled at the commaundement and summons of Sheriffes, and at the crie of the Countrey, to pursue and arrest felons (when any néd is) as well within Franchises as without, and they that will not so doe, and thereof bée attainted, shall make a grieuous fine to the King. And if default be found in the Lord of the Franchise, the King shall take him to the same Franchise: And if default bee in the Bailife, hée shall haue one yeares imprisonment, and after shall make a grieuous fine: And if hee haue not whereof, he shall haue imprisonment of two yeres: And if the Sherife, Coroner, or other Baylife within Franchise or without, for reward or for prayer, or for any manner of affinitie, conceale, consent, or procure to conceale the Felonies done in their Bayliwikes, or otherwise doe forbeare to attach or arrest such Felons (there as they may) or otherwise to doe their Office for fauour borne to such misdoers, and bee attainted thereof, they shall haue one yeares imprisonment, and after make a grieuous fine. And if they haue not whereof to make fine, they shall haue imprisonment of the yeare. Westm. 1. capit. 9. Anno 3. Edw. 1. And after Anno 13. Henr. 6. capit. 5. it is enacted, that this Statute shall bee put in execution. *

2 Forasmuch as from day to day Robberies, Murders, and burning of houses, be more often vsed then they haue beene heretofore, and Felons cannot be attainted by the oath of Iurours, which had rather suffer Felonies done to Straungers to passe without paine, then to indict the offendors, of whom a great part bée folke of the same Countrey, or at the least if the offendors bée of another Countrey, the receiuers be of places néere. And they doe the same, because the oath is not now put vnto Iurours, nor vpon the Countrey where such Felonies were done, as to the restitution of dammages hitherto no paine hath beene limited for their concealement and laches: Our Lord the King, for to abate the power of Felons, hath established a paine in this case, so that from hencefoorth, for feare of the paine more then for feare of any oath, they shall not spare any, nor conceale any Felonies. And commaundeth that proclamation be solemnely made in all Counties, Hundreds, Markets, Fayres, and all other places, where great resort of people is, so that none shall excuse themselues by ignorance, that from hencefoorth euerie Countrey be so well kept, that immediately vpon Robberies and Felonies committed, such fresh suit bee made from Towne to Towne, and from Countrey to Countrey. Likewise, when need require, that Inquests be made in Townes, by him that is Lord of the Towne, and after in the Hundred, and after in the Franchise, and in the Countie, and sometime in two, three, or foure Counties, in case where Felonies bee committed in the Marches of Shires, so that the trespassors may bee attainted. And if the Countrey doe not aunswer for such manner of misdoers, the paine shall be such, that the Countrey, that is to wit, the people dwelling in the Countrey shall aunswer for the Robberies done, and also for the dammages, so that the whole Hundred where the Robberie happeneth to be done, with the Franchises, being within the Precinct of the same Hundred, shall aunswer for the Robberies done. And if the Robberie chaunce to be done in the diuision of two Hundreds, in such case both Hundreds together, with the Franchises, shall aunswer it. And after that the Felonie or Robberie is done, the Countrey shall haue no longer space then fortie dayes, within which it shall behoue them to agree for the Robberie and trespasse, or else that they aunswer for the bodies of the offendors. And forasmuch as the King will not that his people should be suddenly put in feare of this penaltie, that seemeth verie hard to many, the King graunteth that they shall not incurre it immediately, but it shall bee respited vntill the Easter next following, and within that time the King shall see how the Countrey will order themselues, and whether such Felonies and Robberies doe cease. After which terme let all be assured, that the aforesaid penaltie shall

Murderers. Felonie. Iurors. Counties Hundreds Markets Faires. Freth suit. Inquests. Marches. Damages Hundred. Franchises. Two Hundreds. Fortydayes.

runne generally, that is to wit, that euerie Countrey, that is to say, the people of the Countrey shall aunswer for the Felonies and Robberies done among them, And for the more suretie of the Countrey, the King hath commaunded, That in great Townes being walled, the gates shall bee closed from the Sunne setting vntill the Sunne rising, and that no man doe lodge in the Suburbs, nor in any forreine part of the Towne, but in the day time, nor yet in the day time, without his Host will aunswer for him, and the Baylifes of Townes euerie weeke, or at the least euerie fiftenith day, shall make inquirie of all persons being lodged in the Suburbes, and in the forreyne parts of the Townes: And if they doe find any that doe lodge or receiue in any manner, men, of whom there is suspition, that they bee people against the Peace, the Baylifes shall doe right therein. And the King commaundeth, That from henceforth Watches bee made, as it hath beene vsed in times passed, that is to wit, from the Feast of Ascention vnto Michaelmasse, in euerie Citie, by six men at euerie gate, in euerie Borough by twelue men, in euerie Towne by five, or foure, according to the number of the inhabitants of the Towne, and they shall watch all night from the Sunne setting vnto the Sunne rising. And if any Straunger doe passe by them, he shall bee arrested vnto the morning: And then if no suspition be found, hee shall goe quite, and if they find suspition, they shall forthwith deliuer him to the Sherife, and hee shall receiue him without damage, and shall keepe him safely vntill hee bee deliuered in due manner: And if they will not obey the arrest, huy and crie shall bee leuied vpon them, and the Watchmen shall follow them with all the Towne, and the neighbour Townes, with huy and crie from Towne to Towne, vntill that they bee taken and deliuered to the Sherife, as before is sayd, and for the arrestments of such Strangers none shall bee punished. And further it is commaunded, That the highwayes leading from one Market Towne to another, shall bee enlarged whereas woods, hedges, or dikes be, so that there bee neither dike, vnderwod, nor bush, whereby any may escape to doe euill, within two hundred foot of each side the way, so as this Statute doe not extend vnto Alhes, nor vnto great wood, so as it bee there vnderneath. And if by the default of the Lord, that will not auoyd the dike, vnderwood, or bushes, in manner aforesayd, any Robberies bee done, the Lord shall aunswer it. And if Murder bee done, the Lord shall make fine for it at the Kings pleasure. And if the Lord bee not able to fell the vnderwoods, the Countrey shal ayd him therein. And the King willeth, That in his demeane lands and woods within Forest and without, the wayes shall bee inlarged (as before is sayd.) And if percase a Parke bee neere to the highway, the Lord must minish his Parke the space of two hundred foot from the highwayes, as before is sayd, or else must make such a wall, dike, or hedge, that the euill doers may not passe ne returne for to doe euill. And further it is commaunded, That euerie man haue in his house Harnesse for to keepe the Peace, after the auncient assise, that is for to say, that euerie man betwixt fifteene yeares of age, and threescore yeares, shall bee assessed and sworne to haue Armour, according to the quantitie of their lands and goods, that is to wit, for fifteene pound lands, and goods of fortie markes, an Halberd, Helme of yron, a Sworde, a Knife, and an Horse. And for tenne pounds of land, and twentie markes goods, an Halberd, an Helme, a Sword, and a Knife. And for fiue pound lands, a Doublet, an Helme of yron, a Sword, and a Knife, and from fortie shillings land and more, vnto an hundred shillings of land, a Sword, a Bow and Arrowes, and a Knife. And he that hath lesse then fortie shillings yearely, shall be sworne to keepe Glaiues, Knives, and other lesse Weapons. And he that hath lesse then twentie markes in goods, shall haue Swords, Knives, and other lesse Weapons, and all other that may haue them, shall haue Bowes and Arrowes, out of the Forest, and in the Forest Bowes and Bolts. And that view of Armour bee made euerie yeare two times. And in euerie Hundred and Franchises two Constables shall bee chosen to make the view of Armour, and the Constables aforesayd shall present before Iustices assigned, when they shal come into the Countrey, such defaults as they shall haue found of Armour, and of suites, and of Watches, and of Highwayes, and also shall present all such as doe lodge Straungers in vplandish Townes, for whom they will not aunswer. And the Iustices assigned shall present the same at euerie Parliament vnto the King, and the King shall prouide remedie therein. And from henceforth let Sherifes and Bailifes of Franchises and without, greater or lesser, that haue any Bailiwike or Forestrie in fee or otherwise, take good heed that they follow the crie with the Countrey, and as they are in abilitie to keepe Horses and Armour, so to doe. And if there be any that doe not so, that the defaults be presented by the Constables to the Iustices assigned, and after by them to the King, as before is sayd. And the King commaundeth and forbiddeth, That from henceforth neyther Fayre nor Market be kept in Churchyardes, for the honour of the Church. Giuen at Winton the eighth day of October, the thirteenth yeare of King Edwards raigne. Anno 13. Edward' prim Statut de Winton. See part of this Statute concerning Armour altered and repealed, in Playes 2. and in Armour 8. And part of it confirmed and chaunged in Peace 1. And see here following 3. 4. and 5. more.

Walled Townes — Host — Bailife — Enquire — Watch — Arrest — Shirike — Huy & crie — Highwayes — Woods — 200. Foot — Dike — Underwood — Lord — R. demeane — Wayes — Parke — 200. Foot — Harnesse — Dub — Lands Goods Armour — Bowes Arrowes Glaiues Doublet Coutrel — Iustices — Present — Parliam — Sheriff Bailife — Defaults — Faire Market Church yards

3 The manner of inquiring vpon the Statute of Winchester (before 2.) when it is obserued, and when not, and of such as haue not obserued the contents thereof to bee obserued: Of Felonies and Robberies committed after Easter, in the thirteenth yeare of the raigne of King Edward, and in what manner such Felonies were done, where, and by whom, and of their suites by Inquests, according to the tenour of the Statutes made thereupon afterward. And if the Sherife haue

Felonie — Sheriff

haue aunſwered for the bodies of ſuch offenders or not. Alſo if the gates of the Cities or great Townes were ſhut from the time of the Sunne going downe, vntill the Sunne riſing. And if any Strangers were lodged in the Suburbes or in the out parts of the Citie, but in the day, for whom their Hoſtes will not aunſwer. And alſo how Bailifs and other Officers of Townes haue made inquirie thereof. And if watches haue beene kept as is contained in the ſayd Statute or not, and how the watchmen haue kept their watch. And if the Kings highwaies from one Marchant Towne to another, be inlarged as well in the Kings owne Townes as elſewhere, according to the Statute, and if they be not enlarged, to inquire what waies, and where they bee, and who ought to haue enlarged them. And of ſuch as let ſuch enlargements as well in Parkes as in other woods. Alſo if all men betweene the age of fifteene and threeſcore be ſworne to keepe the peace. Alſo if they haue weapons in their houſes according to the quantitie of their lands and goods, for maintenance of the peace according to the Statute. And alſo if Conſtables doe make view of armour in due manner, and of other things belonging to their Office or not. Alſo if Sheriſes, Hundredors, Bailifs of Liberties, and Fofters come at hue and crie leuied, and if they made purſuit for keeping the Kings peace according to the Statute, or not. Articles vpon the Statute at Winton. An. 13. E. 1. This ſeemeth not to be any Statute.

4 Whereas in the Statute made at Wincheſter, in the time of King Edward, grandfather to the King that now is (before 2.) it is contayned, That if any Straunger paſſe by the Countrey in the night, of whom any hath ſuſpition, he ſhall bee arreſted and deliuered to the Sheriſe, and remaine in ward till hee bee duely deliuered. And becauſe there hath beene diuers manſlaughters, felonies, and robberies done in time paſt, by people that bee called Roberdſmen, Waſters, and Drawlatches: It is accorded, That if any man haue any euill ſuſpition of ſuch, bee it by day or by night, they ſhall be incontinently arreſted by the Conſtables of the Townes. And if they be arreſted within Franchiſes, they ſhall be deliuered to the Bailifs of the Franchiſe. And if it be guildable, they ſhall be deliuered to the Sheriſes, & kept in priſon till the comming downe of the Juſtices of the gaole deliuerie, and in the meane time the Sheriffs and Bailifs of the Franchiſes, ſhall cauſe enquirie to bee made of ſuch perſons arreſted, and at the comming of the Juſtices, they ſhall returne their enqueſts before them, and that that they haue found, and the cauſe of the takings, with the bodies, and that the Juſtices ſhall proceed to the deliuerance of ſuch perſons arreſted after the Law. And in caſe that the Sheriſes or Bayliffes of the Franchiſes haue not enquired of ſuch perſons arreſted, they ſhall bee amerced, and neuertheleſſe the Juſtices ſhall make enquirie, and further proceed to the deliuerance, as before is ſayd. Anno 5. Edw. 3. cap. 12.

5 Becauſe that great clamour and grieuous complaints be made as well by Aliens as by Denizens, That Marchants and other paſſing throughout the Realme of England, with their marchandiſes and other goods, bee ſlaine and robbed, and namely now more then they were woont, whereof remedie hath not beene made to the complainants: Our Soueraigne Lord the King conſidering the profit which may come to the ſayd Realme, by comming and abiding of Marchants Aliens in the ſame Realme, and the damunage and miſchiefe which to them and other is done dayly by ſuch manſlaughters and robberies, and willing to prouide for the ſuretie and indemnitie of Marchants and other aforeſayd, hath ordained and eſtabliſhed by the aſſent of all his Parliament, to the intent that Marchants Aliens ſhall haue the greater will and courage to come into the ſayd Realme of England, and that remedie from henceforth bee ſpedily made to ſuch Marchants and other robbed, according to the forme contained in the Statute late made at Winchester (before 2.) that is to ſay, That ſolemne crie be made in all Counties, Hundreds, and Markets, Faires, and all other places where ſolemne aſſemblie of the people ſhall bee, ſo that none by ignorance ſhall excuſe him, that euerie Countrey from henceforth bee ſo kept, that immediately after felonies and robberies done, freſh ſuit be made from Towne to Towne, and from Countrey to Countrey, and Enqueſts, if need bee, ſhall bee alſo taken in the Townes by him which is Soueraigne of the Towne, and after in Hundreds, Franchiſes, and in the Counties, and ſometime in two, three, or foure Counties, in caſe when felonies ſhall bee done in the Marches of the Counties, ſo that the offenders may be attainted: And if the Countrey doe not aunſwer of ſuch manner offenders, the payne ſhall bee ſuch, that euerie Countrey, that is to ſay, the people dwelling in the Countrey, ſhall aunſwer of the robberies done, and of the dammages, ſo that all the Hundred where the robberie ſhall bee done, with the franchiſes which be within the precinct of the ſame Hundred, ſhall aunſwer of the robberie done. And if the robberie bee done in the diuiſes of two Hundreds, both Hundreds ſhall aunſwer together with the Fraunchiſes. And longer terme ſhall not the Countrey haue after the Robberie or Felonie done, then fortie dayes, within which them behoueth to make grees of the Robberie, or of the offence, or that they aunſwer of the bodie of the offenders. Anno 28. Ed. 3. cap. 11.

Marchants

Proclamation

Freſh ſuit

Enqueſts

Hundreds

Franchiſes

xl. Dayes

6 Whereas by two auncient Statutes, the one made in the Parliament holden at Winchester, in the thirteenth yeare of the raigne of King Edward the firſt, and the other in the eight and twentieth yeare of the raigne of King Edward the third, it was, for the better ſuppreſſing of Robberies and Felonies (amongſt other things) enacted to this effect, That if the Countrey doe not aunſwer for the bodies of ſuch malefactours, that then the paine ſhould be ſuch, that is to ſpit, That the people

dwelling in the Countrey, shall be aunswerable for the robberies done, and the dammages: so that the whole Hundred where the robberie shall bee done, with the Franchises which are within the precinct of the same Hundred, shal answer the robberies done. And if the robberie chance to be done in the division of two Hundreds, that then both the Hundreds together, with the franchises within the precinct of them, shall be answerable, as in the sayd two seuerall Statutes it doth more at large appeare. Forasmuch as the said parts of the said seuerall Statutes being of late dayes more commonly put in execution then heretofore they haue been, are found by experience to be verie hard & extreame to many of the Quenes Maiesties good subiects, because by the same Statutes they doe remaine charged with the penalties therein contained, notwithstanding their vnabilitie to satisfie the same, and though they doe as much as in reason might be required in pursuing such malefactors & offendors, whereby both large scope of negligence is giuen to the inhabitants and resiants in other Hundreds and Counties, not to prosecute the huy and crie made, followed & brought vnto them, by reason they are not chargeable for any portion of the goods robbed, nor with any dammages in that behalfe giuen, and also great incouragement and imboldening is likewise giuen vnto the offenders to commit daily more felonies and robberies, as seeing it in maner impossible for the inhabitants and resiants of the said Hundred and franchises wherein the robberie is committed, to apprehend them without the aid of the other Hundreds and Counties adioyning, and for that also that the party robbed hauing remedie by the aforesaid Statutes, for the recouering of his goods robbed, and dammages against the inhabitants and resiants of the Hundred wherein the robberie was committed, is many times negligent and careleſſe in prosecuting and pursuing the said malefactors and offenders: Our Soueraigne Ladie the Quenes Maiestie, not willing therefore that her people should be impouerished by any such paine or penaltie, which should be hard or grieuous to them, and haue speciall regard to abate the power of felons, and to represse felonies, doth for remedie hereof, with the consent of the Lords Spirituall and Temporall, and of the Commons of this present Parliament assembled, and by the authoritie of the same Parliament establish and enact, That the inhabitants & resiants of euerie or any such Hundred, (with the franchises within the precinct thereof) wherein negligence, fault or defect of pursuit, and fresh suit, after huy and crie made, shall happen to be, from and after fortie dayes next after the end of this present Session of Parliament, shall aunswer and satisfie the one moitie or halfe of all and euerie such summe and summes of money and dammages, as shall by force or vertue of the sayd Statutes or either of them bee recouered or had, against or of the sayd Hundred, with the franchises therein, in which any robberie or felonie shall at any time hereafter bee committed or done. And that the same moitie shall and may be recouered by action of debt, bill, plaint, or information, in any of the Quenes Maiesties Courts of Record at Westminster, by and in the name of the Clerke of the Peace for the time being, of or in euerie such Countie within this Realme, where any such robberie and recouerie by the partie or parties robbed shall be, without naming the Christian name or surname of the said Clerke of the Peace, which moitie so recouered, shall bee to the onely vse and behoſe of the inhabitants of the saide Hundred, where any such robberie or felonie shall be committed or done. And bee it further enacted by the authoritie aforesayd, That if any Clerke of the Peace, of or in any Countie within this Realme shall at any time hereafter commence or prosecute any such suit, action, or information, and shall after the same so sued, commenced, or preferred, happen to dye, or to be remoued out of his Office, before recouerie and execution had: That yet no such Action, Suit, Bill, Plaint, or Information, sued, commenced, or preferred, shall by such displacing or death, be abated, discontinued, or ended, but that it shall and may be lawfull to and for the Clerke of the Peace next succeeding in the sayd Countie, to prosecute, pursue and follow all and euerie such Action, Bill, Plaint, Suit, and Information, for the causes aforesayd, so hanging and depending in such maner and forme, and to all intents and purposes, as that Clerke of Peace might haue done which first commenced or prefetred the sayde Suit, Bill, Plaint, or Information. And although the whole Hundred where such robberies and felonies are committed, with the Liberties within the precinct thereof, are by the two former Statutes charged with the aunswering to the partie robbed his dammages: yet nevertheleſſe the recouerie and execution, by and for the partie and parties robbed, is had againſt one, or a verie few persons of the said inhabitants, and he and they so charged, haue not heretofore by Law had any meane or way to haue any contribution, of or from the reſidue of the sayd Hundred, where the sayd robberie is committed, to the great impouerishing of them against whom such recouerie or execution is had. For remedie whereof, be it enacted by the authoritie aforesayd, That after execution of dammages by the partie or parties so robbed had, it shall and may bee lawfull (vpon complaint made by the partie or parties so charged) to and for the Iuſtices of the Peace, (whereof one to be of the Quorum) of the same Counties, inhabiting within the said Hundred, or neere vnto the same, where any such execution shall be had, to aſſeſſe and tax ratably and proportionably, according to their discretions, all and euerie the Townes, Parishes, Villages, and Hamlets, as well of the sayd Hundred where any such robberie shal be committed, as of the liberties within the said Hundred, to and towards an equall contribution to be had and made for the reliefe of the sayd inhabitant or inhabitants, against whome the partie or parties robbed before that time had his or their execution: And that after such taration made,

the

the Constables, Constable, headboroughs or headborough of euery such Towne, Parish, Village and Hamlet, shal by vertue of this present act, haue full power and authority within their seuerall limits, ratably and proportionably to taxe & assesse according to their abilities, euery inhabitant and dweller in euery such Town, Parish, Village and Hamlet, for and towards the payment of such taxation and assessement as shalbe so made, vpon euery such Towne, Parish, Village and Hamlet as aforesayd, by the said Justices: and that if any inhabitant of any such Town, Parish, Village or hamlet, shall obstinately refuse and deny to pay the said taxation & assessement, so by the sayde Constables, Constable, Headboroughs or Headborough taxed and assessed, that then it shall and may be lawful to and for the saide Constables and Headboroughs, & euery of them within their seuerall limits and iurisdictions, to distrein all and euery person & persons so refusing and denying by his & their goods and chattels, and the same distresse to sell, and the mony thereof comming to reteine to the vse aforesayd. And if the goods and chattels so distrayned and sold, shall be of more value then the sayd taxation shall come vnto, ý then the residue of the saide money ouer and aboue the sayde taxation shall bee deliuered vnto the sayde person and persons so distrayned. And be it further enacted, that all and euery the sayd Constables and Headboroughs, after ý they haue within their seuerall limits & iurisdictions leuyed and collected their sayde rates and summes of money so taxed, shall within ten daies after such collection pay and deliuer the same ouer vnto the sayde Justices of Peace, or one of them, to the vse and behoofe of the sayde inhabitant or inhabitants, for whom such rate, taxation & assessement shall bee had or made as aforesayde: which money so payde, shall by the Justices or Justice so receiuing the same, be deliuered ouer (vpon request made) vnto the sayd inhabitant or inhabitants, th whose vse the same was collected. And bee it further enacted by the authoritie aforesayde, that the like, taxation, assessement, leuying by distresse and payment as aforesayd, shall be had and don within euery hundred where default or negligence of pursuite and fresh suite shall be, for and to the benefit of all and euery inhabitant and inhabitants of the same Hundred, where such default shall bee, that shall at any time hereafter by vertue of this present act, haue any dammages or money leuyed of them, or to the payment of the one Moitie or halfe of the money recouered against the sayde Hundred, where any Robberie shall be hereafter committed. Prouided, also, and be it further enacted by the authoritie aforesayd, that where any Robberie is, or shall bee hereafter committed by two, or a greater number of malefactours, and that it happen any one of the sayde offendors to bee apprehended by pursuite to be made according to the sayde former mentioned Lawes and Statutes, or according to this present Act, that then and in such case, no Hundred or Franchise shall in any wise incurre, or fall into the penaltie, losse or forfeiture mentioned either in this present Act, or in the sayd former Statutes, although the residue of the sayd malefactors shall happen to escape, and not to be apprehended: any thing in this Statute, or in the sayde former Statute to the contrarie notwithstanding. Prouided also, that no person or persons hereafter Robbed shall take any benefit by vertue of any the sayde former Statutes, to charge any hundred where any such Robberie shall bee committed, except he or they so Robbed, shall commence his or their suite or action within one yeare next after such Robberie so to be committed. And be it further enacted by the authoritie aforesayde, that no Hue or Cry, or pursuite hereafter to be done or made by the Countrey or inhabitants of any Hundred, shall bee allowed and taken to be a lawfull Hue & Cry, or pursuite, vpon or after any the sayd Felons or Offendors, except the same Hue and Cry and pursuite be done and made by Horsemen & Footmen, any vsage or custome to the contrary notwithstanding. And be it further also enacted by the authoritie of this present Parliament, that no person or persons that shall hereafter happen to be Robbed, shall haue or maintayne any action, or take any benefit by vertue of the sayd two mentioned Statutes, or either of them, except the sayd person and persons so Robbed, shal with as much conuenient spæd as may be, giue notice and intelligence of the sayd Felony or Robberie so committed, vnto some of the inhabitants of some Towne, Village, or Hamlet nere vnto the place where any such Robberie shall be committed, nor shal bring or haue any action, vpon or by vertue of any the Statutes aforesayd, except hee or they shall first within twenty dayes next before such action to bee brought, be examined vpon his or their corporall Oathe, to be taken before some one Justice of the Peace of the Countie, where the Robberie was committed, inhabiting within the said Hundred where the Robberie was committed, or neere vnto the same, whether hee or they doe know the parties that committed the said Robberie, or any of them. And if vpon such examination it be confessed that hee or they doe knowe the parties that committed the sayd Robberie, or any of them, that then hee or they so confessing, shall before the sayd action be commenced or brought, enter into sufficient bond by recognisance before the sayd Justice, before whom the said examination is had, effectually to prosecute the same person and persons so knowne to haue committed the sayd Robberie, by indictment or otherwise, according to the due course of the Lawes of this Realme. Anno 27. Eliz. cap. 13.

One yere

Horsemen & Footmen

Oath

Recognisace

7 Be it further enacted by the authoritie of this present Parliament, that the Inhabitants of the Hundred of Beinerth, alias Benherst, in the Countie of Berk. shall and may to their owne proper vse, in the name of the Clerke of the peace of the sayde Countie of Berk. recouer, haue, and leuy all such summes of money, costes and dammages, as hereafter shall be recouered or leuyed, of or against them by the statutes, 13. Ed. 1. 2. E. 3. & 27. Eliz. which be before 2. 5. & 6.) or any of them, against the inhabitants or resiants of euery

Beinerstho Benherst

Clerk of the Peace

Hundred

Defamit

or any ſuch Hundred, with the franchiſes within the precincts thereof, wherein negligence, fault or defect of ſuch purſute and freſh ſuite, (as by the ſaid Statute of the ſeuen & twentieth yere of your Maieſties Raigne is appointed to be made) ſhall happen to be, after notice giuen, or Hue and Cry brought to ỳ ſame Inhabitants or reſiãts or any of them, of or vpon any Robberie, which ſhal be at any time hereafter done, within the ſaide Hundred of Beinerth alias Benherſt, & that this preſent act ſhall giue as full power & authority in all reſpects, to the Inhabitants of the ſaide Hundred of Beinerth, alias Benherſt, (in the name of the Clerk of the Peace of the ſayd Countie) for recouerie, hauing, and leuying of all the ſayd money, coſtes and dammages, as aforeſayd, as the aforeſayd Statute of the ſeuen & twentieth yeare of your Maieſties Raign, gaue or intended to giue for the recouery of a Moity, or one halfe thereof. Prouided alwayes, and it is enacted by the authority aforeſaid, that no ſuch remedy or recouery ſhall be had, by this Statute, for all or the whole ſumme or ſummes of mony, and damages as aforeſaid, but only in theſe two caſes, viz. The one, where no ſuch notice or intelligence (as by the ſaid ſtatut of the ſeuen & twentieth yere of your Maieſties raign was appointed, to be giuen of euery or any Robberie) ſhall be giuen to the Inhabitants of the ſaid Hundred of Beinerth alias Benherſt, The other, where the Inhabitants of the ſame Hundred (after ſuch notice of any Robberie to them, or ſome of them giuen, or after Hue and Cry for the ſame to them brought) ſhal make,

Freſh ſuite

or cauſe to be made freſh ſuit, and purſuit, after the offenders, with Horſemen and Fotemen, according to the ſaide Statute of the ſeuen & twentieth yére of your Maieſties Raigne, and were neuertheleſſe the offenders, or any, or one of them, ſhall

40. dales

not bee apprehended within forty dayes after the Robbery committed. An. 39. Eliz. cap. 25.

Rocheſter.

Writs

All Writs to be purchaſed by the wardens of the new Bridge of Rocheſter and their ſucceſſors, or by other againſt them to bee purchaſed, ſhall be maintained and ſuſtained by the Lawe of

Wardens

England. And although that the ſaid wardens or any of them be remoued or expulſed from their ſaid office, or do die, hanging the ſame writs, neuertheles the ſame writs ſhal ſtand & be good and effectual in the law for euer. An. 9. H. 5. cap. 12.

Roiſton.

Where the Towne of Roiſton was in fiue ſeuerall Pariſhes, after by Anno 32. H. 8. cap. 44. the Church of the late Priorie in Roiſton is made the Pariſh Church of Roiſton, and a Vicar perpetuall made for the ſame Pariſh, and the King made Patron of the Vicarage, and the Vicarage made vnder the Dioceſſe of the Biſhop of London, and the tithes of the Corn, Hey, Wool, Lambe, and Calfe, appointed to the Parſons of the fiue Pariſhes, as before this act, and the Vicar of Roiſton to haue other tithes, offerings, oblations, obuentions, or other eccleſiaſtical duties & rights, and the fiue Parſons to haue like remedy for their tithes of Corne, the Wooll and Lambe, and Calfe, as before this ſtatute.

Vicar perpetuall K. patron Biſhop of London

Tithes Oblations

Rome.

Where the Kings humble and obedient Subiects, the Clergie of this Realme of England, haue not onely knowleaged according to the trueth, that the Conuocations of the ſame Clergie, is, alwayes hath béene, and ought to be aſſembled onely by the Kings Writ, but alſo ſubmitting themſelues to the Kings Maieſty, hath promiſed In verbo ſacerdotij, that they will neuer from héereforth preſume to attempt, alledge, claim, or put in vre, or enact, promulge, or execute any new Canons, Conſtitutions, Ordinances, prouincial or other, or by whatſoeuer other name they ſhall be called in the Conuocation, vnles the kings moſt royall aſſent and licence may to them be had, to make, promulge, and execute the ſame, and that his Maieſtie do giue his moſt royal aſſent and authority in that behalfe. And where diuers Conſtitutions, Ordinances and Canons prouincial or ſynodall, which heretofore haue béene enacted, & be thought not only to be much preiudiciall to the Kings prerogatiue royall and repugnant to the Lawes and Statutes of this Realme, but alſo ouermuch onerous to his Highneſſe and his ſubiects, the ſayd Clergie hath moſt humbly beſought the Kings Highneſſe, that the ſayd conſtitutions and canons may be committed to the examination and iudgement of his Highneſſe and of the two and thirtie perſons of the Kings Subiects, whereof ſixteene to be of the vpper and nether houſe of the Parliament, of the temporaltie, and other ſixteene to be of the Clergie of this Realme. And that all the ſayd two and thirty perſons to be choſen and appointed by the Kings Maieſtie. And that ſuch of the ſayde Conſtitutions and Canons as ſhal be thought and determined by the ſayd two and thirtie perſons, or the more part of them worthie to be abrogated and annulled, ſhall be aboliſhed and made of no value accordingly. And ſuch other of the ſame Conſtitutions & Canons, as by the ſaide 32. or more part of them ſhall be approued or ſtand with the Lawes of God, and conſonant to the Lawes of this Realme, ſhall ſtand in their full ſtrength and power, the K. moſt royal aſſent firſt had and obtayned to the ſame. Be it therefore now enacted by authority of this preſent Parliament, according to ſaid ſubmiſſion and petition of the ſaide Clergie, that they nor any of them from henceforth ſhall preſume to attempt, alledge, claime, or put in vre any conſtitutions or ordinances prouinciall, or ſynodals, or any other canons, nor ſhall enact, promulge, or execute any ſuch canons, conſtitutions, or ordinances prouinciall, by whatſoeuer name or names they may be called in their conuocations in

Clergie

Conuocat. K. writ

Licence

Aſſent

Conſtitutions Canons

King

Two & thirty perſons

Determined

Sentence of the 32

Clergie

Conuocations

time

time comming which alway shall be assembled by authority of the Kings Highnesse: unlesse the same Clergie may have the K. most Royall Assent and Licence, to make, promulge, and execute such Canons, Constitutions, and Ordinances provinciall or synodall, upon payne of every one of the sayd Clergie, doing contrary to this Act, and being thereof convict, to suffer imprisonment, and to make fine at the Kings will. And for as much as such Canons, Constitutions and Ordinance as heretofore hath beene made by the Clergie of this Realme, cannot now at the Session of this present Parliament, by reason of shortnesse of time, bee viewed, examined, and determined, and two and thirtie persons to bee chosen and appointed according to the petition of the sayd Clergie, in forme above rehearsed: Be it therefore enacted by authoritie aforesayd, that the Kings Highnesse shall have power and authority to nominate and assigne at his pleasure the sayd two and thirty persons of his Subiects, whereof sixteene to bee of the Clergie, and 16. to be of the temporaltie, of the upper and nether house of the Parliament. And if any of the 32. persons so chosen shall dye to bee before their full determination, then his highnesse to nominate other from time to time of the said two houses of the Parliament to supply the number of the sayd two and thirtie. And that the same two & thirtie by his highnesse so to be named, shal have power and authority to view, search, and examine the sayd Canons, Constitutions and ordinances provinciall and synodal, hertofore made: and such of them, as the Kings Highnesse and the said two and thirtie, or the more part of them, shall deeme and iudge worthie to be continued, kept and obeyed, shall bee from thencefoorth kept, obeyed, and executed within this Realm, so that the kings most royall assent under his great Seale bee first had to the same. And the residue of the sayde Canons, Constitutions and Ordinances prouinciall, which the King and the sayd thirtie and two persons, or the more part of them, shal not approue, & deeme and iudge worthie to be abolite, abrogate and made frustrate, shall from henceforth be voyd and of none effect, and neuer be put in execution within this Realme. Prouided alway, that no Canons, Constitutions or ordinance shalbe made & put in execution within this Realme, by the authoritie of the Conuocation of the Clergie, which shal be contrariant or repugnant to the Kings prerogatiue royall, or the Customes, Lawes or Statutes of this Realme: any thing contayned in this Act to the contrary hereof notwithstanding. And be it further enacted by authority aforesaide, that from the feast of Easter, which shall be in the yeare of our Lord God, 1534. no maner of Appeales shall bee had, prousked, or made out of this realm, nor out of any the Kings Dominions to the Bishop of Rome, nor to the see of Rome, in any causes or matters happening to be in contention, and having their commencement and beginning in any of the courts within this realm, or within any the Kings Dominion, of what nature, condition or qualitie soeuer they be of, but that all maner of appeales, of what nature or condition soeuer they be of, or what cause or matters soeuer they concerne, shall be made and had by the parties grieued, or having cause of appeale after such maner, forme, and condition, as is limited for appeales to be had and prosecuted within this realme in causes of Matrimonie, tithes, oblations, obuentions, & by a Statute thereof made and established sithen the beginning of this present Parliament (viz. 24. H. 8. c. 2. Appeales 1.) and according to the forme and effect of the sayd Statute, any vsage, custome, prescription, or any thing or things to the contrary hereof notwithstanding. And for lacke of iustice, at, or in any the Courts of the Archbishops of this realme, or in any the Kings Dominions, it shal be lawfull to the parties grieued to appeale to the Kings Court of Chauncery. And that vpon euery such Appeale a commission shall be directed vnder the great Seale, to such persons as shall be named by the Kings Highnesse, his heires or successors, like as in case of Appeale from the Admirall Court, to heare and definitiuely determine such Appeals, and the causes concerning the same: which commissioners, so by the Kings Highnesse, his heires or successors to be named or appointed, shall haue full power and authority to heare, and definitiuely determine euery such appeale, with the causes and all circumstances concerning the same: And that such iudgement and sentence as the said commissioners shal make and decree in and vpon any such appeale, shalbe good and effectuall, & also definitiue. And no further appeales to be had or made from the said commissioners for the same. And if any person or persons at any time after the said feast of Easter, prouoke or sue any manner of appeales, of what nature or condition soeuer they be of, to the said Bishoppe of Rome, or to the see of Rome, or do procure or execute any maner of processe from the see of Rome, or by authority thereof, to the derogation or let of the due execution of this act, or contrary to the same: that then euery such person or persons so doing, their ayders, counceilers, and abetters, shall incurre & run into the dangers, paines, & penalties contained and limited in the act of prouision and premunire, made in the sixteenth yere of the kings most noble progenitor, K. Richard the second, against such as sue to the court of Rome, against the K. crown & prerogatiue royall. Prouided allwaies, that all maner prouocatiõs and appeals hereafter to be had, made, or taken frõ the iurisdictions of any Abbots, Priors, or other heads, any gouernors of monasteries, abbies, priories, and other houses and places exempt in such cases, as they were wont or might afore the making of this act by reason of graunts or liberties of such places exempt, to haue or make immediatly any appeale or prouocations from the Bishoppe of Rome, or otherwise called the Pope, or the See of Rome, ỹ in all such cases, euery person or persons, hauing cause of appeale or prouocation, shal & may take and make their appeales and prouocations immediatly to the K. maiesty of this realme into the court of Chancery, in like maner and forme as they vsed afore to vo to the see of Rome, which appeales

Justice Courts

Chancery

Clerz ter.

Commissioners

Judgement

Premunire

Chancery

peales and prouocations so made, shall be definitiuely determined by authoritie of the Kings commission, in such manner and forme as in this act is aboue mentioned, So that no Archbishoppe nor Bishoppe of this Realme shall intermit or meddle with any such Appeales otherwise, or in any other manner, then they might haue done before the making of this act, any thing in this act to the contrary thereof notwithstanding. Prouided also, that such Canons, Constitutions, Ordinances and Synodals prouinciall, being already made, which be not contrariant nor repugnant to the Lawes, Statutes and customes of this Realme, nor to the dammages or hurt of the Kings Prerogatiue royall, shall nowe still bee vsed and executed as they were afore the making of this act, till such time as they be viewed, searched, or otherwise ordered or determined by the sayd two and thirtie persons or the more part of them, according to the Tenor, forme and effect of this present act. Anno 25. Hen. 8. capitul. 19. This act is repealed by 1. & 2. Phil. & Mar. and reuiued by Anno 1. Eliz. cap. 1.

Archbishop Bishop

Canons

Repugnant

Prerogatiue

2 Where sithen the beginning of this present Parliament, for repelle of the exaction of Annates and first fruites of Archbishoprickes and Bishoprickes of this Realme, wrongfully taken by the Bishop of Rome, otherwise called the Pope, and the See of Rome: It is ordayned and established by an Act, amongst other things, that the payment of the annates or first fruits, and all manner contributions for the same, for any such Archbishopricke or Bishopricke, or for any Bulles to bee obtayned from the See of Rome, to or for the sayd purpose or intent, should vtterly cease, and no such to be payed for any Archbishoprick or Bishopricke within this Realm, otherwise then in the same Act is expressed. And that no manner of person or persons to be named, elected, presented or postulated to any Archbishopricke or Bishopricke within this Realme, should pay the sayd annates or first fruites, nor any other manner of summe or sums of money, pensions, or annuities for the same, or for any other like exaction or cause, vpon payne to forfeit to our Soueraign Lord the King, his heires and successors, all manner his goods and cattels for euer, and all the Temporall Landes and Possessions of the sayde Archbishopricke or Bishopricke, during the time that he or they should offend contrarie to the sayd Act, should haue, possesse and enioy the sayd Archbishopricke or Bishopricke. And it was further enacted, that if any person named or presented to the See of Rome, by the K. Highnesse, or his heires or successours, to be Bishoppe of any See or Diocesse within this Realme, should happen to be letted, delayed, or deferred at the See of Rome, from any such Bishopricke, whereunto he shall be so presented, by meane of restraint of Bulles of the sayde Bishoppe of Rome, otherwise called the Pope, and other things requisite for the same, or should bee denied at the See of Rome, vpon conuenient suite for any Bulles, requisite for any such cause: that then euery person so presented, might or should be consecrated here in England by the Archbishoppe, in whose prouince the sayde Bishoprickes shall bee: so alwayes that the same person should bee named and presented by the King for the time being, to the sayd Archbishoppe. And if any person being named and presented as is aforesayd, to any Archbishopricke of this Realme, making conuenient suite as is aforesayd, should happen to be letted, delayed, deferred, or otherwise disturbed from the sayd Archbishopricke, for lacke of Pall, Bull, or other things to him requisite to be obtayned at the See of Rome, that then euery such person so named and presented to bee Archbishop, might and should be consecrated and inuested after presentation made as is aforesayd, by any other two Bishoppes within this Realme, whom the Kings Highnesse, or any his heires or successors, Kings of England, would appoint and assigne for the same, according, and after like manner as diuers Archbishoppes and Bishoppes haue beene heretofore in auncient time, by sundry the Kings most noble Progenitors made, consecrated and inuested within this Realme. And it was further enacted by the sayd Act, that euery Archbishop and Bishop being named and presented by the Kings Highnesse his heires & successors, Kings of England, & beeing consecrated and inuested as is aforesayde, shall be installed accordingly, and should be accepted, taken and reputed, vsed & obeyed, as an Archbishoppe or Bishoppe of the dignitie, See or place whereunto he shall be so named, presented & consecrated as other like Prelates of the prouince, See or Diocesse haue beene vsed, accepted, taken & obeyed, which haue had and obtayned completely their Bulles and other things requisite in that behalfe from the see of Rome, and also should fully & entirely haue and inioy all the spiritualties & temporalties of the said Archbishoprick or Bishoprick, in as large, ample, and beneficiall manner, as any of his or their Predecessors had or enioyed in the sayde Archbishopricke or Bishopricke, satisfying and yelding vnto the Kings Highnesse, and to his heires and successors all such duties, rights and inuells as before time hath beene accustomed to be payed for any such Archbishoprick or Bishoprick, according to the auncient Lawes and Customes of this Realme, and the Kings prerogatiue royall, as in the sayde Act amongst other things is more at large mentioned. And albeit the said Bishoppe of Rome, otherwise called the Pope, hath beene enformed and certified of the effectuall contents of the said act, to the intent that by some gentle wayes the said exactions might haue been redressed and reformed: yet neuerthelesse the said Bishop of Rome hitherto, hath made none answer of his mind therein to the Kings Highnes, nor deuised or required any reasonable wayes to and with our said Soueraign Lord for the same: wherefore his most excellent goodnes, for the wealth & profit of this his realm, & subiects of the same, hath not only put his most gratious and royall assent to the foresaid act, but also hath ratified and confirmed the same, and euery clause and article therein contayned, as by his letters pattents vnder his great Seale inrolled in the Parliament Rol of this present Parliament more at large is contayned. And forasmuch as in the said

Annates First fruits Archbish. Bishops

Bulls

Forf.

act

at it is not plainely & certainly expressed, in what manner and fashion Archbishoppes and Bishops shall be elected, presented, inuested and consecrated within this Realme, and in all other the Kings Dominions: Bee it now therefore enacted by the King our Soueraigne Lord, by the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by authority of the same, that the said act & euery thing therin contained, shalbe & stande in strength, vertue and effect, except only that no person or persons hereafter shall be presented, nominated, or commended to the sayd Bishop of Rome, otherwise called the Pope, or to the See of Rome, to or for the dignitie or office of any Archbishoppe or Bishoppe within this Realme, or in any other the Kings Dominions, nor shall sende nor procure therefore any manner of Bulls, Brieues, Palles, or other things requisite for an Archbishoppe or Bishoppe, nor shall pay any summes of money for Annates, first Fruits, or otherwise for expedition of any such Bulles, Brieues, or Palles, but that by the authority of this act, such presenting, nominating or commending to the sayde Bishoppe of Rome, or to the See of Rome, and such Bulles, Brieues, Palles, Annates, first fruits, and euery other summes of money heretofore limited accustomed or vsed to be paid at the said See of Rome, for procuration or expedition of any such Bulles, Brieues, or Palles, or other thing concerning the same, shall vtterly cease, and no longer be vsed within this Realme or within any the Kings Dominions, any thing contayned in the said act aboue mentioned, or any vse, custome, or prescription to the contrary thereof notwithstanding. And furthermore be it ordained and established by the authoritie aforesaid, that at euery ordinance of Archbishopricke or bishopricke within this Realme, or in any other the Kings Dominions, the King our Soueraigne Lord, his heires and successours may graunt the Prior and Couent, or the Deane and Chapter of the Cathedrall Churches or Monasteries, where the See of such Archbishopricke or Bishopricke shall happen to be voyd, a Licence vnder the great Seale, as of old time hath beene accustomed, to proceed to election of any Archbishoppe or Bishoppe of the See so being void within a letter missiue, containing the name of the person which they shall elect and chuse: by vertue of which Licence, the sayd Deane and Chapter, or Prior and Couent, to whom any such Licence or letters missiue shall be directed, shall with all spéed and celeritie in due forme elect and chuse the sayd person named in the said letters missiues to the dignitie and office of the Archbishopricke so being voide, and none other. And if they do, or deferre or delay their election aboue twelue dayes next after such Licence and letters missiue to them deliuered, that then for euery such default, the Kings Highnelle, his heires & successours, at their liberty & pleasure, shal nominate & present by their L. patents vnder their great Seale, such person to the said office and dignitie, so being voyd, as they shall thinke able and conuenient for the same. And that euery such nomination and presentment to be made by the Kings Highnelle, his heires and successours, if it be to the office and dignitie of a Bishoppe, shall be made to the Archbishoppe and Metropolitane of the Prouince where the See of the same Bishoprickе is void, if the See of the sayd Archbishoppe be then full and not void, and if it be voyd, then to be made to such Archbishoppe or Metropolitane within this Realme, or in any the Kings Dominions, as shall please the Kings Highnelle, his heires or successours. And if any such Nomination or Presentment shall happen to bee made for default of such elections to the dignitie or office of any Archbishoppe, then the Kings Highnelle, his heires and successours, by his Letters Patents vnder his great Seale shall nominate and present such person as they will depose to haue the said office and dignitie of the Archbishoprickе being void, to one such Archbishoppe, and two such Bishoppes, or else to foure such Bishoppes in this Realme, or in any the Kings Dominions, as shall be assigned by our sayd Soueraigne Lord, his heires or successours. And be it enacted by the authoritie aforesayd, that whensoeuer any such Presentment or Nomination shall be made by the Kings Highnelle, his heires or successours, by vertue and authoritie of this Act, and according to the tenor of the same, that then euery Archbishoppe and Bishoppe, to whose hands any such presentment and nomination shall be directed, shall with all spéed and celeritie, inuest, and consecrate the person nominate and presented by the Kings Highnelle, his heires or successours, to the office and dignitie that such person shall be so presented vnto, and giue and vse to him pall and all other benedictions, ceremonies and things requisite for the same, without suing, procuring, or obtayning hereafter any Bulles or other things at the See of Rome, for any such office or dignitie in any behalf. And if the said Deane and Chapter, or Prior and Couent, after such Licence and letters missiue to them directed within the said twelue dayes, do elect and chuse the said person mentioned in the said letters missiues, according to the request of the Kings Highnelle, his heires and successours therof to be made by the letters missiues in that behalfe: then their election shall stand good and effectuall to all intents, and that the person so elected after certification made of the same election vnder the common and Couent seale of the electors, to the Kings Highnelle, his heires or successours, shall be reputed and taken by the name of Lord elected of the sayd Dignitie and Office, that he shall be elected vnto. And then making such Oath and fealtie onely to the Kings Maiesty, his heires and successours, as shall be appointed for the same, the Kings Highnelle by his Letters Patents vnder his great Seale, shall signifie the said election, if it be to the Dignitie of a Bishoppe, to the Archbishoppe and Metropolitane of the prouince, where the See of the sayd Bishoprickе was voyde, if the See of the said Archbishoppe be full and not voyde, and if it bee voyde, then to any other Archbishoppe within this Realme, or in any other the Kings

Archbishop

L. patents

Consecrate

Bulles

Deane Prior

Othe Fealtie

Domi-

Dominions, requiring and commaunding such Archbishoppe, to whom any such signification Confirme shall bee made, to confirme the sayd election, and to inuest and consecrate the sayd person so elected to the Office and Dignitie that he is elected vnto, and to giue and vse to him all such Benedictions, Ceremonies, and other things requisite for the same, without any suing, procuring or obtaining any Bulles, Letters or other things from the See of Rome for the same in that behalfe. And if the person bee elected to the Office and Dignitie of an Archbishoppe, according to the tenour of this Act, then after such Election certified to the kings highnesse in fourme aforesayde, the same person so elected to the Office and Dignitie of an Archbishop, L. elect shall bee reputed and taken Lord elect to the sayde Office and Dignitie of Archbishoppe, whereunto hee shall be so elected. And then, after he hath made Oath Fealtie such Othe and Fealtie onely to the Kings Maiestie, his heires and successours, as shall bee limited L. patents for the same, the Kings Highnesse by his Letters Patents vnder his great Seale, shall signifie the sayd election to one Archbishop, and two other bishops, or else to foure bishops within this realm, or within any other the Kings Dominions to be assigned by the Kings Highnesse, his heires or successours, requiring and commaunding the said Archbishoppe and Bishops with all speed and celeritie to confirme the said election, and to inuest and consecrate the sayd person so elected to the office & dignity that he is elected vnto, and to giue and vse to him such Pall, Benedictions, Ceremonies, and all other things requisite for the same, without suing, procuring or obtaining any Bulles, Brefes, or other things at the said See of Rome, or by the authoritie therof in any behalf. And be it further enacted by authoritie aforesayd, that euery person & persons being hereafter chosen, elected, nominated, presented, inuested, and consecrate to the dignitie or office of any Archbishoppe or Bishoppe within this Realme, or within any other the Kings Dominions, according to the forme, tenour and effect of this present act, and suing their temporalties out of the Kings hands, his heires or successors, as hath beene accustomed, and making a corporall Othe to the Kings Highnesse, and to none other, in forme as is afore rehearsed, shall and may from henceforth be thronised or installed as the case shall require, and haue and take their onely restitution out of the Kings hands, of all the possessions and profits spirituall and temporall belonging to the sayd Archbishoprick or Bishoprick, whereunto they shall be so elected or presented, and shall be obeyed in all maner of things, according to ŷ name, title, degree and dignitie, that they shalbe so chosen or presented vnto, and do, & execute in euery thing & things touching the same, as any Archbishoppe, or Bishoppe of this Realme, without offending of the prerogatiue royall of the Crown, and the lawes and customes of this Realme mought at any time heretofore doe. And be it further enacted by the Prior Deane authoritie aforesayde, that if the Prior and Couent of any Monasteris, or Deane and Chapiter of any Cathedrall Church where the See of any Archbishoppe or Bishoppe is, within any the Kings Dominions, after such licence as is aforerehearsed shall be deliuered to them, proceed not to election, and signifie the same according to the tenour of this Act within the space of twentie dayes next after such Licence shall come to their hands, or else, if any Archbishoppe or Bishoppe within any of the Kings Dominions, after any such Election, Nomination or Presentation shall be signified vnto them by the Kings Letters Patents, shall refuse, and doe not confirme, inuest and consecrate with all due circumstance as is aforesayd, euerie such person as shall bee so elected, nominate or presented, and to them signified, as is aboue mentioned, within twentie dayes next after the Kings Letters Patents, or such signification or presentation shall come to their hands, or else if any of them, or any other person or persons admit, maintaine, allowe, obey, doe, or execute any censures, Excommunication, Interdictions, Inhibitions or any other Processe or act, of what nature, name or qualitie soeuer it bee, to the contrarie or let of due execution of this Act, that then euery Prior and particuler person of his Couent, and euerie Deane and particuler person of the Chapter, and euery Archbishoppe and Bishoppe, and all other persons so offending and doing contrary to this Act or any part thereof, and their Aiders, Counsellers and Abetters shall runne in the daungers, paynes and penalties of the Estatute of the Prouision and Premunire made in the fiue and twentieth yere of the Raigne of King Edward the third, and in the fifteenth yeere of King Richard the second. Anno 25. H. 8. cap. 20. This act was repealed by An 1. & 2. P. & M. and renued by 1. Eliz. cap. 1.

20. dayes Licence

Refuse

20. dayes L. patents

Excommunication

Archbp. Bishop

Premunire

3 That noe person or persons of this your Realme, or of any other your Dominion, shall from henceforth pay any Pension, Censes, Portion, Peter pence, or any other impositions, to the vse of the sayd Bishoppe of the See of Rome, like as heretofore they haue vsed by vsurpation of the sayde Bishoppe of Rome and his Predecessors, and sufferance of your Highnesse and your most noble Progenitors to doe, but that all Pensions, Censes, Portions, and Peter pence, which the sayd Bishop of Rome, otherwise called the Pope, hath heretofore taken and receiued, or caused to be taken and perceiued to his vse, and his Chambers which hee calleth Apostolique, by vsurpation and sufferance, as is aboue sayde within this your Realme, or any other your Dominions, shal from henceforth cleerely surcease, and neuer more be leuied, taken, receiued nor payed, to any person or persons in any manner of wise: any Constitution, Vse, Prescription or Custome to the contrary thereof notwithstanding. And bee it further enacted by the authoritie aforesayd, that neyther your Highnesse, your heires nor successors, kings of this Realme, or any of your Subiects of this Realme, nor of any other Dominions, shall from henceforth sue to the said Bishop of Rome called the Pope, or to the See of Rome, or to any person or persons, hauing or pretending any authority by

Bulles

Pope

Sue Pope

the

the same, for licences, dispensations, impositions, faculties, grants, rescripts, delegacies, or any other instruments or writings, of what kind, name, nature or qualitie soeuer they be of, for anie cause or matter, for the which any licence, dispensation, composition, faculty, graunt, rescript, delegacie, instrument, or other writing, heretofore hath beene vsed and accustomed to be had and obtained at the Sea of Rome, or by authority thereof, or of any Prelate of this Realme, nor of anie manner of other licences, dispensations, compositions, faculties, graunts, rescripts, delegacies, or any other instruments or writings that in causes of necessity may lawfully be graunted without offending of holie Scripture and Lawes of God; But that from henceforth euery such licence, dispensation, composition, facultie, graunt, rescript, delegacie, instrument, and other writing aforenamed and mentioned necessary for your Highnesse, your heyres or successors, and your and their people and subiects, vpon the due examination of the causes and qualities of the persons procuring such dispensations, licences, compositions, faculties, grants, rescripts, delegacies, instruments, or other writings shall be graunted, had, and obtained from time to time, within this your Realme, and other your Dominions, not elsewhere in maner and forme following, and none otherwise: that is to say, the Archbishop of Canterbury for the time being, and his successors, shall haue power and authority from time to time, by their discretions, to giue, graunt, and dispose, by an instrument vnder the Seale of your said Archbishop vnto your Maiestie, and to your heyres and successours, Kings of this Realme, aswell all maner such licences, dispensations, compositions, faculties, graunts, rescripts, delegacies, instruments, and all other writings, for causes not being contrary nor repugnant to the holie Scriptures and Lawes of God, as heretofore hath beene vsed and accustomed to be had & obtained by your Highnesse, or any your most noble Progenitors, or any of yours or their subiects at the Sea of Rome, by any person or persons by authoritie of the same: and all other Licences, Dispensations, Faculties, Compositions, Grants, Rescripts, Delegacies, Instruments, and other Writings, in, for, & vpon all such causes & matters as shall be conuenient and necessary to be had, for the honor and suretie of your Highnesse, your heires and successors, and the wealth and profit of this your realme: so that the said Archbishop, or any his successors, in no manner wise shall grant any dispensation, licence, rescript, or any other writing aforesaid reuersed, for any cause or matter repugnant to the Law of almighty God. Be it also enacted by authority aforesaid, that the said Archb. and his successours after good & due examination by them had, of the causes and qualities of the persons procuring for licences, dispensations, cõpositions, faculties, delegacies, rescripts, instruments & other writings, shal haue ful power & authority by themselues, or by their sufficient & substantial commissary or deputy by their discretions from time to time to grant & dispose by an instrument vnder the name & seale of the said Archb. aswell to any of your subiects, as to the subiects of your heires & successors, al maner licences, dispensations, faculties, compositions, delegacies, rescripts, instrumets or other writings for any such cause or matter, whereof heretofore such licences, dispensations, compositions, faculties, delegacies, rescripts, instruments or writings haue been accustomed to be had at the Sea of Rome, or by authority thereof, or of any Prelate of this realme. And that the said Archb. and his Commissary shall not grant any other licence, dispensation, composition, faculty, writing, or instrument in causes vnwont & not accustomed to be had or obtained at the court of Rome, nor by authority thereof, nor by any Prelate of this Realme, vntill your Grace, your heires or successors, or your or their Councel shal first be aduertised thereof, & determine whether such liceces, dispensations, compositions, faculties, or other writings, in such cases vnwont and not accustomed to be dispensed withall, or obtained, shal commõly passe as other dispensations, faculties, or other writings shall or no, vpon paine that the granters of euery such licence, dispensation, or writing in such cases vnwont, contrary to this Act, shal make fine at the wil & pleasure of your Grace, your heyres and successours. Fine

And if it be thought and determined by your grace, your heires and successors, or your or their Councell, that dispensations, faculties, licences, or other writings, in any such cause vnwont, shall passe, then the sayd Archbishop or his Commissarie, hauing licence of your highnes, your heires or successors for the same by your or their bill assigned, shall dispense with them accordingly. Licence

Prouided alwayes, that no maner of dispensations, licences, faculties, or other rescripts or writings, hereafter to be graunted to any person or persons, by vertue or authority of this Act, by the said Archbishop or his Commissary, being of such importaunce, that the Tare for the expedition thereof at Rome extended to the summe of foure pounds, or aboue, shall in any wise be put in execution, till the same licence, dispensation, faculty, rescript, or other writing, of what name or nature soeuer it be of, be first confirmed by your Highnesse, your heyres or successours, Kings of this Realme, vnder the great Seale, and enrolled in your Chauncery in a Roll by a Clerke to bee appoynted for the same. And that this Act shall be sufficient warrantie to the Chauncellour of England for the time being, or to him whom your Grace, your Heyres or Successours shall depute to bee the Keeper of the Great Seale, to confirme in your name, your Heyres or Successours, the foresayd Writings passed vnder the sayd Archbishoppes Seale, by Letters Patents in due forme thereof to bee made vnder your Great Seale, remitting as well the sayd Writing vnder the Archbishoppes Seale, as the sayd Confirmation vnder the Great Seale, to the parties from time to time, procuring for the same. 4. pounds

Warrant

And that all such Licences, Dispensations, Faculties, and other Rescripts and Writings for the Expedition of the which, the sayd Tares to be payed at Rome, was vnder foure pounds, which bee matters of no great importaunce, shall passe onelie by the Arch-

Seale

bishops seale, and shall not of any necessity be confirmed by the great Seale, vnlesse the procurers of such Licence, Facuity, or Dispensation, desire to haue them so confirmed: In which case they shall pay for the said great Seale, to the vse of your

v. shillings

Highnesse, your heyres and successors, fiue shillings sterling, and not aboue, ouer and beside such Tare as shall be hereafter limited for the making, writing, registring, confirming and inrolling of such licence, confirmations, and writings, vnder the said tare of foure pounds. And that euery such licence, dispensation, composition, faculty, Rescript and Writing, of what name or nature soeuer it be, for such causes as the Tare was wont to be, foure pounds, or aboue, so graunted by the Archbishop, and confirmed vnder the great seale, and all other licences, dispensations, faculties, rescripts, and writings hereafter to be granted by the archbishop, by vertue & authority of this act, whereunto the great seale is not limited of necessity to be put to, by reason that the tare of them is vnder fifty. pounds, shall be accepted, approued, allowed and admitted good and effectuall in the Lawe, in all places, Courts, and Iurisdictions, as well Spirituall as Temporall within this Realme, and elsewhere within your Dominions, and as beneficiall to the persons obtaining the same, as they should haue beene, if they had beene obtained with all things requisite of the sea of Rome, or of any other person by authority thereof, without any reuocation or repeale hereafter to be had of any such Licences, Dispensations, Faculties, Rescripts or Writings, of what nature soeuer they be: And

Children

that all children procreated after solemnization of any marriages to be had or done by vertue of such Licences, or Dispensations, shall be admitted, re-

Legitimate

puted and taken legitimate in all Courts, as well Spirituall as Temporall, and in all other places, and inherite the inheritaunce of their parents and auncestors within this your Realme, and all other your Dominions, according to the Lawes and Customes of the same, and all Acts to be done, had, or executed according to the tenour of such Licences, Dispensations, Faculties, Writings, or other Instruments to be made or graunted by authority of this Act, shall be firme, permanent, and remaine in force, anie forreine lawes, constitutions, decrees, canons, decretalls, inhibitions, vse, custome, prescription, or any other thing had, or hereafter to be made, to the contrary notwithstanding. And be it further enacted, That the sayd Archbishop and his successours, shall haue power and authority to ordaine, make, and constitute a

Register

Clerke, which shall write and register euery such licence, dispensation, faculty, writing or other instrument to be granted by the said Archbishop, and shal find parchment, wax, and siluer laces conuenient for the same, & shal take for his paines such sums of money as shall be hereafter in this present Act to him limited in that behalfe for the same. And that likewise your Grace, your heyres and successours, shall by their Let. Pat. vnder your great Seale, or-

Clerke

daine, depute, and constitute one sufficient Clerke, being learned in the court of the Chauncery, which alwayes shall be attendant vpon the Lord Chauncellor, or the Lord Keper of the great Seale for the time being, and shall make, write, and inroll the confirmations of all such Licences, Dispensations, Instruments, and other Writings, as shall be thither brought vnder the Archbishops Seale, there to be confirmed and inrolled. And shall also intitle in his Bookes and inroll of Record, such other writings as thither shall be brought vnder the Archbishops Seale not to be confirmed, taking for his paines such reasonable summes of money, as hereafter by this Act to him shal be limited for the same. And that as well the said Clerke appointed by the said Archbishops, as the said Clerke to be appointed by your Highnesse, your heyres or successors, shall subscribe their name to euery such licence, dispensation, faculty, or other writing, that shall come to their hands to be written, made, granted, sealed, confirmed, registred, & inrolled by authority of this Act, in forme as is before rehersed. And forasmuch as the charges of obtaining the said Licences, Dispensations, Faculties, and other Rescripts or writings aforenamed, at the Court of Rome, by the losses and exchanges, and in conducting of curors, and waging solicitors to sue for any such licences, dispensations, faculties, instruments, and other rescripts or writings, haue beene greeuous and excessiue to your people, and many times greater summes haue beene demaunded for the spedy expedition in the Court of Rome, then be expressed in the olde tare, limited to be payed for the sayd expeditions, whereby your people haue beene brought to an incertainetie vpon the payment for expeditions of such things, and by reason thereof haue been constrained to pay more then they were wont to doe, to the great impouerishing of this Realme, as is aforesaid: And sometime the speding of such dispensations, faculties, licences, and other writings at Rome, haue beene so long deferred, that the parties laboring for the same, haue suffred great incommodities and losse for lacke of quicke spede, which hereafter may bee had within this your Realme, to the great commodity of your people, whereby the charges of making exchanges, conducting of curors, and solicitors for the said dispensations, shall be abated, and your people so much relieued and eased, to the intent that all ambiguitie and incertainty of payments for dispensation, faculties, licences, and other rescripts and writings, may be taken away, that no fraud nor exaction shal be exercised vpon your people by such Officers as shall be appointed by this Act, to take paines in speding such dispensations, faculties, & licences, but that your people may be sure and certaine what they be appointed to pay for the same: Be it enacted by this present parliament, and by authority of the same, that there shall be two Bookes drawen, and made of one tenor, in which shall be contained the tares of all customable dispensations, faculties, licences, and other writings wont to be sped at Rome, which books and euery leafe of those bookes, and both sides of euery leafe, shall be subscribed by the Archbishop of Canterburie, the Lord Chauncellor of England, the Lord Treasurer of Eng-

land,

land, and the two chiefe Iustices of both Benches for the time being, to the which Bookes all suters for dispensations, faculties, licences, & other writings afore rehearsed, shall haue recourse, if they require it. And one of the said Bookes shall remaine in the hands of him, which shal be appointed to bee Register and Scribe of the said dispensation, faculties, & licences, vnder the said Archbishop of Canterbury, in forme as is before said: And that other Booke shall remaine with the Clerke of the Chauncerie, which by your Grace, your heyres or successors, shall be appoynted, as is before rehearsed. Which clerk of the Chancerie shall also intitle and note particularly & daily in his Booke ordained for that purpose, the number and qualitie of the dispensations, faculties, licences, and other rescripts, & writings, which shalbe sealed onely with the seale of the said Archbishop, and also which shal be sealed with the said Seale and confirmed with the great Seale, in forme as is before said; and that all fraud and concealement in this behalfe may be auoyded. And be it enacted by this present parliament, & by the authority of the same, that no man suing for dispensations, faculties, licences, & other rescripts or writings, which were wont to be sped at Rome, shal pay anie more for their dispensations, licences, or rescripts, then shalbe contained, tared, and limited in the said duplicate Bookes of tares, only compositions excepted, of which being arbitrarie, no tare can be made. Wherefore the tare thereof shalbe set and limited by the discretion of the said Archbishop of Canterbury, and the L. Chancellor of England, or the L. Keeper of the great Seale, for the time being. And that such as shall exact or receiue of anie suiter more for any dispensation, faculty or licence, then shall be contained in the said Bookes of tares, shal forfeit x. times so much, as he shall so extortiously exact and receiue: the one halfe of the which forfeiture to be to the vse of your Grace, your heires & successors, and the other halfe thereof to be to such of your subiects, as will sue for the same by action, bill, or plaint in any of your Graces courts, wherein the defendant shall haue none essoine nor protection allowed, neyther shalbe admitted to wage his Law. Be it also enacted by this Parliament and authority of the same, that the tare or summe appoynted to be paied for euery such dispensation, faculty, licence, instrument, rescripts, or other writing, to be graunted by authority of this Act, shall be imployed and ordered, as hereafter ensueth, that is to say: If the tare extend to foure pounds, or aboue, by reason whereof the dispensation, licence, faculty, rescript, or writing, which shall passe by the said Archbishops Seale, must be confirmed by the appension of the great Seale, then the said tare so extending to foure pounds, or aboue, shall be diuided into three parts, whereof two shall be receiued by the said Clerke of the Chauncery, to be appointed as is afore said, to the vse of your Highnes, your heires and successors, and to the vse of the L. Chancellor, or the Keeper of the great Seale for the time being, and to the vse of the said Clerke, in such wise as hereafter shalbe declared, and that the third part shal be taken by the said clerk of the Archbishop, to the vse of the said Archbishop & his commissary, and his said Clerke and Register, in such wise as hereafter shall be ordered and limited by this Act, that is to say: The said two parts shall be diuided in fiue parts, of which, three parts shall be taken to the onely vse of your Highnesse, your heyres and successours, and the fourth part shall be diuided in three parts, whereof the Chauncellor of England, or Lord Keeper of the great Seale for the time being, shall haue two parts, and the said Clerke of the Chancery the third part for his paines, trauell and labours, that he is limited to write and doe, by vertue of this Act. And the said third part of the whole tare appointed to the saide Archbishop and his Officers (as is aforesaid) shall be diuided into three parts, whereof the Archbishop shall haue to his vse two parts, and his Officers shall haue the third part thereof, of which third part to be diuided into two parts, the said Clerke or Register which shall finde parchment, ware, and fille, and shall deuise and write the said dispensations, licences, faculties, rescripts, or other writings, and register the same, shall haue for his said labour, and for receiuing and repaying of the summes of money, that shal come to his hands for dispensations, faculties, licences, and other rescripts shall haue the one moity thereof, & the Commissary of the said Archbishop appointed to seale the said dispensations, faculties, licences, & other rescripts aforesaid the other part. And if the tare be vnder iiij. pounds, and not vnder forty shillings, then the said tar shal be diuided into three parts, as is aforesaid, whereof the Kings Highnesse, his heyres and successors shal haue two parts thereof, abating three shillings foure pence, which shall be to the said Clerke of the Chauncery for subscribing, entituling, and enrolling the said dispensations, licences, faculties, rescripts and other writings aforesaid, and receiuing of the Kings money so tared: And the Archbishop and his Officers shall haue the third part, which third part shall be diuided into two parts, whereof the Archbishop shall haue the one entirely to himselfe, his Scribe and Commissary shall haue the other part thereof, equally to be diuided amongst them, for their costs and paines in that behalfe. And if the tar be vnder xl.s, and not vnder xxvj.s viij.d. the same tare shalbe diuided into v. parts, whereof the one part shalbe to your Grace, your heyres and successors, deducting thereof two shillings for the Clerke of the Chauncery for his paines, as is aforesaid: And the other part shall be to the said Archbishop and his Officers, which other part shall bee diuided into two partes, whereof the Archbishop shall haue the one, and his Commissary and Scribe shall haue the other part equally diuided amongst them. And if the tar be vnder xxvj.s.viij.d, and not vnder xx.s the same shalbe diuided into two parts, whereof your Grace, your heyres and successours, shall haue the one part entirely, abating two shillings thereof to the saide Clerke of the Chauncery, and the Archbishop and his Officers shall haue the other part, and the same other part shall be diuided into three parts, whereof the Archbishop shal haue one, his Commissary the second, and his Scribe or

Chauncellor

Forty shillings Diuided

xxvj.s.viij.s

xx. shillings

Regiſter the third. And in caſe the fare be vnder twentie ſhillings, the ſame ſhall be receiued to the vſe of the ſaid Commiſſary, Clerke of the ſaid Archbiſhop, and Clerke of the Chauncery, to be equally diuided amongſt them for theyr paines and labors, by them to be ſuſtained by authoritie of this Act, as is aforeſaid. Prouided alwayes, That this Act ſhall not be preiudiciall to the Archbiſhop of Yorke, or to any Biſhop or Prelate of this realme, but that they may lawfully (notwithſtanding this Act) diſpenſe in all caſes, in which they were wont to diſpenſe by the Common Law, or Cuſtome of this realme afore the making of this Act. Prouided alſo and be it enacted by authoritie aforeſaid, that if it happen the Sea of the Archbiſhoprieke of Canterburie to be void, that then all ſuch maner licences, diſpenſations, faculties, inſtruments, reſcripts, and other writings, which may be graunted by vertue and authority of this Act, ſhal (during the vacation of the ſame Sea) be had, done, and graunted vnder the name & Seale of the Gardian of the ſpiritualties of the ſaid Archbiſhoprieke for the time being, according to the tenor and forme of this Act, and ſhall be of like force, value, and effect, as if they had beene graunted vnder the name and Seale of the Archbiſhop for the time being. And be it further enacted, That if the aforeſaid Archbiſhop of Canterbury for the time being, or the ſaid Gardian of the Spiritualties for the time being, hereafter refuſe or deny to grant any licences, diſpenſations, faculties, inſtruments, or other writings which they be authorized to doe by vertue and authority of this Act, in ſuch manner and forme, as is afore remembred, to any perſon or perſons, that ought of a good, iuſt, and reaſonable cauſe, to haue the ſame, by reaſon whereof this preſent Act by their wilfulneſſe, negligence, or default, ſhould take non effect, then the Chauncellour of England, or the Lord Keeper of the great Seale for the time being, vpon any complaint thereof made, ſhall direct the Kings Writ to the ſaid Archbiſhop or Gardian, denying, or refuſing to graunt ſuch licences, diſpences, diſpenſations, faculties, or other writings, enioyning him by the ſaid Writ, vpon a certaine paine therein to be limited by the diſcretion of the ſaid Chauncellour, or Keeper of the great Seale, that hee ſhall in due forme graunt ſuch licence, diſpenſation, faculty, or other writing, according to the requeſt of the procurors of the ſame, or elſe ſignifie vnto your Highneſſe, your heyres or ſucceſſors, in the Court of Chauncerie, at a certaine day, for what occaſion or cauſe he refuſed and denied to graunt ſuch licences, faculties, or diſpenſations. And if it ſhall appeare to the ſaid Chãcellour, or Lord Keeper of the great Seale, vpon ſuch certificat, that the cauſe of refuſall or deniall of graunting ſuch licences, facultie, or diſpenſation, was reaſonable, iuſt, and good, that then ſo being proued by ſuch ſearch and examination of the ſaide Chauncellor or Lord Keeper of the great Seale, to be admitted and allowed. And if it ſhall appeare vpon the ſaid certificate, that the ſaid Archbiſhop or Gardian of the Spiritualties for the time being, of wilfulnes in contemning the due execution of this Act, without a iuſt and reaſonable cauſe, refuſed or denyed to grant ſuch licence, facultie, or diſpenſation, that then your Highneſſe, your heyres and ſucceſſors, being thereof informed, after due examination had, that ſuch licences, faculties, or diſpenſations, may be granted without offending the holy Scriptures and Lawes of God, ſhall haue power & authoritie in euerie ſuch caſe for the default, negligence, and wilfulnes of the ſaid Archbiſhop or Gardian, to ſend your Writ of Iniunction, vnder your great Seale, out of your ſaid Court of Chauncery, commanding the Archbiſhop or Gardian, that ſo ſhall deny or refuſe to graunt ſuch licence, facultie, or diſpenſation, to make ſufficient grant thereof, according to the tenour and effect of this Act, by a certaine day, and vnder a certaine paine in the ſaid Writ to be contained, and to be limited by your Highneſſe, your heyres and ſucceſſors, Kings of this Realme. And if the ſaid Archbiſhop or Gardian, after the receit of the ſaid writ, refuſe or deny to grant ſuch licences, faculties, or diſpenſations, as ſhall be enioyned him by vertue of the ſaid writ, and ſhew and proue before your Maieſtie, your heires, or ſucceſſors, no iuſt or reaſonable cauſe why they ſhould ſo doe, then the ſaid Archbiſhop or Gardian, that ſo ſhall refuſe to put this Act in execution, according to the ſaid Writ of Iniunction, ſhall ſuffer, loſe and forfeit to your Highneſſe, your heyres and ſucceſſors, ſuch paine and penaltie as ſhall be limited and expreſſed in the ſaid Writ of Iniunction. And ouer that it ſhall be lawfull to your Highneſſe, your heyres and ſucceſſors, for euery ſuch default and wilfulnes of the ſaid Archbiſhop or Gardian, for the time being, to giue power and authority by Commiſſion vnder your great Seale, to ſuch two Spirituall Prelates or perſons, to be named by your Highneſſe, your heyres and ſucceſſors, as wil doe and grant ſuch licences, faculties, and diſpenſations, refuſed or denied to be graunted by the ſaid Archbiſhop or Gardian, in contempt of this Act. And be it further enacted by the authority aforeſaid, that the ſaid two Spirituall Prelates or Perſons, to whom in ſuch Caſes, any ſuch Commiſſion ſhall be directed, ſhall haue power and authority to graunt euery ſuch licence, faculty, diſpenſation, inſtrument and other writings ſo refuſed to bee graunted by the ſaid Archbiſhop or Gardian for the time being, by an inſtrument vnder the Seales, taking like fees and charges for the ſame, as is afore rehearſed, and not aboue, vnder the paines afore remembred. And that euerie ſuch licence, facultie, and diſpenſation ſo granted for any cauſes or matters, whereunto anie confirmation vnder the Kings Great Seale is appointed by this Act, to be had in manner and forme aboue declared, ſhall be had and obtained accordingly. And ſuch licences and confirmations ſhall be had for like fees and charges, as they are aboue ſpecified, and not aboue, vnder the paines aboue mentioned, & that euery ſuch licence, faculty, diſpenſation, & other writing to be granted by the ſaid Prelates, or perſons to be aſſigned by the K. Highneſſe, his heires and ſucceſſors, as is aforeſaid, ſhall be of as good value, ſtrength, and effect,

and

Archbiſhop of Yorke

Sea void

Gardian

Refuſe

Chauncelor

Iniunct.

Fol.

Com.

and as beneficial and profitable to the persons procuring the same, as if they had beene made, graunted, and obtained vnder the name and seale of the said Archbishop. Prouided alwaies, that this Act, nor any thing or things therein contained, shall be hereafter interpreted or expounded, that your grace, your nobles and subiects, intend by the same to decline or varie from the Congregation of Christs Church, in any thing concerning the very articles of the Catholike Faith of Christendome, or in anie other things declared by holy Scripture, and the word of God, necessary for your and their saluations, but onely to make an ordinaunce by policies necessary and conuenient to represse vice, and for good conseruation of this Realme in peace, vnitie, and tranquilitie, from ruine and spoile, ensuing much the old auncient customes of this Realme in that behalfe: not minding to seeke for any reliefes, succours, or remedies for any worldly things, and humane lawes in any cause of necessitie, within this Realme, at the hands of your Highnesse, and your heyres and successors, Kings of this realme, which haue and ought to haue an Imperiall power and authority in the same, & not obliged in any worldlie causes to any other superiour. Prouided alway, that the said Archbishop of Canterbury, or any other person or persons, shall haue no power or authority by reason of this Act, to visite or vere anie monasteries, abbies, priories, colledges, hospitals, houses, or other places religious, which be or were exempt before the making of this Act: any thing in this Act to the contrary thereof notwithstanding, but that redresse, visitation, and confirmation shall be had by the Kings Highnesse, his heyres and successors by Commission vnder the great Seale, to be directed to such persons, as shall be appointed requisite for the same, in such Monasteries, Colledges, Hospitalls, Priories, Houses and places religious, exempt: So that no visitation nor confirmation shall from henceforth be had or made, in, or at any such Monasteries, Colledges, Hospitalles, Priories, houses and places Religious, exempt, by the said Bishop of Rome, or by any of his authority, nor by any out of the Kings dominions. Nor that any person religious, or other, resiant in anie the Kings dominions, shall from henceforth depart out of the Kings dominions, to or for any visitation, congregation, or assembly for Religion, but that all such Visitations, Congregations, and Assemblies shall be within the Kings Dominions. Prouided also, that this present Act, or any thing therein contayned, or any licence or dispensation hereafter to be made by vertue and authority thereof, shall not extend to the repeale or derogation of the late Act, made sith the beginning of this present Parliament, for reformation of Pluralities of Benefices, and for non residence, of Spirituall persons vpon their Dignities or Benefices, nor to any things contained or mentioned in the said Act. Nor that this Act, nor any thing to be done by authoritie thereof shall not be taken, expounded, nor interpreted, to giue licence to any person or persons, to haue any more number of Benefices, then is limited in the sayd Act. And that the same Act for Pluralities, and non residents of Benefices, and euery thing therein contained shall stand good and effectuall to all intents, according to the true meaning thereof, anie thing in this present Act, or any licence or dispensation to be had by authoritie thereof, in any wise notwithstanding. And be it further enacted by authority aforesaid, That if any person or persons, subiect or resiant within this Realme, or within any the Kings Dominions, at any time hereafter sue to the Court of Rome, or the Sea of Rome, or to any person claiming to haue his authority by the same, for any licence, faculties, or dispensation, or other thing or things contrary to this Act, or put in execution any licence, faculty, or dispensation, or any other thing or things hereafter to be obtained from Rome, or the Sea of Rome, or from anie clayming authoritie by the same, for anie of the causes aboue mentioned in this Act, or for anie other causes, that may bee graunted by authority of this Act, or attempt, or doe anie thing or things contrarie to this Act, or maintaine, allow, admit of censures, excommunications, interdictions, or any other processe from Rome, of what name or nature soeuer it be, to the derogation or let of the execution of this Act, or of any thing or things to be done by reason of the said Act, that then euerie such person or persons so doing, offending, and being thereof conuict, their Aydors, Councellours, and Abbettours, shall incurre and runne into the paine, losse and penaltie comprised and specified in the Act of prouision and premunire, made in the sixteenth yeere of your most noble progenitor King Richard the second, against such as sue to the Court of Rome against your Crowne and Dignity Royall. Prouided alway, that this Act, or any thing therein contained, shall not hereafter be taken or expounded to the derogation or taking away of any graunts, or confirmation of any Liberties, Priuiledges, or Iurisdiction of any Monasteries, Abbies, Priories, or other houses or places exempt, which heretofore before the making of this Act hath beene obtained at the Sea of Rome, or by authoritie thereof, but that euerie such graunt and confirmation shall bee of the same value, force, and effect, as they were afore the making of this Act, and as if this Act had neuer beene made. Prouided alwayes, that the Abbots, Priors, and other chiefe Rulers and Gouernors of such Monasteries, Abbies, and other houses and places exempt, shall not hereafter pay any pension, portion, or other rense to the Sea of Rome, nor admit or accept any visitation, nor any confirmation, from or by the said sea of Rome, or by authoritie thereof, of, or for any person to be elect, named or presented, to be heads of anie such Monasteries, Abbies, Priories, places or houses exempt, nor shall make any corporall oathe to the Bishop of Rome, otherwise called the Pope, vpon the paine limited in this act: but that euery such visitation and confirmation of such heads elect in any such Monasteries, Abbies, Priories, houses, or places exempt, where after their election they were bounden to haue and obtaine anie confirmation of their election, or of the person named, presen-

Premunire

Petition.

Oath

ted or elect, shalbe from henceforth had, made, and done within this realme, at, and within euery such Abbies, Monasteries, Priories, and other houses and places exempt by such person and persons, as shalbe appoynted by authority of the Kings Commission from time to time, as the case shall require, and not by the See of Rome, nor by authoritie thereof: Any thing in this prouiso next aboue specified to the contrarie thereof notwithstanding. Prouided alwayes, that in such Monasteries, Abbies, Priories, and houses exempt, where after election, presentation, or nomination of their heades, no such confirmation is requisit to be had, nor hath bene vsed to be taken, by reason of such priuiledges as they haue concerning the same, that in euery such Monasteries, Abbies, Priories, and places exempt they shall not be bounden to obtaine, haue, or take any confirmation for the same within this Realme, by authoritie of this Act, but vse their priuiledges therein as they haue done before the making of this Act: any thing in this Act, or any the Prouisoes next aboue rehearsed to the contrarie thereof notwithstanding. Prouided also, and be it enacted, that this Act, or any thing or things, word or words herein, or in the preamble thereof mentioned or contained, is not intended or meant, or shal be expounded nor interpreted, that any dispensations, licences, or confirmations for marriages grãted to anie the Kings Subiects, borne vnder his obeisance, at anie time before the twelfth daie of March, in the yeare of our Lord God a thousand fiue hundred thirty three, shalbe appaired, or of any lesse value, strength, force, or effect, then they were at the said twelfth daie of March, nor that this Act, or any thing therein contained, shall not extend to the derogation, appairing, or annuliation of anie licences, dispensations, confirmations, faculties, or indulgences, at any time before the said one and xx. day of March, in the yere of our Lord God one thousand fiue hundred thirty three, had, or obtained at the sea of Rome, or by the authority therof, to, or for any Subiects borne in this Realme, or in any the Kings Dominions, or to, or for the hospitall of the Prior of Saint Johns Ierusalem in England, or any commaundries, or members therof, or to, or for any other Cathedrall churches, hospitals, monasteries, abbies, priories, colledges, conuentuall churches, parochiall churches, chappells, fraternities, brotherheads, or bodies politike within this Realme, or in any other the Kings dominions, but that euery such licence, dispensation, confirmation, faculty & indulgence, granted before the said xx. day of March, to any such subiect, or to the said hospitall of the Prior of S. Johns Ierusalem in England, and commandries or members therof, or to any other Cathedrall Church, hospitall, monastery, abbey, priorie, colledge, Church conuentuall, parochiall churches, chappell, fraternity, brotherhead, or body politique, or to their predecessors or auncestors within this Realme, or in any other the Kings dominions, shalbe of the same force, strength, value and effect, and may be from time to time put in execution at all times hereafter, by and to them that will vse, and haue the same as they mought haue bene, before the making of this Act, and as if this Act had neuer bene had nè made, anie thing in the said Act to the contrary hereof notwithstanding. Prouided alwayes, That such licences, dispensations, confirmations of faculties, heretofore obtained at the See of Rome, or by authoritie thereof, contrarie to the expresse prouisions of the Lawes and Statutes of this Realme heretofore made, shall not at any time hereafter be vsed, or put in due execution in any case to the derogation, or contrary to the said lawes & statutes of this realme, and the prouisions of the same: anie thing in this prouiso to the contrary thereof notwithstanding. And be it enacted by the authority of this present Parliament, that the King our soueraigne Lord, by the aduice of his honorable Councell, shall haue power and authority from time to time for the ordering, redresse, and reformation of al maner of indulgences, and priuiledges thereof within this Realme, or within any the Kings dominions heretofore obtained at the See of Rome, or by authority thereof, and of the abuses of such indulgences, and priuiledges thereof as shall seeme good, wholesome, & reasonable for the honor of God, and weale of this people. And that such order and redresse as shalbe taken by his Highnesse in that behalfe, shal be obserued & firmely kept, vpon the paines limited in this Act for the offending of the contents of the same. Añ 25. H. 8. ca. 21. This Act was repealed by 1. & 2. P. & M. and reuiued by 1. El. cap. 1.

Marriages

S. Johns

King

Indulgẽces

4 Anno 28. H. 8. cap. 10. & 35. H. 8. ca. 1. Acts were made against the authoritie of the See of Rome, wherein some offences were made offences of præmunire, and some made treason, and Othes appointed to be giuen against the See of Rome to Iudges and Officers, and diuerse other degrees: but they be repeales by 1. & 2. Ph. & Mar ca. 8. here next following.

Præmunire Treason Othes

5 Where in the Parliament begunne and holden at Westminster, in xxj. yere of the raigne of our late King of most famous memorie King Henry the viij. (cap. 13. which is in Residence 2.) one Act was then and there made, against Pluralities of benefices, for taking of fermes by spiritual men, and for non residence, in which Act amongst other things it was ordained and enacted, That if anie person or persons at any time after the first day of Aprill, in the years of our Lord God 1530. contrary to the same Act, should procure and obtaine at the Court of Rome, or elsewhere, any licence or licences, vnion, tolleration, or dispensation, to receiue and take any more Benefices with cure, then was limited and appointed by the same Act, or else at any time after the said day, should put in execution any such licence, tolleration, or dispensatiõ before that time obtained, cõtrary to the said Act, that then euery such person or persons so after the saide day, suing for himself, or receiuing & taking such benefice by force of such licence or licences, vniõ, tolleration or dispensatiõ, that is to say, the same person or persons only, and no other, should for euery such default incurre the danger, paine & penaltie of xx. li. sterling, and should also lose the whole profites of euery such benefice or benefices, as he receiueth or taketh

Pluralities

Non residẽt

Rome

Fol.

taketh by force of any such licence or licences, vnion, tolleration or dispensation. And where also in the said act it was ordained and enacted, that if any person or persons did procure or obtaine at the Court of Rome, or elsewhere any manner of licence or dispensation to be non resident at their dignities, Prebend or Benefices contrary to the saide Act, that then euerie such person or persons putting in execution any such dispensation or licence for himselfe, from the said first day of Aprill, in the yeare of our Lord God a thousand fiue hundred and thirty, should run and incurre in the penalty, dammage and paine of twenty pound sterling for euery time so doing, to be forfeited and recouered, as by the said act is declared. And yet such licence or dispensation so procured, or to be put in execution, to be void & of none effect, as by the same act more plainely it doth and may appeare. Bee it &c. that as much onely of the saide Act as concerneth the articles and clauses aforesaid, and all and euerie the words and sentences conteined in the said Act concerning the said Articles and clauses, & euerie of them shall from henceforth be repealed, annulled, reuoked, adnihilated, and vtterly made voide for euer: Any thing in the said act to the contrarie in any wise notwithstanding. And where also at the session of the same Parliament, holden vpon Prorogation in the xxiij. yeare of the raigne of the said late King Henry the eight (cap. 9. which is in Citation 2.) one act entituled, The act that no person shall be cited out of the Dioces where hee or shee dwelleth, except in certaine cases: And where also at the said Parliament in the Session holden at Westminster vpon prorogation in the foure & twentieth yere of the raigne of the said late King Henry the eight, one act was made that appeales in such cases as hath beene vsed to bee pursued to the Sea of Rome, should not frō henceforth be had nor vsed, but within this Realme: and where also at the said Parliament holden at Westminster in the one & twentieth yeare of the Raigne of the said late king Henrie the eight, and there continued by diuers prorogations vntil the foureteenth day of Aprill, in the seuen and twentieth yere of his raign, an act was made concerning restraints of paimēts of annates and first fruits of Archbishoprickes, and Bishoprickes to the sea of Rome: And whereat a Session of the said Parliament holden in the fiue and twentieth yere of the raign of the said late King, there was also made one act intituled, The submission of the Clergie to the Kings Maiestie: And one other act entituled, one act restraining the said paiments of annates or first fruites to the Bishop of Rome, & of the electing and consecrating of the Archbishops and Bishops within this Realm: And one other act was then & there made, entituled an act concerning the exoneration of the K. Subiects, from exations and impositions before time paid to the Sea Rome, and for hauing licence, and dispensations, within this Realme, without suing further for the same: Be it &c. That the said seuerall acts made for the restraints of the said paiment of the said annates and first fruites & al other the acts made in the said xxiij. & xxv. yeares of the raigne of the saide late King and euerie of them, and all and euerie braunch, article, matter and sentence in them and euerie of them conteined, shall be by the authority of this present Parliament from henceforth vtterly void and frustrate, and repealed, to all intents, constructions and purposes. And be it further &c. that all and euerie these acts following, that that is to say, one act made at the Session of the said Parliament holden vpon prorogation at Westminster in the xxv. and twentieth yere of the raigne of the said late K. Henry the eight (cap. 1.) entituled, an act concerning the kings Highnes to be supreme head of the Church of England, and to haue authority to reforme and redresse all errors, hereses and abuses in the same; and one other act made in the same Session of the same Parliament (s. Anno 26. H. 8. cap. 14.) entituled an act for nomination and consecration of suffragans within this Realme: And one other act made in the xxiij. yeare of the raign of the said late King Henry the eight (ca. 15.) entituled an act wherby the King should haue power to nominate thirty two persons of his Clergie and lay sort for making of Ecclesiasticall lawes: and also another Act made at the Parliament holden at Westminster in the eight & twentieth yeare of the raigne of the said late King Henry the eight (ca. 10) entituled an act extinguishing the authority of the bishop of Rome: And one other act made in ỳ same Parliament (s. Anno 28. H. 8. ca. 16.) entituled, an Act for the release of such as then had obteined pretended licences, and dispensations from the Sea of Rome: And also all that part of the act made in the said eight and twentieth yere of the said King (cap. 7.) entituled, an act for the establishment of the succession of the imperiall Crown of this realm, that concerneth a prohibition to marry within the degrees expressed in the said act: And also one other act made at the Parliament holden at Westminst. in the one and thirtieth yere of the raigne of the said late King Henry the eight (cap. 9.) entituled an act authorising the Kings Highnesse to make Bishops by his Let. Patents: And one other Act made in the Session of the same Parliament, begun in the said one and thirtieth yeare, holden vpon prorogation the said two & thirtieth yeare of the raigne of the said King Henrie the eight (cap. 38.) entituled, an act concerning precontracts of marriages, and touching degrees of consanguinity, and one other act made in the Parliament holden at Westminster in the fiue and thirtieth yeare of the raigne of the said late K. Henrie the 8. (cap. 3.) entituled, an act for the ratification of the Kings Maiesties stile, shall from henceforth bee repealed, made frustrate, voide and of none effect. And where also at the said parliament holden at Westminster, in the fiue and thirtieth yeare of the raigne of the said late King Henrie the eight (cap. 1.) one other act was made, entituled, an act concerning the establishment of the succession of the saide King, in the Imperiall Crowne of this Realme: In the which act there is a forme of a corporal othe deuised and set forth, that euerie subiect of this Realme should bee bound to take, against the power, authority, and iurisdiction of the Sea of Rome. Be it enacted &c. that so much of

Repealed

Supreme head

Suffragās

Ecclesiasticall lawes

Pope

Dispensatiō

Succession

Bishops

Pre cōtract

Stile Repeale

Succession

of the said act as touching the said othe against the supremacy, and all othes therupon had, made, and giuen, shall be from henceforth vtterly void, repealed, and of none effect. And where also one other act was made in the seuen and thirtieth yeare of the raigne of the said late King Henrie the eight (cap. 17.) entituled, An act that Doctours of Ciuill law being maried might exercise Ecclesiasticall iurisdiction: Be it enacted &c. that the said act last before mentioned, and all and euerie braunch, article, sentence and matter conteined in the same, shall from henceforth be repealed, and vtterly made void, and of none effect. And where another Act was made at the first Session of the Parliament holden at Westminster in the first yere of the raigne of King Edward the first (cap. 12.) entituled, an act for the repeale of certaine Statutes concerning Treasons Felonies, &c. In ỳ which act amongst other things there is conteined certaine prouisions, paines, penalties, and forfeitures, for and against such as should by open preachings, erpresse words, sayings, writing, printing, ouert deed or act affirme, or set forth that the King of this realm for the time being, is not or ought not to bee supreme head in earth of the churches of England and Ireland, ne of any of them, or that the Bishop of Rome, or any other person or persons, other then the King of England for the time being, is or ought to be supreme head of the same Churches, or any of them, as in the same act last before rehersed more at large is conteined and may appeare. Be it &c. That these clauses before rehearsed, and other of the said act concerning the Supremacy, and all and euery braunch, article, words and sentences in the same, sounding or tending to the derogation of the Supremacy of the Popes holines, or of the Sea of Rome, and all paines, penalties and forfeitures made against them, that should by any meanes set forth or extol the said supremacy, shalbe from henceforth vtterly void, and of none effect. And be it &c. that all clauses, sentences, and articles of euerie other Statute or act of Parliament made sithence the said twentieth yeare of the raigne of King Henrie the eight, against the supreme authority of the Popes holinesse, or Sea Apostolike of Rome, or conteining any other matter of the same effect only, that is repealed in any Statutes aforesaid, shall be also by authority hereof from henceforth vtterly voide, frustrate, and of none effect. And where we your most humble subiects, the Lords spirituall & temporall, and commons of this present Parliament assembled, haue exhibited to your Maiesties, one other supplication in forme following: And conformably hereunto the Bishops & Clergie of the Prouince of Canterburie haue presented to your Maiesties a Supplication in this tenour that followeth: For as much as the said most reuerend Father the Lord Legate, at the intercession of your Maiesties, hath by authority of the Sea Apostolike, sufficiently dispensed in the matters specified in the said seuerall Supplications, as in his said Letters of dispensation is conteined more at large. The tenour whereof ensueth: We the Lords spirituall and temporall, and commons in this present Parliament assembled, rendring most humble thankes to your Maiesties, by whose intercession and meanes we haue obtained the said dispensations of the Popes holinesse by the said most reuerend Father in God, his Legate, most humbly beseech the same that it may be ordained as followeth. And it is &c. that all and singuler articles and clauses contained in the said Dispensation, aswell touching the establishment of Bishoprickes, and Cathedrall churches, as also the confirmation of mariages in degree prohibited by the Canons of the Church, the legitimation of Children, and ratification of Proces, and of sentences in matters Ecclesiasticall, touching the inualiditie of them for want iurisdiction, and the institutions and destitutions of and in benefices and promotions Ecclesiasticall, dispensations and graces giuen by such order, as the publike Lawes of the Realme then approued, and all other things before conteined in the saide Letters of Dispensation, shall remaine and be reputed and taken to al intents and constructions in the Lawes of this Realme lawfull, good and effectuall to be alleaged and pleaded in al courts Ecclesiasticall and temporall, for good and sufficient matter, either for the Plaintife or defendant, without any allegation, or obiection to be made against the validitie of them by pretence of any general councell, Canon or decree to the contrarie made or to be made in that behalfe. And whereas diuers and sundrie late Monasteries, Priories, Commandries, Nunries, Deanries, Prebends, Colledges, Hospitals, and houses of Friers, Chauntries, and other Religious and Ecclesiasticall houses and places, and the Manors, Granges, Melluages, lands, tenements, Rectories, Tythes, Pensions, portiõs, vicarages, Churches, Chappels, Aduowsons, Nominations, Patronages, Annuities, Rents, Reuersions, Seruices and other possessions and hereditaments to the said late Monasteries, Priories, Nunries, Commandries, Deaneries, Chauntries, Prebends, houses of Friers, Colledges, Hospitals and other Religious and Ecclesiastical houses and places, and to sundrie Archbishoprickes and Bishoprickes within this Realm late appertaining and belonging, came aswell to the hands and possession of the said king of famous memory Henrie the eight, father vnto your Maiestie our said Soueraigne Ladie by dissolution, gift, graunt, surrender, attainder, or otherwise, as also to the hands and possession of diuers and sundry other persons and bodies politike and corporate, by sundry meanes, conueyances and assurances, according to the order of the Lawes and Statutes of this Realme. And where also diuers Manors, lands, tenements, and hereditaments, parcel of the possessions of Archbishoprickes, and Bishoprickes, and many sundrie and late Deanries, Colledges, Chauntries, Rectories, Prebends, free Chappels, Guildes, and Fraternities, Manors, Granges, Lands, Tenements, Rents, Seruices, and other Ecclesiasticall possessions, and hereditaments goods and Cattell to the said Archbishoprickes, Bishoprickes, Deanries, Colledges, Chauntries, Free Chappels, Rectories, Guildes, and fraternities,

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Repealed

Treasons Felonies

Supreme head

Void

Void

Lord Legate

Dispensation

Bishoprickes Cathedrall Churches Mariages Legitimation

Dispensation

Lawfull

Penalties

Archbishoprickes Bishoprickes

Lands

ties late appertaining and belonging, or appointed to and for the finding of Prieſts, obites, lites, or other like purpoſe, came aſwell to the hands and poſſeſſion of the late noble King Ed. the firſt, brother vnto your Maieſtie, our Soueraign Lady, by vertue of an act of Parliament thereof made, or otherwiſe, as alſo to the hands & poſſeſſion of diuers & ſundrie other perſons, & bodies politike and corporate, by ſundrie meanes, conueyances, and aſſurances, according to the order of the Law of this Realme, a great number of which ſaid late Monaſteries, Priories, Nunries, commandries, Deanries, Colledges, hoſpitals, Prebends, Chantries, Frée chappels, guilds & fraternities, and the manors, granges, meſuages, lands, tenements, rents, reuerſions, ſeruices, tythes, penſions, portions, vicarages, Churches, chappels, aduowſons, nominations, patronages, annuities, and hereditaments, goods and cattels to the ſaid Monaſteries, Priories, Nunries, Commandries, Deanries, Colledges, Hoſpitals, Chauntries, frée chappels, guildes, fraternities, and other Eccleſiaſticall houſes, Archbiſhopricks and Biſhopricks belonging, aſwell for great ſummes of money, as for other good and reaſonable cauſes & conſiderations, haue béene conueyed and aſſured to diuers the ſubiects and bodies politike of this Realme, aſwell by the ſaid King Henrie the eight, the ſaid King Edward the firſt, and by your Highneſſe our ſoueraigne Lady, and iointly by both your Maieſty, as alſo by diuers the owners of the ſaid Eccleſiaſticall poſſeſſions, which ſaid conueyances & aſſurances by their ſundrie letters P. & other writings more plainely doe and may appeare. Foraſmuch as the ſaide moſt Reuerend father hath alſo by the ſaid diſpenſation, remoued and taken away all manner of impeachment, trouble, and danger, which by occaſion of any generall counſell, canon, or decrée eccleſiaſticall, might touch and diſquiet the poſſeſſions of ſuch goods, moueables, lands, tenements, poſſeſſions, and hereditaments, as were of late belonging to any of the ſaid Archbiſhopricks, Biſhoprickes, Monaſteries, Priories, Nunries, Commandries, Deanries, Colledges, Chauntries, Prebends, Rectories, Hoſpitals, houſes of Fryers, or other Religious and Eccleſiaſticall houſes and places, of what nature, name, kinde and quality ſoeuer they be of: Yet for that the title of all lands, poſſeſſions, and hereditaments in this your Maieſties Realmes and dominions is grounded in the Lawes, Statutes, and cuſtomes, of the ſame, and by your Highnes iuriſdiction, authority royall, and Crowne Imperiall, and in your courts onely to be impleaded, ordered, tried and adiudged, and none otherwiſe. And vnderſtanding that the whole, full and moſt gratious intent, minde, and determination of your moſt excellent Maieſties be, that all and euerie perſon and perſons, bodies politike and corporate, their heires, ſucceſſours, and aſſignes, and euery of them ſhall haue, kéepe, retaine, and inioy all and euery their eſtates, rights, poſſeſſions, and intereſts, that they and euery of them now hath, or hereafter ſhall haue, of and in all and euery the manors, granges, meſuages, lands, tenements, Tythes, penſions, portions, aduowſons, nominations, Patronages, annuities, rents, reuerſions, ſeruices, hundreds, wapentakes, liberties, Franchiſes and other the poſſeſſions, and hereditaments of the ſaid Monaſteries, Abbies, Priories, nunries Commandries, Deanries, Colledges, Prebendes, Hoſpitals, houſes of Fryers, Chauntries, Rectories, Vicarages, Churches, Chappels, Archbiſhoprickes, and Biſhoprickes, and other Religious and Eccleſiaſticall houſes and places, or any of them, within this Realme, or the Dominions of the ſame, by ſuch lawes and Statutes as were in force before the firſt day of this preſent Parliament, and by other lawfull conueyances to them thereof made: That it may be thereof enacted by the authority of this &c. that aſwell your Maieſty our Soueraigne Lady, your heires and ſucceſſors, as alſo al and euerie other perſon and perſons, bodies politike and corporate, their heires, ſucceſſours, and aſſignes, now hauing, or that hereafter ſhall haue, hold, and inioy any of the ſcites of the ſaid late Monaſteries and other the Religious or Eccleſiaſticall houſes or places, and all the ſaid manors, granges, meſuages, lan[illegible], tenements, tithes, pentions, portions, glebe lands, aduowſons, nominations, Patronages, annuities, rents, reuerſiõs, ſeruices, hundreds, wapentakes, liberties, franchiſes, profits, commodities, and other the poſſeſſions and hereditaments of the ſaid late monaſteries, abbyes, Priories, Nunries, Commandries, Deaneries, Colledges, Prebends, Hoſpitalls, and houſes of Friers, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbiſhoprickes, Biſhoprickes, and other Religious and Eccleſiaſticall houſes and places, or any of them, of what name, nature, or kind ſoeuer they be, ſhall haue, hold, poſſeed, retaine, kéepe, and enioy all and euery the ſaid ſcites, manors, granges, meſuages, lands, tenements, poſſeſſions, profits, commodities, and other hereditaments, according to ſuch intereſt and eſtates, as they and euery of them now haue, or holde, or hereafter ſhall haue or holde, of or in the ſame, by due order and courſe of the Lawes and Statutes of this Realme, which now be, or were ſtanding in force before the firſt day of this preſent Parliament, in maner and form as they ſhould haue done, if this act had neuer béene had ne made: this act or any thing therein conteined to the contrary in any wiſe notwithſtanding. Sauing to you our ſaid Soueraigne Lady, your heires and ſucceſſors, and euery of them, and all and euery other perſon and perſons ſubiects of this Realme, and bodies politike and corporate, and to their heires and ſucceſſors, & to the heires and ſucceſſors of all and euerie of them, other then ſuch whoſe right, title, or intereſt is boũd or taken away, vndone, or extinct by any act of Parliament heretofore made, or otherwiſe, al ſuch right, title, claim, poſſeſſion, intereſts, rents, annuities, cõmodities, commons, offices, fées, leaſes, liueries, liuings, penſions, portions, debts, dueties, and other profits, which they or any of them lawfully haue, or of right ought to haue or might haue had, in, of, or to any of the premiſſes, or, in, of, or to any part or

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parcell thereof, in such like maner, forme, and condition, to all intents, respects, constructions and purposes, as if this act had neuer bene had ne made. And that it may be further enacted by authoritie aforesaid, that all and euery article, clause, sentence & prouiso, contained or specified in any act or acts of parliament, concerning or touching the assurance or conueyance of any the said Monasteries, Priories, Nunries, Commandries, Deanries, Prebends, Colledges, Chauntries, Hospitals, Houses of Fryers, Rectories, Vicarages, Churches, Chappels, Archbishoprickes, and Bishoprickes, and other Religious and Ecclesiasticall houses and places, or any of them, or in any wise concerning any manors, lands, tenements, profits, commodities, hereditaments, or other the thinges before specified, to the said King Henry the eight, or King Edward the first, or either of them, or any other person or persons, or bodies politik or corporate, and euery of them, and all and euery writing, deede, and instrument, concerning the assurãce of any of the same, shal stand, remaine, and be in as good force, effect, and strength and shall be pleaded and taken auantage of, to all intents, constructions, and purposes, as the same should, might, or could haue bene by the lawes and Statutes of this Realme, in case this present act had neuer bene made. And that all feoffements, fines, surrenders, forfeitures, assurances, conueiãces, estates, & interests, in any wise conueied, had, or made to our said late soueraign Lord K. Hen. the eight, or to our saide late Soueraigne Lord King Edward the first, or either of them, or to any other person or persons, bodies politke or corporate, or to any of them, by deed or deeds, act or acts of Parliament, or otherwise, of any the scites, manors, lands, tenements, possessions, profits, commodities, or hereditaments, of any of the said Archbishoprickes, Bishoprickes, late Monasteries, Priories, Nunries, Commandries, Deanries, houses of friers, colledges, Chaũtries, Hospitals, Prebends, Free chappels, or of any manors, lands tenements, reuersions, seruices, tythes, pensions, portions, annuities, or of any other hereditaments, of, by, or from any Ecclesiasticall or spirituall persons, or by or from any spirituall or Ecclesiasticall corporation, or bodie politike, shall be as good and auaileable in the law, to all intents, constructions, and purposes, as they were by the lawes and Statutes of this Realme, standing in force, before the first day of this present parliament And that the same may and shall be pleaded, alleged, and taken aduãtage of, in such sort and to such effect, as they should, could, or might haue bene by the lawes and Statutes of this Realme, standing in force before the said first day of this present parliament. And that all and euery clause and article of sauing, contained in all and enerie the said acts & Statutes shall stand, remaine & be in such force, strength, and effect, as they were before the said first day of this present Parliament: any thing contained in this present act to the contrarie in any wise notwithstãding. And that it may be it &c. that whosoeuer shall by any Proces obtained out of any ecclesiasticall Court within this Realme, or without, or by pretence of any spirituall iurisdiction or otherwise contrarie to the Lawes of this Realme, inquiet or molest any person or persons, or body politik for any of the said manors, lands, tenemẽts, hereditaments, or things aboue specified, contrarie to the words, sentences and meaning of this act, shall incurre the danger of the act of Præmunire, made in the fifteenth yeare of King Richard the second (cap. 5. which is in Prouision 14.) and shall suffer and incurre the forfeitures and paines contained in the same. Prouided alway, that it shall and may be lawfull for any person or persons, body politike and corporate, to sue in any competent ecclesiasticall or spiritual Court within this Realm, for tythes, rights, and dueties, that they or any of them shall pretend to haue, of, or out of any the said manors, lands, tenements, and other the premisses, and to haue full and perfit remedie for the same, in such maner & forme, as they or any of them might or ought to haue done or had by the Lawes and statutes of this Realme, before the making of this act, and as though this act had neuer bene had or made And that it may be &c. that albeit the title or stile of Supremacie, or supreme head of the Church of England, and of Ireland, or either of them, neuer was, ne could be iustly or lawfully attributed or knowledged to any king, or Soueraigne Gouernor of this Realme, nor in any wise could or might rightfully, iustly, or lawfully by any King or Soueraigne Gouernor of the same Realm be claimed, challenged, or vsed: Yet forasmuch as the said title and stile, sithence the third day of Nouember, in the fire and twentieth yeare of the Raigne of the saide king Henrie the eight, hath bene vsed, and is mentioned & contained in diuers and sundrie writs, letters Patents, Records, exemplifications, Court rolles, Charters, deeds, instruments, euidences, bookes, and writings, it shall be lawfull aswell to and for your Maiesties, and your Soueraigne Ladies heires and successors, as to and for euerie other person or persons, and bodies politike and corporate, at all time and times hereafter to haue, retaine, and keepe the said writs, Letters Patents, Records, exemplifications, Court rolles, Charters, Deeds, Instruments, euidences, books, and writings, and them to shew, exhibit, vse, alleage and plead in all times and places requisite or needfull, without any danger, penalty, losse, forfeiture, trouble, veration, or impeachment for the same: any thing in this act, or in any other act or acts to the cõtrarie thereof in any wise notwithstanding. And where your highnes our soueraign lady, since your comming to the Crowne of this Realme, of a good and Christian conscience, omitted to write the said stile of Supremacy, specified in one act made in the Parliament holden at Westminster by prorogation in the fiue and thirtieth yere of the raign of your late father King Henry the eight, cap. 3. aswell in gifts, grants, Letters Patents, as in Commissiõs, and other writings, and also other haue in their writings done the same, aswell in your time as before: And forasmuch as notwithstanding any law made concerning the said stile of Supremacy, it

was

Assurance

Good

Proces

Præmunire

Sue Tythes

Supreme

was in the free choise, libertie and pleasure of the K. of this Realme, and of your Highnesse, whether ye would expresse the same in the said stile or not. Be it therefore &c. that all graunts, Letters Patents, Commissions, Indictments, Records, and writings made in your our Soueraigne Ladies name, or in the names of your our Soueraigne Lord and Lady, or other, wherein the said stile of supremacy is omitted, is, and shall bee, to all intents and purposes, as good and effectuall, as if the same had been therein expressed, and may be detained, kept, pleaded, and alleadged without any danger, paine, penalty, or forfeiture to insue to any person or persons, or bodie politike, for, or concerning the omission of the same stile, or any part thereof, in any such writings, and that no person ne persons shall be impeached, molested, or damnified, for or by reason of any such omission. And where in an act of Parliament made since the said xx. yere of K. Henry the eight, (s. An. 23. H. 8. ca. 16.) al buls, dispensations, & writings, which were before that time obtained from the Sea of Rome, should be void, abolished, and extinguished, with a clause, neuertheles that the matter of them by vertue of Letters Patents, from the King then being, should & might be alleadged, pleaded, & allowed, as if the same had not bene so abolished, or extinguished: For asmuch as the said Act is here before amongst other repealed & made voide. Be it therefore enacted &c. That all Buls, Dispensations, and priuiledges obtained before the said twentieth yere or at any time sithence or which shall hereafter bee obteined of the Sea of Rome, not containing matter contrarie or preiudiciall to the authority, dignity, or preeminence royal or imperiall of the Realme, or to the Lawes of this Realme now being in force, and not in this Parliament repealed, may be put in execution, vsed, and alleaged in any Court within this Realme, or elsewhere, whether the same remaine yet whole, or can appeare to haue bin cancelled, in as vaileable & effectuall maner, to all intents and purposes, as if the said act had neuer bene had or made: any obiection by pretence of extinguishment, or cancelling of the said Bulles, Dispensations, or priuiledges, or of any other matter or cause, by the pretence of the Lawes of this Realme, whatsoeuer in any wise notwithstanding. And whereas by dissolution of Monasteries, and other Religious houses, certains parish Churches and Chappels, which were before exempt from the iurisdiction of the Archbishop and Bishop of the Diocesse, and by speciall exemption, & priuiledge from Rome, were vnder the gouernement and order of the Abbots and Priors of those Religious houses, which said Churches by colour of the said exemptions bee now of speciall graunt from King Henrie and king Edward, vnder the rule, gouernment, and iurisdiction of temporall and lay men, who can no more enioy the supremacy ouer those particuler churches, then ỳ K. might ouer the whole Realme: Be it therefore &c. that all Archbishops and Bishops, in their diocesse, and all other spirituall person and persons hauing iurisdiction, and their ministers and officers, and no lay person or persons in euerie Church and place, within the precinct of the same, being exempt, or not exempt, may freely and without impediment execute their spiritual iurisdiction in all points and articles, as though no such exemption or grant had neuer been made. Prouided alway, and be it &c. that this act extend not to take away or diminish the priuiledge of the Vniuersities of Orford and Cambridge, the priuiledges or prerogatiues graunted heretofore to the Churches of Westminster and Windsor, ne the Tower of London, ne preiudicial to such temporall Lords and possessions in this Realme, as by ancient customs haue enioyed probate of Testaments, of their tenants or other. And forasmuch as after this reconciliation, and vnitie of this noble Realme, to the bodie of Christs church it is to be trusted, that by the abounda[n]ce of Gods mercy and grace, deuotion shall increase and growe in the hearts of many subiects of this Realm, which desire to giue & bestow the worldlie possessions for the resuscitating of almes, prayer, and example of good life in this Realme, to the intent such godly motions and purposes should be aduanced: Be it therefore &c. that it shall be lawfull to such as shall be seised of any manors, lands, tenements, parsonages, tythes, pensions, portions, or other hereditaments whatsoeuer, in fee simple, in possession, reuersion, or remainder, in their owne rights, not being copyhold, may thereof make feoffements grants, or any other assurances, or by his last will and Testament in writing may bequeath and giue in fee simple, all and euery the said manors, lands, tenements, Parsonages, Tythes, Pensions, portions, or other Hereditaments to any spirituall body, politike or corporate, in this Realme, or the Dominions of the same, now erected or founded, or hereafter to be erected or founded without any licence of Mortmaine therein to be obtained, or any writ of Ad quod dampnum to be sued out of the same: the acts De terris ad manum mortuam non ponendis, or any other act or Statute heretofore had or made in any wise notwithstãding. Sauing to the Lords of the fee, all rents seruices, due or going out of any of the said lands, tenements, or hereditaments so to be amortised, as is aforesaid. Prouided alwaie, that this clause of this act for giuing the liberty, of, or for the amortising of lands or tenements, shall continue for and during the space of twenty yeares next and immediately following, and no longer. And for asmuch as wee your Maiesties humble and obedient Subiects, the Lords spirituall and temporall, and Commons in this present Parliament assembled, neither by the making or deliuering of either the Supplications aforesaid, nor by any clause, article, or sentence therin, or of any other clause, article, or sentence of this, or any other Statute or any of the Preambles of the same, made or agreed vpon in this Session of this present Parliament, by any maner of interpretation, construction, implication, or otherwise, intend to derogate, impaire, or diminish any of the prerogatiues, Liberties, Franchises, preeminences, or iurisdictions of your Crowne imperiall of this Realme, and other the dominions of the same belonging, wee doe most humbly beseech your

P. Commissions

Orford Cambridge

Westminster Windsor Tower of London

Probate of testaments

Feoffements Graunts Will

Fee simple

Licence of Mortmain

Ad quod dampnum

xx. Yeres

your Maiestie, that it may be declared & ordained. And be it &c. ẏ neither ẏ making, exhibiting, or inserting in this present statute, or in the preables of ẏ same of the supplicatiõs or promise aforesaid, or either of thẽ, nor any other thing or things, words, sentences, clauses or articles in ẏ preables or body of the act aforesaid, shalbe cõstrued, vnderstanded or expounded to derogate, diminish, or take away any the liberties, priuiledges, prerogatiues, preeminences, authorities or iurisdictions, or any part or parcell thereof, which were in your Imperiall Crowne of this Realme, or did belong to your saide imperiall Crowne the xx. yeare of the raigne of your the Quẽnes Maiesties most noble Father, or any other your most noble Progenitours, before the said twẽtieth yere. And the Popes holines and sea Apostolike to be restored, and to haue and inioy such authoritie, preeminence, and iurisdiction as his Holinesse vsed and exercised, or might lawfully haue vsed and exercised by the authority of his Supremacie, the said twentieth yeare of the raign of the king your father, within this your Realme of England, and other your Dominions, without diminution, or inlargement of the same, & none other. And the Ecclesiasticall iurisdiction of the Archbishops, Bishops, and Ordinaries to bee in the same state for proceese of suits, punishment of crimes, and execution of censures of the Church, with ẏ knowledge of causes belonging to the same, and as large in these points, as the said iurisdiction was the said twentieth yeare. Prouided alwaies, and be it &c. that in and vpon euerie such gifts and deuises to be made to such spirituall corporations, or persons, as is aforesaid, the donour, feoffour, or deuisour thereof may reserue to him and to his heires for euer a tenure in Franke Almoigne, or a tenure by diuine seruice. And to haue all remedies and actions, for and vpon the said giftes or deuises and tenures, in like maner and forme as was vsed before the Estatute of Westminster 3. commonly called Quia emptores terrarum: The said Estatut or any other law or custome now being to the contrarie in any wise notwithstanding. Prouided alwaies and be it &c. That all and euerie person and persons, and bodies politike and corporate, which now haue, or hereafter shall haue any estate of inheritance, freehold, terme, or interest, of, in, or to any portion, pention, Mythes, Glebe lands, or other Ecclesiasticall or spirituall profit, which by this Act, and the Letters of Dispensation rehearsed in the same, be permitted and suffered to remaine and continue in lay mens possessions, shall and may haue like remedie for the recoueries of the same, and euerie part thereof, as they and euery of them might haue had before the first day of this present Parliament, any thing in this Act contained to the contrarie in any wise notwithstanding. Anno 1. and 2. Phil. and Mar. cap. 8. This Act is for the most part repealed by 1. Queen Eliz. cap. 1. which is in Crowne 6.

Pope Restore

Iurisdiction

Franke almoigne

Safe conducts.

WIll and hath commaunded by the authority aforesaid, to the Keepers of his great and prime Seale, that they shall not suffer such clause Vidimus to be put in any safeconduct from henceforth to bee granted, vnlesse it so be, that some great or notable cause or matter mowe the same our Soueraigne Lord the King to graunt the same in such wise. And will also that in all Safeconducts, to bee graunted from henceforth to any person or persons, the names of them, of the Ships, and the Maisters, and the number of the Mariners, with the Portage of the Shippes shall bee expressed. Anno 15. Henr. 6. cap. 3.

L. Keeper

Vidimus

Ships Maister Mariners

2 The saide Merchants aliens at their pleasure, may charge such Shippes and Vessels of Spaine, and of other parties aduersaries and enemies of the King, if the Maisters, Owners, or Merchants of such Vessels and Ships, hauing Letters Patents of the King and of his safeconduct, surety, or safegard for such Ships or Vessels and Merchandises, making mention of the name of the Ships or Vessels, and of the name of the same Maister of the Ships and vessels, as the manner is: and if any such Ships or Vessels charged, with any Merchandizes of such Merchants aforesaid, be taken vpon the Sea by the Kings Liege people, not hauing the Kings Letters Patents, as afore is saide, within the bord of such Ships or Vessels, at the day of the taking, nor that such Letters Patents at the day of the taking be in the Kings Chancery inrolled of record: that then the takers possessing of the goods & Merchandizes so taken, may inioy and hold the same: any statute or ordinance made to the contrarie notwithstanding. Anno 18. H. 6. cap. 8.

Merchant

Letters P.

Ships Maist.

Inrolled Chancery

3 All Letters of safe conduct to be graunted to the Kings enemies and aduersaries, or any other people, shall be Inrolled in the Chancerie of our said Soueraigne Lord the K. of Record, before that any such Letters shall be in any wise deliuered to them, to whome the same Letters shall bee granted. And that all such Letters of safeconduct hereafter to be graunted, not inrolled of Record in the saide Chancery, before the deliuery to them, to be made in maner as is said, shall be voide, and of no force nor effect. And moreouer, if hereafter any goods or merchandises be taken by the said Subiects of our Soueraigne Lord the King vpon the Sea, or the coasts of the same, charged in any ship, or other vessel, which is belonging to ẏ enemies or aduersaries of our soueraign Lord the K. for the time being, not hauing sufficient letters of Safeconductes inrolled in the forme aforesaid, that they that so shall take the same goods and Merchandizes, shall them inioy without any restitution thereof to be made in any wise, to whatsoeuer person the same goods and Merchandizes so taken at the time of the taking of the same, or before were belonging. Prouided alwaies, that if the Subiects of our Soueraigne Lord the King, taking such ships charged with Merchandises, not hauing or shewing such Letters of safe conduct within the same Ships, at the time of the said taking, and bringing them by force to a certaine Port or Place within the said Realme, shall not be indamma-

Enemies

Inrolled Chancery

Void

Inrol

ged

ged in their perſõ nor goods for ſuch taking, if they be ready to make full reſtitution of the ſame ſhips & Merchandiſes within reaſonable time after that the full knowledge is made to them of the Letters of Safeconduct ſufficing for the ſame ſhips & Merchandiſes inrolled in the ſaid Chauncerie of record before the taking of them. Prouided alſo that this ordinance ſhall begin to hold his force at the feaſt of S. Michael the Archangel next comming. Anno 28 H.8.cap.1.

Sacramentum Fuſticiariorum.

ANN. 8.Ric.2.cap.3. An Oth is for the Juſtices. But it is repealed.

Saint Iohns.

ANno.32.H.8.cap.24. An act was made, whereby the Corporation of S. Iohns of Ieruſalem in England and Irelãd was diſſolued, & that none of the Priors & Confreres ſhould weare the marke &c. And that the K. ſhould haue their houſes, churches, lands, goods, cattels, and debts, and all other things of theirs. And there be diuers ſeuerall penſions, appointed ſeuerally to the Priors, Chaplains, and Confreres of Religion. And that all of the order to be diſcharged of their obedience for their Religion, and to be enabled to ſue & take & haue libertie as other Religious perſons were enabled by the act made An.31.H.8.cap.6.(in Abilitie 420) And their places of Sanctuaries to be void: ſauing the common priuiledge of churches & churchyards, and the lands to be in the ſuruey of the Augmentations. And the Confreres out of England to returne before Pentecoſt 1541. or elſe to loſe their penſions appointed to them. An.32.H.8.cap.24. 9 Templers 1.concerning the beginning of the order of Saint Iohns.

Sanctuaries.

NOne offendors in any kindes of high treaſon whatſoeuer they be, their ayders, conſenters, counſellers, nor abbetters, ſhal be admitted to haue the benefit or priuiledge of any maner of ſanctuary, conſidering that matter of treaſon toucheth ſo nigh both the ſurety of the King our Soueraigne Lords perſon, and his heires and ſucceſſors. An.26.H.8. cap.13.

2 All & ſingular perſon or perſons which ſhall be, or at any time hereafter ſhall bee priuileged in any ſanctuary within any of the Kings Dominiõs for murder or felony, frõ the firſt day of May next comming, ſhall daily, whenſoeuer he or they be without the houſe or manſion wherein they haue their lodging, weare a badge or cogniſance, by the Gouernour of euerie Sanctuary, to be aſſigned & appointed, openly vpon their vpper garment of the compaſſe in length & breadth of 5. inches, vpon paine that they and euery of them, whenſoeuer & as often as any of them being out of the ſaide houſe or manſion, wherein he hath his ſaid lodging, ſhall be founden & taken without the ſame badge or cogniſance, clearely to loſe and forfeit his or their priuiledge and aduantage of Sanctuarie. And that it ſhall bee lawfull to all and ſinguler the Kings ſubiects to apprehend & take euery ſuch offender or offenders, being without his badge or cogniſance, as aforeſaide, & him to bring out of the Sanctuarie into the next gaole, there to remaine vnto the next Goale deliuery, and then to be tried according to the true courſe and order of the law, as though he had neuer beene priuileged in any ſuch ſanctuary. And alſo be it &c. that no maner of the ſaid priuileged perſons, in any time hereafter beare, occupie, or weare vpon them any maner of ſword, knife, or other weapon, other the their meat knives, & the ſame meat knives but at their meales onely, vpõ paine as is aboue rehearſed. Furthermore be it &c. that if any of the ſaid priuiledged perſons at any time after the ſaid firſt May day fortune to be foũd, apprehended, or taken out of his or their lodging, before the Sun-riſing in the morning, or after the Sunne going downe in the euening, the ſame priuiledged perſon ſo found, apprehended or taken, ſhall at the firſt time, for his ſo offending, ſuffer impriſonment within the ſame Sanctuarie, by the ſpace of two daies, and at the ſecond time to haue impriſonment by the ſpace of fiue daies, & at the third time that he ſhall be ſo founden, apprehended or taken out of his ſaid lodging, contrary to the order aboue mentioned, and the ſame being ſubſtantially proued by indifferent proofes thereof to be made before the Lord Chancelour of England for the time being, to forfeit and loſe his or their priuiledge of Sanctuary. Alſo be it &c. that if any maner of Sanctuary perſon or perſons of prepenſed malice, at any time hereafter doe reſcue or reſiſt any of the Gouernors aforeſaid, or their Deputies, in bretuting of their office, in taking & impriſoning of any of the perſons priuiledged, offending contrarie to the tenour of this act: that then he or they that ſhall fortune to make reſcues, ſhall bee hereafter taken out of the Sanctuarie, and to ſuffer and to be tried as Felons in euerie thing. And ouer that be it &c. that all maner of contracts of debt vnder forty ſhillings, treſpaſſes and couenãts that at any time hereafter ſhall happen to be made or grow within any of the ſaid Sanctuaries, betweene any of the ſaid priuiledged perſon or perſons, and other inhabitants within any ſuch Sanctuarie, that the Gouernours, or their Deputy, of any of the ſame Sanctuaries, where any ſuch contract Treſpaſſe, or couenant ſhall fortune to be made, grow, or bee as is aforeſaid, ſhall haue full power and authority by this preſent act, to order, iudge and determine the ſame, according as it ſhall bee duely there proued afore the ſaid Gouernour or Gouernours. Anno 27.H.8.cap.19.

3 No perſon or perſons offending in any the Treaſons conteined and limitted by this act, or in any other Treaſons, ſhall in any wiſe haue and inioy the priuiledge, or immunitie of any maner of Sanctuarie within this Realme, or elſe where, within any the Kings Dominions, but ſhall vtterly loſe & be excluded of the ſame: any vſe, graunt, cuſtome, preſcription, confirmatiõ, or any other thing or things to the contrary hereof

Fort.

Apprehend

Goale

Weapon

Sun riſing
Sun-ſetting

Imprſon

Fort.

Reſiſt

Fort.

Debt &c.
Treſpaſſe

Gouernors

Treaſon

in any wise not withstanding. Ann. 28. H. 8. cap. 7.

4 All maner of sanctuaries & places priuileged, which heretofore hath been vsed, reputed, or taken for any maner of sanctuary, except parish churches, and their Churchyards, Cathedrall churches, hospitals, & churches collegiate, & al chappels dedicated, vsed as parish churches, and the sanctuaries to them & euerie of them belonging, and except such places and territories, as hereafter shalbe declared, appointed, and named to be places of tuition & priuilege by this present act, shal be vtterly extinguished, annulled, void, and of none effect, for any such liberty or priuilege of Sanctuaries to all purposes and intents: any laws, licences, estatutes, custões, priuiledges, prescriptions, allowances, or any other thing or things heretofore vsed or admitted to the contrarie not withstanding. And furthermore the Royal Maiestie, of his accustomed goodnesse, mercy, & benignity, is pleased & contented, & it be & is enacted by the authoritie of this present parliament, that from henceforth these places & territories hereafter expressed & declared: that is to say, Wels in the County of Somerset, Westminster, Manchester, Northhampton, Norwich, York, Darby, & Lancaster, shal be from henceforth admitted, allowed, and taken to be places of priuiledge & tuition for term of life, of, & for all and singuler offenders, & malefactors, of whatsoeuer quality, kinde, or natures: all & euery their offences be, for the which their said offences & crimes, the paines & punishment of death should insue by the statute laws or customes of this Realm, other then such as hereafter by this present act be excepted & foreprised: that is to say, that be it & it. that from henceforth the said parish churches, or churchyards, Cathedrall churches, hospitals, churches collegiate, & all other chappels dedicated, vsed as parish churches, nor any of them, nor the Cemitories to them, or any of them belonging, nor the said places and territories before in this present act rehearsed & declared for places of refuge and tuition shall not in any wise extend to giue any maner tuition, defence, immunity, liberty, or priuiledge to any manner of person or persons, which at any time hereafter shal perpetrate, commit, or do any maner of wilful murder, or which shall commit or doe any rauishment to any woman, or which shall commit any maner of Burglary, or which shall commit or do any maner of Robbery in the high way, or neere vnto the same, or to any person which shall commit or do any robbery in any house, putting the owner, his wife, children, seruants, or any other person within the same, in feare of life. And also excepted and foreprised all felonious burning of Houses, or barnes with corne, & also all robberies of churches, chappels, or other hallowed places. And also foreprised & excepted all and singuler abbetters, procurers, and counsellors, to any of the foresaid offences before specified & excepted, before the said offences committed and done. And also excepted & foreprised all other offendors, committing or perpetrating any offences where Sanctuarie or Clergy is not allowable by the lawes of this Realme, or where sanctuarie or Clergy is taken away by any former statute or law. And be it further enacted, that if at any time hereafter, any person or persons doe take any refuge or sanctuary in any parish church or churchyard, Cathedrall church, hospital, church collegiate, or other Chappel dedicate, commonly vsed as parish churches, or in the Cemitory to any of them belonging, for any offence, other then such as be excepted and foreprised by this act: that then the said person or persons, so taking sanctuary and refuge, shall and may abide and remaine there by the space of fortie dayes, as hath been heretofore vsed, vsing himselfe in all points, according to the Lawes & statutes of this Realm, vnlesse the Coroner, in the mean time repaire vnto him for the taking of his abiuration, in which case vpon repaire of the said Coroner, he shal & may abiure after the Lawes and estatutes of this realm, to any of the said territories and priuileged places before named, not being full of the number, as hereafter to euery of the saide places by this act shall be appointed, there to abide & remaine during his life, vsing himselfe in such like order, condition and fashion, in all things and points as heretofore hath been ordered and appointed by the statutes & lawes of this Realme, for & concerning the good order of sanctuary persons, to be obserued, vsed, and kept within priuileged sanctuaries (viz. 27. H. 8. ca. 19. before 2.) or else to lose the benefit of their said priuiledge, & vpon the penalties comprised in the said estatut. And it is further enacted, that if the Coroner of the shire or place where any person or persons shall take any refuge or Sanctuary in any of the said Churches or Churchyards, Cathedrall churches, hospitals, churches Collegiate, chappels dedicate, commonly vsed as parish Churches, or any Cemitories to them, or any of them belonging, vpon reasonable request made, doe refuse to come in conuenient time vnto such person being in sanctuarie, as afore is said, there to take his confession and abiurations, according to the lawes of this Realme, that then the said Coroner for euery such default shall lose and forfeit to our Soueraigne L. the King one C. ſ. And be it & it. that the Chancellor of Englãd for the time being, withing the space of one yere next following, shal haue power and authority by this act to award seuerall Commissions vnder the Kings great seale of England, vnto such discreet persons as he shall thinke meet by his discretion, to make perambulations, & to appoint, set forth & limit certainly how far, & where the bounds and limits of euerie of the said priuileged places and territories before rehearsed shall extend, & that the same bounds & limits so by the said Commissioners to be set forth, limitted, and appointed shall be returned vnder the Seales of the said Commissioners into the K. Court of Chancery, there to remaine of Record for the certain knowledge of the bounds & limits of the said priuileged places & territories. And that after the same limitations so to be made and returned, the priuileged places appointed by this Act, shall serue and be allowed onely within the same limits and boundes so returned, and not else where within the residue of the Citie or Townes where such limits shall be appointed. And further be it & it. That in euery of the said priuileged places and territories, the Officer or Gouernour of the saide Priuileged

place

Churches Churchyards

Cloyd

Places of Sanctuary

Wilfull murder Rape Burglary Robbery

Felonie

Abbetters

Sanctuary Clergy

Church Churchyard

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Coroner

Abiure

Coroner

Refuse

Fail. Chancie

Commissions

Perambulations

Bounds

Gouern

Robert Cawdrey cit. 3 books Anno

place and territorie by the Kings Highnesse to bee appointed, and euerie of them, for the gouernance and ordering of the same places and territories, shall daily call and cause to be called by him selfe, or his deputy, al and euerie of the said priuileged persons in euerie of the said places & territories by their names: And if any of the said priuileged persons doe make default at three seuerall daies together, and doe not personally appeare at any of the saide three daies, hauing now lawfull excuse to the contrarie, that then euery such priuileged person, making default of his appearance as is aforesaid, shall lose and forfeit the priuiledge of all and euery of the said priuileged places and territories: any thing in this act to the contrary notwithstanding. And further it is &c. That if any of the said abiured or priuileged persons within the time hee shall be in any of the said priuileged places or territories, as a priuileged man, fortune to commit, perpetrate, or doe any manner of felonie, or other offences, for the which the penalty of death should insue by the Lawes and Statutes of this Realme: that then euerie such offender shall for euer lose the benefite and priuiledge aswell of the said place, as of all other priuileged places and Sanctuaries before named: any thing in this act to the contrarie notwithstanding. And it is &c. that there shall not be at any one time aboue the number of twenty of the said priuileged persons hereafter to bee admitted and receiued into any one of the said priuileged places and territories aforesaid. And that if any person hereafter doe abiure to any of the said priuiledged places and territories according to the purview of this act, the person so abiuring shall be vsed conducted, conueyed, & brought frō Constable to Constable directly, according to the order of the Lawes heretofore vsed, for the conducting of abiured persons to their Ports after their abiurations, vntill such time as the said person so abiuring, be brought to the Gouernor of the said priuileged place, whereunto he shall be so abiured, or to his Deputy. And that at the bringing thither of the said abiured person, it shall appeare & bee truely declared by the register there to be kept of the names of the said priuileged persons, then being in the said priuileged place, that the said priuileged place is then full of his said number of the said priuileged persons, being then there lawfully priuileged, according to the purview of this act: then the said Gouernor of the said priuileged place, or his Deputy, shall declare and shew vnto the saide abiured person so being brought thither, and to the said Officer that bringeth and conducteth him there, that the said abiured person may not be there receiued, for that the said priuileged place is then already full of his said number, and thereupon shall commaund the said Constables or other officer, to conduct leade and deliuer the said abiured person to the Constable or other Officer or Officers of the next towne adioyning to the said Priuileged place, leading directly towards the next of the said other priuileged places or territories. And the same abiured person so to be deliuered from Constable to Constable, Officer to Officer of euerie Township, tending toward the same next priuileged place, vnto such time as the same person be thither conducted, and there deliuered to remaine, as is aforesaid. And that the Gouernor of the said priuileged place, where such refusall was had, or his deputy, shal make an entry in the said Register of the whole matter, that is to say, what day and yere the said abiured person was brought thither vnto him, and by what officer, and for what cause he did refuse the receiuing of him, & to which of the other said priuileged places the said abiured person was from thence appointed to bee brought and conueyed, & shal before the departure of the said abiured person, deliuer to him a true copy of ỹ said entrie, to the intent he may deliuer the same to the gouernor of the said other Priuileged place, to the which hee shall be conducted and brought, or to his Deputie: And that the said gouernour of the same priuileged place, if that same place be not then full of his number, as is afore rehearsed, shall receiue the saide abiured person vpon the sight of his said bill, there to remaine during his life, as a priuileged person, according to the purview of this statute. And that like order and fashion be alwaies obserued and kept for the conducting & conueying of al abiured persons from euerie of the said priuileged places, being ful of their said number, at the time of the bringing thither of any such abiured person to the nert other of the said places, vntill such time as the saide abiured person be receiued into one of the said priuileged places, not hauing his full number, according to the purview of this act: And that euerie Gouernour of the said priuileged places, being negligent and not doing his duty, according to the purview of this act, and euery Constable and other of the Kings Officers, refusing to receiue or to conduct such abiured persons as is aforesaid, shall forfeit and lose to our Soueraigne Lord the King for euerie of their defaults in that behalfe forty shillings. Prouided alwaies that this act nor any thing therein conteined, shal extend or be taken to minish or appaire, or augment, or enforce the Priuiledge or liberty, which any person or persons haue already taken, claimed, or obtained to any place or places within this Realme heretofore vsed, allowed or admitted for places of Sanctuarie, Priuiledge or tuition, but the same to stand for them in like force and effect, neither better nor worse, then it was before the making of this act, any thing herein contained to the contrarie notwithstanding. An. 32. H. 8. cap. 12. See nert following how the Sanctuarie of Manchester is determined, and for that Westchester appointed.

Gouernour

Copie

Gouernour

Constable

Refuse

Fine.

Manchester

Repealed

5 The said former Act of Parliament (5. An. 32. H. 8. c. 12. before 31.) concerning the priuiledge, sanctuary & tuition for the said offences, only within the said towne of Manchester, shall & may be from the feast of the Nativity of S. John Baptist now nert comming, repealed, annihilate, and made frustrate. And the said towne of Manchester from the said feast of S. John Bapt. shalbe of like condition, estate, and quality, discharged of the said Sanctuarie and Priuiledge, as the said Towne was before the making of the said former act, any thing,

ſentence, clauſe or article in the ſaid former act, to the contrarie notwithſtanding. And that &c.

Weſtcheſter. that the Citie of Weſtcheſter, in the Countie of Cheſter, which is well inhabited, hauing no ſuch trade of merchandiſe, & hath a ſtrong Gaole within the ſame City, for puniſhment of malefactors, and alſo there is in the ſame Citie, a Mayor, Bayliffe, and other head Officers, amongſt other Townes and places from henceforth may bee admitted and allowed, and taken to be a Sanctuary, and a place of priuiledge and tuition for terme of life, of all and ſinguler offenders and malefactors, of whatſoeuer quality, kinde and nature all and euerie the ſaid offences be, for the which ſaid offences and crimes, the paines and puniſhment of death ſhould enſue by the Eſtatutes, Lawes and Cuſtomes of this Realme, other then ſuch, as by, and in the ſaid act of Parliament be expreſſed and forepriſed: Prouided alwaies, that this act or any thing therein contained ſhall not extend to repeale, annihilate or make void the ſaid former act of Parliament, made in the two and thirtieth yere of our ſaid ſouereigne the King, (capit. 12. before 3.) concerning any Sanctuarie or Priuiledged places, limited in the ſaid former act, other then onely the ſaid towne of Manchester. And be it further enacted, that the

Conſtables Conſtables of the ſaid Towne of Manchester, for the time being, taking & aſſociating with them xx. of the inhabitants of the ſame town, by their diſcretions ſhal haue ỳ ſafe conduct, leading & bringing of al Sanctuary men, now & hereafter before the feaſt the Natiuity of Saint Iohn Baptiſt next coming, being in the ſaide Towne, to conduct, leade, and ſafe bring from the ſaid towne of Manchester, to the aforeſaid Citie of Weſtcheſter, there to remain as Sanctuary men, and to be delinered to the

Maior Shirifs Maior and Shiriffes of the aforeſaid City of Weſtcheſter, by Indenture to be made betweene the aforeſaid Conſtables and the ſaid Maior, and Shiriffes there for the time being, in which

Indentures Indentures ſhall be compriſed and ſpecified the names of al ſuch ſanctuarie perſons, as ſhal be ſo delinered: & that the ſaid Sanctuarie perſons & euerie of them ſhal be in all places meane betweene Manchester and Weſtcheſter, in the time of their ſaid conduction, leading & bringing from Manchester to Weſtcheſter, as they and euerie of them had béene and remained Sanctuarie perſons in Manchester aforeſaid. Prouided alwaies, and be it &c. That if hereafter vpon any reaſonable matter or cauſe, it ſhall appeare to the kings Maieſtie by information or otherwiſe,

Cheſter that the ſaid Citie of Cheſter is not meete to bee Sanctuary, nor for a place of priuiledge and tuition for the ſaid offendors and malefactors, as béene aboue remembred, as for ſuch like of the conditiõs, that then it ſhall be lawfull to the Kings Highneſſe

Proclamation by his Graces Proclamation, to extinct and determine the ſaid Sanctuarie, within the ſaid Citie of Cheſter, and clearely to diſcharge the ſame citie thereof: & thereupon to appoint, ordeine, & to make one other towne or place to be a Sanctuary, and a place of priuiledge & tuition for the ſaid offendors & malefactors, any thing in this act contained to the contrary not withſtanding. An. 33. H. 8. cap. 15.

6 Be it &c. That ſo much of all ſtatutes as concerneth Abiured perſons & Sanctuaries, or ordering or gouerning of perſons abiured, or in Sanctuaries, made before 35. Eliz. ſhall ſtand repealed and be voide. Anno 1. Iac. cap. 25.

Scarborough.

ANn. 37. H. 8. cap. 14. An act is made for there pairing of the Key and piere of Scarborough, with diuers clauſes concerning that matter.

Schooles and Schollers.

ANno 14. Eliz. An act was made for the better aſſurance of certaine lands and tenements to the maintenance of the free Grammar Schoole at Tunbridge in the County of Kent, which is not Tunbridge publiſhed in print.

2 An. 4. Iac. ca. 7. an act was made for the founding & incorporating a free Grammar Schoole in Northleech in the County of Glouceſter: with many maters concerning the ſame.

Scotland and Scots.

FRom henceforth no perſon Alien nor Denizen Alien Denizen of whatſoeuer eſtate or condition that hee bee, ſhall carry nor ſend, nor do to be carried nor ſent by land nor by ſea out of the Realme of England, to any parts of Scotland, priuily nor apertly, any maner of Armour, Corne, Malt, or other Victailes Armour Corne Victailes or any other refreſhing, vpon paine of forfeiture Forf. of the ſame victailes, armours, and other things aforeſaid, together with the Ships, Veſſels, Cartes and Horſes, which ſhall bring or carry the ſame, or of the very value of the ſame, except ſo it be that the King doe giue his ſpeciall licence to the contrary. Licence And to the intent ỳ theſe Ordinances be duly kept and put in due execution, it is alſo aſſented, that he which after the Proclamation thereof made, ſhall eſpie and proue, that any hath offended or forfeit in any point againſt the forme of this ordinance, ſhall haue the third part of the ſaid forfeitures wholy to Third his owne vſe. Anno 7. R. 2. cap. 16.

ỳ 2 It was not his intent at the making of the ſaid Statute (before) ne yet is, that they that haue caryed or taken, or from henceforth ſhall take or carie, Victailes or Merchandizes to the Towne of Barwick vpon Tweede, which is the Kings town Barwick and of his liegeance, ſhall incurre that paine of the ſaid ſtatute, ne ſhall not be bound to pay Cuſtomes Cuſtom and Subſidies granted to our Soueraigne Lord the King of Merchandizes, that be or ſhall be caried out of the Realme. Prouided alway that they that take any Cloath, Victailes, or other Merchandizes out of the ſaid Towne of Berwicke, to any parts of the kings friends, ſhall pay the Subſidies, Cuſtomes, and other dueties thereof to our Soueraigne Lord the King, and if they doe carry to any part of the Kings enemies, they ſhall incurre Enemi the paine of the ſaid Statute. Anno. 15. Rich. 2. cap. 7.

3 Anno 7. H. 7. cap. 6. It was enacted that all Scots dwelling within England & Wales, ſhould auoid the Realm within 40. daies, after the Proclamation made, and after the forty daies ſearch Auoid daies Search

to

to be made for Scots, and they to be arrested, and their goods seised, & they to be conueyed from Constable to Constable to Scotland. And other articles concerning this matter.

4 For as much as great care hath béene heretofore taken for the maintenance of good strength and force vpon the borders and frontiers against Scotland, & to the end that the inhabitants and tenants there might be better able, and more encouraged for the defence of the same borders, when any occasion should be offered in that behalfe, all charges of subsidies and taxes haue béene borne, to be laid or charged vpon the said inhabitants, and for like respect it hath bin heretofore also vsed in diuers places within the Counties of Northumberland, Cumberland Westmerland and the Bishoprieke of Durham, that diuers, & a great part of the inhabitants there, haue enioyed their tenements and fermeholdes in diuers fauorable sorts and formes of tenure. And for that the Maiestie hath of late yeres béene oftentimes informed by report and certificate of her principall officers, hauing charge of her borders, that the force of her said borders both of horsemen & footemen are greatly decaied, & likely daily to grow weaker by many occasiõs, & among other by decay and ruine of sundry the inhabitants of those borders, whereby the number of the auncient inhabitants able for seruice, haue bin diminished, and that part of the same habitations, Menancies and Fermes, haue béene reduced rather to pasturing of Cattell, then to the maintenance of men of seruice: And that also in some parts the Tenants and Inhabitants themselues haue diminished their owne strength, by diuiding their houses and Fermes, which were méete onely for one able householder and family, into the occupation of sundrie persons commonly being their children or other kinsfolks: so as by the smallnesse and meanesse of the holding no one of them is able to furnish a man for seruice: And ẏ also diuers owners and Tenants vpon the Borders, haue for more gaine then they could haue of naturall subiects, letten their lands or fédings, or some part thereof to Scottishmen, thereby not onely weakening the strength of her Maiesties naturall subiects, but strengthning Forrainers. For remedy whereof be it enacted by the authority of this present Parliament, that the Quéenes Maiestie shal & may from time to time, as need shall require, by Commission vnder the great Seale of England, make & appoint such and so many Commissioners, as to her Maiestie shall be thought conuenient giuing vnto them or sire of them (whereof two to be of the Quorum) full power and authoritie in al and euery of the said counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, or in any part of any of them, to enquire by the oaths of twelue men or moe, or by other good meanes according to their discretions, what tenancies and houses of habitations be since the seuen and twentieth yeare of King Henrie the eight ruined and decaied, and not held or occupied by men able to serue as Horsemen and Footemen, according to the auncient duety of the same Tenancies, and in like maner to examine and search out ẏ iust or probable causes of those ruines & decaies, & of the wants & euill furnitures of the said horsemen and footemen, and to giue order and direction for reformation thereof with all spéed reasonable. And to that end, if it shall appeare to the said Commissioners, or such sire of them, as is aforesaid, that the fault of the said ruines or decaies, hath bœne only in the Lords and owners or their principal Officers, or in the Officers or Farmers of her Maiesties Manors, Lands, or Tenements, or any their assignes, then the said Commissioners, or such sire as is aforesaid, shall order, command and enioyne aswell her Maiesties Officers, Farmers, or their assigns, as others the Lords and owners, and their Officers or Farmers, to reedifie or repaire the same tenements and houses of habitation, and specially the capitall houses and Barnekins within a conuenient time at their owne charges, with restoring like quantities of lands thereunto, as with the same hath bœn occupied in the said seuen and twentieth yeare of King Henrie the eight. And shall set paines for euery default of such reedifying or restoring in reasonable time, not exceeding one hundred Markes for euerie such default: And if they shall finde default of furniture of the tenants with horse, weapon or armour, according to their dutyes, then they shall by perswasion in respect of the Quéenes Maiesties seruice, and the defence of their native Countrie, treate with such Lords and other whom it may concerne, and the Freeholders, Lessées or Tenants, for order to be taken by their mutuall assents, for the renewing and continuance of the said seruice, and for want of reasonable conformity on either part, may enioyne the said Lords and al others vnder them, and also all the Quéenes Maiesties Officers, Farmers, and their assignes, to giue such helpe as the said Commissioners or such sire as aforesaid shall thinke fit, toward the inabling of the said Tenant or Tenants, to be furnished according to the auncient duety of the said Tenement, and to take order how the said Tenant shall thereby be furnished and be able for seruice, and to see that the same be duly executed, and the said Cõmissioner shall take bonds in good sums to her Maiesties vse, of euerie such person of whom it shal be requisite, that the said ancient duty of such Tenements respectiuely shall bee furnished, kept and executed, on paine of reasonable forfeiture, not exceeding forty poundes for euerie default, and shall assesse fines, and set downe paines for such defaults or wants of furniture, as shall in that behalfe be requisite. And if the vnableneſſe of the said Tenants shall bée found to haue growen, or to grow hereafter by their owne default or wilfulnesse, without iust occasion: the saide Commissioners or such sire of them, as is aforesaid, shall order, enioyne and direct the said tenants within some reasonable spéedy time, to furnish themselues with Horse, armour, and weapon, or with Armour and Weapon according to their ancient vsage, and their vttermost reasonable habilitie, at their owne charges without any contribution of the Lords, but at their owne good willes,

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Paine vpon paine to be expelled by the Lord, owner or superiour Farmers or their assignes, which so expelling, shall place in such holding or Farme another Tenant, that shall be furnished and ready for such seruice as is aforesaid, or else shall within one monthy giue notice to the Commissioners, or to the Warden of the same Marches, of his not placing of such Tenant, vpon such paine as the Commissioners, or such fiue of them, as is aforesaid, shall assesse, not exceeding one hundreth Markes: and the said Commissioners or Warden after such notice giuen, shall place one other Tenant sufficient for the seruices aforesaid, & in her Maiesties Lands by the Officers of her reuenue, within iometime to be limitted. And the saide Landlords, Owners, Superiour Farmers, or their assignes, and also her Maiesties Officers to be also enioyned and bound vpon some paine, to cause the same to bee executed, and that a new Tenant shall be placed, sufficiently furnished to holde the same. And further where it shall appeare, that within the space of thirty yeares any Tenement or habitation of houshold, which haue maintained any Horsemen or fotemmen, by auncient vsage for seruice toward the Frontiers, haue béene by the Tenants and Owners themselues, or by any other meanes diuided into sundrie habitations, or the Lands thereunto belonging, distributed to other Tenāts whereby any one principall Tenement so deuided or the same Tenement with the land therwith now occupied, shall not be able to maintaine the Inhabitant thereof to be furnished according to the ancient duty of seruice: that in such case the said Commissioners or such fiue of them, as is aforesaid, shall take order, that for the present time, the persons which shall haue the vse and profit of any part of the same tenements, or of the said lands so withdrawen from the said Principall Tenement, during the time of their present termes, shall yearely contribute to the principall Tenant there residing, to be ready and furnished for the said seruice, some reasonable yearely aid by money or otherwise, towards his furniture meet for seruice. Prouided alwaies, that where the said Commissioners, or such fiue as aforesaid shall finde, that mean or vndertenants hauing particuler estates ouer the terretenant (other then the Lords and owners) haue béene cause of any such decay. In those cases they shall order and compell all such persons meane (which from vnder the Lord, vnto the base or terretenant, shall be found to haue béene cause of such decay) to contribute towards the reedifying or repairing of any tenement ruined or decaied since the time of their interest in the premisses, and also to the helpe of the furniture of the party so decaied: And shall also cause them to be bound, during their particuler Estates, to obserue the order of the saide Commissioners, to be taken as is aforesaid toward ỳ said Tenāts, inhabitants, & seruice. And because diuers persons being Lords & owners, & others also, that haue particuler Estates vnder the said Lords and Owners, which are by the said Commissioners in diuers cases aboue mentioned, to be charged with the contributions aboue mentioned, may be absent out of the parts, where the said Commissioners shal haue authority to execute the said commission, and shall not appeare vpon summons and precepts, & shall haue no lands or tenements within the iurisdiction of the said Commission, to satisfie such paines or amerciaments, as shall be set vpon them, to performe their order: In such cases the Commissioners or such fiue of them as is aforesaid, shall Estreate the same paines and amerciments into the Exchequer, in like maner as Iustices of Peace ought to do for fines & amerciaments, tared or set before them. And thereupon the Barōs and Court of Eschequer, shall vse all good diligence to procure the leuying thereof vpon the parties amerced, or that shall forfeit paines in any part of the Realms, whersoeuer the said party shall remaine. And vpon the same answere by any Shirife or other Officer, the same shall be paide by order of the principall Officers of the said Eschequer, to the Commissioners or some of them, to be answered to such to whom the same shal be due without further warrant from her maiesty for the same. Prouided also, that where the Commissioners, or any such fiue of them as aforesaid, shall finde that any thing is & ought to bée done for the furtherance of this seruice, in any of the premisses in the Qu. Maiesties charge, in respect of any her Lands, Lordships, or Tenements, or of any thing taken by any Officers of her reuenue, or by any other person attending vpon the said Officers or Ministers, or by any other meanes to their owne vse: In such cases the said Commissioners, or such fiue as aforesaid, shall certifie to the Lord Treasorer, Chancellour, and Barons of the Eschequer, their directions and orders concerning the contributions by them reasonably thought méete to bee made in her Maiesties behalfe, or by any her Officers or Ministers, to the intent the said Lord Treasorer or Chancelour and Barons, or any two of them, whereof the Lord Treasorer or Chauncelour for the time being to be one, shall on her Maiesties behalfe direct warrants to her Maiesties Receiuors of the said County to make paiment & allowance, according to the order and direction of the said Cōmissianers, without any other speciall Warrant from her Maiestie for the same, & they shall also compell all other her Maiesties said Officers & Ministers or their Deputies, that shall bée ordered by the Commissioners as aforesaid, to make contribution as is aboue said, to make payment, and to satisfie the said orders in like sort and maner, as if the said orders and directions were decréed by the said Court of Eschequer. Prouided, that the said Commissioners, before they shall exercise the said Commission, shall be sworne before the L. Chancelor of Engl. or before such to whome the L. Chancelor shal direct a writ of Dedimus potestatem, or before the Iusticer of Assise in the County where they shall sit, or before the Iust. of P. in the Quarter Sessions in the said County, according to the tenour of an Oath, contained in a Statute of the second and third yeres of the raignes of King Philip and Quéene Marie (which see in Castles 5.) made for the reedifying of the Castles,

Maiesties charge

Tenement builded

Commissioners

Occupiers

Contribute

Deriuo abiunt

Commissioners Estreate

Commissioners Certifie

Commissioners sworne

Iust. of P.

Caſtles, and ſtrengthning of the Boꝛders with-
in the foꝛeſaid County (leauing out the woꝛds (and
all Saints) expꝛeſſed in the end of the ſaide Oath.)
And that they ſhall haue like wages foꝛ themſelues
and their Clerkes, as is in the ſaid Statute alſo ex-
pꝛeſſed, and the ſame to be leuied out of ſuch ſums
of money, as ſhalbe aſſeſſed by the ſayd Commiſſio-
ners, accoꝛding to the pꝛouiſion contained in the
afoꝛeſaid Statute of the ſecond and third yeares of
the raignes of King Philip and Quéene Marie, foꝛ
the allowance of the like Commiſſioners appoynt-
ted to execute the ſaid ſtatute. Pꝛouided alſo, that
they ſhall haue the like authoꝛitie to make and di-
rect Writs, Pꝛecepts, Warrants, and other com-
maundements, to all Sheriffes, Baylifes, Ste-
wards, and all other Miniſters, Officers, and
perſons, to appeare befoꝛe them, and to execute
theyꝛ commaundements, and ſhall in all cauſes
haue like authoꝛitie to execute this Commiſſion
warranted by this Statute, as by the ſaid ſtatute
of the ſecond and third yeares of King Philip and
Quéene Marie, was giuen foꝛ the execution of the
ſaid ſtatute. And that the like Commiſſions ſhall
be made in caſes requiſite by the Chauncellour and
Officers of the Dutchie of Lancaſter, and by the
Biſhop of Durham in the Countie Palantine of
Durham reſpectiuely, accoꝛding as is mentioned
in the afoꝛeſaid ſtatute of the ſecond and third yeres
of the raignes of King Philip and Quéene Marie,
foꝛ Commiſſions to be made by them foꝛ the execu-
tion of the ſaid ſtatute. Pꝛouided, that the afoꝛe-
ſaid Commiſſioners ſhall not by any theyꝛ oꝛder oꝛ
direction, intermeddle with any lands of her Ma-
ieſtie, oꝛ of any other perſon, that are pꝛeſently in
leaſe oꝛ demiſe, oꝛ graunted by Déede indented in
writing, oꝛ by Copie of Court Roll within anie
manoꝛ, where of auncient time the Cuſtome hath
béene, to graunt the Landes by Copie of Court
Roll, but that the ſame leſſées by Indenture, and
Copie holders ſhall continue at the pleaſure of the
leſſoꝛs, oꝛ the graunteés of the ſaid Copie, oꝛ theyꝛ
heyꝛes, as befoꝛe the making of this Statute they
might haue done, and yet if heretofoꝛe the ſaid lands
ſo leaſed by demiſe, oꝛ graunted by Copie of Court
Roll, ſhall appeare to haue béene chargeable to ſer-
uice, and that the auncient Tenants thereof haue
dlually done ſeruice foꝛ the Boꝛders, and in the ſaid
Indentures oꝛ Copies, oꝛ in the Court Roll wher-
of the ſame are Copies, there be no couenants oꝛ
clauſes, noꝛ otherwiſe any bonds taken foꝛ the ſaid
ſeruices to be done and perfoꝛmed: In theſe caſes,
foꝛ reuiuing oꝛ furtherance of the ſaid ſeruices, the
ſayd Commiſſioners oꝛ ſuch ſix of them as is afoꝛe-
ſaid, ſhall vpon due examination firſt had, and tri-
all made, take oꝛder eyther with the Loꝛds and
Leſſoꝛs, oꝛ with their Officers, oꝛ with theyꝛ Te-
nants, oꝛ with both of them, to cauſe any Tene-
ments ruined oꝛ decayed, to be reedified oꝛ repay-
red, as is befoꝛe limited: And alſo to cauſe the ſaid
ſeruice oꝛ ſeruices, to be reuiued and maintained
foꝛ the defence of the ſaid boꝛders, either by ſpeciall
couenants to be contained in writing betwixt the
ſaid loꝛd and tenant, oꝛ otherwiſe. Pꝛouided alſo,
& be it enacted by the authoꝛity of this parliament,
that all oꝛders to be ſet downe by the ſaid Commiſ- Oꝛders
ſioners by vertue of this Statute, and by authoꝛi-
ty of the ſaid Commiſſion oꝛ Commiſſions oꝛ anie
of them, ſhall ſtand and be in foꝛce to continue, ex- Stand
cept the ſame ſhal be by themſelues oꝛ ſuch number
of them as is aboue limited, oꝛ by other Commiſſi-
oners authoꝛized by her Maieſty, accoꝛding to the
foꝛme of this Act, vpon examination and good con-
ſideration, and vpon calling all perſons intereſſed
befoꝛe them to be heard, otherwiſe altered oꝛ chan-
ged, in the whole, oꝛ in part. Pꝛouided alſo, that Pꝛouiſo
hereafter all Farmoꝛs oꝛ Leſſees, that ſhal haue in- Leſſees
tereſt hereafter in any lands, tenements, oꝛ hereditaments, within the ſaid Counties of Noꝛthumberland, Cumberland, Weſtmerland and the Biſhoꝛpricke of Durham, oꝛ in any one of them, by vertue of any new Leaſe to be made after the end of this Seſſion of this Parliament, ſhall perſonally dwell vpon the ſaid Lands and Tenements, being Dwell
houſes of habitation, oꝛ elſe ſhall perſonally reſi-
dent and dwelling, in, and vpon ſome other houſe
and habitation within one of the ſaid counties, and
ſhall appoint and aſſigne a méete perſon to inhabite
vpon the ſaid Farme oꝛ Tenement ſo diſmiſſed, in
ſuch ſoꝛt as the Inhabitant may reaſonably liue
thereupon, accoꝛding to the quality of the farme, &
ſhall perfoꝛme the ſaid ſeruice. And if the ſaid Far-
mer ſhall depart out of the counties, to dwell oꝛ re- Depart
ſide in any other place, he ſhall within one ry. mo-
neths after his departure, ſurrender his ſaid farme, Surrender
to him oꝛ thé that then ſhall haue the immediate re-
uerſiõ oꝛ remainder, ſo as he may diſmiſſe the ſame
to the afoꝛeſaid inhabitant afoꝛe aſſigned, oꝛ to ſome
other to be reſident & dwel thereupon, and kéep hoſ-
pitality méet foꝛ the quality of the ſaid farme, foꝛ the
better repleniſhing of the ſaid coũtries with people:
Oꝛ elſe it ſhall be lawfull foꝛ him oꝛ them, that ſhall
haue the immediate reuerſion oꝛ remainder, after Loꝛd
ſuch ry. months, & his abſence continuing ſo long,
to reéter as though the ſaid leaſe were determined. Reenter
And be it enacted, that vpon cauſe notoꝛiouſly gi-
uen by any Loꝛds oꝛ owners, oꝛ theyꝛ Officers, oꝛ
by any her Maieſties Officers, Farmoꝛs, oꝛ theyꝛ
aſſignes, to the hinderance of the ſaid ſeruice, as is
afoꝛeſaid, and vpon complaint made thereof to her
Maieſty, oꝛ to her Commiſſioners, oꝛ to anie of
them, oꝛ to the Wardens of the Boꝛders: The
ſaid Commiſſioners, oꝛ ſuch ſix of them as is afoꝛe-
ſaide, that then ſhall haue theyꝛ Commiſſion in
foꝛce, oꝛ in default of ſuch Commiſſion then being
in foꝛce, ſuch other Commiſſioners, to whom the
Quéenes Maieſty, ſhall and may, vpon the ſaide
Complaint oꝛ Certificate from the Warden, direct
a new Commiſſion to the like ſoꝛt and number of
Commiſſioners, as in this Statute is expꝛeſſed,
ſhall examine the cauſe oꝛ complaint of the Certifi-
cate, and ſhall take oꝛder betwixt the Loꝛd and the
Tenant, that by repayꝛing of the ſame habitation,
and other helps aboueſaid, the Tenant may be a-
ble, bounden and charged to inhabite the ſame te-
nement, and doe the ſeruice vpon the Boꝛders,
accoꝛding to his tenure. Pꝛouided alſo, that this
pꝛeſent Statute ſhall continue during her Maie- Statute Contin ue
ſties life onely (which God long pꝛeſerue.) We it
alſo

Statute also further enacted by the authoritie aforesaide, That one Act and Statute made at the Parliament holden at Westminster, in the second and third yeares of the raigne of the late King Philip and Quéene Marie, entituled, An Act for the Reedifying of Castles and Forts, and for the Inclosing of Grounds vpon the Borders towardes Scotland, and euerie Article, Branch, Clause, and Sentence therein contained, except the saide words (and all Saintes) shall be from henceforth fully reuiued, and shall haue continuaunce for and during the terme of twentie yeares next ensuing the last day of this present Session of Parliament, and from henceforth to the end of the Parliament then next following: And that the same Act and Statute in euerie behalfe, shall from henceforth be interpreted and expounded, to extend as fully and largely to the Quénes Maiestie that now is, her heyres and successours, during the said time, for the good execution of the same, as euer it did, or was meant to extend to the saide late King Philip and Quéene Marie, any thing to the contrary notwithstanding. Prouided neuertheless, and considering that the speciall purpose of the premisses in this Act contained, is to haue the people and Inhabitants of the said Counties of Northumberland, Cumberland, and Westmerland, and of the saide Countie Palantine of the Bishoppricke of Durham, which of ancient time were accustomed, and by the Customes of the saide Countries are, or ought to serue on horse backe, or on foote, for defence of the frontires, to be able for seruice, and to be ready furnished for the said seruice: Therefore be it enacted, That if the Lord and Owner of any tenement, or place of habitation, or farme, whereupon any such Tenant bound by such custome to serue, doth now dwell, or where at any time since the seuen and twentieth yeare of King Henry the eight, any such tenant bound by custome to such seruice, did dwell, shal place and cause to inhabite there vpon a tenant able to serue on horse backe, or on foote, according to the auncient custome of the same tenement or Farme, and so for that purpose to be alwayes, when need shall require, furnished for the said seruice requisit: In such case the said Commissioners shall not by vertue of this Act, intermeddle betwixt the lord or owner and the tenant, but that it may be lawful for the said lord or owner therein to grant to his tenant such estate, and in such sort, as lawfully hee might haue done before the making of this statute, so as the said tenant be, as aboue is said, able and ready with furniture to doe his accustomed seruice when time shall require for defence of the frontires. Anno 23. Eli. cap. 4.

Renued

Prouiso

Sea.

THe Sea shall be open to all manner of Marchants to passe with their merchandize at their pleasure where it shall please them. Anno 18. Edw. 3. cap. 3.

Seales.

THere shall no Writ from henceforth that toucheth the common Law, goe forth vnder anie of the petie Seales. Articuli super chartas, Anno 28. Ed. 1. cap. 8. Writs

2 Letters of the Signet, nor of the Kings secret Seale, shal be from henceforth sent in damage or preiudice of the realme, nor in disturbance of the Law. An. 11. Ric. 2. cap. 10. Signet Letters

3 Anno 4. H. 7. capit. 14. it is enacted, That all Graunts and Writings of lands or things pertaining to the Eariedome of March, shalbe vnder the broad Seale, and not vnder a speciall Seale. March

Search and Searchers.

THe Searchers in each Port throughout England shalbe charged and sworne, that they shall not let to farme their Offices of Searcherie, neyther occupy them by deputy. They shall not take from henceforth of any maisters of ships to do their office of Searcheris, neither siluer nor money for their welcome, or for their farewell, nor any thing for the same as they haue vsed to take before this time, otherwise then is ordained for them by their Offices for our Lord the King. And that no Searcher be hoast to any Marchant or Mariner, and in case that any Searcher doe contrarie to this estatute and duely proued, the same Searcher shall be put out of his Office for euer, and make fine and ransome at the Kings will. Deputy Diuers Act Hoast Fine.

Sergeants at Armes.

AT the grieuous complaint made by the Commons of the King in this Parliament, of excessiue and outragious number of Sergeants at Armes, and of many great extortions and oppressions done by them to the people: Our soueraigne Lord the King therefore will that they shall be discharged, and that of them and other there shal be taken of good and sufficient persons to the number of thirtie and no more from henceforth. And moreouer, the King forbiddeth that they meddle of anie thing that toucheth not their office: And that they do none extortion nor oppression to the people, vpon paine to lose the office, and to make a fine and raunsome at the Kings pleasure, and full grée to the partie. Anno 13. Richardi secundi capitulo sexto. Extortion 30. Sergeants

Seruice and Sacraments.

THe King perceiuing that many arrogant and ignorant men doe peruert many things well and godlily instituted, and namely in the most comfortable Sacrament of the Body and Blood of our Sauiour Iesus Christ, commonly called the Sacrament of the Altar, and in Scripture, The Supper and Table of the Lord, the Communion and partaking of the body and blood of Christ, which

Sacrament

Robert Darke xii books
Robert Darke xii books

Sacrament was instituted of no lesse Author then our Sauiour both God and man, when at his last Supper among his Apostles, he did take the bread into his holy hands, & did say, Take you and eate: This is my bodie which is giuen and broken for you. And taking vp the Chalice or Cup, did giue thankes and say, This is my blood of the New Testament, which is shed for you and for many, for the remission of sinnes, that whensoeuer wee should do the same, we should do it in the remembraunce of him, and to declare and set foorth his death and most glorious Passion vntill his comming. Of which Bread whosoeuer eateth, or of the which Cup whosoeuer drinketh vnworthily, eateth and drinketh condemnation & iudgement to himselfe, making no difference of the Lords body. The institution of which Sacrament, being ordained by Christ, as is aforesaid, and the said words spoken of it here before rehearsed, being of eternall, infallible and vndoubted trueth, yet the said Sacrament hath beene of late marueilously abused by the said persons, contemning the whole thing for certayne abuses heretofore committed therein, reuiling it, and disputing vngodly of that most holie Mysterie, and calling it by vile and vnseemely words: For reformation whereof, Be it &c. That whatsoeuer person or persons from and after the first day of May next comming, shall deprane, despise or contemne the said most blessed Sacrament in contempt thereof by any contemptuous words, or by any words of deprauing, despising or reuiling, or what person or persons shall aduisedly in anie other wise contemne, despise or reuile the said most blessed Sacrament contrarie to the effects and declaration aforesaid, that then he or they shall suffer imprisonment of his or their bodies, and make fine and ransome at the Kings will and pleasure. And for full and effectuall execution of the premisses before deuised, ordained, and enacted by this Act, Be it further enacted by the authority of this present Parliament, That immediately after the first day of May next comming, the Iustices of Peace, or three of them at the least, whereof one of them to be of the Quorum in euerie shire of this Realme, and Wales, and all other places within the Kings Dominions, shall haue full power and authoritie by vertue of this Act, as well to take information as accusation by the othes and depositions of two liable, honest, and lawfull persons at the least, and after such accusation or information so had, to enquire by the oathes of twelue men in euerie their foure quarter Sessions yearely to be holden, of all and singular such accusations or informations to be had or made of anie the offences aboue said to be committed or done after the said first day of May, within the limites of their Commission, and that vpon euery such accusation or information, the offender & offenders shal be enquired of, and indicted before the said Iustices of Peace or three of them at the least, as is aforesaid, of the said contempts and offences by the verdict of xij. honest and indifferent men, if the matter of the said accusation and information shall seeme to the said Iurie, good and true. And it is further enacted by the authority aforesaid, that the said Iustices of peace, or three of them at the least, as is aforesaid, before whom any such presentment, information, and accusation shall be made or taken, as is aforesaid, shall examine the accusers what other witnesses were by and present at the time of doing and committing of the offence, whereof the information, accusation and presentment shall be made, and how many other then the accusers haue knowledge thereof, and shall haue power and authoritie by their discretions to bind by Recognisance to be taken before them, as well the said Accusors, as all such other persons, whom the same accusors shall declare to haue knowledge of the offences by them presented and informed, euery of them in fiue l. to the King, to appeare before the said Iustices of P. before whom the offender or offenders shall be tried at the day of triall and deliuerance of such offendors. And it is further enacted by the authoritie aforesaid, That the said Iustices of Peace or iij. of them at the least, as is aforesaid, by vertue of this Act, shall haue full power and authoritie, to make proces against euerie person and persons so indicted by two Capias and one Exigent, and by Capias vtlagatum, as well within the limites of their Commission, as into all other shires and places of this realme, Wales and other the Kings deminions, aswell within the Liberties as without, and the same proces to be good and effectual in the Law, to all intents, constructions and purposes, and vpon the apparance of anie of the offenders shall haue full power and authoritie by vertue of this Act, and the Commission of Peace, to determine the contempts & offences aforesaid, according to the lawes of this Realme, and effects of this Act. And that the saide Iustices of Peace, or three of them at the least, as is aboue said, shall haue full power and authoritie, to let any such person or persons so indicted vpon sufficient Sureties by their discretions to baile for their appearance, to be tried according to the tenor, forme, and effect of this Act. Prouided alwayes, and be it enacted, That the said Iustices of Peace, or three of them at the least, at their quarter sessions where any offender or offenders shalbe or stand indicted of any of the contempts or offences aboue said, shal direct and award one writ in the Kings name, to the Bishop of the diocese wherein the said offence or offences are supposed to be committed or done, willing & requiring the said bishop, to be in his owne person, or by his Chancelor, or other his sufficient deputy learned, at the Quarter Sessions in the said countie to be holden, when and where the said offender shall be arraigned and tried, appointing to them in the said Writ, the day and place of the said arraignement, which writ shal be of this forme: Rex &c. Episcopo L. salutem. Præcipimus tibi, quod tu, Cancellar tuus vel alius deputatus tuus sufficienter eruditus, vnus cum Iusticiarijs nostris ad pacem in comitatu nostro B. conseruandam assignatis apud D. tali die ad Sessionem vram, adtunc & ibid' tenendam, ad dandum consilium & aduisamentum eisdem Iusticiarijs nostris ad pacem, super arraignamentum & deliberationem offendent' contr' formā statuti concern. sacro-

Iust. of P.

Examine

Discretion Recogn.

Iust. of P.

Proces Capias Exigent Capias Vtlagatum

Wales

Iust of P.

Sureties

3. Iu. of P.

Quarter sessions

Writ Bishop

sanctum

sanctum sacramentum altaris. Prouided alway and be it enacted by the authoritie aforesaid, That no person or persons shall be indicted of anie the contempts or offences aboue said, but only for such contempts or offences as shall be done or perpetrated, within three moneths next after the said offences or offence so committed or done. And be it further enacted by the authoritie aforesaid, That in all trialls for any such offenders before the said Iustices, as is aforesaide, the person or persons being complained on and arraigned, shall be admitted to purge or trie his or their innocencie, by as many or more witnesses in number, and of as good honestie and credence as the witnesses be, which deposed against him or them, or anie of them. And forasmuch as it is more agreeable, both to the first Institution of the said Sacrament of the most pretious Body and Blood of our sauiour Iesus Christ, and also more conformable to the common vse and practise, both of the Apostles, and of the Primitiue Church by the space of fiue hundred yeares and more after Christs Ascension, that the said blessed Sacrament should bee ministred to all Christian people, vnder both the kinds of Bread and Wine, then vnder the forme of Bread onely: And also it is more agreeable to the first Institution of Christ, and to the vsage of the Apostles, and the Primitiue Church, that the people being present, should receiue the same with the Priest, then that the Priest should receiue it alone. Therefore be it enacted by our soueraigne Lord the King, with the consent of the Lordes Spirituall and Temporall, and the Commons of this present Parliament assembled, and by the authoritie of the same; That the said most blessed Sacrament be hereafter commonly deliuered and ministred vnto the people, within this Church of England and Ireland, and other the Kings dominions, vnder both the kinds, that is to say, of Bread and Wine, except necessitie otherwise require, and also that the Priest, which shall minister the same, shall at the least one day before, exhort all persons which shall be present, likewise to resort, and prepare themselues to receiue the same. And when the day prefixed commeth, after a godly exhortation by the Ministers made (wherein shall be further expressed the benefite and comfort promised to them which worthily receiue the said holy Sacrament, and danger and indignation of God threatened to them which shall presume to receiue the same vnworthily, to the end that euery man may trie and examine his owne conscience, before he shall receiue the same) the said Minister shall not without a lawfull cause denie the same to any person, that will deuoutly and humbly desire it: Any Lawe, Statute, Ordinance or Custome contrary hereunto in any wise notwithstanding: Not condemning hereby the vsage of anie Church out of the Kings Maiesties dominions. Anno 1. Edwardi sexti capit. 1. This Act was repealed by 1. Mar. parl. 1. Sess. 2. cap. 2. and is reuiued by 1. Elizab. capitulo secundo, before in Crowne 6. Also the Act of 1. Mar. is repealed by 1. Iacobi capit. 25. But note the time of the first making of this Statute, which was before that the Masse was taken away, when the opinion of the Reall Presence was not remooued from vs.

Indict

3. Months

Triall

Witnesses

Sacrament

Both kinds

Minister

Deny

2 Anno 2. Ed. 6. cap. 1. was an Act made, that the Seruice and Sacraments should be in English according to a Booke thereof made. And diuerse things be in that Act concerning those matters. And after, Anno 5. Ed. 6. cap. 1. it appeareth that the said English Booke was altered and changed in diuers things, and that thereunto was added a forme of making and consecrating of Bishops and Priests. And in the same Act of Anno 5. Ed. 6. capit. 1. It was enacted to compell people to come to the Church to the English Seruice, and punishment appointed for them that should be present at any other Seruice, as followeth here 3.

English

3 Be it enacted by the King our soueraigne lord, with the assent of the Lords and Commons in this present Parliament assembled, and by the authoritie of the same, that from and after the feast of all Saints next comming, all and euery person and persons, inhabiting within this Realme or any other the Kings maiesties dominions, shall diligently and faithfully, hauing no lawfull or reasonable excuse to be absent, endeuour themselues to resort to their parish Church or Chappell accustomed, or vpon reasonable let thereof, to some vsuall place where Common Prayer and such seruice of God shall be vsed in such time of let, vpon euerie Sunday, and other dayes ordained and vsed to be kept as holy dayes, and then there to abide orderly and soberly during the time of the Common prayer, preachings, or other seruice of God, there to be vsed and ministred, vpon paine of punishment, by the Censures of the Church. And for the due execution hereof, the Kings most excellent Maiestie, the Lords Temporall, and all the Commons in this present Parliament assembled, doth in Gods name earnestly require and charge all the Archbishops, Bishoppes and other Ordinaries, that they shall endeuour themselues to the vttermost of their knowledges, that the due and true execution hereof may be had throughout their Diocesse and charges, as they will answer before God, for such euils and plagues wherewith almighty God may iustly punish his people for neglecting this good & wholsome Lawe. And for their authoritie in this behalfe, be it further likewise enacted by the authority aforesaid, That all and singuler the same Archbishops, Bishops, and all other their Officers, exercising Ecclesiasticall iurisdiction, as well in place exempt as not exempt within their Diocesse, shall haue full power and authoritie by this Act, to reforme, correct and punish by the Censures of the Church, all and singuler persons, which shall offend within anie their iurisdictions or Diocesses, after the saide feast of all Saints next comming, against this Act and Statute, any other lawe, statute, priuiledge, libertie, or prouision heretofore made, had, or suffred to the contrary notwithstanding. And because there hath arisen in the vse and exercise of the foresaid cõmon seruice in the church heretofore set forth, diuers doubts for the fashion and maner of the ministration of the same, rather

Church

Archbishops Bishops

Curats

by

by the curiosity of the minister, and mistakers, then of any other worthy cause: Therefore as well for the more plaine and manifest explanation hereof, as for the more perfection of the said order of Common seruice in some places where it is necessarie to make the same prayer and fashion of Seruice more earnest and fit to stirre Christian people to the true honouring of almighty God: The kings most excellent maiesty, with the assent of the Lords and Commons in this present Parliament assembled, and by the authoritie of the same, hath caused the foresaid Order of Common seruice, entituled, The booke of Common Prayer, to be faithfully and godlily perused, explained and made fully perfect, and by the aforesaid authoritie, hath annexed and ioyned it so explained and perfected to this statute, adding also a forme and maner of making and consecrating of Archbishops, Bishops, Priests, and Deacons to be of like force, authoritie and value, as the same like aforesaid Booke, intituled, The Booke of Common Prayer, was before, and to be accepted, receiued, vsed, and obeyed, in like sort and maner, and with the same clauses of prouisions, and exceptions to all intents, constructions, and purposes, as by the Act of Parliament made in the second yere of the Kings maiesties raigne, was ordained, limited, expressed, and appointed for the vniformitie of Seruice and Administration of the Sacraments throughout the realme, vpon such seuerall paines as in the said Act of Parliament is expressed: And the said forme Act to stand in full force and strength to all intents and constructions, and to be applyed, practised, and put in vre, to, and for the establishing of the Booke of Common Prayer, now explained, and hereunto annexed, and all the said forme of making of Archbishops, Bishoppes, Priests, and Deacons, hereunto annexed, as it was for the former Booke. And by the authoritie aforesaid it is now further enacted, That if anie maner of person or persons, inhabiting and being within this Realme, or any other the Kings Maiesties Dominions, shall after the saide feast of all Saints, willingly and wittingly, heare and be present at anie other manner or forme of Common Prayer, of Administration of the Sacraments, of making of Ministers in the Church, or of any other rites contained in the Booke annexed to this Act, then is mentioned and set forth in the saide Booke, or that is contrary to the forme of sundrie prouisions and exceptions contained in the foresaid former Statute, and shall be thereof conuicted, according to the Lawes of this Realme before the Iustices of Assise, Iustices of Oyer and Determiner, Iustices of Peace in their Session, or anie of them by the verdict of twelue men, or by his or their owne confession, or otherwise, shall for the first offence suffer imprisonment for sixe moneths, without baile or mainprise: and for the second offence, being likewise conuicted, as is aboue said, imprisonment for one halfe yeare: and for the third offence in like manner, imprisonment during his or their liues. And for the more knowledge to be giuen hereof, and better obseruation of this Lawe: Be it enacted by authoritie aforesaid, That all and singular Curates shall vpon one Sunday during euerie quarter of the yeare, during one whole yeare next following the foresaid feast of all Saints next comming, reade this present Act in the Church, at the time of the most assembly, and likewise once in euery yeare following at the same time, declaring vnto the people, by the authority of the Scriptures, how the merry and goodnesse of God hath in all ages beene shewed to his people, in their necessities and extremities, by meanes of hearty and faithfull prayers made to almighty God, especially where people be gathered together with one faith & mind, to offer vp their hearts by prayers, as the due Sacrifices that Christian men can yelde. Anno 5. & 6. Edw. 6. cap. 1. But as well the Act of 2. Edw. 6. capitul' 1. as this Act of 5. & 6. Edw. 6. capit. 1. were both repealed Anno 1. Mar. Parl. 1. Sess. 2. cap. 2. And some part of 5. & 6. Edw. 6. cap. 1. is reuiued by 1. Elizab. cap. 2. as followeth in this Title here 5. But the whole Statute of 1. Mar. is repealed Anno 1. Iac. cap. 25.

4 Forasmuch as it is most necessary, to prouide that Peace be preserued, specially in holy Church in time of Diuine seruice, and Administration of the Sacraments: Be it ex. That if any person or persons, of their owne power and authoritie, at anytime or times, after the twentith day of December next comming, doe or shall willingly and of purpose, by open and ouert word, fact, act, or deede, maliciously, or contemptuously, molest, let, disturbe, vexe, or trouble, or by any other vnlawfull wayes or meanes disquiet, or misuse any preacher, or preachers that now is, or that at anie time or times hereafter shall be licenced, allowed, or authorized to preach by the Quenes Highnesse, or by any Archbishop, Bishop of this Realme, or by any other lawfull Ordinary, or by any of the Vniuersities of Oxford and Cambridge, or otherwise lawfully authorized or charged by reason of his or their Cure, Benefice, or other Spirituall promotion or charge, in any of his or their open Sermon, preaching, or collation, that he or they shall make, declare, preach, or pronounce, in anie Church, Chappell, Churchyard, or in any other place or places, vsed, frequented, or appointed, or that hereafter shall be or appointed to be preached in: Or if any person or persons, after the said twentieth day of December next comming, shall maliciously, willingly, or of purpose, molest, let, disturbe, vexe, disquiet, or otherwise trouble any Parson, Vicar, parish Priest, or Curate, or any lawfull priest, repairing, saying, doing, singing, ministring, or celebrating the Masse, or other such diuine seruice, Sacraments, or Sacramentals as was most commonly frequented and vsed in the last yeare of the raigne of the late Soueraigne Lord King Henrie the eight, or that at any time hereafter shall be allowed, set forth, or authorized by the Quenes Maiestie: Or if anie person or persons, at anie time or times after the said twentieth day of December, shall contemptuously, vnlawfully, maliciously, of their owne power and authoritie pull downe, deface, spoile, abuse, breake, or otherwise vnreuerently handle, or order the most blessed,

Curates, &c.
Reade
willingly
Word
Act
Molest
Preacher
Molest
Parson
Vicar
Masse
Deface

Sacrament of the Altar

Breake Altar Crosse

Ayder

Arrest Constable Churchwarden

Officer

1. Ja. of P.

6. Dayes

2. Ja. of P.

Examine

Witnesses Confession

Imprison

Mainprise

Quarter sessions

Reconcile

sed, comfortable, and holy Sacrament of the Body and Blood of our Saniour Jesus Christ, commonly called, The Sacrament of the Altar, being, or that shall be in any Church, Chappell, or any other decent place, or Pire, or Canopy, wherein the same Sacrament is or shall be, or vnlawfully, contemptuously or maliciously, of their owne power and authority, pull downe, deface, spoyle, or otherwise breake anie Altar or Altars, or anie Crucifixe or Crosse, that now, or hereafter shall be in any Church, Chappell, or Churchyard: That then euery such offender and offenders in any the premisses, his or their ayder, procurer, or abetter, ayders, procurers, or abetters, immediately and forthwith after any of the sayd Act or Acts, or other the saide misdemeanours so committed, done, or made, or at any time or times after shall be apprehended, arrested, and taken by any Constable or Constables, Churchwarden or Churchwardens of the said parish, towne or place, where the said offence or offences shall be so committed, made, or done, or by any other officer or officers, or by anie other person or persons then being present, at the time of the said offence or offences, so vnlawfully committed, made, or done. Which person or persons so apprehended, taken or arrested, with conuenient speede shall be brought and carried to anie Iustice of Peace, within the said shire, or within anie citie, borough, liberty, or towne corporat where in Iustices of Peace be, where the sayd offence or offences shall be committed, done, and made, and that the said Iustice of Peace, vpon due accusations thereupon had & made, by the apprehender or apprehenders, or other person or persons of any of the said person or persons so offending, forthwith shall commit the said person or persons so apprehended, arrested, and taken, to safe keeping & custody, as by the discretion of the saide Iustice shall be thought most meete and conuenient, and that within fiue dayes next and immediatly after the said accusation so had and made to the said Iustice, with one other Iustice of Peace in the said Shire, Citie, Borough, Libertie, or Towne corporate, shall diligently examine the act or acts, offence or offences aforesaide. And if they the saide two Iustices of Peace shall vpon their said examination finde or perceiue the said person or persons so accused, guiltie of any of the said offence or offences, whereof he or they shall be so accused, and that by two sufficient witnesses, or by his or their owne confession or confessions, that then and immediatly with conuenient speed, the said two Iustices shall commit and award the said person or persons so accused, as is aforesaid, to the Gaole, of, or for the said shire, citie, borough, libertie, or towne corporate, where the said offence or offences was so committed, made, or done, there to remaine without baile or mainprise, by the space of three moneths then next ensuing, and further to the next quarter Sessions, to be holden within the said shire, city, borough, libertie, or towne corporate next after the end of the said iij. moneth, at which quarter Sessions, the said person or persons so committed to gaole, as is aforesaid, vpon his or their reconciliation, and repentaunce in that behalfe, before the saide Iustices of Peace at the said Sessions, shall be delivered and discharged out of prison and gaole, vpon sufficient surety of his good Abearing and behauiour, to bee then and there taken by the saide Iustices, for one whole yeare then next ensuing, as by the discretion or discretions of the said Iustices then & there being, or of the more part of them shall be thought meet and conuenient. And if the said person or persons so in gaole, as is aforesaid, will not be reconciled and repent at the said quarter sessions, that then the said person or persons immediatly in time conuenient, shall be further awarded, and committed to the said gaole by the said Iustices, or by the more part of them, there to remaine without baile or mainprise, vntill hee or they so committed and awarded to gaole, as is aforesaid, shall be reconciled and be penitent for his or their said offence or offences. And be it &c. That if any person or persons at any time or times, after the said twentieth day of December, of their own authority and power willingly, & vnlawfully doe rescue any offender or offenders so apprehended, taken or arrested, as is aforesaid, or will disturbe, hinder, or let the sayd offender or offenders so offending, as is aforesaid, to be apprehended, taken, or arrested, that then euery one of the said rescuers or disturbers, shal suffer like imprisonment as is aforesaid, and further shal pay, forfeit, and lose for a Fine, for euery of his or their sayd offences fiue pounds, to the Queenes Maiestie, her heyres and successors. And be it &c. That if any of the offenders aforesaid be not taken, apprehended or arrested immediatly in time conuenient, as is aforesaid, but doe escape or goe away, that then the said escape shall be lawfully presented before the Iustices of peace in the said shire, city, borough, liberty, or towne corporate, at the next quarter sessions, to be holden where the sayd escape was made and suffered, and that the inhabitants of the parish where the sayd escape was so suffered, shall forfeit and lose to the Queenes Maiestie, her heyres and successors, for euery such escape fiue pounds, to be leuyed and taken, as other like amerciaments and fines before this time hath and beene leuied and taken vpon any village, hundred, or towne, for the escape of any murtherer, or other felon for not making pursuit vpon Huy and Crie, according to the Statute of Winchester, (before in Robberies 2.) and the statute made and prouided in the third yere of the worthy King Henry the seuenth, (before in Murder 2.) And be it &c. That all and singular Iustices of Peace, Iustices of Assise, Iustices of Oyer and Determiner, and all and singular Maiors, Baylifes, and Iustices of Peace within any citie, borough or towne corporate in any parts within this Realme, within the Limits of their Commission or Commissions, shall haue full power and authoritie by vertue of this Act, after the said twentieth day of December, to enquire of all and singular the offences and misdemeanours aforesaid, and to heare and determine the same, and set the Fines and Amerciaments of the said offender or offenders as is aforesaid. Prouided allways, and be it &c. That this Act, or any thing therein contained,

contained shall not in any wise extend to abrogate and take away the authoritie, iurisdiction, power, and punishments of the Ecclesiastical lawes, now standing and remaining in their, or for the punishment of any the offences and misdemeanors aforesayd: but the authoritie, power, iurisdictions and punishments of the sayd Ecclesiastical Lawes, of and for any of the offences and misdemeanors aforesaid, shall stand in full power and strength, and to be vsed and exercised in all and euery thing, as though this act had neuer beene had and made; This present act, or any thing therein contayned to the contrary hereof in any wise notwithstanding. Prouided allwayes, and be &c. that whatsoeuer person offending the premisses, shall for any of the offences afore recited, receiue punishment of the ordinary, hauing testimoniall thereof, vnder the sayd Ordinaries Seale, shall not for the same offence eftsoones be conuicted before the Justice, and in likewise receiuing for the sayd offences punishment by the Justice, he shal not for the same offence eftsoones receiue punishment of the Ordinarie: Any thing in this act to the contrary notwithstanding. An. 1. M. 1. parl. cap. 3. Consider well vpon the last clause of the Stat. 1. E. c. 2. here following, how much of this statute is now repealed.

6. Where at the death of King Edward the first there remained one vniforme order of common seruice and administration of Sacraments, set forth in a booke intituled, the book of common prayer &c. authorised by act of parliament An. 5. E. 6. (before) 3. the which was repealed in An. 1. M. par. 1. c. 2. to the great decay of the due honour of God, and discomfort to the professors of ỹ truth of Christian religion: Be it enacted by the authority of this present parliament, that the said estatute of repeale, & euery thing therin contayned, only concerning the said book, & the seruice, administratiõ of sacramẽts, rites, & ceremonies, contained or appointed, in or by the said book, shalbe void, & of none effect, from & after the feast of the Natiuity of S. John Baptist next comming. And that the said book, with the order of seruice, and of the administration of sacraments, rites, & ceremonies, with the alteration & additions therin added & apointed by this estatut, shall stand & be from & after the said feast of the Natiuity of S. John Baptist, in full force & effect, according to the tenor and effect of this estatute: anything in the foresayde statute of repeale to the contrary notwithstanding. And further be it enacted &c. that all and singular Ministers in any Cathedrall or parish Church, or other place within this Realm of England, Wales, and the marches of the same, or other the Queenes dominions, shal from and after the feast of the Natiuity of Saint John Baptist next comming be bounden to vse, and say the Mattens, Euensong, celebration of the Lords supper, and administration of ech of the Sacraments, and all their common and open prayer, in such order and forme, as is mentioned in the said booke so authorised by parliament, in the said fifth and first yere of the raign of King Edward the first with one alteration or addition of certaine lessons to be vsed on euery Sunday in the yere, and the forme of the Litanie altered and corrected, and two sentences only added in the deliuery of the sacraments to the communicants, and none other, or otherwise. And that if any maner of Parson, Vicar, or other whatsoeuer Minister, that ought or should sing or say common prayer mentioned in the said booke, or minister the Sacraments, from and after the feast of the natiuitie of S. John Baptist next comming, refuse to vse the said common prayers, or to minister the Sacraments in such Cathedrall or Parish Church, or other places, as he should vse to minister the same, in such order & forme as they be mentioned and set forth in the sayd book, or shall wilfully or obstinately standing in the same, vse any other rite, ceremonie, order, forme or maner of celebrating the Lords Supper, openly or priuily, or Mattens, Euensong, administration of the Sacraments or other open Prayers then is mentioned and set forth in the said booke, (Open prayer in and thorowout this Act, is meant that prayer which is for other to come vnto, or heare, either in common Churches or priuy Chappels, or oratories, commonly called the seruice of the Church) or shall preach, declare or speak any thing in the derogation or deprauing of the saide Book, or any thing therein contained, or of any part thereof, and shall be thereof lawfully conuicted, according to the Lawes of this Realme, by verdict of twelue men, or by his owne confession, or by the notorious euidence of the fact, shall lose and forfeit to the Queens highnes, her heirs & successors, for his first offence, the profit of all his spirituall benefices or promotion, comming or arising in one whole yeare next after his conuiction. And also that that the person so conuicted, shall for the same offence suffer imprisonment by the space of 6. moneths, without baile or mainprise. And if any such person once conuict of any offence concerning the premisses, shal after his first conuiction, eftsoones offend, & be therof in forme aforesaid lawfully conuict: that then the same person shall for his second offence suffer imprisonment by the space of one whole yere, and also shall be therefore depriued ipso facto, of all his spirituall promotions: And that it shal be lawfull to all Patrons or Donors of all and singular the same Spirituall Promotions, or any of them, to present or collate to the same, as though the person or persons so offending were dead. And that if any such person or persons, after he shall be twice conuicted in forme afore said, shall offend againſt any of the premisses the third time, and that be therof in forme aforesayd lawfully conuicted: that then the person so offending and conuicted the third time, shall be deprined ipso facto, of all his Spirituall Promotions, and also shall suffer Imprisonment during his life. And if the person that shall offend, and be conuicted in forme aforesayd, concerning any of the premisses shall not be benefited, nor haue any Spirituall Promotion: that then the same person so offending & conuicted, shall for the first offence suffer imprisonment during one whole yeare next after his sayd conuiction, without baile or mainprise. And if any such person not hauing any spirituall promotion after his first conuiction, shall

Leuanie

Minister

Refuse

Vse other order

Preach

Conuict

For. 1. offence

Imprif. Wainprise

Depriue

Depriue Imprison

One yere

eftſones offend in any thing concerning the pꝛe-
miſſes, and ſhal in foꝛme afoꝛeſayd be thereof lawfully conuicted, that then the ſame perſon ſhall foꝛ
During life his ſecond offence ſuffer Impꝛiſonment during his life. And it is oꝛdayned and enacted by the
authoꝛitie afoꝛeſayd, that if any perſon oꝛ perſons whatſoeuer, after the ſayd feaſt of the Nati-
Enterlude Songs Speake uitie of Saint Iohn Baptiſt next comming, ſhal in any Enterclude, Playes, Songes, Rimes, oꝛ by other open woꝛdes declare oꝛ ſpeake any thing in the derogation, depꝛauing oꝛ deſpiſing of the ſame booke, oꝛ of any thing therein contayned, oꝛ any
Threaten thereof, oꝛ ſhall by open fact, deede, oꝛ by open thꝛeatnings compell, oꝛ cauſe. oꝛ otherwiſe pꝛo-
Maintaine cure oꝛ maintaine any Parſon, Vicar, oꝛ other Miniſter in any Cathedꝛall oꝛ Pariſh Church, oꝛ in Church, oꝛ in Chappel, oꝛ in other any place, ſing oꝛ to ſay any common and open Pꝛayer, oꝛ to
Other maner miniſter any Sacrament otherwiſe, oꝛ in any o-
ther maner & foꝛme then is mentioned in the ſayd
Interrupt Booke, oꝛ that by any of the ſayd meane ſhal vnlawfully interrupt oꝛ let any Parſon, Vicar, oꝛ o-
Miniſter ther Miniſter, in any Cathedꝛall oꝛ Pariſh Church, Chappell, oꝛ any other place, to ſing oꝛ ſay common and open Pꝛayer, oꝛ to Miniſter the Sacraments, oꝛ any of them, in ſuch manner and foꝛme, as is mentioned in the ſayde Booke: that then euerie ſuch perſon, being
Conuict thereof lawfully conuicted in foꝛme aboueſayde,
Fork. ſhall foꝛfeit to the Quéene our Soueraigne Ladie, her heires and ſucceſſours foꝛ the firſt ofſence, one Hundꝛed Markes. And if any perſon
One hundꝛed marks. oꝛ perſons being once conuicted of any ſuch ofſence, eſtſones offend againſt any of the laſt recited offences, and ſhall in foꝛme afoꝛeſayd
bée thereof lawfully conuicted: that then the ſame perſon ſo offending and conuict, ſhall foꝛ the
Second offences Fork. 400. marks ſecond offence foꝛfeit to the Quéene our Soueraigne Lady, her heires and ſucceſſours, 400. markes. And if any perſon, after he in foꝛm afoꝛeſaid, ſhall haue béene twice conuict of any offence concerning any of the laſt recited offences, ſhal offend the third time, and be thereof in foꝛme aboueſaid lawfully conuict: that then euery perſon ſo
Fork. offending & conuict, ſhall foꝛ his third offence foꝛfeit to our Soueraigne Lady the Quéene all his
Impꝛiſ. goods and Cattels, and ſhall ſuffer impꝛiſonment during his life. And if any perſon oꝛ perſons, that foꝛ his firſt offence concerning the pꝛemiſſes, ſhall
Do not pay bee conuict in foꝛme afoꝛeſayde, doe not pay the ſumme to be payde by vertue of his conuiction, in ſuch manner and foꝛme as the ſame ought to bé payd, within 6. wéekes nert after his conuicti-
on, that then euery perſon ſo conuict, and ſo not
Impꝛiſ. paying the ſame, ſhall foꝛ the ſame firſt offence in ſtead of the ſayde ſumme, ſuffer Impꝛiſonment by the ſpace of fiue Monethes, without Wayle oꝛ
Wainpꝛiſe Wainpꝛiſe. And if any perſon oꝛ perſons, that foꝛ his ſecond offence concerning the pꝛemiſſes, ſhall bée conuict in foꝛme afoꝛeſayde, doe not pay the ſayde ſumme to bée payd by vertue of his conuiction, and this Eſtatute, in ſuch manner and foꝛme as the ſame ought to bée payde, within fiue wéekes nert after the ſayde ſecond conuiction: That then euerie perſon ſo conuicted, and not ſo paying the ſame, ſhall foꝛ the ſame ſecond ofſence in the ſtead of the ſayde ſumme, ſuffer Impꝛiſonment during twelue Monethes, without Impꝛiſ
Wayle oꝛ Wainpꝛiſe. And that from and after the ſayde Feaſt of the Natiuitie of Saint Iohn Baptiſt next comming, all and euerie perſon oꝛ perſons, inhabiting within this Realme, oꝛ any other the Quéenes Maieſties Dominions, ſhall diligently and faithfully, hauing noe lawfull oꝛ reaſonable excuſe to bée abſent, endeuour themſelues to reſoꝛt to their Pariſh Church oꝛ Church
Chappel accuſtomed, oꝛ vpon reaſonable let thereof, to ſome vſuall place where Common Pꝛayer, and ſuch Seruice of God ſhall bée vſed in ſuch time of let vpon euerie Sunday, and other dayes oꝛdayned and vſed to be kept as Holy dayes: And then and there to abide oꝛderly and ſoberly, during the time of the common Pꝛayer, Pꝛeachings, oꝛ other Seruice of God, there to be vſed and Miniſtred, vpon payne of puniſhment by the cen- Punish
ſures of the Church: And alſo vpon payne that euerie perſon ſo offending, ſhall foꝛfeit foꝛ euerie Fork. xii.d.
ſuch offence twelue pence, to bee leuyed by the Churchwardens of the Pariſh, where ſuch offence ſhall be done, to the vſe of the poꝛe of the ſame Pariſh, of the goods, Lands, and Tenements of ſuch offenders, by way of diſtreſſe. And foꝛ due execution hereof, the Quéenes moſt excellent Maieſty, the Loꝛdes Tempoꝛall and all the Commons in this pꝛeſent Parliament aſſembled, doth in Gods name earneſtly require and charge all the Archbiſhoppes, Biſhoppes, and other Oꝛdinaries, that they will endeuour themſelues to the vttermoſt of their knowledges, that the due and true execution hereof may be had thꝛoughout their dioces & charges, as they will anſwere beſoꝛe God, foꝛ ſuch euils and plagues wherewith Almightie God, may iuſtly puniſh his people foꝛ neglecting this good and wholeſome Lawe. And foꝛ their authoꝛitie in this behalf, be it further enacted by the authority afoꝛeſaid, ỹ all & ſingular the ſame Archbiſhops, Biſhops, and all other their officers exerciſing eccleſi- Eccleſi
aſtical iuriſdiction, aſwel in place exempt as not exempt, within their dioces, ſhal haue full poweꝛ and authoꝛity by this act, to reform, coꝛrect, and puniſh by cenſures of the church, all and ſingular perſons which ſhall offend within any their iuriſdiction oꝛ dioces, after ỹ ſaid feaſt of the Natiuity of S. Iohn Baptiſt nert comming, againſt this act and ſtatut: Any other law, ſtatute, pꝛiuiledge, liberty, oꝛ pꝛeuition heretofoꝛe made, had, oꝛ ſuffered to the contrary notwithſtanding. And it is oꝛdained and enacted by ỹ authoꝛity afoꝛeſaid, that all & euery Iuſtice of oyer & determiner, oꝛ Iuſtices of aſſiſe, ſhal haue ſul poweꝛ & authoꝛity in euery of their oyer & generall ſeſſions, to enquire, heare, & determine all & all manner of offences that ſhall be committed oꝛ done contrary to any article contained in this pꝛeſent act, within the limits of the commiſſio to them diꝛected, and to make pꝛoces foꝛ the execution of the ſame, as they may do againſt any perſon being indicted beſoꝛe them of Treſpaſſe, oꝛ lawfully conuicted thereof. Pꝛouided alway, and be it ena-

ted

ted by authoritie aforesayd, that all and euery archbishoppe and Bishoppe, shall and may at all time and times at his libertie and pleasure, ioyn, and associate himselfe by vertue of this Act, to the sayd Iustices of oyer and determiner, or to the sayd Iustices of Assise, at euery of the sayd open and generall Sessions, to be holden in any place within his Diocesse, for and to the inquirie, hearing and determining of the offēces aforesayd. Prouided also, and be it enacted by the authoritie aforesayd, that the bookes concerning the sayd services, shal at the costes and charges of the Parishioners of euerie Parish and Cathedrall Church be attained & gotten before the said feast of the Natiuitie of S. Iohn Baptist next following, and that all such Parishes and Cathedral Churches or other places where the said bookes shall be attained and gotten, before the said feast of the Natiuitie of S. Iohn Baptist, shall within three weekes next after the sayd books so attainted and gotten, vse the said seruice, and put the same in vre according to this Act. And be it further enacted by the authoritie aforesayde, that noe person or persons shall be at any time hereafter impeached, or otherwise molested, of or for any the offences aboue mentioned, hereafter to be committed or done contrary to this Act, vnlesse he or they so offending, be thereof indicted, at the next generall Sessions to be holden before any such Iustice of oier and determiner, or Iustice of Assise, next after any offence committed or done, contrary to the tenour of this Act. Prouided alwaies, and be it ordained and enacted by the authority aforesayd, that all and singular Lords of the Parliament, for the third offence aboue mentioned, shall be tried by their Peeres. Prouided also, and be it ordayned and enacted by the authoritie aforesayde, that the Maior of London, and all other Maiors, Bailifes, and other head officers of all and singular Cities, Borroughs, and Townes corporate within this Realme, Wales, and the Marches of the same, to the which Iustices of Assise doe not commonly repayre, shall haue full power and authoritie by vertue of this act, to enquire, heare, and determine the offences abouesayd, & euery of them yearely within fifteene dayes after the feast of Easter, and Saint Michaell the Archangell, in like maner and forme as Iustices of Assise, and oyer and determiner may doe. Prouided alwayes, and be it ordained and enacted, by the authoritie aforesayd, that all and singular Archbishoppes and Bishops, and euery of their Chauncellors, Commissaries, Archdeacons, and other ordinaries, hauing any peculiar Ecclesiasticall iurisdiction, shall haue full power and authoritie, by vertue of this Act as well to enquire in their Visitation, Synods, and elsewhere within their iurisdiction at any other time and place, to take occasions, and informations of all and euery the things aboue mentioned, done, committed or perpetrated within the limits of their iurisdictions and authoritie, and punish the same by admonition, excommunication, sequestration, or depriuation, and other censures and processe in like forme as heretofore hath beene vsed in like cases by the Queenes Ecclesiasticall Lawes. Prouided always, and be it enacted, that whatsoeuer person offending in the premisses, shall for the offence, first receiue punishment of the Ordinarie, hauing a testimoniall thereof vnder the sayd Ordinaries seale, shall not for the same offence eftsoones be conuicted before the Iustices. And likewise receiuing of the sayd first offence punishment by the Iustices, he shall not for the same offence eftsoones receiue punishment of the Ordinarie: Any thing contayned in this Act to the contrary notwithstanding. Prouided alwayes, and be it enacted, that such Ornaments of the Church, and the Ministers thereof shall be retayned, and be in vse, as was in the Church of England, by authoritie of Parliament in the second yeare of the Raigne of King Edward the first, vntill other order shall be therein taken by the authoritie of the Queenes Maiesty, with the aduice of her Commissioners appointed and authorised vnder the great Seale of England, for causes Ecclesiasticall, or of the Metropolitane of this Realme. And also, that if there shall happen any contempt or irreuerence to be vsed in the ceremonies or rites of the Church, by the misusing of the orders appointed in this booke: The Queens Maiestie may by the like aduise of the said Commissioners or Metropolitane, ordaine & publish such further ceremonies or rites, as may be most for ẏ aduancement of Gods glory, the edifying of his church, & ẏ due reuerence of Christs holy mysteries and Sacraments. And be it further enacted by the authoritie aforesayd, that all Lawes, statutes and Ordinances, wherein or whereby any other seruice, administration of Sacraments, or common Prayer is limited, established, or set forth to be vsed within this Realme, or any the Queens dominions or Countrey, shall from henceforth bee vtterly void and of none effect. Anno 1. Eliz. cap. 2. See some addition vnto this Statute in Crowne 10, 13. and 14. and that Iustices of Peace may enquire thereof.

Once punished

Ornaments

6 Be it enacted &c. That all and singular Ministers in euery Cathedrall & parish Church, or other vsual place for common prayer within this realme of England & the Dominions of the same, shall alwaies vpon the fift day of November, say morning prayer, & giue vnto Almighty God thanks for his most happy deliuerance of the king, queene, prince, lords, & commons assembled in the house of parliament, from a conspiracy to blow them vp with gūpowder on the said 5. day of November. And that all & euery person & persons inhabiting within this realm of England, & the dominiōs of the same, shall alwais vpon that day diligently & faithfully resort to the parish church or chappell accustomed, or to some vsuall Church or Chappell where the sayde Morning Prayer, Preaching, or other Seruice of God shall be vsed, and then and there to abide orderly and soberly during the time of the saide Prayers, Preaching, or other seruice of God there to be vsed and ministred. And because all & euery person may be put in minde of this duety, and be the better prepared to the sayde Holy Seruice, Bee it &c. That euerie Minister shall giue warning to his Parishioners publikely in

Ministers

5. day of November Morning prayer.

Warning the Sunday before

This Act to be read

the Church at Morning Prayer, the Sunday before euerie such Fift day of November, for the due obseruation of the sayd day. And that after Morning Prayer, or Preaching vpon the sayde 5. day of November they shal read publikely, distinctly, & plainly this present Act. An. 3. Iac. cap. 1.

Seuerne.

Shipmasters

Balast

Streame Fork. Poinct

Wheate Male Beanes Coyns

Customer

Suretie

Transport

Bristol

Customer Maior

Measure

NO Maister or Maisters, owner or owners of ship or ships, or of any other boat or vessell, or any other person or persons, doe take or vnloade their balast or robull, at or in the sayde Rode, called Ringrode, and Hungrode, ne in any of them, ne in any other place, from the Rode of Ringrode, vnto the Towne of Bristoll, nor in no part of the hauen therof, but on the Land onely aboue the full Sea marke, vpon pain that euery such owner, maister of the Ship, or of other boate or vessell, and euery other person or persons, casting & laying their Balast or Robull in the streame, at the place, or in the riuer aforesayd, to forfait at euery time so offending foure pound, the one halfe thereof to be to the King, and the other halfe thereof to the partie that will sue &c. by Bill, Plaint, Action of Debt, Information or otherwise, in which Action the defendant shall not wage his Law. And further &c. that no person or persons from henceforth, shall enbote or lade, or cause to be enboten or laden, any wheat, malt, beanes, or any other kind of graine or corne, whatsoeuer it shal be, in any picard, boate, or other vessell, at any Creek, Pill, Banks, or elsewhere vpon the Seuerne streame betweene the key of the city of Glocester, and the sayde Citie or Towne of Bristoll by water of Seuerne, to the intent to bee transported into vtter partes beyond the Sea out of the Kings Dominion, before that the sayde owner or lader of the said picard, boat or other vessell hath beene with the Kings Customers of the sayde Towne of Bristoll, and there by himselfe, and one sufficient suretie with him bounden vnto ỳ kings Customers of the sayd Port and Towne of Bristoll aforesayd in such reasonable summes of mony to the vse of our said Soueraigne Lord the King as shall amount to the double value of the said graine or corne, there to be laden or to be enboted, vpon condition that the said owner or maister of the sayd picard or boat, or other vessell, shall not repaire or transport the said corne or graine, nor no part therof in any vtter parts beyond the sea, out of the K. dominion, before the said maister or owner thereof, shal come and bring the said grain & corne vnto the key of ỳ said town of Bristol, & there to be viewed or seene the contents thereof, & the contents thereof to be declared vnto the K. customers, & to the Maior of the said town for the time being, if there be any such licence or lawfull cause for to conuey or transport grain or corn into the partes beyond the sea out of the said K. Dominion, there to be measured and mete by the common measure of the sayde town. And after the said obligation which condition so made, sealed, & deliuered vnto the said customer: Then the said customer shal deliuer a sufficiet cocket vnto the partie, owner or owners, or maister so bounden to conuey the sayd graine or Corn vnto the key of Bristoll, vpon payne that euery Picard, boat or other vessell so laden with graine, or other kind of Corne, to be caried or transported into the vtter partes beyond the sea, out of the kings Dominion, to be forfeited, as well ỳ said Corne & graine so laden, as the sayd Boat so laden contrary vnto this present Act, whereof the King &c. to haue 3. partes thereof, and the partie that will sue &c. the fourth part, before the Kings most honourable Councell according to the Kings Proclamation in that behalfe made and prouided. And further &c. that if it shall appeare vpon the measuring thereof vnto the Maior of the saide Towne of Bristoll, and to the Kings Customers then for the time being, that there is more Corn or graine laden to be transported into the partes beyond the Sea, within any of the sayd vessels, boats, picard, or trows, ouer and aboue foure quarters, that then it shall bee lawfull vnto the sayde Mayor and Customers there for the time being, to cause the owner or conueyer thereof vnto the sayde Towne of Bristow, to make sale of such Corne and graine as shall be brought ouer and aboue the contents of the sayd cockets or Licence, and ouer and aboue foure quarters beside the cocket or Licence, according as the prices of such graine and Corne are commonly worth, and sold in the open Market of the sayde Towne of Bristow: The said common meater to haue for the measuring of euery wey of Corne two pence, on pain of euery person being owner of the said grain or corn, or hauing the charge of the same, denying the measuring of the said graine at the said key of Bristow, to lose and forfeit for euerie time so denying, fiue pound, the one halfe thereof to be to the King, and the other halfe thereof to the partie that will sue for the same, &c. In the which action the defendant shall not wage his law &c. An. 24. H. 8. cap. 9.

Cocket

Fork.

Maior Customers

Foure quarters

Make sale

Meater

Fork. Poinct

Sewers.

10. yeares Commission Chauncel.

BY tenne yeares next ensuing, seuerall Commissions of Sewers shall be made to diuers persons by the Chauncelor of England for the time being, to come in all partes of the Realme, where shall be needfull, according to the forme as hereafter followeth. Henry by the grace of God King of England, &c. To his welbeloued and faithfull A. B. C. and D. greeting. Knowye, that whereas the walles, ditches, gutters, sewers, bridges, cawsies and weares, by the coasts of the sea and Marsh, within the coasts and limits of Lindsey, in the county of Lincolne, by rage of the Sea, flowing and reflowing, and trenches of fresh waters &c. An. 6. H. 6. cap. 5.

10. yeares Commission

2 All such commissioners (s. mentioned in An. 6. H. 6. c. 5. as before 1.) shall haue power to do, ordain & execute ỳ statutes, or ordinances & other things to be made according to the effect & purport of the said commissions. An. 8. H. 6. cap. 3.

3 By tenne yeares next ensuing after this present Parliament, seuerall Commissions

of Sewers shall bee made to diuers persons by the Chauncelor of England for the time being, to be named in all parts of the sayd Realme where need shall be after the forme and effect of a Commission contayned in the sayde Statute, the same first yeare. And moreouer he hath ordayned and stablished by the same authoritie, that all such Commissioners haue power to make, ordaine, and execute statutes & ordinances and other affaires after the effect and purport of the said Commissions. Anno 8. H. 6. cap. 5.

Statutes

Two Commissioners

Chancelor

Quorum

Oath

Commissions

Chancelor of L. Treasorer Chiefe Iu. Form of the commission

Moreouer the third of fifteene yeares nert ensuing, the Chauncelor of England for the time being, shall haue power to make commissions of sewers out of the kings Chauncery, vnder the kings great, in such forme as it was graunted to be made by the statute made in the said fifth yeare (s. 6. H. 6. cap. 5.) An. 23. H. 6. cap. 9.

For fifteene yeares nert ensuing, seuerall Commissions of Sewers shall bee made to diuers persons by the Chauncelor of England for the time being, to bee named in all partes of this Realme of England, and of the foresayde Marches (S. of Calice, Guisnes and Hammes) where need is or shall bee, after the forme and effect of the sayd Commission contayned in the sayde Act made the sayd first yeare: And moreouer he hath ordayned and stablished by the same authoritie, that all such Commissioners shal haue ful power to make, ordaine, and execute Statutes and Ordinances, and other things to be done after the effect and purport of the same Commissions. Anno 12. Edw. 4. cap. 6.

6. For twenty fiue yeres nert comming, seuerall Commissions of Sewers be made to diuers persons by the Chancelor of England for the time being, to be named in all partes of this his realm, and of the said marches, where need is or shalbe, after the form and effect of the said Commission contayned in the saide Act made in the sayde first yeare ca. 5. (before 1.) and ouer that hath ordayned and established by the said authority, that all such commissioners haue full power to make, ordayne and execute statutes and ordinances and other things doe, after the effect and purport of the same Commission. An. 4. H. 7. cap. 1.

7 That the said act (s. An. 6. H. 6. cap. 5. before 1. & Anno 4. Henr. 7. cap. 1. before 6.) and all other Actes and authorities heretofore made concerning Commissioners of Sewers and their Commissions and authoritie (not being before this time repealed) abide and stand from henceforth good and effectuall to endure for euer. And also that the Chauncelor of England for the time being, shall haue from henceforth full power and authoritie for euer to graunt Commissions of Sewers into euery part of this Realme, and the sayde Marches, where neede is or shall bee, to certaine persons by the sayde Chauncelor for the time being, to bee named, according to the forme and effect of the sayde Commission and Act expressed in the sayd Parliament holden the sayde first yeare of the Raigne of King H. 6. (cap. 5. before 1.) And ouer that, be it &c. that all such commissioners haue and shall haue ful power and authoritie to put their Commission in due execution, and to make and execute Statutes and Ordinances, and all other things to doe after the effect and purport of their Commission. And that all Commissions of Sewers graunted or made sithence the sayd fiue and twentieth yeare determined, and the Actes, Ordinances, and all executions, and other things by the Commissioners of the same, concerning the saide Commissions, or any two of the same Commissioners, and euery thing in the same comprised, be and shall be effectuall, and of like strength, as if the said Commission had beene made or granted within the said fiue & twentieth yeares, immediate after the said Parliament holden the said fourth yeare of the raigne of King Henrie the seuenth, (ca. 1. before 6.) And also beit &c. That the Chauncellor of England for the time being, shall make no Commission to any person or persons, for the execution of this Act, except hee haue lands and tenements of estate of freehold, to the yearely value of twentie pounds at the least, or else be Justices of Quorum learned, within any of the Shires where he shall be made Commissioner. And if any such Commission be directed to any person or persons, not hauing lands and tenements to the yearely value of twentie pounds, or not being one of the Justices of Quorum, learned as is aforesaid, that euerie such Commissior, and all presentments and accusations had and presented before any such Commissioners. and also all and euerie fines set by the said Commissioner and Commissioners, to be vtterly void and of none effect. This Act to endure but for 7. yeares, and from the end of the same ten yeares, vnto the nert Parliament. An. 6. H. 8. cap. 10.

8 Commissions of Sewers and other the premisses shall bee directed in all parts within this Realme from time to time, where and when need shall require, according to the manner, forme, tenor, and effect hereafter ensuing, to such substantiall and indifferent persons as shal be named by the Lord Chauncellor and Lord Treasorer of England, and the two chiefe Justices for the time being, or by three of them, whereof the Lord Chauncellor to be one: Henrie the eight &c. Know ye that forasmuch as the walls, ditches, bankes, gutters, sewers, gotes, calsies, bridges, streames, and other defences by the coasts of the Sea, and Marsh ground being and lying within the limits of A, B, or C, in the Countie or Counties of or in the borders or confines of the same, by the rage of the Sea, flowing and reflowing, and by means of the Trenches of fresh waters, descending and hauing course by diuers wayes to the Sea, be so dirupt, lacerate, and broken: And also that common passages of ships, balengers, and boats in the Riuers, streames, and other flouds within the limits of A, B, or C, in the Counties Countie or of or in the borders and confines of the same, by meane of setting vp, erecting, and making of streames, mills, bridges, pondes, fishgarthes, mill dammes, lockes, hebbing weares, heckes, and floudgates, or other like lets, impedi-

ments, or annoyances be letted and interrupted, so that the great & inestimable damage for default of reparation of the said walles, ditches, bankes, fences, sewers, gotes, gutters, Calsies, bridges, and streams: and also by meane of setting vp, erecting, making, and enlarging of the said fishgarths, mildams, locks, hebbing weares, hecks, sludgates, & other like annoyances in times past, hath happened, and yet is to be feared, that farre greater hurt, losse, and damage is like to ensue, vnlesse that spedie remedie be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogatiue royall we be bound to prouide for the safetie & preseruation of our Realme of England, willing that spedie remedie be had in the premisses, haue assigned you, and sixe of you, of the which we will that A. B. and C. shalbe three, to be our Iustices to

Survey — survey the said walles, streames, ditches, bankes, gutters, sewers, gotes, calsies, bridges, trenches, mils, mildams, sludgates, ponds, lockes, hebbing

Annoyances — weares, and other impediments, lets, and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe or reformed, as cause shall require after your wisdomes and discretions. And therein aswell to ordain and do after the forme, tenor, and effect of all and singuler the estatutes and ordinances made before the 1. day of March, the 23. yere of our raign, touching the premisses, or any of thē, as also to enquire by the othes

Enquire Othes — of the honest and lawfull men of the said Shire or Shires, place or places, where such defaults or annoyances be, aswell within the liberties as without (by whom the truth may the rather be known) through whose default the said hurts & dammages haue happened, & who hath or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath or may haue any hurt, losse, or disauantage by any maner of means in the said places, aswell nere to the said daungers, lets, and impediments, as inhabiting or dwelling there about by the sayde Walles, Ditches, Bankes, Gutters, Gotes, Sewers, Trenches and other the said impediments and annoyances. And all those persons, and euery of them, to

Profit Hurt

Tare Distreine Punish — tare, assesse, charge, distraine and punish, aswell within the metes, limits, and bounds of old time accustomed, or otherwise, or elsewhere, within our Realme of England, after the quantitie of their Landes, Tenements, and Rentes, by the number of acres and perches, after the rate of euerie persons Portion, Tenure, or profit, or after the quantitie of their common of pasture, or profit of fishing, or other commodities there, by such waies and meanes, and in such manner and forme, as to you, or six of you, whereof the sayd, A. B. and C. to be three, shall seeme most conuenient to be ordayned and done for redresse and reformation to be had in the premisses. And also to reforme, repaire,

Amend — and amende the sayde Walles, Ditches, Bankes, Gutters, Sewers, Gotes, Calsies, Bridges, Streames, and other the premisses in all places needfull, and the same as often as where need shall bee, to make new: And to cleuse and purge the Trenches, Sewers, and Ditches, in all places necessarie. And further to reforme, amend, prostrate, and ouerthrow all such Pilles, Streams, Ponnes, Lockes, fishgarthes, Hebbing weares, and other impediments and annoyances aforesaid, as shall be found by inquisition, or by your surueying and discretions to be erected or builded. And also to depute and assigne diligent, faithfull and true Kepers, Bayliffes, Surueyors, Collectors, Expenditors, and other Ministers, and Officers, for the safetie, conseruation, reparation, and making of the premisses and euerie of them, and to heare the account of the Collectors and other Ministers of and for the receiuing and laying out of the money that shall be leuyed and payed, in and about the making, repayring, reforming and amending of the sayd Walles, Ditches, Bankes, Gutters, Gotes, Sewers, Calsies, Bridges, Streames, Trenches, Pilles, Ponds, Lockes, fishgarths, sludgates, and other impediments, and annoyances, aforesayd. And to distraine for the Arrerages of euery such Collection, tare, or assesse as often as shall be expedient, or otherwise to punish the Debters and Deteiners of the same by Fines, Amerciaments, Paynes, or other like means after your good discretions. And also to arrest and take as many Cartes, Horses, Oxen, Beasles, and other instruments necessarie, and as manie workemen and Labourers, as for the sayd workes and reparations shal suffice, paying for the same competent wages, salarie and stipend in that behalfe. And also take such and as many Trees, Woods, Underwoods and Timber, and other necessaries, as for the same workes and Reparations shall be sufficient, at a reasonable price by you or six of you, of the which we will that A. B. and C. shall be three, to be assessed or limited aswell within the limits and bounds aforesayd, as in any other place within the said countie or counties nere vnto the sayd places. And to make and ordaine Statutes, Ordinances and Prouisions from time to time, as the case shall require, for the safegard, conseruation, redresse, correction, and reformation of the premisses, and of euerie of them, and the partes lying to the same, necessarie and behouefull after the Lawes and customes of Romney march, in the Countie of Kent, or otherwise by any waies or meanes, after your owne wisedomes and discretions. And to heare and determine all and singular the premisses, aswell at our suite, as at the suite of any other whatsoeuer complayning before you, or six of you, whereof A. B. and C. shall be three, after the Lawes and customes aforesaid, or otherwise by any other waies and meanes after your discretions. And also to make and direct all writs, precepts, warrants, or other commaundements, by vertus of these presents, to all shiriffes, bailifes, and all other ministers, officers and other persons as well within liberties as without, before you, or six of you, whereof the said A. B. and C. to be three, at certain daies, termes and places to be prefixed, to be returned and receiued. And further to continue the proces of the same, and finally to do all and euery thing and things as shall be requisite for the due execution of the premisses by al waies and means

Surueyors Collectors Expenditors Bayliffes Officers Accomptes Distraine Punish Statutes Writs Precepts Warrants Shiriffes Bailifes

after

after your discretions. And therefore I command you, that at certain dates and places, whē & where you or six of you, whereof the said A. B. and C. to be three, shall think expedient, ye do survey the said walles, fences, ditches, banks, gutters, gotes, sewers, tailles, ponds, bridges, rivers, streames, wallcourses, mills, locks, trenches, highwaths, flodgates, & other the lets, impediments, & annoyances aforesaid, and accomplish, fulfill, heare and determine all and singular the premisses, in due form, and to the effect aforesayd, after your good discretions. And all such as ye shal find negligent, gainsaying, or rebelling in the said workes, reparations, or reformation of the premisses, or negligent in the due execution of this our Commission, that ye doe compell them by distres, fines, and amerciaments, or by other punishments, waies, or meanes, which to you, or six of you, whereof the said A. B. and C. shal be three, shal seeme most expedient for the speedy remedie, redresse, and reformation of the premisses, & due execution of the same. And all such things as by you shall be made void, and ordaines in this behalfe, as well within liberties as without, that ye doe cause the same firmely to be observed, doing therein as to our Justices appertained, after the Lawes and Statutes of this our Realme, and according to your wisedome and discretions. Saued alwayes to vs such fines and amerciaments as to vs the cesse shall belong. And we also command our shirife or shirifes of our said Countie or Counties of that they shal cause to come before you, or six of you, of the which A. B. and C. shall be three, at such dayes and places as ye shall appoint to the, such and as many honest men of his or their baliwicke as well within the liberties as without, by whom the truth may be best known, to enquire of the premisses. Commanding also all other Ministers & officers as well within liberty, as without, y they and every of them shall be attendant to you in & about the due execution of this our Commission. In witnes wherof we haue caused these our L. patents to be made. Witnes our self at West.

day of in the yere of our raign. And it is also enacted, y every such person as shall be named commissioner in the said commission, after he hath knowledge therof, shall effectually put his diligence and attendance in and about the execution of the said Commission. And before he shall take upon him the execution of the sayd Commission, he shall take a corporall Othe before the L. Chauncelor, or before such to whom the said L. Chauncelor shall direct the Kings Writ of Dedimus potestatem, to take the same, or before the Justices of the Peace in the quarter Sessions holden in the Shire where such Commission shall bee directed: the tenor of which oath hereafter ensueth. Ye shall sweare, that you to your cunning, wit, and power, shall truely and indifferently execute the authoritie to you given by this Commission of Sewers, without any favour, affection, corruption, dread or malice to be borne to any manner person or persons: And as the case shall require, ye shall consent and endevour your self for your part to the best of your knowledge and power, to the making of such wholesome, mete, equall, and indifferent lawes and ordinances, as shall be made and devised by the most discreet and indifferent number of your fellowes being in Commission with you for the due tenuelle, reformation, and amendment of all and every such things as are contained and specified in the said Commission. And the same lawes & ordinances to your cunning, wit, & power, cause to be put in due execution, without fauor, meed, dread, malice, or affections, as God you helpe and all Saints. And it is also &c. That all and every Statutes, Act, and Ordinance heretofore made concerning the premisses, or any of them, as well in the time of our Soueraigne Lord the King that now is, as in the time of any of his progenitors, Kings of this Realme of England, not being contrarie to this present Act, not heretofore repealed, from hencefoorth shall stand and be good and effectuall for euer, and be put in due execution, according to the true meaning and purport of the same. And over that, be it &c. That the Commissioners hereafter to be named in any of the sayd Commissions, according to the purport and effect of the same Commissions, haue full power and authoritie to make, constitute, and ordaine lawes, ordinances, and decrees, and further to doe all and every thing mentioned in the sayd Commission, according to the purport, effect, words, and true meaning of the same. And the same lawes and ordinances so made to reforme, repeale, and amend, and make new from time to time, as the cases necessarie shall require in that behalfe. Prouided alway, and it is &c. That if any person or persons being assessed or taxed to any lot or charge for any lands, tenements, and hereditaments, within the limits of any Commission hereafter to directed, doe not pay the said lot and charge, according to the ordinance and assignement of the Commissioners, having power of the execution of the sayd Commission: By reason whereof it shall happen the said Commissioners having power of execution of such Cōmission, for lacke of payment of such lot & charge to decree and ordaine the same lands, tenements, and hereditaments, from the owner or owners thereof, and their heires, and the heires of euerie of them, to any person or persons for terme of yeares, terme of life, in fee simple or in taile, for payment of the same lot and charge, that then euerie such decree and ordinance so by them made, ingrossed in parchment, and certified vnder their Seales into the Kings Court of Chauncerie, with the Kings royall assent had to the same, shall bind all and euerie person and persons that at the making of the same decree, had any interest in such lands, and tenements, or hereditaments, in vse, possession, reuertion, or remainder, their heires and feoffees, and euerie of them, and not to be in any wise reformed, vnlesse it be by authoritie of Parliament hereafter to be summoned and holden within the Realme. And also it is further enacted, That the same lawes or ordinances and decrees to be made and ordained by the said Commissioners, or six of them, by authoritie of the said Commission, shall bind as well the lands, tenements, and hereditaments

Statutes

Effectuall

Lawes

Do not pay

Decree Lands

Fee simple

Certifie Chaunceris

Heires

Kings lands

ments of the king our Soueraign Lord, as all and euerie other person and persons, and their heires, and such their interest, as they shal fortune to haue or may haue in any lands, tenements, or hereditaments, or other casuall profit, aduantage, or commodities, whatsoeuer they be, whereunto the said lawes, ordinances and decrees shall in any wise extend, according to the true purport and meaning and intent of the same lawes. And it is &c. That if any manner of person or persons, of what estate or degree soeuer he or they be of, that from hencefoorth doth take vpon him or them to sit by vertue of any the said Commissions, not being sworne in forme aforesaid, and according to the tenor of the oath afore specified: or if any person so named and sworne, doe sit as is aforesaid, not hauing lands, tenements, or other hereditaments, in fee simple, fee taile, or for terme of life, to the cleere yerely value of fortie markes, aboue all charges, to his own vse, except he be resiant and free of any Citie, Borough, or Towne corporat, and haue moueable substance of the cleere yearely value of an hundred pounds, or else be learned in the Lawes of this Realme, in and concerning the same, that is to say, admitted in one of the foure principall Innes of Court for an Vtter barrester, shall forfeit fortie pounds for euerie time that he shall attempt so to doe. The one halfe thereof to be to the king, and the other halfe thereof to be to the vse of him or them that will sue &c. in which action or suit no wager of Law, &c. And if any action of trespasse or other suit shall happen to be attempted against any person or persons, for taking of any distresse, or any other act doing by authoritie of the said Commission, or by authoritie of any lawes or ordinances made by vertue of the said Commission, the defendant or defendants in any such action, shall & may make auowrie, cognisance, or iustification, for the taking of the same distresse or other act doing, touching the premisses, or any of them, alledging in such auowrie, cognisance, or iustification, that the said, distresse, trespasse, or other act, whereof the plaintife complained, was done by authority of the Commission of Sewers, for lot or tare assessed by the said Commission, or for such other act, or cause as the said defendant did by authoritie of the sayd Commission, and according to the tenor, purport and effect of this present Act made the three & twentieth yeare of the raigne of our Soueraigne Lord king Henrie the eight, without any expressing or rehearsall of any other matter or circumstance contained in this present Act, or any Commission, Lawes, Estatutes, or Ordinances thereupon to bee made, whereupon the plaintife shall be admitted to replie, that the defendant did take the said distresse, or doe any other act or trespasse supposed in his declaration of his owne wrong, without any such cause alledged by the said defendant, whereupon the issue in euerie such action shall be ioyned to be tried by verdict of twelue men, and not otherwise, as is accustomed in other personall actions. And vpon the triall of that issue the whole matter to be giuen on both parties in euidence, according to the verie truth of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after appearance, the same defendant to recouer treble dammages, by reason of his wrongfull vexation in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Iurie, or writ, to enquire of the dammages, as the same shall require. And it is &c. That euerie of the said Commissioners shall haue and receiue foure shillings for euery day that they shall take paine in the execution of this Commission of Sewers. And one Clerke by them to be assigned two shillings for euerie day, of the rates, tares, lots, and waines that shall be assessed, or lost, by authoritie of the sayd Commission, and to be leuied and payed by their discretions. And that the said Commissioners, or six of them, shall haue power and authoritie to limit and assigne of the same rates, tares, lots, and waines, by their discretions, such reasonable summes of money to the said Clerke, for writing of Bookes and Proces concerning the premisses, and to ỹ Collectors, Expenditors, & such other as shall take paine in the due execution of the said Commission, as by the discretions of the said Commissioners, or six of them, shall be thought reasonable. Prouided alway, That whensoeuer and as often as such Commission as is afore limited, shall be made and directed to any person or persons, for the reformation and amendment of or in any of the premisses specified in the said Commission, within the fees, liberties, or possession of the Duchie of Lancaster, that then such Commissioners as shall execute any such Commission, shal be alwayes named and appointed by the discretion of the Lord Chauncellor, and Lord Treasorer of England, and the said two chiefe Iustices of either Bench, and the Chauncellor of the said Duchie for the time being, or three of them, whereof the sayd Lord Chancellor, and the Chancellor of the Duchie to be two. And that in euerie such case two Commissions shal be awarded and made according to the tenor of the Commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the Seale of the same Duchie, as before time haue been accustomed, Any thing afore rehearsed in this present Act to the contrarie hereof notwithstanding. And it is further enacted, That the said Commissions from time to time as the case shal require, shall be had and obtained without any money or other charge to be payed for the Seals or writings of the same, vnlesse it be to the king, two shillings sixpence, for the Seale of euerie Commission as hath beene accustomed: And for the writing and enrolling of any one Commission fiue shillings, and not aboue. And it is &c. That euerie Commission to be made by authoritie of this Act, shall endure and continue for the terme of three yeares next after the Teste of the Commission. Neuerthelesse after any Commissiõ made and deliuered out of the Kings Court of the Chauncerie, the Kings Highnesse shall alwayes at his pleasure by his writ of Supersedeas, out of the said Court of Chancerie, at any time discharge as wel euery such Commission, as euerie Commissioner that shalbe made or named by authoritie of this Act. After which dis-

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Iurie
Writ
Commissioners
4 s. the day
Clerke
2 s. the day
Officers
Commissioners
Lancaster
Chancellor Treasorer Chief Iustices
Seale
Commissions
No charge
6 s. 8 d.
5 s.
Three yeares
Supersedeas

discharge the said Commissioners shall haue no power nor authoritie to proceed in the execution of their Commission, nor in any thing by authoritie of this Act. Prouided alwayes, That such Lawes, Acts, Decrees, and Ordinances, as shall happen to be made by the said Commissioners, according to the tenor of their Commission, or by authoritie of this Act, shall stand good and effectuall, and be put in due execution so long time as their Commission endureth, and no longer: Except the said Lawes and Ordinances bee made and ingrossed in parchment, and certified vnder the Seales of the sayd Commissioners into the Kings Court of Chauncerie, and then the Kings royall assent be had to the same: Any thing contained in this present Act to the contrarie hereof notwithstanding. Prouided also, That whensoeuer and as often as such Commission as is before limited, shall be made and directed to any person or persons, for the reformation and amendment of or in any of the premisses specified in the said Commission, within the fées, liberties, and possessions of the Principality of Wales, the Countie Palantine of Chester, or within the fées, liberties, and possessions of any other place where there is libertie and iurisdiction of Countie Palantine, that in euerie such case two Commissions shall be awarded and made according to the tenor of the Commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the vsuall Seale of the Countie Palantine, in manner and forme as is aboue prouided for the Duchie of Lancaster, Any thing afore rehearsed in this present Act to the contrary notwithstanding. And it is enacted, That the royall assent limited to be had vnto the Lawes and ordinances to be made by the sayd Commissioners, as is aboue sayd, shall bée certified into the said Court of Chancerie, vnder the Kings priuie Seale. And that there shall not any summe of money bee payed for the same Priuie Seale, but for the writing of the same Certificate vnder the said priuie Seale, shall be payed to the writer thereof two shillings, and not aboue, nor no other, nor greater summe, for any thing touching or concerning the same Certificate vnder the same priuie Seale. Prouided alway, That the Chauncellors and such other as shall haue the custody of the Seals of the said Principalitie of Wales, or the Countie Palantine of Chester, or within the fée, libertie, and possessions of any other place, where there is libertie and iurisdiction of Countie Palantine, vpon reasonable request, and vpon the sight of the Commission vnder the Kings great Seale of his Chauncerie, shall without delay make out another Commission vnder the Seale of the sayd Countie Palantine, according to the tenor of the Kings Commission, to them shewed vnder his great Seale: And to those Commissioners as shall bee named by the Lord Chauncellor, Lord Treasorer, and the two chiefe Iustices, or by three of them, whereof the Lord Chauncellor to be one, except it bee within the fées and liberties of the Duchie of Lancaster, within which fées & liberties the Commissioners shall bée named, and Commissions be made, as is afore ordained by this Act, Any thing contained in the said Act, or in any Proviso thereunto added and annexed, to the contrarie thereof notwithstanding. This Act to endure for twentie yeares. Ann 23.H.8.ca.5. This Act is made perpetuall Ann 3. E.6.ca.8. as here following 10. appeareth, altered 12. by 13.Eliz.ca.9.

9 The Act late made for Sewers, and the Commission therein recited, shall be extended, vsed, and put in execution, in the Towne and Marches of Calice, according to the tenor of the same Commission in like effect, as it is enacted to be put in execution within this Realme, and that no person shall be compelled to be sworne or otherwise bound to sit or trauell in execution of any Commission of Sewers within this Realme, vnlesse that hee bee dwelling within the Countie whereof he is or shall be assigned to be Commissioner: And for Calice, and the said Marches thereof, vnlesse that hee bée dwelling within the same Towne of Calice, or Marches. And because that diuers persons heretofore assigned to bée Commissioners, haue refused to be sworn according to the said former Act, whereby diuers Commissions heretofore made, remaine hitherto without effectual execution: Be it ordained that if any person assigned, or to be assigned to be such Commissioner of Sewers, being required hereafter by such person or persons, as haue or shall haue authoritie, by the Kings writ or otherwise, to receiue or accept the oath comprised in the said former Act, euerie person that so refuseth to take the same oath, or vpon request made doe not receiue the same oath, and that refusall or contempt done in the Chauncerie, or returned into the Chauncerie with the said writ, shall lose and forfeit for the same contempt to the King our Soueraigne Lord fiue markes. And so to loose from time to time fiue markes for euerie such contempt, as shall bée done or returned into the said Chauncerie against any such person, vnlesse that he in the same Chauncerie doe shew and alledge in the said Terme wherein such returne shall be made against him, sufficient and reasonable matter and cause to be allowed by the Lord Chauncellor for his excuse and discharge in that behalfe. An. 25.H.8.cap.10.

Refusall
Oath
Fork.

10 The sayd Act (s. Anno 23.H.8.cap.5. before 8.) and all clauses, articles, and prouisions in the same contained, shall continue and endure in their force and strength, and to be obserued & kept for euer, in such manner and formes as shall & may stand with the sequel and additions hereafter mentioned. And be it further enacted, That all scots, lots, and summes of money hereafter to be rated and tared by vertue of such Commission of Sewers, vpon any the lands, tenements, or hereditaments of our Soueraigne Lord the King, his heirs or successors, for any manner of thing or things concerning the articles of the said Commission of Sewers, shall be gathered and leuied by distresse, or otherwise in like manner and forme as shall or may be done in the lands, tenements, and hereditaments, of any other person or persons. And that all Bills of Acquitance signed with the hand or hands of such Collector or Receiuor as shall haue

Tare
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the

the collection thereof by the appointment of the said Commissioners or six of them, shall bee a sufficient discharge to the tenants, farmers, and occupiers of the same grounds, so to be charged for the said summe wherewith their grounds shall bee so charged, as also a sufficient warrant, to all and euerie the Receiuors, Auditors, and other whatsoeuer Officer or Officers of our said Soueraigne Lord the King, his heires and successors, for the allowance to such tenant, farmer, or occupier for the same, adding moreouer to this, by authoritie of this present Parliament, that such and like fees, and none other, nor more, shall be at any Commission or Commissions, or writs of Dedimus potestatem, hereafter to be sued out or obtained vnder the Seale of the Duchie, but onely such and like fees as beene mentioned in the said former Act, to be payed in the Chauncerie, for Commissions and Writs of Dedimus potestatē, to be obtained from the same Court of Chauncerie, adding moreouer thereunto by the authoritie aboue said, that euerie Commission and Commissions hereafter to bee awarded for Sewers, shall continue and endure for terme of fiue yeares next after the Teste of such Commission, vnlesse the same Commission and Commissions shall be otherwise discharged, within the said time by Supersed', Any thing or things mentioned or contained in the said former Act, contrarie to the additions before mentioned, or any of them in any wise notwithstanding. An. 3. Ed. 6. ca. 8. altered 13. Eliz. ca. 9. after 12.

Warrant

Dedimus potestatem

Fees

b Yeares

Supersedeas

11 As well the said Act of Sewers made in the three and twentieth yeare, (s. An. 23. H. 8. ca. 5. before 8.) as all Commissions of Sewers hereafter to be directed, according to the tenor of the said Act may extend & giue authoritie, that the Commissioners therein named for the Countie of Glamorgan, or six of them, whereof three to be of the Quorum, shall by this Act and the said former Act and Commission to them directed, haue full power and authoritie from time to time to make such Lawes, Prouisions, Ordinances, Iudgements, and Decrees, within the sayd Countie Glamorgan, for the reuerence and sauing the said grounds from hurt or destruction by reason of the said sands, as they might or may do by the same former Act and Commission for the withstanding and auoyding of the outragious course and rage of the Sea, or other waters, Any vsage or custome to the contrarie notwithstanding. Anno 1. Mar. 2. Parliament capitul' 11.

Glamorgan

Quorum

12 Forasmuch as no Commission of Sewers, by the Statutes heretofore made, may haue continuance aboue the space of fiue yeares: Be it therefore enacted by the Queenes most excellent Maiestie, with the assent of the Lords Spirituall & Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, That from henceforth all and euerie Commission and Commissions of Sewers, now standing in force, or that hereafter shall be graunted and made, shall stand and continue in force for the terme of tenne yeares, next ensuing the date of euerie such Commission, vnlesse the same Commission or Commissions be, or hereafter shall be repealed or determined by reason of any new Commission in that behalfe made, or by Supersedeas: And that all such Lawes, Ordinances, and constitutions, as be, or shall be duely made by force of any such Commission, according to the tenor and effect limited in any former Statute heretofore made, touching Commission or Commissions of Sewers, and being written in Parchment indented, and vnder the Seales of the said Commissioners, or six of them, whereof the one part shall remaine with the Clerk appointed, and to be appointed for the Commission of Sewers for the time being, & the other part in such place as the same Commissioners, or six of them, shall order and appoint: shall without any Certificate thereof to be made into the Court of Chauncerie, and without the royall assent to the same had, stand and continue in full force and effect, notwithstanding any determination of any such Commission by Supersedeas, vntill such time as the same Lawes, Constitutions, and Ordinances shall be altered, repealed, or made void, by the Commissioners after to be assigned and appointed for Sewers, in those parts where the same Lawes, Ordinances, and Constitutions were made, ordained, and constituted, or by six of them. And bee it further enacted by the authoritie aforesaid, That at all times from and after the end and expiration of the terme of tenne yeares next ensuing the date or Teste of any Commission of Sewers hereafter to be made, all such Lawes, Ordinances, and Constitutions, as were made by vertue of any such Commission, and written in parchment indented, and sealed as is aboue mentioned, without Certificate thereof, or the assent royall to the same had, as is aforesaid, shall, notwithstanding the determination of any such Commission, by the expiration of the terme of tenne yeares, next ensuing the date of any such Commission of Sewers, likewise continue in force, for and by the space of one whole yeare then next ensuing: And that the Iustices of Peace of the Shire and Shires, where the same Lawes, Ordinances, and Constitutions are to bee executed within their seuerall Commissions, and limits, or six of them, whereof two be of the Quorum, shall haue power and authoritie by the space of one whole yeare next after the expiration of euerie such Commission, to execute the same Lawes, Ordinances, and Constitutions, and euerie of them, as fully and in as ample manner and forme, as the Commissioners, or any of them, named and appointed in euerie or any Commission so expired, might or should haue done, to all intents and purposes, as if the said Commission or Commissions had continued in force. Prouided alwayes, and be it neuertheless enacted, That if any new Commission of Sewers shall be made within the sayd yeare, that then immediately from and after such Commission newly made and published, that the power of the said Iustices of peace, and euerie of them, in any wise concerning the execution of any such Lawes, Ordinances, and Constitutions of Sewers, shall vtterly cease: Any thing or things in this Act to the contrarie expressed in any wise not-

Supersedeas

Lawes

Indenture

Lawes

6. Iust. of 2. Of the Quorum

Commission

Iust. of

b Yeares

notwithstanding. And be it further enacted, That no farmer or farmers, for terme of yeares of any manors, lands, or tenements, lying or being within the precincts or limits of any such commission of Sewers, which be, or hereafter may be ordered, and chargeable by any Lawes, Ordinances, or Constitutions, made or to be made by vertue of any such Commission, wherein he or they shall be named or appointed Commissioner or Commissioners, not having estate of freehold within the Realme of England, of, or in manors, lands, tenements, of the yearely value of fortie pounds, shall at any time hereafter, have power to sit, or in any wise intermeddle with the execution of such Commission or Commissions, during the time hee or they shall continue, or be such farmer or farmers of any such manors, lands, or tenements, and shal not haue estate of freehold, as is aforesaid: But that euerie such Commission, as having respect only to euerie such person or persons, for such and so long time as he or they shall so be and continue farmer or farmers of any such manors, lands, or tenements, shall be deemed and adiudged in Law to be as void, and of none effect: Any thing in the same Commission, or any Statute or Law heretofore made to the contrarie notwithstanding. And be it further enacted by the authoritie aforesaid, That from henceforth the said Commissioners, nor any of them shall not be compelled, nor compellable to make any Certificate or returne of the sayd Commissions, or any of them, or any of their Ordinances, Lawes, or doings, by the authoritie of anie the said Commissions, or shall not haue any fine, paine, or amerciament set vpon them, or any of them, or anis wayes to be molested in body, lands, or goodes, for that cause. And yet neuerthelesse, to the intent the Queenes Maiestie our Soueraigne Lady, her heyres and successors, may be at all times hereafter truely answered of all such issues, fines, and amerciaments, as shall happen, grow, or be forfeited by vertue of anie such commission, or by the execution thereof. Be it also enacted, that the Clerke and Clerks appoynted, and hereafter to be appoynted, for, and in any such Commission or Commissions of Sewers, shall yerely truely estreat all the said issues, fines, penalties, forfeitures, and amerciaments, that shall be due and answerable to her Highnesse, her heires and successors, and the same estreats shall yearely deliuer into the Court of the Eschequer, at such time and times, and in such manner and forme, as Iustices assigned, to, and for the conseruation of the Peace in any wise should or ought to doe by vertue of their Commission, vpon paine to forfeit to our Soueraigne Lady the Queene, her heyres and successours, for euerie default in that behalfe made, fiue pounds. Prouided alwayes, That it shall be lawfull for any Commissioner, being also farmer, and not hauing lands and tenements, to the clere yearely value of forty pounds of freehold, to sit by vertue of the said Commission, and haue his voyce and full authoritie of others, to make and establish ordinances for Sewers, according to the tenour of the Commission, touching and concerning all Lands and Tenements within the Precinct of euery Commission, other then such Lands and Tenements, as he or they for the time being, holde and enioy as farmer, as hee or they might haue done before the making of this statute: any thing therein contained to the contrary notwithstanding. Anno 13. Eliz. cap. 9.

Water-courses within 6. miles of London

13 Be it &c. That the walles, ditches, banks, gutters, sewers, gates, cawles, bridges, streames, and water-courses, within the limits of two miles of and from the city of London, which waters haue their course and fall into the riuer of Thames, shal from henceforth be to all intents, constructions, and purposes, as fully subiect to the Commission of Sewers, and to all the Statutes made for Sewers, and to all penalties in the same Statutes, and in euery of them contained, as if the same places neere to the said city of London, had beene particularly named in the said Statute of Sewers, or that therein the water had ebbed and flowed, and therein free passage with boates and barges to the Sea had beene heretofore vsed: Any thing in the said Statutes, or elsewhere to the contrary in any wise notwithstanding. Anno tertio Iacobi capitulo 14.

Shelton.

ANno 33. Hen. 8. cap. 26. An Act was made, whereby certaine estates and couenants of Sir John Sheltons lands were made voide.

Sheepe.

NO manner of person, of what estate or condition that he be, from henceforth be suffered to ship within the Realme of England, any sheepe fleeced or shorne, into the countrey of Flaunders, or to any other parties beyond the sea, except it be to vitaile the Towne of Calice, and the Marches thereof. And that euery man that may be espied, which vnder the colour of vitailing of the same Towne and Marches of Calice, passeth into any other places then to the same towne and Marches, with any sheep fleece or shorne, except he haue the Kings licence, shall forfeit to the King the same sheepe, or the value thereof, as often times as hee shall be found therein defective. Anno 3. Henrici 6. cap. 2.

Shipping
Flaunders
Vitaile Calice
Licence Forf.

2 Forasmuch as diuers couetous persons espying the great profit of sheepe, haue gotten into their hands great portions of the grounds of this Realme, conuerting them to pasture from tillage, and keepe, some ten thousand, some twenty thousand, some some foure and twenty thousand sheep, whereby churches and Townes be pulled downe, rents of lands inhaunced, and the prices of cattell and vitaile greatly raised, and the poore driuen to fall to theft, and other inconueniences, to the vtter destruction and desolation of this Realme: Be it &c. That no person nor persons from the feast of Saint Michaell the Archangell, which shall be in the yeare of our Lord God one thousand fiue hundred thirty and fiue shall keepe, occupy, or haue in his

his possession, in his owne proper lands, nor in the possession, lands, or grounds of any other which he shall haue or occupie in farme, nor otherwise haue of his owne proper cattell in vse, possession, or propertie, by any manner of meanes, fraud, craft, or couin, aboue the number of two thousand sheepe, at one time within any part of this Realm, of all sorts and kinds, vpon paine to lose and forfeit for euerie sheep that any person or persons shall haue or keepe aboue the number limited by this act, three shillings foure pence. The one halfe to the King, &c. and the other halfe to such persons as will sue &c. by originall writ of debt, bill, plaint, or information, in any Court of Record, in which suit the defendant shall not wage his law, &c. Prouided alway, that lambes shall not be accounted of the number of sheepe prohibited by this Act, so long as they be vnder the age of a yeare, and not aboue. Prouided also, That if any person hauing sheepe of his owne, happen to be made executor, or to bee administrator to any person, which had sheepe at his death, or happen to bee maried to any person which shall happen to haue sheepe at the time of the mariage, by reason whereof the person so being executor or administrator, or being so maried, shall happen by such meanes to be aduanced, and haue aboue the said number of two thousand: That then in euerie such case the person so aduanced to lose ns penaltie for hauing aboue the number of two thousand sheep by such meanes, so that within one yeare next after such aduancement, the person so aduanced from time to time as often as any such case shall happen, doe put to sale, or otherwise dispose so many of the sayd sheepe, so to him aduanced, or else of his owne sheepe that he had before, so that aboue one yeare he shall not keepe, haue, or occupie, by any such meanes, or otherwise by any fraud or couin, any more number of them, then is before limited by this Act, vpon the paine before rehearsed. Prouided also, That That if any person by his last Will and Testament giue to any child within age, any number of sheepe, and appoint them by his said Will, to be kept by his executors, or by any other person, vnto such time as the sayd child shall come to a certaine age, limited by his Will, That then in euerie such case after the death of the Testator, the said sheepe so being in the possession and occupation of the executors, or of any other person to the vse of any such child within the age that he shal be limited to haue the said sheepe, by the Will of the Testator, shall not be accounted against the said executors, nor any person so hauing the said sheepe, for the intent aforesaid, any of the number of the sheepe prohibited by this Act: Any thing in this Act to the contrarie thereof notwithstanding. And be it &c. That the Iustices of the Peace of euerie Shire, shall haue power and authoritie to inquire of the offendors of this Act, as well by the oathes of twelue men, as by information of any of the Kings subiects, and to make such like Proces vpon euerie presentment or information concerning this Act, as they vse commonly to doe vpon presentments before them of trespasse. And that no person being conuict by confession, or otherwise, that he hath done or attempted contrarie to this Act, shall be put to any lesse fine then after the rates of the forfeitures afore limited by this Act. Prouided alwayes, That no person shall bee put to any answer, or losse of any forfeiture by vertue of this Act, at the suit of any of the Kings subiects, by any originall writ of debt, bill, plaint, or information, except the suit be commenced within one yeare next after the offence done or committed contrarie to this Act: Nor that any person shall be put to aunswer, nor to any losse of any forfeiture by vertue of this Act, by reason of any presentment action, or information, at the Kings suit, except the same presentment, action, or information, be had and made for the King, within three yeares next after the offence done or committed. Prouided alway, That all and euerie person and persons, being the Kings Tenor all subiects of this Realme, and borne vnder his obeisance, which at this present time, or at any time hereafter shall haue or bee seised of inheritance, in possession or in vse, or that now hath, or hereafter shall haue ioynture in vse or in possession, or be, or shall be tenant in dower, or by the courtesie of England, of, or in any manors, lands, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the Marches of the same, that euerie such person and persons, hauing any such possession to his owne vse, and euerie such person and persons to whose vse any other person or persons now is, or be, or hereafter shall be seised of any such estate as is before rehearsed, may at all times hereafter haue, enioy, keepe, and maintayne vpon the same their owne demeane lands, and all other their pastures, feedings, and foldcourses which they so haue, as many their owne sheepe and lambes in number, to their owne proper vse, profit, and behoofe, as they or any of them of right had, or lawfully might haue had and kept vpō the lands, or vpon any part thereof, at any time before the making of this present Act: This Act or any thing therein contained or specified, to the contrarie in any wise notwithstanding. And ouer that be it &c. by the authoritie aforesaid, That in case any such person or persons, hauing any such estate in vse or in possession, of, or in any manors, lands, tenements, pastures, feedings, or liberties of foldcourses, as is before expressed, haue, or doe keepe vpon the same their possessions, the number of two thousand sheepe or aboue, the same person or persons so hauing the number of two thousand sheepe or aboue, shall not in any wise keepe, sustaine, or haue any sheepe aboue, or beside the said number of two thousand, vpon any lands, pastures, or feedings, which the same person or persons haue, or hereafter shall haue or take in farme, or otherwise, vpon such like paines and forfeitures for the same, as bee limited in the said Act: that is to say, for euerie sheepe ouer and aboue the sayd number of two thousand, three shillings foure pence. And in case the said demeane lands, tenements, pastures, feedings, and liberties, or foldcourses of any person or persons before rehearsed, suffice not for the feeding, pasturing, and keeping of two thousand sheepe, as

Two thousand sheepe

Forf.

Wolly

Lambes

Executor

One yeare

Iust. of P.

Inquire

Proces

Prouiso

Suit

One yeare

iii. Yeares

Prouiso

Lands

Wales

Demeane lands

Two thousand sheepe

Farme

Forf.

is aforesaid, that then euerie such person shall, or may haue, sustaine, or feed vpon his said demeans lands, and vpon his farme holds, which he lawfully may haue, to the said number of two thousand sheepe, and not aboue, vpon paine of forfeiture for euerie sheepe aboue that number, three shillings foure pence. Prouided alway, and be it &c. That it shall be lawfull to euerie person or persons within this Realme, keeping a household, to haue from time to time such conuenient number of sheepe, ouer and aboue the number expressed in this Act, as shall be necessarie for the onely expences of his household, to be prouided, kept, and fed, in, and vpon his owne lands, or other lands, such as he lawfully can or may, or prouide for, in farme or otherwise: Any thing in this present Act contained to the contrarie notwithstanding. So that the same householder at no time shall haue or keepe for the expences of his household, or by colour of the same, ouer and aboue the number to him limited by this Act, any number of sheepe moe then shall suffice for the onely expences of his household for one yere, without fraud or couin: Any thing in this present Act mentioned or expressed to the contrarie notwithstanding. Beit &c. That no manner person or persons, of what degree soeuer he or they be, being Lord or Lords, owner or owners, farmer or farmers, of, or in any libertie of foldcourses within any Town, Tithing, Village, or Hamlet, within any of the Counties of Norfolke and Suffolke, from and after the feast of the Natiuitie of our Lord God next comming, shall take in farme for terme of yeres, or otherwise, any quillets of lands or pastures, that is to say, any number of acres of land or pasture, appertaining to any other person or persons, lying and being within the limit, extent, or precinct of the said libertie of the said foldcourses, but that they shall permit and suffer the said persons, hauing or being for the time owner and owners, lessee or lessees of the said quillets, to manure and pasture the said quillets. And also to suffer the sheepe of the said owner or owners, farmer or farmers of the said quillets, after the rate of the same quillets to goe with the flocke of the owner, farmer, or occupier of the said libertie or liberties of the said foldcourses, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the countrey there commonly vsed, without any interruption therein to bee made by the said owner or owners, farmer or farmers, or occupiers of the sayd libertie, vpon paine of forfeiture for euerie time that any such person hauing any such quillet that shall be so letted or disturbed of feeding, keeping, or pasturing any of his sheepe so to be fed and kept after the rate of his sayd quillet, for euerie such sheepe three shillings and foure pence. Prouided alway, That this Act or anything concerning quillets, or any thing therein contayned, shall not in any wise be auailable to any tenant, owner, or occupier of any such quillet, or quillets, to claime, haue, or vse hereafter any such pasture or feeding of sheepe, in, or with any such foldcourses, but onely where the tenants, owners, and occupiers of any such quillets, haue had, or might haue had heretofore of right and duetie vsed to haue pasture and feeding in the sayd foldcourses, by reason of their tenure and occupations of the same quillet or quillets, and none otherwise. And where they haue not vsed, ne ought to haue any sheepe fed or kept within any such fold courses, Foldcourses by reason of the sayd tenures, that the owners or occupyers of such foldcourses may take such quillets lying within their foldcourses in farme, agreeing with the owners or occupiers of the sayd quillets for the same. And forasmuch as the hundred of sheepe in euerie countrey be not like, in some countrey the great hundred where fiue score is accounted for the hundred, and some countrey but onely fiue score, it is eft declared by this present Act, that the number of two thousand sheepe, limited to euerie person by this Act, shall be accounted tenne hundred for euerie thousand, after the number of the great hundred, Thousand and not after the lesse hundred, so that euery thousand shall containe twelue hundred, after the lesse number of the hundred. It is &c. That Lambes vnder the age of one whole yeare, and Lambes as much as shall be from the time of the falling of them, vnto the Feast of the Natiuitie of Saint Iohn Baptist, in any yeare to come, shall not be adiudged ne taken for sheepe prohibited by the Statute: Any thing in the Act to the contrarie notwithstanding. It is &c. That no manner of person after the sayd Feast of the Natiuitie of our Lord, shall receiue or take to farme for terme Farme of life, yeares, or at will, by Indenture, Copie of Court roll, or otherwise, any moe houses and Houses tenements of husbandrie, whereunto any lands Tenements are belonging in Towne, Village, Hamlet, or Tithing within this Realme, aboue the number of two such holds or tenements. And that no maner person shal haue or occupy any such holds so newly taken to the number of two, as is before expressed, except he or they be dwelling within the same Parishes where such holds be, vpon the paine of forfeiture for euerie worke that he or they shall Forf. haue, occupie, or take any profits of such holdes, contrarie to this Act, three shillings & foure pence. The one moity of which forfeiture to be to the king Moity our Soueraigne Lord, and the other moitie to the partie that will sue for the same in any of the Kings Courts, by bill, plaint, information, or otherwise, within one yeare next after such contempt and offence committed & done, in the which none essoine, protection, ne wager of law shall be admitted or allowed. It is also &c. That the Statute made in Statutes the fourth yeare of the noble Prince King Henrie the seuenth (capit. 19. which is in Husbandrie 1.) and in the seuenth yeare of the raigne of our Soueraigne Lord the King that now is (capit. 1. which is in Husbandry 2.) concerning the decay of townes, and maintenance of tillage & husbandrie, Tillage Husbandrie shalbe good and effectuall in euerie thing, according to the purport and intent of the same: Any thing in this present Act to the contrarie notwithstanding. Prouided also, That it may be lawfull to all Spi- Spirituall rituall persons, and euerie of them, to keepe such persons and as many sheepe vpon their own lands, and af-

ter such forme and maner, and none otherwise, as they might haue done afore the making of this Act: any thing mentioned in the same to the contrarie notwithstanding. An 25.H.8.cap.13.

3 See (Ships and Shipping 15.) where there is an act made in 8.Eliz.cap.3. against carrying ouer the Sea of Rammes, Lambes, & other Sheepe aline.

Rammes Lambes Sheepe

Ships and Shipping.

Arrest

WHeras the Ships of diuers people of this Realme be arrested and holden forfait, because of a little thing put in their ship not customed, whereof the Lords of the same ships be ignorant: It is accorded and assented, that no Lord shall lose his ship from the xv. day of February next comming forth, for such a small thing put within the ship, not customed without his knowledge. An 38.E.3.ca.8.Stat.

2 To increase the Naule of England which is now greatly diminished, It is assented and accorded, that none of the kings liege people doe from hencefoorth ship any marchandise in going out or comming within the Realme of England in any Port, but only in ships of the kings liegeance. And euery person of the said liegeance, which after the feast of Easter next insuing, (at which feast this ordinance shal first begin to hold place) do ship any marchandise in any other ships or vessels vpon the Sea, then of the said liegeãce, shal forfait to the king al his marchandises shipped in other vessels where soeuer they bee found hereafter, or the value of the same: Of which forfaitures the king will & graunteth, that he that duely spieth and duely proueth, that any person hath any thing forfaited against this ordinance, shall haue the third part for his labour of the kings gift. An 5.R.2.ca.3.

Forf. English ships

Forf.

Q. Part

3 The said ordinance only haue place as long as ships of the said liegeance in the parts where the same Marchants shal happen to diuet, be found able and sufficient: so that then they shall be bound to fraight the same ships of the Kings liegeance with their marchandises, vnder the paine afore said, before all other ships. And otherwise it shall be lawfull to the same Marchants, to hire other ships conuenient, and there to fraight them with their goods & marchandises, notwithstanding the said first statute. An 6.R.2.ca.8.

Strange bottome

4 All the Marchants of England shall fraight in the said Realme, the ships of the same Realme, and not the ships of strangers, so that the owners of the said ships take reasonably for their fraight. An

English ships.

Marchandise

Discharge Ports

Forf.

5 All maner marchandises entring in the Realme of England, or going out of the same, shal be charged and discharged in the great ports of the Sea, and not in creekes and small arriuals, vpon paine to forfait all the marchandise so charged or discharged to our Soueraigne Lord the king, except vessels and marchandises arriuing in such little creekes and arriuals by coheision of tempest of the Sea. An 4.H.4.cap.20.

6 No maner of person shall ship, or doe to bee shipped, woolles, woollfels, nor other marchandises pertayning to the Staple in no place within this Realme, but all only at the keyes and wharfes being in the partes assigned by the statute, where the kings weights, and his wolls be set. And that euery Master of ships and vessels, in the which such weals and woolfels, and marchandises be put, shall finde sufficient suertie to the Customers of Ports, where they doe ship, to carry the said woolles and woolfels, to the staple of Calice, and to bring a certification from thence, that he hath so done. Sauing alwaies the Marchants of Jeane, Venice, Tuskain, Lumbardy, Florence, and Cateloine, and to the Burgesses of Berwicke, the liberties to them graunted by statute heretofore. An 15.H.6.ca.8.

Woole Woollfels

Wharfes

Shipmaster

Suertie

Certificat

Berwicke

7 Anno 1.H.7.cap.8. An Act was made for the maintenance of the Naule, to indure to the next Parliament, that no Gascoine wine should be brought into England but in English ships, and the Mariners to bee English men, vpon forfaiture of the wine.

Wine

Forf.

8 No maner of person of what degree or condition that hee bee, conuey nor bring into this Realme, Ireland, Wales, Calice, or the Marches thereof, or Berwicke, frõ the feast of ỹ Natiuitie of S. Iohn the Baptist, that shall be in the yeere of our Lord God 1490. any maner Wines of the growing of the Duchie of Guian, Gascoin: Or Woad called Tholous woad, but such as shall be conueyed, aduentured, and brought in ship or ships, whereof our said soueraigne Lord, or some of his subiects of this Realme of England, Ireland, Wales, Calice, or Berwicke been owners, possessours, and proprietaries, and the Maker vnder God & the Mariners of the same ship or ships, English, Irish, or Welsh, or men of Berwicke, or men of Calice, or of the Marches of the same for more partie, vpon paine of forfaiture of the same wines and woad so brought contrarie to this act: The one halfe thereof to the king, and the other halfe to him or them that seiseth the same wine or woad. And also hath ordeined and established by the said authoritie, that no person inhabiting within this Realme, other then Marchant Strangers, from the feast of Saint Iohn, fraight ne charge within this Realme, or Wales, any ship, nor any vessell of any alien or stranger, with any maner merchandise to be carried out of this Realme, or Wales, or to be brought into the same, if he may haue sufficient fraight in ships or vessels of the denizens of this Realme, in the same Port where he shall make his fraight, vpon paine to forfait the same marchandises: The one halfe thereof to the king our Soueraigne Lord, and the other halfe to him or them which seiseth the same merchandises. Prouided alway that this Act extend not to any ship or ships, hauing any of the said wares or merchandises constreined by tempest of weather or enemies to arriue in any Port or place within this Realme: So that the owners of the said merchandises make thereof no sale within this Realme, other then for victuals, or repairing of the same ship or ships; or tackling

Wines

Woad

Engl.

Forf.

Forf.

Port

Forf.

Victuall

ling thereof, which they of neceſſitie be compelled to make. An. 4. H. 7. cap. 10. This Statute is confirmed by 23. H. 8. cap. 7. and by 32. H. 8. cap. 14. as appeareth here following 10. And after An. 5. Ed. 6. part of this Act is altered, as here following (10.) appeareth, and alſo here following 11.

9 Anno 7. Henr. 8. capitul' 2. It is enacted, That all Licences made for bringing in of Gaſcoine wine, and Tholouſe Woad, contrarie to the Statute of Anno 4. H. 6. cap. 10. (before 8.) were void.

10 The ſayd Statutes (5. Anno 5. R. 2. cap. 3. before 2. and Anno 6. R. 2. cap. 8. before 3. and Anno 4. H. 7. cap. 10. before 8.) and all and euerie thing in them contained, be, ſtand, and continue in their full ſtrength, force, and effect: So that from henceforth no perſon or perſons ſhall attempt to doe any thing contrarie to the tenours and effects of the ſaid good and laudable Eſtatutes, vpon the paines in the ſame contained and expreſſed. And &c. from henceforth the owners, Maſters, and Purſers of Engliſh ſhips, or other veſſels, hauing the ſame their ſhips or veſſels at the Port and Hauen of the riuer of Thames at London, and being minded, purpoſed, or agreed, to take any fraight or lading at the ſame Port, into any of the ſaid ſhips or veſſels, and from thence to ſaile with the ſame directly vnto any of the parties of beyond the Sea, hereafter named, expreſſed, and ſpecified, or to any Hauen, Port, Road of charge or diſcharge: Or hauing the ſame their ſhippes or veſſels at any of the ſaid parties of beyond the ſea, and being contented, minded, agreed, or purpoſed to take any fraight or lading from any of the ſame places of beyond the Sea, directly vnto the ſayd Port or Hauen of the ſaid riuer of Thames at London, or to the Road of charge or diſcharge of the ſame, ſhall not at any time hereafter by any maner of meane take or receiue any more or greater ſumme or ſummes of money for the fraight, tranſportation, conueyance, or carriage of any wares, goods, or marchandiſes, in their ſhip or ſhips, veſſell or veſſels, in, to, or from any of the ſayd Hauens or Roads of charge or diſcharge, but onely ſuch ſumme or ſummes of money, and after the rate, quantitie, and faſhion, as hereafter in this preſent Act is mentioned and declared. Firſt for the fraight of euerie woollen cloth ſhipped from London to Flaunders eight pence Flemmiſh, and a peece of Flemmiſh money called an Engliſh for lodemanage, and for primage of euerie fardell of woollen cloth great or ſmall, iiij. pence Flemmiſh. Alſo from Flaunders to London for the fraight of euerie fardell of the biggeſt ſort 20. s. ſterling, deſcending downward to 16. s. 13. s. iiij. d. 10. s. or 8. s. after the rate and quantitie of euerie ſuch fardell, as the owner, Shipmaſter, or Purſer can agree. And for the fraight of a maund of the biggeſt ſort 6. s. 8. d. ſterling, and ſo deſcending downward after the rate and quantitie of enery ſuch maund as the Marchant & owner, Shipmaſter, or Purſer can agree. And alſo for the fraight of a drie-fat of the biggeſt ſort 6. s. 8. d. ſterling, and ſo deſcending downwards after the rate of euerie ſuch drie-fat, as the Marchant, owner, Shipmaſter, and Purſer can agree. Item, for euerie caſe of Veluet, containing foureteene peeces of Velnet 5. s. Item for a baile of Saies of ſix foot high 5. s. Item for a baile of Fuſtian 20. d. Item for a baile of Chamlet 20. d. Item for a baile of Colein hempe or thred 2. s. Item for a baile of Madder 2. s. Item for a baile of Almonds 2. s. Item for a butte of Currans 3. s. 4. d. Item for a barrell of nailes 2. s. Item for a trolling cheſt 2. s. Item for a Sugar cheſt 2. s. Item for a tunne of yron 2. s. Item for a Hogſhead of Proines and Dates 20. d. Item for a bag of Pepper lolle 20. d. Item for euerie hundred of Hoppes 6. pence. Item for a flaſket of Sope 4. pence. Item for peeces of Baſell as they be of bigneſſe, for euerie peece a penie, with all auerages, lodemanage and primage of old time accuſtomed in Engliſh ſhips. Item from London to Danſke, the owner of euerie ſhip ſhall haue 8. pence ſterling for the fraight of euery broad woollen cloth fraighted to Danſke, and for euerie ſet cloth 4. d. ſterling. Item for euerie roll, packe, or maund of Conie ſkinnes 18. s. ſterling, and ſo deſcending downewards after the bigneſſe of the roll, or maund, as the Marchants and owners haue beene accuſtomed to agree. Item for primage of euerie fardell toward Danſke 4. pence ſterling, from Danſke to London for euerie laſt of Wheat and Rie 26. s. 8. d. Item for euerie packe, or two halfe packes of Flare 30. s. Item for euerie packe of Cannas 30. s. Item for euerie laſt of Pitch and Tarre, accounting foureteene barrels for a laſt 12. s. Item for a laſt of Aſhes, accounting foureteene barrels for a laſt, 11. s. Item for euerie laſt of Oſmondes &c. counting foureteene barrels for a laſt, 8. s. Item for euerie 24. bundels of Bowſtaues 36. s. 8. d. Item for euerie neſt of Counters 18. s. Item for euerie laſt of Fagots of yron 4. s. Item for euerie fat of Sturgeon 2. s. Item for euerie fat of Eeles 2. s. Item for euerie cage of Eeles foure pence. Item for euerie ſacke of Feathers, weighing nine hundred weight, euery hundred 18. pence. Item for euerie ſtraw of Ware of ſixteene hundred weight, 14. s. Item for lodemanage of euerie laſt of the ſaid marchandiſes 6. pence ſterling. And for the primage of euerie laſt 4. pence ſterling. Item from Burdeaux to London, for euerie tunne of Wine at the firſt Vintage, accounting two pipes, foure hogſheads, or ſix terſes for a tunne, 18. s. Item for the fraight of enery tunne of wine at the racke vintage 16. s. Item for euerie Tholouſe woad, accounting 8. whole bailes, or 16. bailets for a tun, 20. s. with lodemanage & primage, and all auerages of old time accuſtomed after the old vſe and cuſtome of Engliſh ſhips, from London to Balkey outward & homeward, the Marchants which take fraight in any ſhip, ſhall haue for euerie fiue tunnes, a fardell of woollen cloth, containing eighteene broad clothes fraight free, & to pay for euerie cloth laden beſides in the ſame ſhip, threeſcore and ten marualdes, which is eleuen pence, and the third part of a penie ſterling. And for euerie tun homewards 13. s. foure pence. And for primage and lodemanage of euerie tunne ſix pence ſterling, with all auerages accuſtomed, after the old vſe and

Auerage Lodemanage Primage

cuſtome of Engliſh Ships. From London to all Portes of Portugall and South Spaine on this ſide the Straits, for the fraight of euerie packe or fardell of ſixteene broad clothes, two duckets of fiue thillings Sterling the peece. Alwayes prouided, That the Marchant that taketh fraight in any Ship fraighted from the ſaid Port of London to any of theſe places, ſhall haue for euerie fiue tunne fraight, one fardell or packe of fifteene broad woollen clothes fraight free. And for primage and lodemanage of euerie fardell, v.d. ob. ſterling, with all auerages after the old vſe and cuſtome of Engliſh ſhips. From Tauaile, Amountey, and Lepe, for the fraight of euerie tunne of marchandiſes to London, xx.s. ſterling, and vj.d. ſterling for lodemanage and primage, with all auerages accuſtomed, after the old vſe and cuſtome of Engliſh ſhips. Alſo for the fraight of euerie tunne of marchandiſes fraighted to Saint Lukes de Baromed, at S. Marie Port, the Bay of Candis towards London (peſterable wares onely excepted) xxj. s. ſterling, and for lodemanage and primage, vj. d. ſterling, with all auerages of old time accuſtomed after the old vſe and cuſtome of Engliſh ſhips. Alſo the fraight of euerie tunne of marchandiſes from the Crane of Seuill, directed to London (peſterable wares onely excepted) 23. ſhillings ſterling, and for primage and lodemanage 6. pence ſterling, with all auerages accuſtomed, after the olo vſe and cuſtome of Engliſh ſhips. Alſo for the fraight of euerie tunne of marchandiſes from Malaga to Lõdon (peſterable wares onely excepted) 25. ſhillings ſterling. And for primage and lodemanage 6. d. ſterling, of euerie tunne, with all auerages accuſtomed, after the old vſe and cuſtome of Engliſh ſhips. And further be it &c. That if any owner, Maſter, or Purſer of ſhip or veſſell of this Realm, or the Dominions thereof, or any of them being fraighted vnto or from the ſaid Hauen or Port, or the riuer of Thames, or any of the places aboue rehearſed, doe exact or take of any Marchant or his Factor, or Seruant, or any of them, any other, more, or larger fraight, or ſummes of money in the names of fraight, then is aboue limited and appointed by this Act, or otherwiſe infringe or breake the ſame Act, or any thing therein contained: That then euerie ſuch perſon and perſons ſo offending contrarie to the forme of this Eſtatute, ſhall forfeit and loſe double ſo much as he or they ſhall ſo receiue and take, ouer & aboue the rate and ſummes before rehearſed: The one halfe whereof to be to our Soueraigne Lord the King, his heirs and ſucceſſors, and the other halfe thereof to be to any ſuch perſon or perſons that will ſue for the ſame by action of debt, bill, information, or otherwiſe, in any of the Kings Courts of Record, in which action no eſſoine, protection, ne wager of law ſhall be allowed or admitted in any of the Courts aboueſaid. Prouided alwayes, That this Act, ne any thing therein contained or ſpecified, concerning the ſaid rates or ſummes for the fraight before rehearſed, ſhall not extend to bind or charge any owners, Maſters, Purſers, or Mariners of any ſhip or veſſell, for the fraighting or lading thereof, into, or from any Port or Hauen within this Realme of England, other then the ſaid Port of London, in manner and forme before ſpecified. Prouided alſo and be it &c. That at what time any warre ſhall happen to be moued or had betweene this Realme of England, and any other exterior Potentates, forreine Princes, their Realme or ſubiects, or betweene any other outward kingdomes or dominions, by occaſion and meanes whereof the ſaid owners ſhall be more charged for the furniture of their ſhips and veſſels, as well with victuals, more number of men and artillerie for the ſure conducting, conueyance, and tranſportation of the marchandiſes, goods, and wares laden in the ſame: That then it ſhall be lawfull to the ſame owners, to receiue, take, and haue ſuch more and greater ſumme or ſummes of money, ouer and aboue the rates aforeſayd, for the fraight of their ſhips and veſſels, as the Marchants and they ſhall be agreed vpon: Any thing or things contained, or limited in the ſayd rate ſpecified in this preſent Act, or any other thing in the ſame Act contained, to the contrarie thereof in any wiſe notwithſtanding. Prouided alſo and be it &c. That if at any time hereafter it ſhall be concluded, couenanted, bargained, conditioned, or agreed betweene any Marchants, their Factors and Seruants, or any of them, and any owner, Maſter, or Purſer of any ſhip or veſſell of this Realme, or the Dominions of the ſame, that any ſuch owner, Maſter, or Purſer be contented to receiue, take, & haue any leſſe ſumme or ſummes of money, vnder the rates aboueſaid, for the fraight of their ſhips and veſſels, as aboueſaid: That then euerie ſuch concluſion, couenant, bargaine, condition, and agreement, ſhall ſtand and be good and effectuall: Any thing or things limited in the ſaid rate ſpecified in this preſent Act, or any other thing in the ſame Act contained to the contrarie in any wiſe notwithſtanding. And where alſo our ſaid Soueraigne Lord the King, of his owne bounteous liberal mind and princely diſcretion, now of late hath commaunded, That no perſon or perſons, being Straungers or Denizens, conueying or tranſporting any goods, wares, or marchandiſes, into any Port, Creke, or other place of this Realme, or out of the ſame, ſhould for a certayne time pay any other, more, or larger Cuſtome and Subſidie, then his Graces louing and naturall ſubiects then vſed and were accuſtomed to doe and pay at that preſent time, (Cuſtome and Subſidie for Wools onely excepted) ſince which commaundement ſo giuen and knowne, ſundrie grieuous complaints haue beene made, as well to the Kings Maieſtie, as alſo to his moſt Honourable Councell, by diuers of his Graces louing Subiects, that the Marchants Eſtraungers, and their Factors, hauing exceeding benefit, profit, and commoditie, by reaſon of the ſayd commandement, haue done, and doe dayly lade and conney their goods, wares, and marchandiſes, bought within this Realme, from and out of the ſame, in and vpon Straungers Shippes of other Realmes, in ſuch number at ſundrie Ports, Hauens, Riuers, and places of this

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this Realme, and the Dominions of the same, that the owners of Ships, their Maisters, Mariners, Seamen, Shipwrights, and great multitude of other his Graces subiects, be greatly impouerished, to their extreame losses and damages, whereby no little detriment and decay hath, and is likely to ensue to the Nauie of this his Graces Realme of England, and the Dominions thereof: For reformation whereof his Royall Maiestie of his most excellent wisedome and policie, foreseeing the discommoditie as well of his said Nauie, as of the people, and with most godly mind intending as well the Commonwealth of his Graces said Nauie and people, as also the successe and effect of the said commaundement, doth enact by his most royall assent, and by the assent of the Lords Spirituall and Temporall, and of the Commons in this present Parliament assembled, and by the authoritie of the same, That from henceforth all and euerie person and persons, that is or be Strangers or Aliens borne out of this Realme of England, or in any other place out of our said Soueraigne Lord the Kings obeysance, being Denizens, or not Denizens, their Factors, Atturneyes, Ministers, and Seruants, that at any time hereafter doe lade, or shal cause to be laden, any wares, goods, or marchãdises, of what kind, nature, or qualitie soeuer it bee, in any ship, bottome, or vessell of this Realme of England, commonly called an English ship, bottome, or vessell, during the time of the said Proclamation contained, shall not be compelled to pay, or cause to be paied any other custome or subsidie, but onely according to the said proclamation. And in case that any Stranger or Alien, borne out of this Realme of England, or other our Soueraigne L. the Kings obeisance, being Denizen or not Denizen, at any time hereafter, fraight or lade, or cause to be fraighted or laden, any ship, bottome, or vessell, of any stranger or outlandish person, with any wares or marchandises from this Realme of England, to any outward parts, that then the same stranger or Alien shall content and pay, or cause to be contented and paid to the King our Soueraigne Lord, his heires and successors, all such and like customes and subsidies, as strangers and aliens borne in other Realmes, haue vsed to pay, according to the auncient customes, vsages, and lawes of this Realme of England: Any thing in this present Act, or in the said Proclamation contained to the contrarie thereof in any wise notwithstanding. Prouided alwayes, That if there be no such ship or vessell of this Realme of England, or the Dominions of the same, at, or in the Port, Hauen, or place where the said strangers, aliens, or denizens, their seruants, or factors, would fraight and lade their wares and marchandise toward the outward regions: That then if the said Strangers or Denizens, their Factors, Atturneyes, or Seruants, before he or they doe lade, fraight, or conuey the same goods, wares, commodities, or marchandises, into any strange or strangers ship or vessell, doe notifie and declare the same lacke or want of English ships and vessels, vnto the Lord High Admiral of England for the time being, or his Lieutenant, Deputie or Deputies, if that any of them bee resiant, at, or in the same Port or place of lading, or if the said Lord high Admirall, ne any such his Lieutenant, Deputie or Deputies, be not resiant, at, or in the said Port or place, then if they make notice or declaration thereof to the Customer or Comptroller of the same Port or Hauen, or to their Deputie or Deputies, and doe obtaine, or cause a certificate to be made vnder the Seale of him, to whom such notice or declaration is made, of lacke of English ships, as is aboue said: That then it shall be lawful to the Strangers and Denizens, their Factors and Atturneyes, for lacke, and wanting of the said English ships and vessels, to fraight and lade the said wares and marchandises in any strange ship or vessell at the time being in the same Port or Hauen, and to pay none other subsidies and customes therefore, but as the English Marchants being the Kings naturall subiects, doe vse, and ought to doe by the lawes and customs of this Realme of England: Any article or clause to the contrarie thereof in this present Act contained, in any wise notwithstanding. And further bee it &c. That all and euerie owner and owners, Maister and Maisters, and other Gouernours of English ships or vessels, or any of them, minding and intending to make any voyage or sayling from the Port of London into the parts beyond the Seas with his or their ship or vessell, shall make publick notice and declaration of his or their said mind, and intent of sayling and voyage in writing, and affixe the same writing vnto some post or other open place or places in Lumbard Street, there to remaine by the space of seuen dayes, declaring in the same writing to what place or Port he or they shall so intend to sayle, or make his or their voyage, and of the name of the ship and ships, in the which hee or they intend to saile, to the intent the Marchants may haue perfect knowledge to prepare such wares as they or any of them will haue conueyed into such parts beyond the Seas. And also that the said owner and owners, Maister and Maisters, and other Gouernours, or any of them, intend or make his or their departure from the said Port of London, after the fraighting or lading of the same Shippe or Shippes, at such time and as soone as Wind and Weather will serue, according to the Charter partie to bee made betweene the said Owner or Maister and Marchants, without protract of time. And bee it &c. That the said Owner and Owners, Maister and Maisters, or other Gouernour or Gouernours of Shippes, and euerie of them, to his or their power, and forasmuch as in him or them shall be, shall see and prouide that all Wares and Marchandises, which shall bee by the said Marchants their Factors or Seruants, or any of them, brought into any Shippe or Vessell, shall bee honestly and in good order saued and kept. Prouided alway, and be it &c. That if any Marchant stranger or other, find himselfe aggrieued or damnified by negligent keeping of the said Marchandises or wares, or by long delaying or protracting of the time in taking the voyage by the said owner,

Customer

Certificate

Strange ship

Customes

Owners Maisters

London

Lumbard Street

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Negligence

his Factor, Maſter, or any the Mariners of the ſayd ſhip, otherwiſe then ſhall be agreed betwixt the ſaid Marchant, his Factor, Atturney, or Seruant, & Maſter or owners, in or by the ſaid Charter party, not being letten by wind or weather, ſhal and may haue his remedie by way of complaint beComplaint
L. Admirall fore the Lord Admirall of England for the time being, his Lieutenant or Deputy, againſt the ſayd owner or owners, Maſter or Maſters, Gouernor or Gouernors, or his or their Factor or Factors, which Lord Admirall for the time being, his Lieutenant or Deputie, ſhall and may ſummarily and
Order without delay, take ſuch order and direction therein, as ſhall be thought fit by his or their diſcretions moſt conuenient, and according to right and iuſtice in that behalfe. Prouided alway, That this Act or any thing therein contained, extend not to giue any libertie, licence, benefit, authoritie, profit or aduantage, by any manner of meane to any perſon or perſons borne out of this Realme of England, or any other our Soueraign Lord the Kings Dominions, of, or for the ſhipping, tranſporting,
Wools conueying or carrying of any manner of Wols,
Fels or Fels, out of the ſaid Realm, and other his Highneſſe Dominions, or for any longer time or terme then in the ſayd Proclamation and commaundement is expreſſed and declared, Any thing in this preſent Act to the contrarie notwithſtanding. Prouided alway, and be it &c. That this Act, ne any thing therein contained, extend or be in any wiſe preiudiciall or hurtfull to the Marchants of Hanſe
Marchants in Almayne, hauing the Houſe in London, commonly called Guihalda Theutonicorum, o-
Stilyard therwiſe called the Stilyard, but that they and euerie of them may doe in all things and in all places, as they and euerie of them ſhould or might haue done before the making of this Act, and as though this Act had neuer beene had ne made, Any thing in this Act contained to the contrary in any wiſe notwithſtanding. So that the ſame Marchants doe onely lade in ſuch Bottomes, Veſſels, and Ships, as belong to, and be of their owne Ports, Territories, and Dominions priuiledged, or in Engliſh Bottomes, Veſſels, or Ships, or Bottomes, then they or euerie of them may lade in any ſtraunge Bottomes, Veſſels, or Ships, in ſuch like forme and manner as they might doe before the making of this Act, Any thing contained in the ſame to the contrarie notwithſtanding. Prouided alway,
L. Admirall That the Lord Admirall, nor his Deputie nor Deputies, ſhall in any wiſe intermit ne meddle with
5. Ports the Liberties of the fiue Ports, and the members of the ſame, to execute any authoritie, or iuriſdiction to him graunted by vertue of this Act, but that
Warden of the 5. Ports the Warden of the ſayd fiue Ports for the time being, or his Deputie, ſhall or may by the authoritie aforeſayd, haue and enioy all ſuch authorities, iuriſdictions, and liberties, within the ſayd fiue Ports, and members of the ſame, as beene granted to the ſaid high Admirall by vertue of this Act within any other Port or place within this realm, Any thing within this preſent Act to the contrarie in any wiſe notwithſtanding. An. 32. H. 8. cap. 14.

11 From the firſt day of Februarie next coming, after the Seſſion of this preſent Parliament, vnto the firſt day of October then following, and ſo yearely and from yeare to yeare, beginning at and betweene the firſt day of Februarie, and the firſt day of October, it ſhall be lawfull to all and euerie perſon and perſons, being of the parts or countries in amity with our Soueraign Lord the King, to conuey or bring into this Realme, Ireland, Wales, Calice, or the Marches of the ſame, or Barwicke, any manner of wines, of the growWines
ing of the Duchie of Guien or Gaſcoine, or of anMoll
y other part of Fraunce, and Tholouſe Woad, or any of them, in whatſoeuer Ship or Shippes, Crayer or Crayers, Boat or Boats, or by any other meane, whoſoeuer be or ſhall be thereof owner, poſſeſſor or proprietarie being of the partes or countries in amitie of our Soueraigne Lord, or whoſoeuer be thereof Maſter, Mariner or Partners in the ſame, without any forfeiture or penaltie thereof to be had. The ſaid Statute (s. An. 4. H. 7. cap. 10. before 8.) or any thing therein contained to the contrarie in any wiſe notwithſtanding. An. 5. E. 6. cap. 18.

12 Be it enacted, That the ſeuerall Acts made in the fifth yeare of King Richard the ſecond, the third Chapter, and in the fourth yeare of the late King of famous memorie, King Henrie the ſeuenth, intituled of Wine and Tholouſe Woad, ſhall be from henceforth clerely voyd and of none effect. And neuertheleſſe for anoyding of great deceit practiſed, and now adayes vſed by ſundrie ſubiects borne within this Realme of England, and Dominions of the ſame, which enter in the Cuſtomers Bookes, wares and marchandiſes of Aliens borne, in their owne name, whereby the Queenes Maieſtie is defrauded in her Cuſtomes and Subſidies, to the great decay of the auncient reuenues of the Crowne: Be it enacted by the authoritie of this preſent Parliament, That all and euerie perſon and perſons being owner or owners of any goods, wares, or marchandiſes, which after the firſt day of Januarie next enſuing the Seſſions of this preſent Parliament, ſhall in time of Peace, and when there is no reſtraint made of Engliſh Ships, embarke, ſhip, lade, or Engliſh Ships
diſcharge by way of marchandiſe, any wares or marchandiſe (Waſtraffe, Pitch, Tarre, and Corn, onely excepted) out of, or into any Ship, Barque, Hoy, Veſſell, or Bottome, whereof our ſayd Soueraigne Ladie the Queene, her heires or ſucceſſours, or ſome of her or their ſubiects of this realm, or the Dominions of the ſame be not poſſeſſioners, or proprietaries, and the Maſters vnder God, and the Mariners of the ſame Ship or Ships, for the Mariners
moſt part be not ſubiects to our ſaid Soueraigne Ladie, her heires & ſucceſſors, ſhal anſwer, yeeld, and pay to the vſe of our ſaid Soueraigne Lady the Q. her heires & ſucceſſors, ſuch Cuſtome and Subſi- Cuſtome
die, for ſuch wares and marchandiſes ſo ſhipped, laden, or diſcharged, as is aforeſaid, rate and rate like, as Strangers and Aliens borne out of the Strangers
obeiſance of our ſayd Soueraigne Ladie the Queene Maieſtie, do and ought to pay for wares and marchandiſes of like nature and kind. And be it further

ther enacted by the authoritie aforesaid, that noe Hoye or Plat whereof any English subiect or subiects is, be or shalbe Owner or owners, at any time after the first day of Januarie aforesayd, from any Port, Creeke or place of this sayd Realme of England, or any of the Dominions of the same, shall trauerse or crosse the Seas in, to or from any of the Ports beyond the Seas, with any wares, goods or Marchandise, vpon payne that the sayd Owner or Owners shall forfeit and lose the same Hoye or Plat, with all and euery munition, tackling, and other necessaries pertayning thereunto, whereof the one Moytie to bee to the vse and behoofe of the Quenes sayd Maiestie, her heires and successors, & the other Moytie to the person or persons which will sue for the same, by Bill, Plaint, action or Information, in any her Highnesse Courts at Westminster, in which case no wager of Lawe, Protection or Essoine shall bes admitted. Prouided alwayes, and bee it enacted, that it shall be lawfull to the Marchants, commonly called Merchantes aduenturers, and Merchantes of the Staple, and euerie of them, at their seuerall Fleetes and Shippings of Cloth and Wool, and either of them, from and out of the riuer of Thames onely being made twise in one yeare at the most, to embarke, shippe and lade any goods, wares or merchandise, in, or to any Shippe, Vessell or bottome, belonging or appertayning to any stranger or Alien borne, so long and at such time as there be no Shippes, Vessels or Bottomes belonging to the Quenes Highnesse, her heires and successours, or any of her Subiects, in the sayd Riuer of Thames, sufficient in number, and apt and meete for the sure and safe conueyance of the wares and merchandise, into the part of Flaunders, Holland, Zeland or Brabant, or any of them, without paying any greater or more Custome and Subsidie, then Englishmen do & ought to pay, any thing in this Act to the contrarie notwithstanding: This Act to continue and stand in force for the space of fiue yeres onely next immediately following this present Session of Parliament, and from thence to the end of the Parliament then next following. Prouided that for as much as the Merchantes of the City of Bristowe, haue sustayned of late great losses at the Sea by the enemies, by reason of taking of all their best ships, with much substance, so that they be not of abilitie to prouide sufficient Shippes and Vessels of their owne within the time limited in this present Act, that they for lack of their owne Shippes, or any other Vessels of the Quenes Dominions within 40. miles of the Citie of Bristowe, may load & imbarke their owne merchandises in strangers Bottomes, without paying any other custome then for wares & merchandises laden in English bottomes: this act or any thing therein contained to the contrary notwithstanding. Anno 1. Eliz. cap. 14. See here 17.

13 For the better maintenance, and increase of the Nauie of this Realm of England, be it enacted, &c. That from the first day of Aprill, Anno Dom. 1594. and so from thencefoorth, it shal be lawful to all and euerie of the Subiects of our Soueraigne Lady the Quéene, her heires and successours, at his and their will and pleasure to carry and transport out of this Realme, in the Shippes or other vessels of any the Subiects aforesayd, all and euery kindes of Herring and other Sea fish, to be taken vpon the Seas by any of the Subiects aforesayd, any act of Parliament or Lawe to the contrarie notwithstanding. And that all and euery person and persons, which shall by vertue of this act transport or carry any Herrings or other Sea fish, from or out of any Port or Harborow of this Realme, to any place out of the Dominions of the Quenes maiesty, her heires or successours, shall be free from payment of any Custome, Subsidie or poundage money for the same Fish so caried or transported, during the space of foure whole yeares, beginning at the sayd first day of Aprill, 1594. and so further during her Maiesties pleasure. And be it further enacted, that from the first day of May next comming it shall not be lawfull to any person or persons in any Ports, Citie, Towne, Market or other place within this Realme, to set price, make any restraint, or take or demaund toll or tare of any Sea fish to be brought into this Realme, or any part thereof being taken by any of the Subiects aforesayd in the Ships or other Vessels of the same Subiects, vpon payne to euerie person offending contrarie to the meaning hereof, to forfeit the value of the Fish so restrayned, prised, tolled or tared: Any Libertie, Custome, grant, priuiledge or other matter whatsoeuer to the contrarie in any wise notwithstanding. Prouided alwayes, that this present act nor any thing therein contayned, shalbe prejudicial or hurtful to the Maior and Burgesses of the Kings Towne vpon Hull, or their successours Maiors and Burgesses of the same Towne, or to any other Officer, or Minister of the same Towne at any time hereafter, but that they and euery of them may receiue, haue & take all & euery such tolle, customes and summes of money of all and euerie such person & persons as is limited, appointed and set forth by them to bee taken, in an Act of Parliament made in the three and thirtieth yere of the Raigne of our late Soueraign Lord K. Henry the eight. And that neither the sayd Mayor & Burgesses of Kingston vpon Hull, or any Inhabitant there, or any of them shal take any aduantage of the article of this estatute, for the cariage of any Herrings or salted Fish to any partes beyond the Sea: Any thing in this present act mentioned, specified or declared, in any wise to the contrary notwithstanding. Be it also enacted &c. that no Purueyour or other person whatsoeuer, shall from the said first day of May by vertue of any Commission or otherwise, take any Herring or Sea Fish from any of the Subiects afore mentioned, that shal take the same in the Shippes or other vessels of the said Subiects, as is aboue sayde, otherwise then by agreement of the owners or sellers of the same fish, vpon payne for euery Purueyor or other person whatsoeuer, offending contrary to the tenor of this act, to forfeit the double value of the Herrings or fish so to be taken. And it shall be lawfull for any person being Owner or Seller of any such Sea fish

Transport. Herring. Sea fish. Free Customs. 4. Peers. Price. Tare. Sea fish. Forf. Maior Hull. Customes. Purueyour. Sea fish. Agreement. Forf.

withstand

Fish so taken as is aforesayde, to withstand any person that will (by any colour of pursueying or otherwise) demand any such Fish, or the tolle of any such Fish, without the good will of the Owner or Seller as aforesayd. Prouided, that the Fish called compolition Fish heretofore graunted to the Quenes Maiestie, by the Subiects of this Realm, trauayling into Iseland, shall be taken by her maiesties Officers and Purueyours in such sort as the same hath bene lawfully vsed to be taken before the making of this act, and sauing to the Quenes Maiestie, her heires and successours, and to all other persons, such Fishes as be knowne and vsed to bee called Regall Fishes, whereunto her Maiestie or the said other persons, haue or shall haue right or interest, for such recompence as heretofore hath bene accustomed. And be it further enacted, &c. that from the saide first day of Aprill, which shall be in the yeere of our Lord God, 1564. it shall not be lawfull to any person or persons, to buy of any stranger borne out of the Quenes maiesties obeysance, or out of any strangers bottome, any Herring being sufficiently salted, packed and casked, vpon payn to euerie person and persons so buying, to forfeit the Herrings so by him or them to be bought, or the value thereof. Prouided alwais, that this braunch of this act shall not extend to any Herrings to be bought, which by reason of Shipwracke shall be brought into this Realme, but that it shall be lawfull to all and euery person and persons, to buy all such Herrings so brought in by Shipwracke as aforesayd, as he or they lawfully might haue done before the making of this act. Any thing in this act contained to ỳ contrary in any wise notwithstãding. Be it also further enacted, &c. that from the Feast of Saint John Baptist next ensuing, it shal not be lawful to any person or persons, to cause to be loaden and caried, in any bottome or Bottomes, whereof any Stranger or Strangers borne then be Owners, Shipmasters, or Partowners, any kinde of Fish, Victuals, Wares, or things, of what kind or nature soeuer the same shal be, from one Port or Creeke of this Realme, to any other Port or Creeke of the same Realme, vpon payn to euerie on that shal offend, contrarie to the true meaning of this braunch of this present act, to forfeit all ỳ goods so laden or caried, or ỳ value therof. And that from henceforth all English Hoyes and Plats may crosse the Seas, as farre as Cane in Normandie, and Eastward as far as Norway, the Statute made in the first yeere of the Quenes maiesties raigne (before 12.) to the contrarie hereof notwithstanding. (But now see here 17.) And forasmuch as there is much deceitfull packing vsed in Cod and Lings brought in Barrels and other Caskes into this Realme, Be it therefore enacted, &c. That from and after the first day of Aprill in the yeere of our Lord God, 1564. it shall not bee lawfull to any person or persons to bring into this Realme any Cod or Ling in Barrels or other Caskes, but losse in bulke & by tale to be sold within this Realme, vpon payne for euery one that shal offend contrarie to the tenour thereof, to forfeit all the Cod and Lings, so to be brought in, or the value thereof. And be it further enacted, that from the Feast of Saint Michaell the Archangell next following, no person or persons whatsoeuer, shall bring into this Realms of England, or any part of the same, any Wine comming out of any the Dominions or Countries belonging to the Crowne of France, or any Woad called Tholouse woad in any other Vessell or Vessels, but onely in such Vessell or Vessels whereof some Subiect or Subiects of the Quenes Maiestie, her heires or successours, shall be then onely Owner or Partowner, vpon paine to forfeit all wines and woad, brought contrarie to the meaning hereof, according to the meaning of a statute made in the time of the raigne of King Henry the seauenth, concerning Wine of the Duchie of Gascoine and Guion (before 8.) except that there may be brought into Wales or any Port within the Countie of Monmouth, Rochell Wines. Be it also enacted by the authority aforesayd, that from henceforth it shall be lawfull to all and euery Owner or Owners of Ships and Vessels, and to euery houlholder vsing and exercising the trade of the Seas, by fishing or otherwise, and to euery Gunner or Gunners, commonly called Cannoneers, and to euery Shipwright, to take or keepe one or more Apprentice or Apprentices to be brought vp in the sayd trade or trades, euery of the same Apprentice or Apprentices to be by them bound for v. yeres or vnder. And euery Apprentice so taken, being aboue 7. yeres of age, shalbe by the same couenants bound, ordred & vsed, to all intents according to ỳ custome of the city of London, so that the same couenant or bond of apprentiship be made by writing indented & inrolled in the Towne where the same Apprentice shalbe then inhabiting, if it be a Towne Corporate, and if the towne be not incorporat, then to be inrolled in the next towne incorporate to the habitation of euery such apprentice. And that the Officers of euerie such Towne Corporate, shall take for euerie such enrolment not aboue twelue pence, Any Lawe, Statute, or other matter whatsoeuer, to the contrary notwithstanding. And be it further enacted, that so much of the Statute made in the fifth and sixt yeares of the late King Edward the sixth, intituled, An act against Regrators, Forestallers, and Ingrossers (before in Forestallers 4.) and so much of all other Statutes against all Regrators, Forestallers and Ingrossers, as doth and may concerne the buying of Sea fish vnsalted, or Mud fish, or any Wine, oyle, or salt, to be taken or brought in any English subiects Ships, Crayers, or other vessell, into any Port, Creeke or place of this Realme, shall from henceforth to all intents, constructions, and purposes be vtterly repealed and voyde, for so much of the sayd Oyles, Wine, Sea fish, Mud fish and Salt, as any buyer or buyers vpon the sea by way of forestalling or regrating, shall or doe bring and discharge in any port or hauen within this realme. But See this Stat. somewhat altered at this day, as is noted in Forestallers 4. in the end, by 13. Eli. c. 25. And be it further enacted by ỳ authority aforesaid, that from the Feast of Saint Michaell the Archangell in the yeere of our Lord God 1564. euery

Wednes-

Wittyland

Compositid Fish

Buy

Strange bottome Herring

Forf.

Herrings Shipwrack

Strange bottome

Victuale Wares

Forf.

Hoyes Plats Crosse seas

Cod Lings

Forf.

Wine

Woad English shippe

Forf.

Wales Rochel wines

Owners Fishermen

Gunner Shipwright Apprentis

Custome London Indenture

Enrolled

vj. li.

Sea fish Mud fish Oyle Salt

Repealed

Wednesday in euery week through the whole yere, which heretofore hath not by the lawes or customes of this Realme beene vsed and obserued as a Fish day, and which shall not happen to fall in Christmas week, or Easter weeke, shalbe hereafter obserued and kept as the Saterdayes in euery week be, or ought to be, & that no manner of person shall eat any flesh on the same day, otherwise then ought to be vpon the common Saterday. And be it further enacted by the authoritie aforesaide, for the benefit and commodities of this Realme, to grow aswell in maintenance of the Nauie, as in sparing and increase of flesh victuall of this Realme, that from and after the Feast of Pentecost next comming, it shall not be lawfull to any person or persons within this Realme, to eate any flesh vpon any dayes now vsually obserued as Fish dayes, or vpon any Wednesday now newly limited to be obserued as fish day, vpon payne that euerie person offending herein, shall forfeit three pound for euerie time he or they shall offend, or else suffer three Monethes close imprisonment without Baile or Paynprise. (See this forfeiture and imprisonment altered here following 14.) And euerie person or persons within whose house any such offence shall be done, and being priuie, or knowing thereof, and not effectually punishing or disclosing the same to some publike Officer, hauing authoritie to punish the same, for euery offence to forfeit fortie shillings. (which forfeiture see here altered after 14.) All which forfeiture for not abstayning from meates, shall be diuided into three equall partes: That is, one part to the vse of the Quenes Maiestie, her heires or successours, the other part to the Informer, the third part to the common vse of the Parish, where the offence is or shall be committed, and to be leuyed by the Churchwardens, after any conuiction in that behalfe. Prouided alwayes, and be it enacted, that this act, nor any thing therin contayned cõcerning eating of flesh, shall in any wise extend to any person or persons, that shal hereafter haue any special licence, vpon causes to be contained in the said licence, and to be graunted according to the Lawes of this Realme in such cases prouided. All and euerie such said licence and licences, shall be voyd to all intents, vnlesse the same contayne the conditions hereafter mentioned: That is to say, euerie licence made to any person or persons, being of the degree of a Lord of Parliament, or of their wiues, shall be vpon condition that euery such person so to be licenced shal pay to the Poore mens Bore within the Parish where they shal dwel or remaine, in the feast of the Purification of the blessed Virgin Mary, or within fiue dayes after the same feast, six and twentie shillings eight pence. The same to be paied within one moneth next after the same feast, vpon payn of forfeiture of euerie such licence. And euery licence to any perso of the degree of a knight, or a knights wife, shall be vpon condition, that euerie such person so licenced, shall pay yerely thirtene shillings foure pence, to the vse aforesaid, and in forme afore mentioned. And euerie licence to any person or persons, being vnder the degree aboue sayd, shall be vpon condition, that euery such person so licenced, shal pay yerely six shillings viij. pence to the said vse, and in forme afore mentioned. Prouided alwayes, that no licence shall extend to the eating of any Beeues at any time of the yeare, Beeues
nor to the eating of any Veale in any yeare, from the Feast of Saint Michaell the Archangel, vntill the first day of May. Prouided also, that all persons which by reason of notorious sickness, shal Sicke persons
be enforced for recouerie of health to eate flesh, for the time of their sickneese, shall be sufficiently licenced by the Bishoppe of the Dioceese, or by the Parson, Vicar, or Curate of the parish where such person shall be sicke, or of the next parish adioyning, if the said Parson, Vicar, or Curate of his or their owne Parish be wilfull, or if there bee noe Curate within the same Parish: Which Licence shall be made in writing signed with the hand of the Bishoppe of the Dioceese, or of the Parson, Vicar, or Curate, and not indure longer then the time of the sickneese. And that if the sickneese shal continue aboue the space of eight daies after such licence granted, then the licence shall be registred in the Church booke with the knowledge of one of the Churchwardens, and the partie licenced shall giue to the Curate foure pence for the entrie thereof. And that Licence to indure no longer but onely for the time of his, her, or their sickneese. And if any licence by any Parson, Vicar, or Curate, be graunted to any person or persons, other then such as euidently appeare to haue need therof by reason of their sicknes, not onely euerie such licence shall be voyd, but also euery such Parson, Vicar, or Curate, shall forfeit for euery such Licence, otherwise granted, fine markes. Prouided also, and be it enacted, that all licences heretofore graunted to any subiect of this Realme, by any of the late Kings, or by the late Q. Marie, or by the Quenes Maiestie now being, or by any Archbishoppe of this Realme, hauing authoritie so to doe, shall be of as good force in law for the Wednesday now limited, and other accustomed fish dayes, as they were before the making of this act, for the said other accustomed Fish dayes, so as the parties licenced doe hereafter obserue all such conditions, as be limited in this estatute, to such as hereafter shall obtayne any Licences. And such persons also as heretofore were or ought to be licenced, by reason of age, or other impediment or cause, by order of Ecclesiasticall lawes, shall enioy the same priuiledge and accustomed licences: any thing in this act to the contrarie hereof in any wise notwithstanding. And be it enacted, that no forfeiture of Ship, Crayer, or other vessell, or of any apparell of the same, nor any other penaltie or forfeiture, shall be extended or grow against any owner or owners of any ship, crayer, or other vessell, for the transporting or carrying of any Wheate, or other Corne, or things prohibited by the estatute made in the parliament holden the fifth, and seuenth yeres of king Philip and Qu. Mary (after in Vitaile 15.) vnles the same owner or owners shall be witting, knowing, ayding, or consenting, to the transporting or carrying the said Estatute, or any thing therein mentioned to the contrary notwithstanding. And be it further enacted

Bishops Parson Vicar Curate

8. Dayes

Church booke

4. pence

Fort.

Wednesday

Fish dayes

Old persons

Wheate Corne

&c.

Wines Retaile

Price

Proclamation

Port

Lond Come

Price

Souldiers Depart without licence Mariners

Gunners

Flaxe Hempe

Nets

&c. That all and euerie person and persons, which be or shall be by the lawes & statutes of this realme, or otherwise authorised to sell wines by retaile, in the seuerall Counties and places where they be, or shall be so authorised, shall and may from henceforth sell the same Wines by pint, quart, pottle, gallon, or otherwise, at such price or prices, and in such forme as shall be limited by the Quenes maiesties Proclamation in the County or place made with the assent of such Lords, & other persons, as by the statute made in the 28. years of the Raigne of king Henry the eight, (after in Wines 20.) were authorised to set price vpon wines in grosse, without pain or forfeiture for the same: Any law, vsage, or statute heretofore made or had to the contrarie hereof in any wise notwithstanding. And be it further enacted, that from and after the Feast of Saint Michaell the Archangell next comming, it shall be lawfull to all & euery person and persons, being subiects of the Q. maiestie, her heires & successours, onely out of such ports and creekes, as by the Quenes Maisties Proclamation hereafter shal be published and appointed, and not elswhere, to load, carry, or transport any wheat, rye, barley, malt, pease, or beanes into any parts beyond the Seas, to sell as a merchandise in Ships, crayers, or other vessels, whereof any English borne Subiect then shall be the onely owners, so that the price of the said Cornes or graines so caried or transported, exceed not the prices hereafter following, at the times, hauens, and places, where and when the same Corne or Graine shall be shipped or laden, viz. the quarter of wheate at tenne shillings, the quarter of rye, peals, or beanes at viij.s. the quarter of barley or malt at vj.s. viij.d. of currant mony of England: Any law, vsage, or Statute heretofore made to the contrarie hereof in any wise notwithstanding. (But see these prices here after altered 14) And where doubt hath heretofore bin, whether the Statute in the 18. yere of the raign of King H. the 6. (before in Captaines 4.) heretofore made against souldiers retained, which depart from their Captaine without licence, did, or ought to extende vnto Mariners and gunners, serving on the seas, taking wages of the King or Quen of this realm: Be it exprelled, ordained, enacted, and declared by authoritie of this present parliament, that the sayd statute made in the said 18. yere of the raign of K. Henry the 6. in all paines, forfeitures, and other things, did, doth, & hereafter shall extend, aswell to al and euery Mariner and Gunner, having taken, or that shall hereafter take prest or wages to serue the Quenes maiestie, her heires or successours, to al intents and purposes, as the same did or doth vnto any souldier: any diuersities of opinion, doubt, matter, or thing to the contrary hereof in any wise notwithstanding. And where an statute concerning sowing of flax and hempe, was made and prouided in the parliament holden the 24. yeare of the raigne of our late soueraigne Lord King Henry the 8. (which see before in Flax and Hempe 1.) is by vniuersall through euerie Countie of this Realm, for the better prouision of Nets, for helpe and furtherance of fishing, and for eschewing of idlenesse;

Be it ordained and enacted by authority of this present parliament, that in euerie such County of this Realme, or part of such Countie, where by the Q. Maiesties proclamation it shall be hereafter published, the saide Estatute to be commodious or profitable for the common wealth, the said estatute and euerie clause, article, and prouision therein contained, be and shall be reuiued and stand in full force & strength, to be executed & performed from the feast of Saint Michaell the Archangell next comming, in al things, other then in the proportion of a road, or fourth part of an acre, and in the payne of three shillings foure pence, by the saide estatute limited. In place whereof, be it ordayned and enacted by the authoritie aforesaid, that in euerie case and degree, where by the said former estatut, a road, or 4. part of an acre is limited to be sowed with linseed, otherwise flax seed or hempe seed, from the sayd feast of S. Michaell the archangell next comming: In stead and lieu of the said road or fourth part of an acre, one whole acre, or lesse, as by Proclamation in forme aforesaid shalbe limited, shall be sowen with linseed, otherwise flax seed or hempe seed, vpon pain of forfeiture of fiue pounds for euery such default or offence. (But see a repeale of this braunch here following 14.) And further be it ordained, &c. that all and euery such of the offences before mentioned, as hereafter shal be done on the maine sea or coasts of the sea, being no part of the body of any County of this Realme, and without the precinct, iurisdiction, and libertie of the Cinque Ports, and out of any hauen or pere, shalbe tried and determined before the L. Admiral of England or his Lieutenant, deputie & deputies, & other Justices of oyer and terminer, according to the forme of the estatute of An. 28. H. 8. for causes of Piracy (after in Triall 8.) And if the same shall be done on the maine sea, or coasts of the sea, within the iurisdiction or liberty of the 5. ports, & out of any Hauen or port, then the same to be tried and determined before the sayd Lord Warden of the said 5. ports, or his Lieutenant or iudge, or before the Justices of oyer and terminer, according to the true forme of the said estatute of An. 28. H. 8. for causes of piracy. And for all & singular such other of the offences before mentioned as shalbe done in the land, or within any hauen or pere: all Justices of the peace in their sessions, and maior, shirifs, and bailifes, and other head officers in cities and townes corporat in their sessions, or other courts, within the liberties of their commissions or authorities, shall haue full power & authority to enquire of the offenders of this act, as well by the othes of xij. men, as other wise by information, & therupon to heare & determine the same. And if any person or persons shall be presented before the said Judges, Justices, or officers within the limits of their authorities, or any information giuen to them of any offender of this act, that then they shall haue full power and authoritie vpon any such presentment or information, to make preces against the offenders of this act, like as is commonly vsed vpon indictments of trespas. And if any be presented, and afterward be conuicted by confession or otherwise, that then euery such person

shall

Fish ports

L. Admir.

Offences the Sea

Maior the five Ports

Iust. of Peace Maior Shirifs Bailifes &c. Sessions

Enquir.

Inform. Diuers

Proces

Conuict

shall suffer noe lesse forfeiture or punishment then herein is before limited: All which forfeiture to be leuied in manner and forme following: That is to say, such forfeiture, concerning eating of flesh, as are before limited to certaine vses, to be to the same vses in that behalf before expressed, and all such forfeitures as according to the tenour of this act, shall be determinable before the said Iudges, Iustices, or other officers of the Admiralties aforesayde, or before commissioners of Oier and terminer in that behalfe, shall be to the vse of the Lord Admirall of England, or Lord warden of the fiue ports, where such offence shall be presented, or whereas the iurisdiction of the cause shall appertaine. And all such forfeitures, as according to the tenour of this Act shall bee determinable before Mayors, Shirifes, Baylifes, or other head officers of Cities or townes Corporate, shall be to the common vse of the Corporation of the sayd Citie or Towne Corporate, where such offences shall be presented, or whereas the iurisdiction of the cause shall appertayne. And all such forfeitures as according to the tenour of this act, shall be determinable before the Iustices of the Peace, shall be to the vse of the Quenes maiestie, her heires and successours. And if any person shal be conuict by confession or otherwise vpon any information made by any person or persons against any Offender or Offenders of this Act, in any cause, saue for the eating of flesh, first before specially limited: That then euery such person so conuict vpon any information, shall lose such forfeiture as is before limited, the one halfe thereof to bee to such as shall make the information, and the other halfe to those, which vpon presentment, without speciall information, are before limited to haue the whole forfeiture. And that for the leuying of euery forfeiture growing by this Statute, aswel the said Lord Admiral of England, Lord Warden of the Cinque Ports, their Lieutenants, and Iudges, as the said Iustices, Mayors, Shirifes, Baylifes, and other head Officers within the limits of their Commissions, or authorities, haue and shall haue full power and authoritie to make such proces, as they shall thinke good by their discretions. Prouided alwayes, that no information at the suit of any person cõcerning this act, shalbe of any effect to put any person to answer or losse of forfeiture, except ỹ said informatiõ be commenced within half a yeare next after the offence done contrarie to this act, nor that any information or presentment for the Quenes maiestie, her heires or successours, or for the Admirall, Warden of the Cinque Portes, Mayors, or other officers aforesayd, be of any effect to put any person to any answer or losse of any forfeiture by vertue of this act, except the said information or presentment be within one yere next after the offence done and committed cõtrary to this act. Prouided, & be it likewise enacted, that it shal be lawfull to any person or persons, to haue at his or their table vpon euerie Wednesday, beeing ordered by the Statute to be obserued as a fish day, one onely vsuall competent dish of flesh, of one kind, and noe moe, so that hee, shee, or they also be serued to the same Table and melle at the same meale, three full competent vsuall dishes of sea fish, of sundry kinds, either fresh or salt, and that without fraud or couine, & so shall also order ỹ the same fish be meete and seasonable, and that it shall be eaten or spent in like maner as vpon Frydayes and Saterdayes in like cases are vsed. And that also such persons as haue, or hereafter shall haue vpon good and iust considerations, any lawful licence to eate flesh vpon any fish day, except such persons, as for sicknes shall for the time be licenced by the Bishoppe of the Diocesse, or their Curates, or shal be licences by reason of age, or other impediment allowed heretofore by the Ecclesiasticall Lawes of this Realme shall be bound by force of this Statute to haue for euerie one dish of Flesh serued to be eaten at their Table, one vsuall dish of sea Fish, fresh or salt, to be likewise serued at the same table, and to be eaten or spent without fraude or couine as the like kind is, or shal be vsually eaten or spent on Saterdayes. And that these two articles and clauses next aboue, shall be taken and interpreted from time to time in the fauour of erpences of Sea fish, and that the offender or offenders herein, shall be punished in like manner as is ordered by this estatute, for punishment of such as shall eate flesh vpon Frydayes, Saterdayes, or other fish dayes. And because no manner of person shall misiudge of the intent of this Statute, limiting orders to eate fish, and to forbeare eating of flesh, but that the same is purposely intended and ment politikely, for the increase of fishermen and mariners, and repayring of port Townes and Nauigation, and not for superstition to be maintained in choise of meats: Be it enacted, ỹ whosoeuer shal by preaching, teaching, writing, or open speech, notifie, that any eating of fish, or forbearing of flesh mentioned in this Statute, is of any necessitie for the saluing of the soule of man, or that it is the seruice of God, otherwise then as other politike lawes are and be, then that such persons shall be punished as spreaders of false newes are or ought to be. (which See before in Newes 1. 2. & 3.) Be it enacted in the fauour of Fishermen and Mariners, haunting the Seas as Fishermen or Mariners, that none of thē shall hereafter at any time be compelled against his or their will, to serue as any Souldier vpon the land, or vpon the sea, otherwise then as a mariner, except it shall be to serue vnder any Captaine of some Ship or vessell for landing, and doe some speciall exploite, which Mariners haue vsed to doe, or vnder any other person hauing authoritie to withstand any inuasion of enemies, or to suppresse any rebellion within the Realme: and also except all such persons as by tenure, lawfull customes, or couenant, be or shall be otherwise bound to serue. Prouided alwayes, that this Acte or any thing therein contayned, shall not extend to take away or diminish any libertie, priuiledge, franchise, forfeiture or amerciament, fines, rifles, wrekes of the Sea, or any other lawfull inheritance or freeholde, from any person or persons, bodies politike or Corporate, their heires or successours, for or touching any lawfull libertie, authoritie, or iurisdiction admirall, or for consideration of any water,

2. dishes of fish

Licence

Sickneſſe

Age

Flesh

Fish

Punish

Preach Write Speech

Punish

Fishermen Mariners Compell

Souldier

Tenure

Liberty Priuiledge Wrecke

that

ỹ they or any of them now haue lawfully or hereafter shall haue: any thing in the same to the contrarie notwithstanding. Prouided alwayes, that no Fisherman vsing or haunting the Sea, shall be taken by the Queenes Maiesties Commission, to serue her Highnesse as a Mariner vpon the Sea, but that the sayde Commission be first brought by her Highnesse taker or takers, or two Iustices of Peace adioyning or inhabiting to the sayde Sea coasts, townes, or other places where the said Mariners are so to be taken, to the intent the said Iustices may chuse out, and cause to be returned such sufficient number of able men, as in the said commission shall be contayned, to serue her Maiestie as is aforesayde: Sauing alwayes to the Cinque ports, and also to the Towne of great Yarmouth, all such lawfull liberties, as they iustly haue before the making of this act, touching the free faire kept at Yarmouth, other then in buying of Straungers, and taking of Tolle, as the same be before prohibited. Prouided alwayes, that any thing in this act contayned, shall not be hurtfull or preiudiciall, to any authoritie, stile, preheminence, dignitie, or iurisdiction, belonging to the office of the Lord Warden of the Cinque ports. Prouided alwayes, that it shall and may be lawfull, to and for any person or persons being strangers borne, to bring yerely in any Shippe, Bottome, or Vessell, whereof any stranger or strangers borne, is or shal be owner or owners, into the Hauens, Ports and townes of the Ile of Man, or into any of them any wines made in any of the Dominions or Countries belonging to the Crowne of France, and in the same Portes and Townes, or any of them, to discharge the sayd Wines so to be brought, so that there be not brought and discharged by the same strangers, in any such strangers ships, bottomes, or vessels in any one yere, in or at the said hauens, ports, & townes, or any of them, aboue an hundred tunnes at the most: this act or any thing therein contayned to the contrarie notwithstanding. Prouided also, that it shall and may be lawfull to and for any person or persons being strangers borne, to bring yearely in any Shippe, Vessell or Bottome, whereof any Stranger or Strangers borne, is or shal be owner or owners, into the hauen, port, and Towne of Chepstow in the Countie of Monmouth, any wines made in any of the sayd Dominions and Countries belonging to the said crown of France, ouer and besides all Rochel wine, heretofore in this act allowed to be brought, and in the same port and towne to discharge the said Wines, so that there be not brought and discharged by the same strangers, in any such strangers shippes, bottoms, or vessels in any one yere, in or at the said hauen, port, and towne, aboue an hundred tunnes at the most. This act, or any thing therein contained to the contrary notwithstanding. Prouided also, that it shall be lawfull to and for any person or persons being straungers borne, to bring yearely in any Shippe, Vessell, or bottom, whereof any stranger or Straungers borne, is or shall be owner or owners, into the hauens, ports, and townes of Cardife, Carnarnon, Bewmaries, and other Hauens, Ports and Townes, in South Wales, and North Wales, or any of them, and into the hauen, port and town of Newport, in the saide countie of Monmouth, any of the said wines made in any of the sayde Dominions or Countries belonging to the sayd Crowne of Fraunce ouer and besides all Rochell wines, heretofore in this act allowed to be brought, and in and at the same ports and townes, or any of them, to discharge the said wines so to be brought, so that there be not brought and discharged by the same straungers in any such straungers ships, bottomes, or vessels, in any one yeare, in or at the said Hauens, Ports and Townes, or any of them, aboue an hundred tunnes at the most. This act or any thing therein contained to the contrarie thereof notwithstanding. Sauing vnto the Qu. Maiestie, her heires and successours, all such duties and things which her Highnes, her heires and successours, ought to haue, enioy, and be answered and paid for the said three hundred tuns of wines, mentioned in the said three last Prouisoes, to be brought and discharged, as in the same three prouisoes be mentioned and declared: Any thing in this act to the contrarie thereof notwithstanding. Prouided also, & be it further enacted by the authoritie aforesayd, ỹ this act or any thing or things therein contayned, shal not in any maner of wise extend to giue vnto the L. Admiral of Eng. for the time being, or to any his Viceadmirals, Iudge or Iudges of the Admiraltie, his or their deputie or deputies, or to any other the officers or ministers of the Admiraltie, or to any others hauing or claymaing any admiral power, iurisdiction, or authority within this realm & Wales, or any other ỹ Q. dominions, any other power, right, iurisdiction, preheminēce or authority then he or they, or any of thē lawfully haue, hath or had, or ought to haue and enioy before the making of this act, other then for such of ỹ offences specified in this act, as hereafter shall be done vpon the maine sea, within the iurisdiction of the Admiraltie: This act, or any article, branch, clause, prouision, or thing therein contayned to the contrarie thereof notwithstanding. This act shall continue and indure vntil the end of tenne whole yeares, to be accounted from the Feast of Saint Michaell which shall be in the yere of our Lord God 1564. and from thence to the end of the nert Parliament then following the end of tenne yeares. An. 5. Eli. cap. 5. See here following 16. and 17. certaine alterations of parts of this statute. An. 27. El. ca. 11. this statute is continued vntill the end of the next Parliament. And therein it is prouided ỹ so much of the said statute (viz. 5. Eliz. ca. 5.) as concerneth the eating of fish, or to restraine the eating of flesh, or prohibiting the suffering of any flesh to be eaten vpon any wednesday, not being before the making of the said statute by the lawes of this Realm died as a fish day, and euery matter, clause, article and penaltie in the said statute contayned, concerning the same, from hence forth be repealed, cease and be vtterly void, any thing in the said statute cōtained to the contrary notwithstanding. And for the better incouragement of fishermen to go to the seas, & to be stow their time & trauell in fishing, be it enacted

Fishermen

Commissio Mariner

Two Iust. of peace

Fiue ports Yarmouth Liberties

Faire

Stranger Tolle

L. Warden

Strangers Strange bottome

An hundred tunnes

Stranger Strange bottome

Chepstow

Wines

France

Discharge

An hundred tunnes.

Strangers Strange bottome

Wales

France

Discharge

Three hundred

L. Admiral Iudges of the Admiraltie

Fish day

Repeal

Fishers

ted &c. That from henceforth it shall & may be lawfull, to and for euery the M. highnes subiects, to vtter & sell all maner of Deathe, vpon any fleshy day in the week, other then the sundaies, in euery city, borough, towne corporate, or market towne whatsoeuer, within this realme, any priuiledge, charter or prescription to the contrary notwithstanding. And to the intent that the Fridayes, Saturdayes, and dayes appointed by former lawes to be fishdayes, may the better be obserued for the vtterance and expense of fish, & for the sparing of flesh: be it enacted, that from the feast of Pentecost next insuing, no inholder, tauerner, alehousekeper, common victailer, common cooke, or common table keeper, shall vtter or put to sale, or cause to be vttered or put to sale, vpon any the said dayes not being Christmasse day, or vpon any day in the time of Lent, any kind of fleshy vitailes (except it be to such person and persons resorting to his or their saide house or houses, as haue or shal haue lawful license to eate the same) according to the tenor and true meaning of the said statute made in the said 5. yeare of the reigne of the M. highnes that now is, vpon pain of forfeiture of 5. l. and shal also suffer 7. daies imprisonment without baile, mainprise, or remouer, for euery time so offending: one third part thereof to be to the M. maiestie, her heires and successors: one other third part to the Lord or Lords of the Leete, for the time being, where such offence shalbe committed, & the other third part thereof to him or them that will sue for the same, in any her Maiesties courts of record, by action of debt, bill, plaint, or information; in which no essoins, protection or wager of Law shall be alowed, and the said offence and offentes, by vertue of this statute shalbe enquired of, heard, & determined, in maner and form as is expressed for the offences cõtained in the said statute, made in the said 5th yeare of her M. said reigne: Sauing alwayes vnto the Cinque ports, & to the town of great Yarmouth, all such lawful Liberties as they now haue by reason of any former Act of Parliament or charter touching the free Faire yerely to be holden at the said towne of great Yarmouth. Añ 27. Eli. ca. 11. An. 29. El. ca. 5. So much of the said statute of 5. El. ca. 5. as was then in force and not repealed, was continued to the end of the next parliament. And Añ 31. Eli. ca. 10. So much of the said statute of 5. Eli. cap. 5. as was then in force, and not repealed, was continued to the end of the next Parliament. And 35. El. ca. 7. the said statute was continued to the end of the parliament next ensuing, and afterwards these prouisions were continued together with the Act of 5. El. in Añ 39. El. ca. 18. and to remaine in force to the end of the next Parliament, and in An. 43. Eli. ca. 9. this Act made in Anno 5. El. and all additions, explanations, and alterations made thereunto, or of any part thereof being now in force, shall continue and remaine in force vntill the end of the first Session of the next Parliament. And Anno 1. Iacobi cap. 25. so much of the saide Act of 5. Eliza. as is not repealed by any later statute, nor doth concerne the transportation of herring, or other Sea fish, nor freedome of Custome, Subsidie, or Tonnage for the same, nor transportation of corne: Together with all and euery other Additions, Explanations, and Alterations thereof, or of anie part thereof by anie Statute or Statutes made since the making of the saide Act, and now standing in force, is continued vntill the end of the first Session of the next Parliament.

14 Prouided &c. and be it enacted &c. That so much of the said Statute made for the maintenance of the Nauy, (here 13.) as hereto fore at any time was repealed, and all and euery such braunch and branches of the said Statute as concerne the sowing of flax or hemp, (which see before in flax and hempe 1.) or the reuiuing of one statute concerning sowing of flax or hempe made and prouided in the Parliament holden in the foure and twentieth yeare of the raigne of king Henry the eight, (here 13.) and euery matter, clause, article, prouision, penaltie, and forfeiture in the said statute concerning the same, shall so farre forth onley as they concerne the same, from henceforth be repealed, cease, and be vtterly void: any thing in the said Statute, or in this present Act to the contrary notwithstanding. Prouided also, and be it further enacted, &c. That euery person eating anie flesh vpon anie fish dayes, contrary to the forme of the said statute (before 13.) made for the maintenaunce of the Nauie, shall forfeit onely twentie shillings, or else suffer onely one moneths close imprisonment without baile or mainprise. And euerie person or persons within whose house any such offence shall be done, and being priuy, or knowing thereof, and not effectually publishing or disclosing the same to some publique Officer hauing authoritie to punish the same; for euerie such offence, to forfeit onely thirteene shillings and foure pence: Any thing in the said Statute contained to the contrarie notwithstanding. Prouided also, and be it further enacted, &c. That when the price of cornes or graines exceedeth not the rates hereafter following at the times and hauens, and places, where and when the same corne or graine shall be shipped or loaden, viz. the quarter of wheate at twentie shillings, the quarter of rie, pease, and beanes at thirteene shillings foure pence, the quarter of barley or malt at twelue shillings of currant English mony, that then it shalbe lawful for al and euery person & persons being subiects of her M. her heires or successors, to load, cary, or transport any of the said corns or grains, in such maner & forme as in the said Act made for the maintenance of the Nauie, is limited & appointed: And that the M. maiesty, her heires and successors shall haue & receiue by the customers and officers of her Ports, for the custome or poundage of euery quarter of wheat, to be transported by force of this statute v. s. and of euery quarter of any other graine, sixteene pence, which said seuerall summes so to be had or taken as Custome or poundage, to be in full satisfaction of all manner of Custome or poundage for the said corne or grains, by anie Constitution, order, statute, law, or custome heretofore made, vsed or taken for transporting of any such manner of corne and graine. Prouided alwayes, That this Act, or any thing therein contained, shal not be preiudiciall or hurtfull to any former Letters patents,

Flaxe Hemp

Repealed

Fleth Fish dayes

Fork.

Disclosing

Fork.

Corne Graine Price

Custome

Preiudiciall Letters P.

ỹ they or any of them now haue lawfully or hereafter shall haue: any thing in the same to the contrarie notwithstanding. Prouided alwayes, that no Fisherman vsing or haunting the Sea, shall be taken by the Quenes Maiesties Commission, to serue her Highnesse as a Mariner vpon the Sea, but that the sayde Commission be first brought by her Highnesse taker or takers, or two Iustices of Peace adioyning or inhabiting to the sayde Sea coasts, townes, or other places where the said Mariners are so to be taken, to the intent the said Iustices may chuse out, and cause to be returned such sufficient number of able men, as in the said commission shall be contayned, to serue her Maiestie as is aforesayde: Sauing alwayes to the Cinque ports, and also to the Towne of great Yarmouth, all such lawfull liberties, as they iustly haue before the making of this act, touching the free faire kept at Yarmouth, other then in buying of Straungers, and taking of Tolle, as the same be before prohibited. Prouided alwayes, that any thing in this act contayned, shall not be hurtfull or preiudiciall, to any authoritie, stile, preheminence, dignitie, or iurisdiction, belonging to the office of the Lord Warden of the Cinque ports. Prouided alwayes, that it shall and may be lawfull, to and for any person or persons being straungers borne, to bring yerely in any Shippe, Bottome, or Vessell, whereof any straunger or straungers borne, is or shal be owner or owners, into the Hauens, Ports and townes of the Ile of Man, or into any of them any wines made in any of the Dominions or Countries belonging to the Crowne of France, and in the same Portes and Townes, or any of them, to discharge the sayd Wines so to be brought, so that there be not brought and discharged by the same straungers, in any such straungers ships, bottomes, or vessels in any one yere, in or at the said hauens, ports, & townes, or any of them, aboue an hundred tunnes at the most: this act or any thing therein contayned to the contrarie notwithstanding. Prouided also, that it shall and may be lawfull to and for any person or persons being straungers borne, to bring yearely in any Shippe, Vessell or Bottome, whereof any straunger or Straungers borne, is or shal be owner or owners, into the hauen, port, and Towne of Chepstow in the Countie of Monmouth, any wines made in any of the sayd Dominions and Countries belonging to the said crown of France, ouer and besides all Rochel wine, heretofore in this act allowed to be brought, and in the same port and towne to discharge the said Wines, so that there be not brought and discharged by the same straungers, in any such straungers shippes, bottoms, or vessels in any one yere, in or at the said hauen, port, and townes, aboue an hundred tunnes at the most. This act, or any thing therein contained to the contrary notwithstanding. Prouided also, that it shall be lawfull to and for any person or persons being straungers borne, to bring yearely in any Shippe, Vessell, or bottom, whereof any straunger or Straungers borne, is or shall be owner or owners, into the hauens, ports, and townes of Cardife, Carnarmon, Pembrooke, and other Hauens, Ports and Townes, in South Wales, and North Wales, or any of them, and into the hauen, port and town of Newport, in the saide countie of Monmouth, any of the said wines made in any of the sayde Dominions or Countries belonging to the sayd Crowne of Fraunce ouer and besides all Rochell wines, heretofore in this act allowed to be brought, and in and at the same ports and townes, or any of them, to discharge the said wines so to be brought, so that there be not brought and discharged by the same straungers in any such straungers ships, bottomes, or vessels, in any one yeare, in or at the said Hauens, Ports and Townes, or any of them, aboue an hundred tunnes at the most. This act or any thing therein contained to the contrarie thereof notwithstanding. Sauing vnto the Qu. Maiestie, her heires and successours, all such duties and things which her Highnes, her heires and successours, ought to haue, enioy, and be answered and paid for the said three hundred tuns of wines, mentioned in the said three last Prouisoes, to be brought and discharged, as in the same three prouisoes be mentioned and declared: Any thing in this act to the contrarie thereof notwithstanding. Prouided also, & be it further enacted by the authoritie aforesayd, ỹ this act or any thing or things therein contayned, shal not in any maner of wise extend to giue vnto the L. Admiral of Eng. for the time being, or to any his Viceadmirals, Iudge or Iudges of the Admiraltie, his or their deputie or deputies, or to any other the officers or ministers of the Admiraltie, or to any others hauing or clayming any admiral power, inrisdiction, or authority within this realm & Wales, or any other ỹ M. dominions, any other power, right, iurisdiction, preheminēce or authority then he or they, or any of the lawfully haue, hath or had, or ought to haue and enioy before the making of this act, other then for such of ỹ offences specified in this act, as hereafter shall be done vpon the maine sea, within the iurisdiction of the Admiraltie: This act, or any article, branch, clause, prouision, or thing therein contayned to the contrarie thereof notwithstanding. This act shall continue and indure vntil the end of tenne whole yeares, to be accounted from the Feast of Saint Michaell which shall be in the yere of our Lord God 1564. and from thence to the end of the next Parliament then following the end of tenne yeares. An. 5 Eli. cap. 5. See here following 16. and 17. certaine alterations of parts of this statute. An. 27. El. ca. 11. this statute is continued vntill the end of the next Parliament. And therein it is prouided ỹ so much of the said statute (viz. 5. Eliz. ca. 5.) as concerneth the eating of fish, or to restraine the eating of flesh, or prohibiting the suffering of any flesh to be eaten vpon any wednesday, not being before the making of the said estatute by the lawes of this Realm vsed as a fish day, and every matter, clause, article and penaltie in the said statute contayned, concerning the same, from henceforth be repealed, cease and be vtterly void, any thing in the said statute cōtained to the contrary notwithstanding. And for the better incouragement of fishermen to go to the seas, & to be stoud their time & trauell in fishing, be it enacted

Fishermen

Commissio Mariner

Two Iust. of peace

Fiue ports Yarmouth Liberties

Faire

Stranger Tolle

L. Warden

Strangers Strange bottome

An hundred tunnes

Stranger Strange bottome

Chepstow

Wines

France

Discharge

An hundred tunnes.

Strangers Strange bottome

Wales

France

Discharge

Three hundred tuns

L. Admirall Iudges of the Admiraltie

Fish day

Repeal

Fishers

ted &c. That from henceforth it shall & may be lawfull, to and for euery the M. highnes subiects, to vtter & sell all maner of Deathly, vpon any fleshy day in the week, other then the sundaies, in euery city, borough, towne corporate, or market towne whatsoeuer, within this realme, any priuiledge, charter or prescription to the contrary notwithstanding. And to the intent that the Fridayes, Saturdayes, and dayes appointed by former lawes to be fishdayes, may the better be obserued for the vtterance and expense of fish, & for the sparing of flesh: be it enacted, that from the feast of Pentecost next insuing, no inholder, tauerner, alehousekeeper, common victailer, common cooke, or common table keeper, shall vtter or put to sale, or cause to be vttered or put to sale, vpon any the said dayes not being Christmasse day, or vpon any day in the time of Lent, any kind of fleshy vitailes (except it be to such person and persons resorting to his or their saide house or houses, as haue or shal haue lawful license to eate the same) according to the tenor and true meaning of the said statute made in the said 5. yeere of the reigne of the M. highnes that now is, vpon pain of forfeiture of 5. l. and shal also suffer x. daies imprisonment without baile, mainprise, or remouer, for euery time so offending: one third part thereof to be to the M. maiestie, her heires and successors: one other third part to the Lord or Lords of the Leete, for the time being, where such offence shalbe committed, & the other third part thereof to him or them that will sue for the same, in any her Maiesties courts of record, by action of debt, bill, plaint, or information: in which no essoine, protection or wager of Law shall be alowed, and the said offence and offences, by vertue of this statute shalbe enquired of, heard, & determined, in maner and form as is exprelled for the offences cõtained in the said statute, made in the said fift yeere of her M. said reigne: Sauing alwayes vnto the Cinque ports, & to the town of great Yarmouth, all such lawful Liberties as they now haue by reason of any former Act of Parliament or charter touching the frée Faire yeerely to be holden at the said towne of great Yarmouth. Añ 27. Eli. ca. 11. An. 29. El. ca. 5. So much of the said statute of 5. El. ca. 5. as was then in force and not repealed, was continued to the end of the next parliament. And Añ 31. Eli. ca. 10. So much of the said statute of 5. Eli. cap. 5. as was then in force, and not repealed, was continued to the end of the next Parliament. And 35. El. ca. 7. the said statute was continued to the end of the parliament next ensuing, and afterwards these prouisions were continued together with the Act of 5. El. in Añ 39. El. ca. 18. and to remaine in force to the end of the next Parliament, and in An. 43. Eli. ca. 9. this Act made in Anno 5. El. and all additions, explanations, and alterations made thereunto, or of any part thereof being now in force, shall continue and remaine in force vntill the end of the first Session of the next Parliament. And Anno 1. Iacobi cap. 25. so much of the saide Act of 5. Eliza. as is not repealed by any later statute, nor doth concerne the transportation of herring, or other Sea fish, nor freedome of Custome, Subsidie, or Tonnage for the same, nor transportation of corne: Together with all and euery other Additions, Explanations, and Alterations thereof, or of anie part thereof by anie Statute or Statutes made since the making of the saide Act, and now standing in force, is continued vntill the end of the first Session of the next Parliament.

14 Prouided &c. and be it enacted &c. That so much of the said Statute made for the maintenance of the Nauy, (here 13.) as heretofore at any time was repealed, and all and euery such braunch and branches of the said Statute as concerne the sowing of flax or hemp, (which see before in flax and hempe 1.) or the reuiuing of one statute concerning sowing of flax or hempe made and prouided in the Parliament holden in the foure and twentieth yeere of the raigne of King Henry the eight, (here 13.) and euery matter, clause, article, prouision, penaltie, and forfeiture in the said statute concerning the same, shall so farre forth onley as they concerne the same, from henceforth be repealed, cease, and be vtterly void: any thing in the said Statute, or in this present Act to the contrary notwithstanding. Prouided also, and be it further enacted, &c. That euery person eating anie flesh vpon anie fish dayes, contrary to the forme of the said statute (before 13.) made for the maintenaunce of the Nauie, shall forfeit onely twentie shillings, or else suffer onely one moneths close imprisonment without baile or mainprise. And euerie person or persons within whose house any such offence shall be done, and being priuy, or knowing thereof, and not effectually publishing or disclosing the same to some publique Officer hauing authoritie to punish the same, for euerie such offence, to forfeit onely thirteene shillings and foure pence: Any thing in the said Statute contained to the contrarie notwithstanding. Prouided also, and be it further enacted, &c. That when the price of cornes or graines exceedeth not the rates hereafter following at the times and hauens, and places, where and when the same corne or graine shall be shipped or loaden, viz. the quarter of wheate at twentie shillings, the quarter of rie, peaze, and beanes at thirteene shillings foure pence, the quarter of barley or malt at twelue shillings of currant English mony, that then it shalbe lawful for al and euery person & persons being subiects of her M. her heires or successors, to load, cary, or transport any of the said corns or grains, in such maner & forme as in the said Act made for the maintenance of the Nauie, is limited & appointed: And that the M. maiestie, her heires and successors shall haue & receiue by the customers and officers of her Ports, for the custome or poundage of euery quarter of wheat, to be transported by force of this estatute v. s. and of euery quarter of any other graine, fiftéene pence, which said seuerall summes so to be had or taken as Custome or poundage, to be in full satisfaction of all manner of Custome or poundage for the said corne or graine, by anie Constitution, order, statute, law, or custome heretofore made, vsed or taken for transporting of any such manner of corne and graine. Prouided alwayes, That this Act, or any thing therein contained, shal not be preiudiciall or hurtfull to any former Letters patents,

Flaxe Hemp

Repealed

Flesh Fish dayes

Fork.

Disclosing

Fork.

Corne Graine Price

Customs

Prejudiciall Letters P.

or licence granted by her maiestie, to anie person or persons, bodies politike or corporats, for the transportation of any corne or graine, either at any lesser customs, or subsidies, then is conteined in this present Act, or without any custom or subsidy, but that they & euery of them, their deputies & assignes, shall and may transport graine hereafter for the time in their seuerall Let. P. specified, either at such prices & rates, or without custome or subsidie, in such maner & forme, as in the said Let. Pa. is contained, according to the forme and effect of the same Let. Pat. and in such maner & forme, and not otherwise, to al intents & purposes, as if this present Act had neuer bin had, or made. Prouided alwais, and be it &c. that the M. Pa. her heires & successors, may at all times by her & their writ of Proclamation to be published generally in the whole realme, or in any the Counties of the realme, where any port townes are, comand that no person shal by vertue of this Act, transport or carry any maner of graine out of her Highnes dominiõs generally, or out of any special ports to be in the same proclamation particularly named, for such time as shalbe therein limited and appointed. And that it shal not be lawful for any person to carry out any such graine, contrary to the tenor of the same proclamation, vpon such pains and forfeitures, as by the lawes & statutes of this realme, are and haue bin prouided and ordained in that behalf: this Act or any thing therein contained to the contrary notwithstanding. Añ 35. Eli. ca. 7.

Proclamation

Restraine

15. For sundry good causes and considerations in this high court of parliament, We it &c. that no maner of person or persons, of what estate, degrée, or condition soeuer he or they be, shal after the last day of Feb. next ensuing, bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any ship or botome, any rams, sheepe, or lambs, or any maner of other kind of sheep, being aliue, to be carried and conueyed out of this realme of Engl. Wales, or Ireland, or out of any of the M. highnes dominions, vpon the paine that euery such person or persons, their aiders, abetters, procurers, and comforters, shal for his or their first offence or offences so done contrarie to the true meaning of this estatute, forf. & lose all his goods for euer: whereof the one moity shalbe to the M. ma. hir heirs & successors, thother moity to him or the that wil sue for the same in any court of record, wherein no essoine, &c. shalbe admitted or allowed. And further, euerie such offender or offenders shall suffer imprisonmẽt by the space of j. whole yere without baile or mainprise, & at the yeares end shall in some open market towne, in the fulnes of the Market, on the Market day, haue his left hand cut off, & that to be nailed in the openest place of such Market. And that euerie person or persons estsoones offending against this statute, shalbe adiudged a felon, & shall suffer death, as in cases of felony. Prouided alwayes, that this Act shall not extend to any corruption of blood, or be preiudiciall or hurtful to any woman clayming dower, by or from any such offender or offenders: any thing in this Act to the contrary notwithstanding. And be it &c. that the Iust. of oier & terminer Iust. of gaole deliuery, and Iust. of peace, in euer county and shire within this realme of England & Wales, and other the M. Pa. dominions, shall haue ful power & authority by vertue of this Act, to inquire of euery offender and offenders, contrary to the form and effect of this Act, and to heare & deter. euery offence & offences committed, perpetrated & done contrary to the form and effect of the same, according to the course of the lawes of this realme. Añ 8. El. ca. 3.

Rammes Sheepe Lambes Transport

Forf.

Moitie

Imprif. Mainprise

hand cut off

Felony

Blood

Dower

Iustic. of Oier & ter. Iust. of G. deliuerie Iust. of P.

16 Forasmuch as the Act made in the 5. yere of the M. maiesties reigne, touching certaine politike constitutions made for the maintenance of the Nauy (before 13. is found by experience to be good, and greatly to haue increased the nauy & fishermen, and caused many poore men to be set on worke, and is in great likelihood daily to increase the same more and more: We it enacted &c. that so much of the said Act, for liberty of transporting of herring and sea fish, by the naturall borne subiects of your M. your heirs or successors, & for freedom from paying of any custom, subsidy, or poũdage mony, shalbe reuiued, & shal frõ hencefoorth continue for the space of fiue yeares from the end of this session of parliament, & from thencefoorth to the end of the next parliament, after the said fiue yeers to be summoned, and from thencefoorth during your Pa. most gracious pleasure, so that such transporting be in vesselles with crosse sailes. And where also in the said Act, made in the said fift yeare, amongst other things, all maner of persons are generally forbidden to bring into this realm anie cods or lings in barrells or other caskes, vpon paine of forf. of all the cods & lings so to be brought in, or the value therof, contrary to the tenor of that Act. For asmuch as by that branch of the said statute, it was well intended and meant to meet with the fraud of strangers & other, which brought into this realme great quantity of cods and lings deceitfully packed in barrels, and not meant to hinder any the M. maiesties subiects, vsing vprightnes & truth in the barrelling of such fish: May it therfore please your M. that it be further enacted by the authority aforesaid, that after the feast of Easter, which shall be in the yere of our Lord God 1575. it shalbe lawful from thencefoorth to all your Pa. loning subiects, borne within this realme, or within any other your Pa. dominions (vsing no fraud or deceit in packing or barrelling thereof) for the terme of fiue yeers next insuing, to bring into this realme, or any other your Highnesse dominions, all such cods & lings as they shal happen to take vpon the sea, by their own fishing in vessels with crosse sailes, without incurring any forfeiture or penalty therfore: anie thing in the saide Act contained to the contrary notwithstanding. And for the auoyding of the lewd outrages cõmitted and done vpon the sea coastes of Norffolke and Suffolk by the catches, mongers, and picards, pretending to buy fresh herrings, and which doe cut in sunder diuerse peces of Fishermens nettes, trauelling the high Seas, to take fresh herrings, to the vtter vndoing of the saide poore Fishermen: Be it therefore enacted, ordained, and established by the authoritie of this present Parliament, that no person or persons, vsing anie Ship, Boate, or Vessell, called Catch, Ponger, or Picard, or other vessell of like vse, shall in the time of common

Inquire

Dyer & in

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Transport

Herring Sea fish No custom

Crosse sailes

Cods Lings

Lings Cods Lings

Cutting of nettes

Catch Ponger Picard Norffolke Suffolke

fishing-

fishing, vpon the sea coasts of Norffolk & Suffolk, betweene the xiij. day of Sept. and the xiij. day of Nou. from Sun setting, to Sun rising, anker vpon the maine sea, or in the common stream or trade of fishing, where the fishermē vse to driue, vpon paine to forfeit their catch, monger, or picard, or vessel, with the tackle, & al the fish in the same, or the value therof: the one halfe to your Ma. your heires and succesors, the other halfe to the bailifes, burgesses, and comminaltie of the towne of great Yarmouth, to be imployed to the recompensing his damages to the party whose nets shall so be cut, and to the building and repairing of the decayed hauen there, and to be taken by way of seisure, or otherwise to be recouered by bil, action, or information, in any of your M. Courts of Record: any statute, law, or vsage to the contrarie notwithstanding. And where your subiects, vsing the trade of fishing of herring, haue of many yeers, & time out of mind, vsed to packe their herring in caske of barrels, containing about xxxij. gallons of vsuall wine measure, & with such assise hath bin vsually gauged and allowed at your honorable city of London, and do containe the said measure of xxxij. gallons, according to such vsual barrell measure, as is out of your honorable Court of Exchequer deliuered to your said honorable city of Lo. which measure yet hath lately bin quarrelled at by certaine Informers, for that the same containe not two & thirtie gallons by the olde measure of Standerd, which they neuer did, though peraduenture the extreamity of olde statute words, by some mens constructiōs might be stretched to require so much: And for that the vsuall barrells now be as great as euer within the time of any memorie they haue bin knowne to be, & the alteration thereof would be a great decay, & a perill of vndoing to the said Fishermen: It may also please your most excellēt M. that it be also enacted and declared, that the said assise of xxxij. gallōs of wine measure, which is about xxviij. gallons by old standerd, well packed, & containing in euery barrell vsually a thousand full herrings at the least, is, and shalbe taken for good, true, & lawful assise of herring barrells, throughout the whole Liberty of the said towne of great Yarmouth, and elsewhere: Any ancient or former Law or Statute to the contrary notwithstanding. Be it further enacted, That no fish hereafter to be taken or brought into this realme by any stranger, nor any fish commonly called Scottish fish, or Flemish fish, shal be dried within England to be sold, vpon paine of forfeiture of al such fish to be dried, cōtrary to the meaning of this Act, or the value thereof, which forfeiture shalbe to such person dwelling at any Towne where is any port, peere, or hauen, as will seise the same fish, or wil sue for the same value, in any court of Record, to be imployed to the reparation and maintenaunce of such port, peere, or hauen, as is next to the place where the offence shall be committed. Anno 13. Eliz. cap. 11.

17 Because the clause in the statute of Anno 5. Eli. cap. 5. (before 2.) licencing English hoyes and plats to crosse the seas, contrary to the Statute of An. 1. El. ca. 14. (before 12.) tendeth greatly to the decay of mariners and ships, by the maruellous increase of hoyes: Be it enacted, that from the feast of S. Michael the Archangell next comming, the said clause cōtained in the said estatute, made in the said fift yeere of your reigne, for the crossing the seas by hoyes & plats, shal be vtterly repealed & made void and of none effect. And that from the said feast of S. Mic. the Archangell next, the said estatute made in the first yeere of your reigne, (before 12.) prohibiting the crossing of the seas by hoyes and plats, be obserued and kept, the said estatute made in the fift yeare of your Maiesties reigne, to the contrary hereof notwithstanding. This Act to continue vntil the end of the next parliament. An 13. El. ca. 15.

Hoyes Plats Repealed

18 Where the Marchants and Fishmongers of diuers places of this realme, haue for their prime gaines, gone and sent into other countries and forein Realmes, and there ingrossed into their hands great numbers and quantity of fish taken by aliens and strangers, being in goodnesse far inferior to the fish taken by Englishmen in the Iland voyages: And for the buying of the same fish, haue conueyed & carried great masses of mony forth of this realme, and haue victualled and furnished this realm with forein fish and herrings, the subiects whereof haue bin accustomed in times past to serue the same with fish and herrings gotten by their owne trauell, and diuers other forein regions and countries: by reason of which vnnaturall dealings of the said Marchants and Fishmongers, and vsual eating of flesh on the accustomed & vsuall fish days, there be of late decayed, not only the number of 200. saile or more, of good and seruiceable ships, which yeerely traded to Iland for taking of fish in this Realme vsually solde, but also a great number of mariners and seamen, fit for the seruice of her Maiestie, and her said realme, for the defence thereof in time of wars. For redresse whereof, Be it &c. that it shall not be lawful to any native Englishman, woman, or denizen, at any time after the end of this Session of this parliament, directly or indirectly, by themselues, their seruants, factors, agents, deputies, or friends, or any of them whatsoeuer, to go or send into any other forein countrey, realme, or dominion whatsoeuer, for the buying, prouiding, or bringing into this Realme, out or from any the said forein realmes or dominions out of the Q. obeisance, of any salted fish, or salted herrings: nor shall make any agreement with any alien or stranger, or any other for such bringing into this realm by any alien or stranger, of any salted fish or salted herrings. And that no salted fish, nor salted herrings shalbe brought hither out of the said forein realms & dominions, but by the meere owners thereof, or Deputies of them, being Aliens and Straungers, without the procurement of any subiect of the Q. maiesty, her heirs &c. or of any denizen, & by none other person or persons, vpon paine that such English person or denizen, offending against this Act, shall forf. the same salted herrings, and salted fish, or the value thereof: the one moity whereof shalbe to the Q. maiesty, her heires and succesors: and the other moity to him or the that shall first seise the same fish, or herrings, or first sue for the value thereof, by action of debt, bill, &c. And be it &c. that it shalbe lawful for all & euery

Englishmē Denizen

Send Forein countrey Bring

Salt fish Herrings Agreement Alien

Forf.

Bottle

Subiects may take fish bought of subiects

her M. subiects, being owners of any ships, barkes, or vessels, to receive and take into their said ships, barks, and vessels sailing with crosse sails, any herrings or other fish, which any alien or stranger shal buy and prouide of any her M. subiects within this realme: and the said herrings & fish, or any of them, may transport into any parts beyond the Seas, in their said ships or vessels with crosse sails, so as the said aliens & strangers pay to her Ma. her customes and duties for the same. And be it &c. that all aliens and strangers shall from henceforth, & from time to time, pay to her M. for all salted fish, and salted herrings to be brought into this realm, all such like customes & impositions, as are or shalbe imposed & set vpon any her Ma. subiects in those forein regions & counties, ports & townes, from whence the said salted fish & salted herrings shall be shipped & brought for the like fishes & herrings, ouer and besids the ordinary customs which haue bin paid to her Ma. for the same. Prouided always, and be it &c. that if any person or persons shall do, suffer, cause, or procure any fraudulent, deceitful, or colourable act whatsoeuer, wherby any part of this Act before mentioned, shal or may be colorably, fraudulently, or deceitfully auoyded, or frustrated, contrary to the intent thereof: that then euery person so offending shall forf. and lose for euery such his offence, the summe of 200. £: the one moity whereof shalbe to our soueraigne Lady, her &c. and the other moity to him or thē that will sue for the same &c. wherein no essoine, &c. And that if any alien or stranger shall wilfully conceale any act or thing whatsoeuer, to be done to the deceiuing, colozing or defrauding of any bzāch or article of this estatute before mētioned, that then euery such alien & stranger shall forf. & lose for such offence to the M. maiesty such ship & vessell, and all that thereunto appertaineth, to be seised to her Ma. vse, by any her M. subiects. And moreouer, that if any alien or stranger borne, shall bring into any hauen, port, crēke, or towne of this realme, any salt fish, or salt herrings, which shall not be good, sweet, seasonable, & meet for mens meat, and shall offer the same to be sold, and shalbe warned by any officer of such port, hauen, or towne (where the same shall be offred to be sold) that the same be not seasonable nor meete for mens meate, that then if he or they with their said fish, shall after that, offer any of the saide vnseasonable fish to be solde to anie person within this realme, or shall not depart with the same from the said hauen, port or town, so sone as conuenience will serue: that then all & euery person, owners thereof, shal lose and forf. to our said soueraigne La. al the said vnseasonable fish vnmeet for mens meat, as before is said. Prouided alway, that this Act, or any thing therein contained, shall not extend or be preiudiciall to any prouiding or bringing of fish in or out of the countrie of Iland, Scotland, or Newfound land, or any the parts or seas thereunto adioyning, or on the Scottish Seas, nor to any fish that shalbe killed, taken, and salted by the M. natu-rall subiects: any thing in this Act to the contrarie notwithstanding. Prouided also, that it shalbe lawfull for all the Qu. subiects, now vsing the trade of bringing in of staple fish and lings from beyond the seas, to bring in English bottoms into this realm, for the better supplie of present furnishing of this realme with vitaile, al maner of staple fish & Lings, being good & wholesome for mans body, during the space of iij. yeers next following thend of this session of parliament: any thing in this Act to the contrary notwithstanding. And be it likewise &c. That all ordinances of the Fishmongers of Lond. or of any other company or corporation whatsoeuer made or to be made for restraint of any person to take or sell fish, or to buy, or prouide any fish of any marchant, or other within this realme, shalbe repealed & void. And that euery person or body corporate, that shall make or execute any such Ordinaunce or restraint, shal for euery such offence forf. 100. £. the one moity thereof to the Quēnes Maiestie, her &c. and the other moity to the party grieued, that wil sue for the same by &c. Anno 23. Eliz. ca. 7.

Staple fish Lings

18. Peares

Ordinaces London.

Repealed

Forf. Moity

Deceit

Forf.

Alien Conceale

Forf.

Alien

Fish not good

Forf.

Prouiso

Iland

Prouiso

19 That it may be lawfull for any your M. subiects of this realme, for seruing of the North parts, to bring into this realm frō the parts beyond þ seas, in English shippes or craiers being sailed by English mariners with crosse sailes, herrings, staple fish, and ling fish, paying your M. custome or subsidy for the same herrings and Staple fish and ling fish, to the City of Yorke, the townes of Boston, Grimsby, Kingston vpon Hull, Newcastle, Scarborough, or to any town or creek in the north parts, so as none of the said fish be shipped from any those North parts into anie place of England south or southwest from Boston: any act, statute, or prouiso in any Act heretofore made to the contrary notwithstanding. Prouided alwayes, that this Act, nor any thing herein conteined shal continue & be in force for any lōger time, then for 5. yeers now next following, & so from thencefoorth vnto the end of the next parliament from thence next following. Prouided alwayes, that this stat. nor any thing therein contained, shalbe preiudiciall, or in any manner of wise hurtfull vnto the towne of Barwicke vpon Tweed, nor to the burgesses of the same towne, nor to any of them, nor to their heires or successors, but that they may lawfully vse, haue, inioy, and occupy all and singular such franchises, liberties, vsages & customs, as at any time heretofore they haue or might haue done, in such maner and forme, as if this statute had neuer bin had ne made: Any thing in the same statute contained to the contrary notwithstanding. Anno 27. Eli. cap. 15.

English ships

Custome

Barwicke

20 Where at the parliament holden by prorogation the xvj. day of Janu. in the xvij. yeare of the raigne of our most gracious soueraigne Lady Qu. Eliz. an Act was made (intituled, An Act for the increase of mariners, and for maintenance of the Nauigation) whereby amongst other things, it was enacted, that it should not be lawfull to any native Englishman, woman, or denizen, at any time, after a time limited in the same Act, directly, or indirectly, by themselues, their seruants, factors, agents, deputies, or friends, or any of them whatsoeuer, to goe or send into anie forein Country, Realme, or Dominion whatsoeuer, for the buying, prouiding, or bringing into this Realme, out, or from anie the saide forreine Realmes or Dominions, out of the

23. Eliz. ca. 17.

Quēnes

Robert Parke 12 books

Quéns obeisance, of any salted fish, or salted herrings, nor should make any agreément with any alien or strãger, nor any other for such bringing into this realme, by any alien or stranger, of any salted fish, or salted herrings, & that no salted fish, nor salted herrings should be brought hither out of the said forein realmes and dominions, but by the méere owners thereof, or deputies of thé being aliens and strangers without the procuremẽt of any subiect of the M. maiesty, her &c. or of any denizen, & by none other person or persons, vpon paine that such English person or denizen, offending against that Act, shal forf. the same salted herrings, & salted fish, or the value thereof, with diuers other clauses & branches in the same stat. conteined, touching the bringing of fish into this realme, & the buying and selling of fish, as by the same act at large appeareth: vpon the making of which act it was hoped & expected, that the fishermẽ of this realme, would in such sort haue imployed thẽselues to fishing, and to the building and preparing of such store of boates & shipping for that purpose, as that they should long ere this time, haue bin able sufficiẽtly to haue vitailed this realm with salted fish & herrings of their owne taking, without any supply of aliens & strãgers, to the great increase of mariners, & maintenance of the nauigation within this realm: notwithstanding it is since found by experience, that the nauigation of this Land is no whit bettered by means of that Act, nor any Mariners increased, nor like to be increased by it: but cõtrarywise, the natural subiects of this realme, being not able to furnish the r. part of the same with salted fish of their own taking, the chiefe prouision and victualling therof with fish and herrings, hath euer since the making of the same stat. bẽn in the power and disposition of aliens & strangers, who thereby haue much inriched themselues, greatly increased their nauigation, & (taking aduantage of the time) haue extreamly inhanced the prices of that victuall, to the great hurt & impouerishing of the native subiects of this realme, & yet do serue the markets here in very euill sort by little and little, housing & képing their fish, aswel on this side, as beyond the seas, til the prices be raised to their liking, & the marchãts of this Realme, hauing bẽne wholy barred in their trades of prouiding of fish for the seruice therof, the nauigation of this realme, which was intended to be augmẽted, hath bin rather impaired then increased thereby, & the prices of fish greatly inhanced, to the great & generall preiudice of the subiects: for remedy wherof, & for that it is lawfull aswel to strangers & aliens, as to the subiects of this realme, to carry out into forein parts and dominions, such salted fish and herring, as are taken & prouided by the subiects of this realme, & therfore very vnequal that the native subiects of this land, should not be at libertie to bring in also forein prouision of fish, for the victualling of their owne country, aswel as to carry out, but that the stranger should be wholy trusted therwith: Be it therefore enacted by the M. most excellent maiesty, the Lords spirituall & temporall, and Commons in this present parliament assembled, & by the authority of the same, That the same statute made in the said xvij. yeere of her M. most gracious reigne, & euery clause, braunch, article, and prouiso thereof, and all the penalties and forfeitures therein conteined, shal from henceforth be clérely repealed, void, frustrate, & of none effect, to all intents, constructions and purposes, as if the same had neuer bin had ne made: any thing in the same Act conteined to the contrary therof in any wise notwithstãding. And be it further enacted by the M. most excellent maiesty, the Lords Spirituall and Temporall, & commons in this present Parliament assembled, that it shal and may be lawfull for all and euery her Maiest. subiects being owners of any ships, barkes, or vessels sailing with crosse sails, to receiue and take into their said ships, barks, or vessels, any herrings, or other fish, which any alien or stranger shall buy and prouide of any her Ma. subiects within this realme, And the same herrings and fish, or any of them may transport into any parts beyond the seas, being in league or amity with her Ma. in their said shippes or vessells with crosse sailes, So as the said aliens or strangers pay to her Ma. her customes and duties for the same, in such sort, as by the same former Act was limitted and appoynted. And be it enacted by the authority afore said, that all aliens and strangers shall from henceforth, & from time to time pay to her Maiesty, for all salted fish, and salted herrings to be brought into this realme, all such like customes, and impositions, as are or shall be imposed and set vpon any her Ma. subiects, in those foreine regions and countries, ports, and townes, from whence the said salted fish, and salted herrings shalbe shipped & brought for the like fishes and herrings, ouer and besides the ordinarie customes, which haue bẽne payd to her Ma. for the same, in maner and forme, as by the same Act was enacted and appointed. And be it further enacted, by thauthority afore said, that if any alien or stranger borne, or any denizen, or naturall borne subiect of this Realme, shall bring into anie hauen, port, créeke, or towne of this Realme any salt fish, or salt herrings, which shall not be good, swéet, seasonable, and méete for mens meate, and shall offer the same to be sold, and shalbe warned by any officer of such port, hauen or towne (where the same shal be offered to be sold) that the same be not seasonable nor méet for mens meat, that then if he or they shall after that, offer any of the said vnseasonable fish to be sold to any person within this realme, or being an alien born, and no denizen, shal not depart with the same from the said hauen, port, or towne, so soone as conuenience wil serue, that then all and euery person owners thereof, shall lose and forfeit to our said soueraigne Lady, all the said vnseasonable fish vnmeet for mẽs meat, as before is said. And be it likewise enacted, that all Ordinances of the Fishmongers of London, or of any other Company or Corporation whatsoeuer, made or to be made for restraint of any person to take or sell fish, or to buy or prouide any fish of any Merchant or other within this Realme, shall be repealed and void. And that euerie person or body corporate, that shall make or execute any such Ordinance or Restraint, shall for euery such offence forfeit one hundred pounds: the one moitie therof to the Quénes Maiestie, her

Repeale

Crosse sails

Fish

Custome

Salt fish

Herring

Alien

Denizen

Vnseasonable

heires and succeſſors, & the other moitie to the party grieued, that will ſue for the ſame by Action of debt in any Court of Record, wherein no eſſoine, protection, or wager of Law for the def. ſhall be admitted or allowed. Prouided alwayes, that this Act ſhal no longer endure, then to the end of the next parliamẽt hereafter enſuing. 39. Eli. ca. 10. This is continued 43. Eli. ca. 9. vntil the end of the firſt Seſſion of the next Parliament. And anno 1. Iac. ca. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

21 And yet by 43. Eli. it is prouided that ſo much of that ſtat. 39. Eli. ca. 10. as concerneth the repealing & making void of all ordinances of the Fiſhmongers of London, or of any other Company or corporation whatſoeuer, made or to be made for reſtraint of any perſon to take or ſel fiſh, or to buy, or prouide any fiſh of any Merchant or other within this realme, or the making or executing of any ſuch ordinance or reſtraint, ſhal from henceforth remaine diſcontinued & repealed, The former continuance of the ſaid Act in this preſent act mentioned notwithſtanding. And be it &c. that no ſuch ordinãce or reſtraint made, or to be made, ſhalbe put in execution during the continuance of the ſaid former Act, made in the xxxix. yeare of her Maieſties raigne, to reſtraine any coaſt-men, fiſhermen, or any others, ſubiects or forreiners, for or concerning the taking, bringing in, putting to ſale, or buying of any ſalted fiſh, or herings being wholſome & ſweet. 43. El. ca. 9

Fiſhmongers

Coaſtmen

22 Be it enacted &c. That no perſon or perſons, reſiant, inhabitant, or dwelling within this realme, ſhall at any time after the firſt day of Auguſt next comming, make, weaue, or cauſe to be made or weaued, any cloth or clothes for ſailes or furniture of ſhips, or other ſailing veſſells called, termed, or knowne by the name or names of Wildernix, and Powle dauies, or any of them, but ſuch as now doe vſe the ſame, or any of theyr ſeruants, or ſuch as ſhall hereafter be Apprentices, and trained and brought vp in the trade and art of making the ſaide clothes, by the ſpace of ſeuen yeares together at the leaſt, Nor ſhall ſet any man to worke, in the making or weauing of anie ſuch clothes, being not a workeman trained vp before the firſt day of Auguſt next comming, in the ſaid Art and Myſterie: vpon paine that euery ſuch perſon offending or doing the contrary, ſhall forfeit and loſe for euery default, xx. ſhillings for euery moneth. And further, that no perſon or perſons, from, and after the ſaid firſt day of Auguſt, ſhall make or weaue the ſaide clothes of any other ſtuffe then of good and ſufficient hemp, nor of any leſſe length, then xxtiij. yards, nor of any leſſe breadth, then iij. quarters of a yard. Nor that the weauer, or other perſon or perſons, ſhall ſell, or offer to ſell any of the ſaid clothes, before the ſtuffe be well beaten, ſcoured, bleached, and the cloth well drawen, with a brazen or yron ſhuttle, vpon paine that euery perſon offending or doing the contrary herein ſhall forfeit and loſe for euerie ſuch piece of cloth, wouen, made, or ſold contrary to the forme of this Act, v. ſhillings. And be it &c. that the one moity of the benefit of al the forfeitures and penalties in this Act contained, ſhall come and bee vnto the K. moſt excellent maieſty, his heyres and ſucceſſours: & the other moitie thereof vnto ſuch as will ſue for the ſame in any of the Kings Maieſties Courts, by Bill, Plaint, Action of debt, Information, or otherwiſe: in which actions, ſuits, plaints, or informations, no wager of Law, eſſoine, or protection ſhall be allowed. An. 1. Iac. cap. 24.

Wildernix Powle dauies

Apprẽtices

7. Yeares

Forf.

Hemme Length Breadth

Forf.

23 For the better increaſe of Seamen, to be ready at all times to ſerue in the Kings maieſties Nauy, and the Nauy of England, of which the Fiſhermen of England haue euer bẽn the chiefeſt Seminary and Nurſery, which in this later Age haue greatly decayed, Be it enacted &c That no licence or licences, heretofore made or graunted, or hereafter to be made or graunted, to any ſicke or infirme perſon or perſons, to eate fleſh during the time of his, her, or their ſickeneſſe, or infirmity, by force of the Statute of Anno quinto Reginæ Elizabethæ, ſhall from the Feaſt of Saint Michaell next comming, be any ſufficient Warrant to any ſuch perſon or perſons to eate any Beefe, Veale, Porke, Mutton, or Bacon in the time of Lent, or vpon any day now obſerued as a fiſh day, but that the ſaid ſicke or infirme perſon or perſons ſhal for dreſſing or eating of ſuch Beefe, Veale, Porke, Mutton, or Bacon, incurre the daunger and penaltie comprized therefore in the ſaid Statute, notwithſtanding any ſuch Licence heretofore graunted or hereafter to be graunted to the contrary. And be it &c. That no Butcher, or other perſon, whether he be licenced or not licenced to kill fleſh, ſhall from henceforth at any time in the time of Lent, kill, or dreſſe, to the intent to put to ſale any Ore or Oren, Beeues, Beeuets, Hogges, Calues, Rammes, Ewes, or Wethers, except Oren or Beeues for victualling of ſhippes into forraine parts, and except all fleſh to be killed three dayes next before Eaſter yearely, vpon paine to forfeit and loſe the ſame Oren, Beeues, Beeuets, Hogges, Calues, Rammes, Ewes, and Weathers ſo killed and dreſſed, contrarie to this Statute, or the value of them. And be it &c. That all Iuſtices of the Peace, Maiors, Bayliffes, head Officers, and Conſtables, as well of Cities and Townes Corporate, as in euerie Countie of this Realme, ſhall haue power and authority, by force of this Act, yearely in the time of Lent, to enter into all houſes of victuallers, and common Victualling houſes within theyr Iuriſdictions, where ſuch offences ſhall bee ſuſpected to be committed, and finding any ſuch oxen, Beeues, Beeuets, Hogges, Calues, Rammes, Ewes, or Weathers killed or dreſſed, or any part or parcell of the ſame contrarie to this Statute, ſhall take and ſeize the ſame as forfeited, and ſhall giue and diſtribute the ſame to Priſoners, and other poore folkes by theyr diſcretion. And be it &c. That euerie Tauerner, Inneholder, Keeper of euerie common Tabling houſe, common Cooke, common Tipler, or Alehouſe keeper, offending at anie time hereafter in the dreſſing of anie fleſh victuall, contrary to the ſaid Statute of Anno quinto Elizabethæ, or contrary to this Statute, ſhall not onely forfeit all the ſaid Fleſh ſo dreſſed, but alſo the penaltie impoſed by the ſame ſtatute of An.

Licence to eate fleſh

Kill Fleſh Lent

Forf.

Iuſt. of P. Maiors &

Search

Diſtribution to the poore

Victuallers

Forf.

5. Eliza-

5. Elizabethæ, for euery offence to be committed, after the Feaſt of Saint Michaell the Archangell next comming: The one halfe of all which Forfeitures, (except ſuch forfeitures as ſhall be found and taken by the Juſtices of Peace, Maiors, Bailifes, head Officers and Conſtables, according to the Tenour of this Act) ſhall be to our Soueraigne Lord the King: and the other halfe to ſuch perſon or perſons as ſhall ſue or informe for the ſame in any Court of Record, by Action of debt, Bill, Plaint, or Information, wherein no Eſſoine, Protection, or Wager of Law ſhall be allowed to the def. This Act to continue to the end of the firſt Seſſion of the next parliament. An. 1. Iac. cap. 29.

Sherburne cauſey.

IN 1. Mar. in the firſt Parliament was made an Act (not then Printed) for the repayring of Sherburne cauſey, betweene Shaftesburie and Sherburne, which act was to endure to the end of the next Parliament. Which act was in 1. Mar. 2. Parlia. cap. 5. made to endure vntill ten yeares after the end of the Parliament.

Shirifes.

WE haue alſo ordained by the aduice of our Councell, that from henceforth Shirifes ſhall not be charged of any iſſues to be leuied, nor ſhal leuy any before they paſſe out of the Eſchequer there to bee deliuered by the Extracts of the Juſtices. And that in the eſtreats of Juſtices, euery head ſhall be charged for Iſſues forfeited like as of amerciaments, and if peraduenture any Shirife wil anſwere for the Iſſues of any recogniſor, pledge or maineperno^r by him aſſigned and returned into our Court, which at the time of the returne is not able to pay ſuch iſſues or amerciaments, the Shirife ſhall be charged, and ſhall anſwere therefore in our Eſchequer. And let the Shirifes beware vnder paine of great forfeiture, that from henceforth they do make tailes of all ſuch money, as they or their Officers haue receiued by our commandement. And that they doe not returne any where, the names of any mainpernours, or ſureties, Iuror, or any other, except ſuch ſureties, maineper nours, or other according to the tenor of our writs being directed to the ſhirifes for the ſame cauſe, bee lawfully and manifeſtly impanelled thereupon. And they ſhall not returne the names of any Free men as pledges, without that they will plainely conſent and agree to the ſame. And hereupon wee haue enacted that at one time certaine euery yeare one Baron and one Clerke of our ſaid Eſcheq. ſhal be ſent throughout euerie ſhire of England, to enroll the names of all ſuch as haue paied that yeare debts eracted of them by a greene ware. And the ſame Baron and Clerke ſhall view all ſuch tailes, and enroll them. And ſhall heare and determine complaints made againſt Shirifes & their Clerks, and Bailifes that haue done contrarie to the premiſſes, and the offenders ſhall bee grieuouſly puniſhed. For aſmuch as Shirifes and other heretofore, haue let out by Pleuin, common Felons and openly defamed, being taken & impriſoned for murder & felony, & ſuch as be not repleuiſable, contrarie to the forme of our ſtatute made at Weſtminſter of perſons repleuiſable, & not repleuiſable, wherby ſuch tranſgreſſors not repleuiſable be let out, and for to deliuer them deceitfully before the comming of the Juſtices errant, or other aſſigned for their deliuerance, they procure by themſelues and by their friends Iurors of the Countrey, and ſome they threat, whereby as well for feare of the Shirife, & other ỳ let them at large by the pleuine, as for feare of the thefues being ſo deliuered before the Juſtices aſſigned for Gaole deliueries, ſuch felonies & murders are cõcealed, & ſo being concealed, remain ſtill vnpuniſhed: We for the vtility of our Realm, & for the more aſſured conſeruation of our peace, haue prouided and ordeined, that Juſtices aſſigned to take aſſiſes in all Shires where they take aſſiſes, as it is ordeined, incontinent after the aſſiſes taken in the Shires, ſhal remaine both together if they be lay. And if one of them be a Clerke, then one of the moſt diſcreet knights of the Shire being aſſociate to him that is a Lay man, by our writ ſhall deliuer the gaoles of the Shires, as well within the liberties as without, al maner of priſons, after the forme of the gaole deliueries of thoſe Shires before times vſed. And the ſame Juſtices ſhall enquire then, if Shirifes or any other haue haue let out by pleuin, priſoners not pleuiable, or haue offended in any other thing contrary to the forme of the foreſaid ſtatute lately made at Weſtminſter, and they ſhall reforme and puniſh them in all things according to the forme of the Statute aforeſaid. Stat. de finibus leuaris, Anno 27. Ed. 1.

Iurors

Juſt. of Aſſ.

Knights

Gaole deliuery

Enquire

Puniſh

2 Shirifes from henceforth ſhall be aſſigned by the Chauncellour, Treaſurer, Barons of the Eſchequer and by the Juſtices. And in the abſence of the Chancellour, by the Treaſorer, Barons and Juſtices. And that none ſhall be Shirife, except he haue ſufficient land within the ſame Shire, where he ſhall be Shirife, for to anſwere the King and his people. And that none that is Steward or Bailife to a great Lord, ſhal be made Shirife, except he bee out of Seruice, ſo that he may attend to the Office of a Shirife, for the King and his people. And in like maner it is agreed & eſtabliſhed that hundreds, whether they belong to the King, or to other, ſhalbe kept by conuenient and able perſons that haue ſufficient lands within the ſame hundreth or ſhire where the hundred is, and that the Chanceller, treaſurer, Barons & Juſtices, ſhal do aſſign in maner aforeſaid, without hauing any other regard: & if any ſhirifes of hundreds be inſufficient at this time, they ſhall be remoued, and other more conuenient put into their roomes. And that ſuch hundreds bee leaſed to ſuch perſons as are ſufficient, ſo that they neede not to vſe extortion vpon the people by reaſon of too outragious ferme. And that no Shirife nor Hundreder ſhall leaſe his land to any other in ferme otherwiſe, & that the execution of writs that come to the Shirifes, ſhall bee done by the Hundreders ſworne and knowne in the ſhire, and not by other, if it bee not the open default and diſturbance of the Hundreders, and then execution ſhall bee done by other perſons more conuenient, being ſworne

Sheriffes Chauncelor Treaſorer Barons Juſtices

Land

Steward Bailifes

Hundreds

Lands

Remoue

Leaſe

Execute writs

Returne

ſworne, ſo that the people may know to whome to ſue ſuch executions, ſauing alwaies the returnes of the writs to them that haue them, or ought to haue them. An. 9. Ed. 2. ſtat. of Shirifes.

Election

3 The King hath granted vnto his people, that they ſhall haue election of their Shirife in euerie ſhire where the Shiualty is not of the fee (if they liſt.) Articuli ſuper chartas capitulo 8.

Lodge
Religious

4 For aſmuch as the King hath granted the election of Shirifes to the Commons of the ſhire, the King will that they ſhall chuſe ſuch Shirifes, that ſhall not charge them, and that they ſhall not put any officer in authority for rewards or bribes. And ỳ they ſhall not lodge too oft in one place, nor with poore perſons, or men of Religion. Articuli ſuper chartas 13.

Tailes

5 Of the Shirife and other Miniſters, which gather the debts of the King, and make tailes and other acquitances to the debtors, yet doe not acquite them in the Exchequer, and of the ſame are impleaded in the Exchequer, and by fauour are put to little iſſues, which they will rather leſe then come to anſwere, and ſo are the Plaintifes alwaies charged to their great dammage & oppreſſion: It is ordeined and eſtabliſhed that the Shirifs and other Miniſters when they are impleaded in the Exchequer, are ſo far gone in plee, that the great diſtreſſe is returned againſt him, and he commeth not to anſwere, then ſhall goe forth an other writ of diſtreſſe, returnable at a certaine day, in which writ ſhall bee commanded that Proclamation be made in the full Countie, that the defendant come at ſuch a day and acquite the debt of the ſum for the which hee made the taile or acquittance, at which day if the defendant come not, and the Writ be returned, and Proclamation certified, he ſhall beholden for conuict, and the debt taken of him alſo, as debt recouered in the Kings Court, and damages awarded to the Plaintif according to the diſcretion of the Barons. And this eſtatute ſhall extend aſwel to thoſe which were Sherifes and other Miniſters that let to leaſe their Bailiwikes, as to the Shirifes and other Miniſters which hold their Bailiwikes themſelues. And it is not the intent of our Soueraign Lord the King, nor of his Counſell, nor by this eſtatute no man ſhal be forbidde, but that they may complaine of Shirifes and other Miniſters when they ſhall be found in the Exchequer, and that they ſhall anſwere there as hath beene reaſonably vſed before this time. Stat. de attinctis.

Great diſtreſſe

Proclamation

Debt
Damages

6 Becauſe that peace cannot be well kept without good Miniſters, as Shirifes, Bailifes, and Hundreders which ought to do execution aſwell of the kings priuities, as of other things touching our Soueraigne Lord the K. & his people: It is ordeined and eſtabliſhed that the Statute made in the time of King Edward father to the King that now is, at Lincolne, conteining that Shirifes, Hundreders and Bailifs, ſhall be of ſuch people as haue lands in the ſame Shires or Bailiwikes, ſhal be obſerued in all points after the forme thereof. And that Shirifes and Bailifes of fee, ſhal cauſe their Counties and Bailiwikes to bee kept by ſuch as haue lands therein. Anno 2. Ed. 3. ca. 4.

Lands.

Counties
Bailiwikes

7 Whereas all the Counties in England were in old time aſſeſſed to a certaine farme, & then were all the Hundreds and Wapentakes in the Shirifs hands rated to this farme: And afterward were appruers ſent into diuers counties, which did increaſe the farmes of ſome Hundreds and Wapentakes: And after that, the Kings at diuers times haue granted to many men part of the ſame Hundreds and Wapentakes for their old farmes only: And now of late the Shirifes be wholy charged of the increaſe, which amounteth to a great ſumme, to the great hurt of the people, and diſheriſon of the Shirifes, and their heires: It is ordeined, that the Hundreds and Wapentakes let to farme by the king that now is, be it for term of life or otherwiſe, which were ſometime annexed to the farmes of the Counties where the Shirifes be charged: ſhall bee enioyned againe to the Counties. And that the Shirifes and their Heires haue allowance for the time that is paſt. And that from henceforth ſuch Hundreds & Wapentakes ſhal not be giuen nor ſeuered from the Counties. Anno 2. Ed. 3. cap. 12.

Farme

Hundreds
Wapentakes

8 No Shirife, Bailife of Hundred, Wapentake, nor of fráchiſe, no vnder Eſcheators ſhall bee from henceforth, except he haue lands ſufficient in the places where they be miniſters, wherof to anſwere the king and his people, in caſe that any man complaine againſt them, as it was ordeined another time at the Kings Parliament holden at Lincolne, in the time of the kings Father that now is, that is to ſay, the ninth yeare of his Raigne. An. 4. Ed. 3 cap. 9.

Bailifes

Eſcheats
Lands

9 For aſmuch as Shirifes and Gaolers would not heretofore receiue théues and perſons appealed, endited or found with the manner, taken and attached by the Conſtables and Townſhips without great fines and ranſomes, whereby they are become vnwilling to take felons: And ſo Felons be the more encouraged to offend: Be it ordeined, that the Sherifes and Goalers, ſhall receiue and freely keepe in priſon from henceforth ſuch théues and felons by the deliuerie of the Conſtables and Townſhips, without taking any thing for their receipt. And that the Iuſtices aſſigned to deliuer the Gaole, ſhal haue power to heare their complaints that will complaine vpon the ſhirifes and Gaolers in ſuch caſe, and moreouer to puniſh the Shirifes & Gaolers if they be found guilty. Anno 4. Ed. 3. cap. 10.

Gaolers

Conſtables
Officers

Iuſtices

Puniſh

10 Sherifes ſhal from henceforth let their Hundreds and Wapentakes for the old farm & not aboue. And that the Iuſtices aſſigned ſhall haue power to enquire of the ſaid Shirifs, and to puniſh them that ſhall bee found offending this Statute. Anno 4. Ed. 3. cap. 15.

Hundreds
Wapentakes
Farme
Enquirie
Iuſtices
Puniſh

11 No Sherife, vnder Eſcheator, Bailife of Franchiſes, Wapentakes, Hundreds, nor ty things, ſhall from henceforth bee, except he haue lands ſufficient in the ſame Countie, whereof to anſwere to the king and his people, if any man wil complaine. Anno 5. E. 3. cap. 4.

Eſcheats
Bailifs

Lands

12 No Shirife ſhall tarrie in his Bayliwike ouer a yeare, and then another conuenient to be ordeined in his place, that hath land ſufficient in his

Baily-

Lands

wike, by the Chauncelor, Treaſorer, and chiefe Baron of the Exchequer, taking to them the chiefe Juſtices of the one Bench and of the other, if they be preſent. And that ſhall bee done yearely in the morrow of all ſoules, at the Exchequer. Anno 14. Ed.3.cap.7.

13 From henceforth all the Wapentakes and Hundreds, which bee ſeuered from the Counties, ſhall be reioyned to the ſame Counties, as before this time hath bene eſtabliſhed by another Statute. And that the Shiriſes holde the ſame in their owne hands, & put in ſuch Bailifes & Hundredors, hauing lands within the Bailiwikes & Hundreds, for whome they will anſwere. And if they will let any Hundreds, Bailiwikes, or Wapentakes, to farme, they ſhall let the ſame at the ancient farme without any thing increaſing. And that the King and his people be ſerued by ſuch Bailifes and Hundreders, and their Underbailifes, in auoiding forener the outriders and other, which in diuers counties before this time haue notoriouſly deſtroied the people. And that no Bailife errant bee put in the Counties where Bailifes errants haue bene in times paſt, in the time of the Kings Grandfather that now is. And that there be no more but one Bailife errant in one County. And it is aſſented, that all other of what eſtate or condition they be, which haue bene bailifes of Hundreds in fee, if they the ſame will holde in their owne hands, then they ſhall put in ſuch Bailifes, for whom they will anſwere. And if they will let the ſame to farme to other, then they ſhall let the ſame at the auncient farme without any thing increaſing, as before is ſaid, & the Juſtices of the one Bench and the other, the Barons of the Exchequer, and the Juſtices aſſigned ſhall haue power to enquire of all thoſe, that come againſt this ordinance at all times that they come into the Countrey, and to doe ſuch puniſhment as to them ſhall ſeeme conuenient to bee done according to the law and reaſon. And if the Shiriſes or their Farmors be found in default in any point againſt this ordinance, and thereof bee attainted, the Hundreds and Wapentakes, where ſuch defaults ſhall be found, ſhall be taken into the K. hands, and let to other by the Juſtices, & to cõmand them to priſon, there to remaine till they haue made fine and ranſome to the King, according to the quãtity of ỹ treſpaſſe. And neuertheles they ſhall anſwere to the king of the whole farme. And that the Lords which hold Hundreds or Wapentakes in fee, ſhall ſet ſuch bailifs, which be ſufficient to anſwer the K. & his people. And if their Bailifes do againſt this ordinance, they ſhal be called to anſwere. And if they be attainted ſhall haue ſuch puniſhment as the Law of the land requireth in ſuch caſe, and they ſhall be out of their Bailiwikes for euer, and other ſufficient put in their places by the ſame Lords. Anno 14. Ed.3.cap.9.

14 The Shiriefes of the Counties ſhal be remoueable euerie yeare out of their office, ſo that no Shiriefe, that hath bene in his office by a yeare, ſhal abide in the ſame office the next yere following. And that no Commiſſion be made to him thereof, or renewed for the ſame yeare following. Anno. 28. Ed.3.cap.7.

15 Becauſe that the people of the Realme haue ſuffered many euils and miſchiefs, of that that Shiriefes of diuers counties, by vertue of Commiſſions and generall writs graunted to them at their owne ſuit, for their ſinguler profit to gaine of the people, haue made and taken diuers Enqueſts to do endict the people at their will, and haue taken fine & ranſome of them to their owne vſe, and haue deliuered them, without that that ſuch perſons endicted were brought before the kings Juſtices to haue their deliuerance. It accorded and eſtabliſhed for to eſchew all ſuch euils and miſchiefes, that all ſuch Cõmiſſions & Writs before this time made ſhall be vtterly repealed, and that from henceforth no ſuch Commiſſions nor writs ſhall be granted. An. 28.Ed.3.cap.9.

Commiſſiõ

Enqueſts Endict

Commiſſions Repealed Writs

16 That no Sheriſe, Underſheriſe, nor Shiriefes Clerke abide in his office aboue one yeare, as it is ordeined of Sheriefes by the ſame Statute. An. 42.Ed.3.cap.9.

Shiriefe Underſheriefe Sheriefes Clerke

17 That none that hath bene Sheriefe of any County by an whole yeare, ſhall be within two yeares next enſuing choſen againe, or put in the ſame office of Sheriefe, if there be other ſufficient in the ſame County of poſſeſſions and goods to anſwere to the King and his people. Anno 1.Rich.2. cap.11.

One yere Three yers

18 Whereas the ſaid Commons by their petition haue ſhewed in the ſame Parliament, how the Sheriefes of Counties within this Realme, bee charged with the auncient farm of the ſame Counties, wheras a great parcel of the profits of the ſame be giuen diuerſly to Lords & other the Kings liege people, ſo that the ſame Sheriefes cannot pay their farme without doing extortion in the ſaid counties in great oppreſſion and hinderance aſwel of the ſaid Sherifs, as of the inhabitants of the ſaid Counties: Our Soueraigne Lord the King, conſidering the miſchiefes aforeſaid, by the aduice and aſſent of the Lords and Commons aforeſaid, hath ordeined and eſtabliſhed, that from henceforth the Sherifs of the Counties of Eſſex, and Hertford in eſpeciall, and the Sheriefes of other Counties aforeſaid for the time being, ſhall account at the Exchequer, & haue allowance by their othe of the iſſues of the ſaid Counties, aſwell after the date of their Patents made to them by the ſaid late King Richard, as for all times to come. And if any Shirife henceforth doe any extortion to the people, and be thereof attainted, he ſhall be duely puniſhed for the ſame extortion at the Kings will. Anno 1.H.4.cap.11.

Shiriefe Eſſex Hertford

Account Othe

Extortion

19 Euerie Sheriefe ſhall abide in proper perſon within his bailiwik, for the time that he ſhalbe ſuch officer, & he ſhall not let the ſaid Bailiwik to farme to any man, for the time ỹ he occupieth ſuch office, & that the ſaid Shirife be ſworne frõ time to time, to do the ſame in ſpeciall, amongſt other articles compriſed in the oath of the Sheriefe. An.4.H.4.cap.5.

Reſiant

Farme

Sworne

20 They that be Bailifes of Sheriefes by one yeare, ſhall be in no ſuch office by three yeares next following, except Bailifes of Sheriefes, which doe inherit in their Office. And that no Underſheriefe, Sheriefes Clerke, receiuer, nor Sheriefes Bailife, be atturney

Bailifes Three yeres Underſheriefe Clerke Receiuer Bailife Atturney

atturney in any of the Kings Courts, during the time that he is in office with any such Sherife. An. 6. H. 5. cap. 4.

Accounts Orde Eſtreats

21 All the Sherifes of England ſhall haue allowance vpon vpon their accounts by their othes of things caſuall, as of Eſtreats that ſoune not, nor runne not in ferme, nor in demaund. But all ſuch things that ſoune or runne in yearely fermes or yearely demaunds, they ſhall bee charged againſt the K. as the Sherifes haue bene charged in this caſe in times paſt. Anno 4. H. 5. cap. 2.

22 Anno 9. H. 5. cap. 5. An act was made that the King might make Sherifes, and Eſchetors at his will, vntill the end of foure yeres notwithſtanding the Statute Anno 14. Ed. 3. cap.

23 Anno 9. H. 6. cap 7. An act was made to endure for thre yeres againſt the Sherife of Hertford, for taking of Enquelts and Indictments of matters not determinable before him. And after Anno 11. H. 6. cap. 7. This Act was made to endure for thre yeares from this Parliament.

24 The Statute before recited, (s. Anno 14. Ed. 3. cap. 7. & Anno 42. Ed. 3. cap. 9. & Anno 1. R. 2. cap. 11. which is before 12. 16. & 17.) & euerie of them ſhall be duely obſerued in euerie Countie of England, the vndersherifes & all other Officers within the City of London, which now bee or hereafter ſhall be, at all times excepted. And ſuch Counties all onely except in which diuers of the Kings Liege people be inheritable to the Office of a Sherife at this day, and alſo ſuch perſons which haue eſtate of freehold in the office of Sherif at this day, & except the Let. P. made to them of the office of Sherif & their vndersherife & Clerkes. And if any Sherife or Undersherife, or Sherifes Clerke occupy the Office of Sherife, Undersherife, or Undersherifes Clerke, contrarie to any of the Statuts before recited, or againſt the effect or intent of any of them (except before excepted) that then he which doth ſo occupy, ſhall forfeit the ſumme of two hundred pounds yearely as long as he occupieth contrarie to the effect of the ſaid Statutes. And that euery pardon hereafter to bee made for ſuch offence or occupation, of forfeit of ſums before recited, ſhal be void & not auaileable. And all Patents made or to be made of any of the ſaid offices for term of yers for terme of life, or fee ſimple, or in fee taile, to any of the Kings liege people (except before excepted) ſhall be voide and of no value by the ſame authoritie, any clauſe or word of Nō obſtante, in any wiſe put or to be put in ſuch Patents to be made notwithſtanding. And moreouer whoſoeuer preſume vpon him or them to take or occupy the ſaid Office of Sherife by vertue of ſuch graunts or Patents now to be made for terme of yeares, for terme of life, fee ſimple, or fee taile, to ſtand for euer and at all times diſabled to be or beare the office of Sherife within any County of England by the ſame authority. And that euerie liege man, which will ſue for the ſaid ſum forfeit againſt him or them, which in ſuch maner doe forfeit, ſhall be receiued and admitted to ſue an action of debt in his owne name, our Soueraign Lord the King to haue the one half of all that ſhall happen by the ſame action to be recouered by ſuch ſuit, and he or they that ſo purſueth to haue the other halfe. Anno 23. H. 6. cap. 8.

London

Enheritte

Freehold Letters P.

Clerke

Fork.

Pardon

Void Patents

Void Non obſtante

Diſabled

Sue

Fork.

Moitie

25 The King conſidering the great periury, extortion and oppreſſion, which be and haue beene in this Realme by his Sherifes, vndersherifes, and their Clerkes, Coroners, Stewards of Franchiſes, Bailifes, and keepers of priſons, and other Officers in diuers Counties of this Realme, hath ordained by authority aforeſaid, in eſchewing of all ſuch extortion, periurie and oppreſſion, that no Sherife ſhal let to farme in any maner his Countie, nor any of his Bailiwiks, Hundreds or Wapentakes, nor that the ſaid Sherifes, Undersherifes, Bailifes of Franchiſes, nor any other Bailife; ſhal returne vpon any writ or precept to them directed to bee returned, any enquelts in any panell thereupon to be made, any Bailifs, officers, or ſeruants to any of the Officers aforeſaid, in any panel by them ſo to be made, nor that any of the officers and miniſters aforeſaid, by occaſion or vnder colour of their office, ſhall take any other thing by them or by any other perſon to their vſe, profit or auaile of any perſon by them or any of them to be arreſted or attached, nor of any other of them, for the ſparing of any arreſt or attachmēt to be made by their bodie, nor of any perſon by thē or any of them by force or colour of their office arreſted or attached, for fine, fee, ſuit of priſo, mainepriſe, letting to baile, or ſhewing any eaſe or fauor to any ſuch perſō ſo arreſted or to be arreſted, for their reward or profit, except ſuch as followeth, that is to ſay, for the Sherife xx. pence, the Bailife, which maketh the arreſt or attachment iiij. pence, & the gaoler, if the priſoner be committed to his ward iiij. d. And that the Sherife, Undersherife, Sherifs Clerke, Steward, or Bailife of Franchiſe, ſeruant or Bailife, nor Coroner, ſhall take any thing by colour of his Office by him nor by any other perſon to his vſe, of any perſon for the making of any returne or panell, and for the copy of a panell foure pence. And that the ſaid Shirifes, and all other officers and Miniſters aforeſaid, ſhall let out of priſon all maner of perſons by them or any of them arreſted, or being in their cuſtody by force of any writ bill, or warrant in any action perſonall, or by cauſe of Indictment of treſpaſſe, vpon reaſonable ſuretie of ſufficient perſons hauing ſufficient within the Counties where ſuch perſons be ſo let to baile or mainepriſe, to keep their daies in ſuch places as the ſaid Writs, Billes, or Warrants ſhall require. Such perſon or perſons which be or ſhal be in their ward by redemption, execution, Capias vtlagarum, or excommunicatum, ſurety of the Peace, and all ſuch perſons which be or ſhalbe committed to ward by ſpecial commandement of any Iuſtices, and vagabonds, refuſing to ſerue after the forme of the ſtatute of Labourers, onely except. And that no Sherife, nor none of his Officers or Miniſters aforeſaid, ſhall take or doe to be taken, or make any obligation for any cauſe aforeſaid or colour of their office, but all onely to themſelues, of any perſon, nor by any perſon, which ſhall be in their Ward by the courſe of the law, but vpon the name of their office, and vpon condition written that the ſaid priſoners ſhal appeare at the day contained in the ſaid writs, bill,

Bailiwicke Hundred Wapentake

Returne

Enquest Bailife Officer Seruant

Arreſt

Reward

iv. d.

4. d.

4. d.

Clerke Steward Bailife Coroner Retorne

Queſtes

Condition Execution Capias Vtlagarum Excommunicatum Commaundements Vagabonds

Obligation

Condition

bill, or warrant, and in ſuch places as the ſaid writs, billes, or warrants ſhall require. And if any of the ſaid Shirifes or other Officers or miniſters aforeſaid, take any obligation in other forme by colour of their offices, that it ſhall be void. And that he ſhall take no more for the making of ſuch Obligation, Warrant, or Precept by them to be made, but foure pence. And alſo that euerie of the ſaid Sherifes ſhall make yearely a Deputy in the Kings Courts of his Chauncerie, Kings Bench, and Common place and Bench, and in the Exchequer of Record, before that they ſhall returne any Writs, to receiue all maner of Writs and Warrants, to be deliuered them. And that all Sherifes vndersherifs, Clerks, Bailifs, Gaolers, Coroners, Stewards, Baylifes of franchiſes, or any other officers or Miniſters which doe contrary to this ordinance in any point of the ſame, ſhall loſe to the party in this behalfe indamaged or grieued, his treble dammages, and ſhall forfeit the ſum of forty l. at euery time that they or any of them doe the contrary thereof in any point of the ſame, whereof the King ſhall haue the one halfe to be imployed to the vſe of his houſe, and in none otherwiſe, and the party that will ſue, the other halfe. And that the Juſtices of Aſſiſes in their Seſſions, Juſtices of the one Bench and of the other, and Juſtices of Peace in their Countrie ſhall haue power to enquire, heare and determine of Office without ſpeciall Commiſſion, of, and vpon all them that do contrarie to theſe ordinances in any article or point of the ſame. And if the ſaid ſhirifes returne vpon any perſon Cepi corpus, or Reddidit ſe, that they be chargeable to haue the bodies of the ſaid perſons at the daies of the returnes of the ſaid writs, billes, or Warrants, in ſuch forme as they were before the making of this act. Prouided alwaies, that the Warden of the Kings Gaole of the Fleete, and of the Kings Palace at Weſtminſter for the time being, ſhall not be endamaged nor preiudiced by this ordinance in the duety of his office. Anno 23. H. 6. cap. 10.

26 Anno 28. H. 6. cap. 3. It was enacted that the Shirifes, their Undersherifes and Clerkes, ſhould be diſcharged of the forfeiture for exerciſing their offices aboue a yeare, &c.

27 Where many haue beene greatly hered by the inordinate Inditements taken before Sherifes and their Officers, in their termes or Lawdaies by Incora of no conſcience nor freehold, and many times by their meniall Seruants, and being thereupon arreſted and Impriſoned, haue beene inforced to make great Fines vnto them, and then haue beene let goe at large, and the Indictments inbeaſeled and ſuppreſſed: Be it &c. That as to all maner Inditments and preſentments that ſhall be taken hereafter before any of his ſaid Shirifes of the Counties for the time being, their Undersherifes, Clerkes, Baylifes, or other Miniſters at their turnes or Lawdaies, before mentioned, they nor none of them ſhal haue power to attach, arreſt or put in priſon, nor to leuy any fines or amerciaments of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment to be taken before them or any of them, nor to take of any ſuch perſon or perſons ſo Indicted or preſented, any fine or ranſome, but that the ſaid Sherifes and their Undersherifs, Clerks, or Baylifs and their Miniſters ſhall bring, preſent, and deliuer all ſuch indictments and preſentments taken before them or any of them in their turnes or Lawdaies aforeſaid, to the Juſtices of Peace at the next Seſſions of the Peace that ſhall be holden in the Countie or Counties where ſuch indictments & preſentments ſhalbe taken before the ſaid Juſtices of ſuch County or Counties for the time being. And if any of the ſaid Shirifes, vndersherifes, Clerkes, Bailifes, & their Miniſters doe not bring, deliuer and preſent all ſuch Indictments or preſentments ſo taken before them and euerie of them, in their turnes or Lawdayes, as before is recited, at ſuch Seſſions of the Peace before the ſaid Juſtices of peace, that then all ſuch Sherifes, Undersherifes, Clerkes, Bailifes, and their Miniſters, and euery of them that ſhall faile in bringing, deliuering, and preſenting of ſuch Indictments and Preſentments, ſhall forfeit to the King forty pounds at euerie time that they or any of them doth the contrarie. And that the ſaid Juſtices of Peace ſhall haue power and authoritie to award Proceſſe vpon all ſuch Indictments, and Preſentments, as as the Law doth require, and in like forme, as if the ſaid indictments and preſentments were taken before the ſaid Juſtices of Peace in the ſaid County or Counties. And alſo to arraigne and deliuer all ſuch perſon or perſons ſo indicted and preſented before the ſaid Shirifes, Undershirifes, their Clerkes, Bailifs, and their Miniſters or any of them in their ſaid Turnes or Lawdaies. And al ſuch perſons or perſon which be indicted or preſented of Treſpaſſe, to make ſuch fine as ſhall ſeeme lawfull by their diſcretion. And the Eſtreates of the ſaid fines and amerciaments to be enrolled, and by Indenture to bee deliuered to the ſaid Shirifes, Undersherifes, their Clerkes, Bailifs or Miniſters, or any of them, to the vſe and profit of him that was Sherife in the ſaid Counties or Counties at the time of ſuch Indictments or Preſentments taken. And if any of the ſaid Sherifes, their Undersherifes, Clerkes, Bailifes, or their Miniſters do arreſt, attach, or put in priſon, or cauſe any fine or ranſome to be taken, or leuy any amerciament of any perſon or perſons ſo Indicted or preſented, by reaſon or colour of any ſuch Indictment or preſentment taken before them at their Turnes or Lawdaies aboue rehearſed, before that they haue Proces from the ſaid Juſtices of peace, or eſtreates deliuered out of the ſaid Indictments or preſentments ſo brought, deliuered and preſented to them, that then the ſaid Sherifes which ſo doth, ſhall forfeit C pound, the one halfe thereof to bee imployed to the erpentes of the Kings houſe, and the other halfe to the parties or party, which be or is endamaged, and ſhall haue an action of debt at the Common Law, and like Proces, as in an action of debt at the common Law, and that the defendant or defendants in ſuch ſuits or actions of debt, ſhall not bee eſſoined nor

Juſt. of P. Seſſions

Fork.

Juſt. of P.

Proces

Juſt. of P.

Arraigne Deliuer

Eſtreats Enroll Indenture

Arreſt Impriſon

Juſt. of P.

Fork. Poſtie

Action of debt

noꝛ iudge their law. And if hee oꝛ they, oꝛ any of them againſt whome this action ſhall be taken, do offeꝛ oꝛ caſt any pꝛotection oꝛ other impediment, in retardation of the ſaid ſuits oꝛ actions, that ſhall bee not allowed. Pꝛouided alwaies, ẏ this preſent oꝛdinance doe not extend, noꝛ in any wiſe be pꝛeiudiciall to the Shirifes of the City of London now being, oꝛ which at any time hereafter ſhall be, concerning any indictments oꝛ preſentments to be taken within the ſaid citie of London. Pꝛouided alſo that this act extend not, noꝛ be pꝛeiudicial to any perſon oꝛ perſons which haue graunts of any fines oꝛ amerciaments by any Letters Patents of our ſaide Soueraigne Loꝛd the King, oꝛ of any of his Pꝛogenitoꝛs oꝛ pꝛedeceſſoꝛs, bearing Date beſoꝛe the tenth day of December next after the beginning of this Parliament. And that this act and oꝛdinance doe not extend noꝛ be pꝛeiudiciall to any perſon oꝛ perſons hauing any liberties oꝛ Franchiſes by any of the ſaid Let. P. oꝛ in any other maner by pꝛeſcription. And ẏ this oꝛdinance be in his force, & begin to take effect at the foꝛtieth day next after the vi. day of May next after the beginning of this pꝛeſent Parliament, vpon the which firſt day, the ſaid Parliament was diſſolued. Anno 1. Ed. 4. cap. 2.

Pꝛouiſo

London

Letters P.

Liberties

28 Anno 8. Ed. 4. cap. 4. It was enacted that no Sheriffe noꝛ Vnder-Sheriffe ſhould be endamaged foꝛ occupying his office. Anno 1. 2. & 3. Ed. 4. contrarie to the Statutes made, Anno 14. Edw. 3. cap. 7. Anno 42. Edw. 3. cap. 9. & Anno 23. Hen. 6. cap. 8.

29 If any Shirif of any County do execute oꝛ returne any writ, pꝛecept, oꝛ warrant in any of the ſaid Courts of the King within the ſaid Terme called Michaelmas Terme, after the firſt day of November, and beſoꝛe any writ of diſcharge deliuered to him of his occupying of Shirifwike, hee ſhall not be committed by foꝛce of the ſaid ſtatute, noꝛ charged of the paine aforeſaid, although that he hath occupied the Office of Sheriffe, beſoꝛe any of the ſaid daies of Returne called Craſtino Martini, Octabis Martini, oꝛ Quind. Mart. An. 12. E. 4. c. 1. oꝛ Euerie old Sheriffe of euerie County returned in the ſaid laſt Parliament, from the firſt day of November next to come, ſhall haue full authoꝛitie and power, aſwell lawfully to execute and and returne euery writ, pꝛecept oꝛ warrant, in euerie of the ſaid Courts of the King, delinered to him as vnder and execute euerie other thing which to the Office of Shirife lawfully pertaineth, at all times during the ſaid Termes of Saint Michaell, and of Saint Hillarie, vnleſſe he be beſoꝛe the ſame time lawfully diſcharged of his occupation of Shirife, without ſuſtaining any damage, foꝛfeiture oꝛ paine, by cauſe theroꝛ: Any act, oꝛdinance, oꝛ pꝛoviſion, beſoꝛe made to the contrary in any wiſe notwithſtanding. Anno 17. Ed. 4. cap. 6.

Retourne

31 Whereas great extoꝛtion hath beene vſed by Sheriffes and their Officers in the keeping of their Countie Courts by entring of plaints againſt men in other mens names, and then amercing them foꝛ their default, wheras they were neuer ſummoned, ſo to increaſe pillage. Be it &c. That no Sheriffes, Vndersheriffes, noꝛ Shire Clerkes hereafter, neither any perſon in their names, noꝛ by their commandement, ſhall take and enter any plaints into their books in any mans name, vnleſſe the partie plaintife bee in pꝛoper perſon pꝛeſent in the Courts, oꝛ elſe by a ſufficient Attorney oꝛ deputy, that is knowen to be of good name and diſpoſition, and that the ſame partie Plaintife ſhall finde pledges to purſue his ſaid plaint, ſuch perſons as are knowne in that County, and that the party Plaintife ſhall haue but one plaint foꝛ one Treſpaſſe oꝛ contract. And if the ſaid Sheriffes, Vndersheriffes, Shireclerkes, take, enter, oꝛ cauſe to be entred any moe plaints, then the Plaintife ſuppoſed that he hath cauſe of action againſt the defendant, that then the ſaid Shirifes, Vndersheriffes, Shireclerkes that doth enter, oꝛ cauſe to bee entred any ſuch plaints contraris to the ſaid pꝛouiſion and oꝛdinãce, ſhall foꝛfeit foꝛ euerie ſuch default foꝛty ſhillings, the one halfe thereof to be to the vſe of our ſoueraigne Loꝛd the King, and the other part to him oꝛ them that will ſue, and pꝛoue the ſame matter by action of debt, oꝛ inforꝛmation in the Exchequer. And ouer, the Juſtices of peace in the ſame Counties, and euerie of them, ſhall haue authoꝛity vpon complaint made by the party ſo vnlawfully grieued to examine the ſaid Shirifes, Vndersheriffes, oꝛ Shire Clerke and plantifes. And if the ſaid Juſtices of P. oꝛ one of them, finde by the examination, default in the ſaid Shirifes, vndersheriffes, oꝛ other their clerks, in entring of ẏ ſaid plaints deceitfully foꝛ his oꝛ their aduantage, as is beſoꝛe rehearſed, contrarie to this pꝛeſent act, that then the ſaid Shirifs, vndersheriffes, and Shire clerkes ſhall be conuict & attaint of the ſame offence, without further enquiris oꝛ examination, and that he ſhal foꝛfeit vpon the ſame examination, foꝛty ſhil. to the vſe of our Soueraigne Loꝛd the King foꝛ euerie default. And the ſaid Juſtices of Peace that ſo ſhall take the examination, ſhall certifie the ſame examination within a quarter of a yeare into the Kings Exchequer, vpon paine of foꝛty ſhillings. And furthermoꝛe, that the ſaid Shirifes, vnder ſheriffs, and Shire Clerks, make oꝛ cauſe to be made a ſufficient pꝛecept to the Bailife of the hundꝛed, to attach, ſummõ, oꝛ warn the Defendants, that are ſo in ſuit, to appeare and anſwere to the ſaid plaints. And if there be any default in the ſaid Bailifes of the Hundꝛeds in warning of the ſaid Defendants, to appeare and anſwer to the ſaid plaint commenced againſt them in their Counties, oꝛ in executing their ſaid Office, that then the ſame Bailifes ſhall foꝛfeit foꝛ euery default vnto our Soueraigne Loꝛd the King foꝛty ſhillings, and ſo bee attaint and conuict thereof, by like examination of the Juſtices of Peace, oꝛ euery of them, as beſoꝛe is rehearſed. And that the ſame Shirifes, Vndersheriffes, Shire Clerkes, and their Deputies foꝛ the time being, ſhall make none Eſtreates to leuy the ſaid Shires amerciaments, vntill ſuch time that two Juſtices of Peace, whereof one ſhall be of the Quorum, haue had the view and ouerſight of their bookes, and that Eſtreates be indented betwixt the ſaid Juſtices of Peace, and the ſaid Shirifes and Vndersheriffes, and ſealed with their

Enter plaints

Pledges

Foꝛf. Wards

Juſt. of P.

Examine

1. Juſt. of P.

Deceit

Attaint

Foꝛf.

Juſt. of P.

Certifie

Except

Bailife

Bailife

Foꝛf.

Juſt. of P.

2. Juſt. of P.

Quorum

Eſtreates indented

Vndersheriffe

Shireclerk

their Seales, the one part to remaine with the ſaid Iuſtices, and the other part with the ſaid Sheriffes or Vndersheriffes, for the intent to vnderſtand if any deceit bee, or vntrue demeaning in them, in making of their bookes. And that thoſe perſons that ſhall be gatherers of the ſame amerciaments, as Bailifes and other Officers, bee ſworne by the ſaide Iuſtices, that they take no more mony then is forfeited & conteined in the Eſtreates ſealed with the Seales of the ſaid Iuſt. of Peace, vpon the ſame pain of forfeitures as before is rehearſed, thereof the ſame gatherers to bee conuict by examination of the Iuſtices of Peace or one of them as before is rehearſed. Prouided alway, that the ſaid Iuſtices of Peace ſhall bee appointed and named at the generall Seſſions after the feaſt of Saint Michaell the Archangell by him that is Cuſtos Rotulorum of the ſaid Countries, or elſe by the eldeſt of the Quorum in his abſence, to haue the ouerſight and controlement of the ſaid Sheriffes, Vndersheriffes, and Shire-clerks, and other of the ſaid Officers, and of the ſaid Sheriffes amerciaments. And the ſaide Iuſtices of Peace vpon ſuggeſtion or information of the the party ſo grieued, ſhall make like Proceſſe as in an action of Treſpaſſe againſt the ſaid Sheriffes, Vndersheriffes, or Shire Clerkes, and other the forſaid Officers miſdemeaning as before is rehearſed, for to appeare before them to anſwere to ỳ ſaid ſuggeſtiõ or information. An. 11. H. 7. c. 15.

32 Anno 6 H. 8. cap. 18. An act is made that the Vndersheriffes, and all other Officers of Sheriffes of Briſtow to continue and occupy their offices from yeare to yere, as the Vndersheriffes and other Officers of Shiriffes of London, may doe without any penaltie or forfeiture, notwithſtanding the acts made Anno 42. Ed. 3. cap. 9. & An. 23. H. 8. cap. 8 (which is before 16. and 17.)

33 Al and euerie perſon which now is, or hereafter ſhall bee Sherife or Sheriffes of any Countie or Counties, accountable or anſwerable in the ſaid Exchequer, ſhall at his day of preſtion immediately after he is ſworne to account of the Iſſues and profit of his Office of Sherifewike, and euerie other perſon which of late haue beene Sherife or Sheriffes of any of the Counties, and haue no taile of reward, nor haue not yet determined his or their account, or otherwiſe bee diſcharged or pardoned thereof, ſhall in the ſame time, that hee taketh his Othe to account, bee ſworne by himſelfe, or by his Atturney or Deputy ſworne for him, when he ſhall anſwere before the Lord Treaſorer, Chamberlaines, Chancelour and Barons of the ſaid Exchequer, or in the abſence of the ſaid Lord Treaſorer, Chamberlains, or Chancelor, or of any of them, then before ſuch of the Lord Treaſorer, Chamberlaines, Châcelour, and of the ſaid Barons, as then ſhall happen to be preſent in the ſaide Court, to bring in, and deliuer into the ſaid Court, rolles or Schedules of Parchment, conteining in them truely without omiſſion or concealement, all ſuch particuler ſums of money, which he hath leuied, or lawfully might haue leuied to his witting or knowledge within his Bailiwike, as a part or parcell of the ſaide auncient farmes, and the other farmes before rehearſed making expreſſe and diſtinct mention in the ſame rolles or Schedules, as nigh as hee or they can or may, of what perſon, and in what lands and tenements, & for what cauſe the ſame particuler ſums, and euerie of them be leuied or leuiable toward the making of the ſame farme or any of them. And that after the ſame rols or Schedules ſo deliuered, and the particuler ſummes of money in them cõteined, appertaining to their proper farms, caſt and rated before the ſaid Lord Treaſorer, Chamberlaines, Chancelour, and Barons, or before the ſaid Barons in the abſence of the ſaid Lord Treaſorer, Chamberlains or Chauncelour, for the time being, or any of them: The ſame Lord Treaſorer, Chamberlaines, Chancelor, and the ſaid Barons, or the ſaid Barons in the abſence of the Lord Treaſorer, Chamberlains, or Chãcelour, or of any of them for the time being, ſhall haue full power & authoritie by this Act, to make allowance, eroneration and deduction in the ſaid open Court from time to time by their diſcretions, to euerie ſuch perſon in euerie of the ſaid farms, of ſo much mony as the ſaid farmes ſhall be more then the ſaid particulers ſo apportioned and conteined in the ſaid rolles and ſchedules doe amount vnto. And for reuiuing & recouery of ſuch parcels, belonging to any of the ſaid farmes, or other the premiſſes omitted out of the ſaid rolles or ſchedules, and for ſauing of other the Kings ancient rights and inheritances anſwerable in the ſaid Exchequer, which be now wrongfully withdrawen, and vniuſtly withholden from his poſſeſſion: The Lord Treaſorer, Chamberlaines, Chauncelor, and Barons of the ſaid Exchequer, or the ſame Barons in the abſence of the ſaid Treaſurer, Chamberlaines, & Chancelor, or of any of them, ſhal from time to time award ſuch proceſſe, & vſe ſuch conuenient waies and meanes by Commiſſion or otherwiſe, according to the courſe of the ſaid Exchequer, and further as ſhall be deuiſed by their diſcretion: ſo that the King, his heirs and ſucceſſors may bee truely anſwered of the iſſues and profits of the ſame, without other warrant to be purſued and obtcined for the premiſſes, or any part thereof: any Statute, Act, or ordinance, or vſe heretofore to the contrary had, made or vſed in any wiſe notwithſtanding. And furthermore, where diuers and ſundry ſummes of money beene reſpected to many perſons, which haue been ſheriffs of the ſaid counties before this time vpon their accounts yeelden in the ſaid Court of the Exchequer of the forſaide farmes & other bicountels, vpon diuers petitions in the ſaid court, for ſo much as they, ne any of them could nor might leuy the ſame by vertue of the ſumms of the ſaid Exchequer, for ſuch cauſes as the ſame late Sheriffes haue alleaged in their ſaid petitions, as by the ſame petitions more plainely doth appeare: Be it further enacted that al and euery the ſaid late Sheriffes vpon their oathes taken in the ſaid Court, that the cauſes alleadged in the ſame Petition be true, and the ſame cauſes examined in the ſame court accordingly, be, by vertue of this preſent act, clearely acquited and diſ-

Allow

Lord Treaſorer Chamberlaine Chancelor

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charged againſt the Kings Maieſty his heires and ſucceſſors for euer, of al and euery ſuch ſumme and ſummes of money, ſo not leuied nor leuiable, but in reſpect, as is before rehearſed. And thereupon ſuch like Proceſſe to bee awarded by the ſaid Court, and ſuch conuenient waies and meanes by Commiſſion and otherwiſe to be had according to the Courſe of the ſaid Exchequer, from time to time as ſhall be deuiſed by the ſaid Lord Treaſorer, Chamberlaines, Chauncelour, and Barons in the abſence of the ſaid Lord Treaſorer, Chamberlaines or Chancelour, or any of them by the ſaid baron, and by as many of the ſaid Lord Treaſorer, Chamberlaines and Chauncelour, as then ſhall happen to be there then preſent, without either warrant or ſuit in that behalfe to be had. And forasmuch as the Sheriffs of the ſaid Counties for the time being, ſhall ſuſteine and purport diuers charges by reaſon of their ſaid Office of Sherifwicke, as in executing the Kings Writs and ſummons, and leuying all ſummes of money conteined in the extractes within their Counties, and in comming to the Exchequer to make their profers and views of their accounts, and make paiment of all ỳ ſhall be due vpon euerie of their viewes and accounts, and diuers other coſts and charges concerning the ſame office of Sherifewike, without hauing from henceforth any taile or tailes of reward, portage, or other allowances toward their ſaid charges. And where alſo diuers of the ſaid Sheriffes heretofore haue vſed at their owne coſt, to beare yearely the charges of the expenſes, of the Kings Juſtices of Aſſiſe, Niſi prius, generall and ſpeciall gaole deliueries, and oyer, determiner, & of their Clerkes of Aſſiſes, and Seruants of the ſame Seſſions, at their comming two times in the yeare, during ſuch time as the ſaid Juſtices remaine and ſerue the K. Highneſſe there, without hauing heretofore any recompence or allowance for the ſame. And to the intent that euerie of the ſaid Sheriffes for the time being, may and ſhall hereafter be more able, diligently to ſerue the King in his or their ſaide offices without taking any vnlawfull exactions of the Kings Subiects, and alſo better to make prouiſion for the ſaid Juſtices and their company in their circuits, hauing aid of the King toward their ſaid Charges and expences: The Kings Highneſſe of his liberalitie, in conſideration of the ſame charges ſo to bee ſuſteined by the ſaide Sheriffes, is contented and pleaſed, that it bee &c. That euerie of the ſaide Sheriffes comming to his accounts in the ſaid Eſchequer, ſhewing a bill ſubſcribed with the hands of the ſaid Juſtices, or of ſuch of them as ſhall be preſent at the ſaide Aſſiſes and Seſſions making plaine mention of the dates and time that the ſaid Juſtices did abide or remain in the ſame Countie, at the coſts of the ſaid Sheriffes, in, or about the Kings affaires and buſineſſe, ſhall haue allowance aſwell hereof, as for other his ſaide reaſonable coſts, vpon his or their accounts in the ſaid Eſchequer, by the diſcretion of the ſaid L. Treaſorer, Chamberlaines, Chancelour, & Barons, & in the abſence of the ſaid Lord Treaſorer, Chamberlains, Chancelour, or any of them, by the ſaid Barons, and by as many of the ſaid Lord Treaſorer, Chamberlaines, & Chancelor, as then ſhal happen to be there preſent by authority of this preſent act, without warrant or any further ſute to be had or made in this behalfe, ſo that al the allowances for the coſts aboueſaid, to all the Sheriffes do not amount in any one yere aboue the ſum of three hundred forty two pound, fiue ſhillings eight pence. This Act to continue and indure only to the end of the next Parliament. Anno 34. H.8. cap. 16. This act is continued Anno 37. H.8. ca. 23 to indure to the laſt day of the next Parliament. An 2. Ed. 6. cap. 4. this act is altered in part, as hereafter following appeareth. 342. li. 6 s. 8 d.

34 That the ſaid former act (s. Anno 34. Hen. 8 cap. 16. before 33.) and all clauſes and ſentences in the ſame conteined, ſhalbe from henceforth clerely fruſtrate and voide to all intents and purpoſes, other then hereafter in this act ſhall bee ſpecified. And that it may be &c. by this preſent Parliament, that the Sheriffs which ſhall be made from henceforth within all the Shires of England, and alſo ſuch as haue not made and finiſhed their accompt or accompts, ſhall haue ſuch and like Tailes of Reward, and all ſuch other allowances as they had before the making of the ſaide former Act, or elſe the ſame Sheriffes which ſhall bee or heretofore haue beene, to be at their election and choiſe to accompt, and al other things to doe according to the aforeſaid former act. And that they and euerie of them, that ſo ſhall accompt and take no taile of Reward, ſhall be in & by al things intreated in the Kings Eſchequer, as though the ſaid former act were, and ſhould continue in his full ſtrength and effect: any thing before ſpecified notwithſtanding. And that the ſame tailes of reward and euerie of them, by force of this preſent act, without any further warrant or warrants to be obtained for the ſame, ſhall be leuied or ſtriken, at the receipt of the K. Maieſties Eſchequer, in due maner & form with ſuch like Letter or writings vpon the ſame tailes and euerie of them, as before the making of the ſaid former act were, and haue bẽn accuſtomed to be leuied and ſtriken. And that the ſame tailes ſo hereafter there to be leuied and ſtriken, ſhalbe deliuered vnto euerie of the ſame Sheriffes, or their ſufficient Attourney for them, without preſt or other charge to bẽ ſet vpon them for the ſame. And that this Act ſhall bee a ſufficient Warrant and diſcharge to the Treaſorer of England, and all other Officers within the ſaid receipt, for ſtriking, leuying, and deliuerie of the ſaid Tailes and euerie of them. And further, that all thoſe Sheriffs that hereafter ſhall bee made within thoſe Shires of England, whereas no tailes of Reward heretofore haue bẽne by the Kinges Maieſties moſt noble progenitors giuen and granted, and ſuch Sherifs as ſhal hereafter take no taile of reward, ſhal in conſideration of their great coſts, charges, & expences which they ſhal beare & ſuſtein, aſwell by the Diets of the Juſtices of Aſſiſe, as by any other meanes, haue vpon the end of their accompt, and of euerie of them, ſuch allowances, vpon a Petition to bee made by the ſame Sheriffes,

Proces
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Barons
Expenſes Juſtices
Shirifes comming to accompt
Allowance
Treaſorer Chamberlaine Chancelor Barons
Accompts Tailes
Reward
Warrant L. Treaſorer
Sheriffs
Juſtices diets
Allowance
Petition

Sheriffes, or any of them, in a Bill to be brought in by the same Sheriffe, and euerie of them, of their said colls and charges: vpon which bills the same Sheriffes to be sworne in their owne proper persons, or by their Vndersheriffes, or his will Attorney, thereunto admitted to be true, without warrant or taile fixing for the same. And also that all Sheriffes, which hereafter shall take no taile of Reward, and euerie of them, shall be discharged vpon their accompts of all such Farmes, goods, tattels, profits, casualties, and sums of money which they might or should be charged with vpon their accompts in the saide Exchequer by what title or name soeuer they be named, or vpon whatsoeuer person or persons they shalbe arested, or out of whatsoeuer lands & tenements they shall be going forth, as they cannot lawfully come by. And that all other Sheriffes which hereafter shall take any taile of Reward, shall in like manner be discharged of all such farmes and summes of money aforesaid, (except onely of the Vicountels of their Shires, wherewith they shall be chargeable and answerable as they were before the making of the aforesaid former act.) And also the same Sheriffes of euerie Shire of England that now bee, or heretofore haue beene, or that hereafter shall bee, and euerie of them, shall haue plaine deduction and allowance in their said accompts of all such summes & summes of money, as they or any of them shall make or haue true petition of, for, or concerning such possessions and hereditaments as bee come vnto or were in the K. Maiesties hands, or any his Progenitors, by vnitie of possession, or by any meane out of the which any part or parcell of the aforesaid Vicountels were at any time heretofore leuiable or leuied. And that the Lord Treasurer, Chamberlaine, Chancelour, and Barons of the said Exchequer, or in the absence of the said Lord Treasurer, Chamberlaine and Chancelour, the said Barons shall by authoritie of this act, giue and make allowance, deduction, and eroneration, to euerie of the said Sheriffes of the said farmes, and of all other things without any other warrant. Prouided alway that euerie of the said Sheriffes at his day of prefixion immediatly after that he or his Deputy, or Atturney is sworne to accompt for the issues and profits of his Office of Sheriffewike, shall by himselfe, or by his Atturney or Deputy sworn for him, when hee shall answere before the Lord Treasurer, Chamberlaines, Chancelour, and Barons of the said Exchequer, or in the absence of the said Lord Treasurer, Chamberlains, or Chancelour, or of any of them, then before such of the same Lord Treasurer, Chamberlaines, or Chancelor, & of the said Barons as then shall happen to be present, in the said Court of Exchequer, to bring in and deliuer into the said Court Rolles or Schedules of Parchment, conteining in them truely without omission, or concealement, all such particuler sums of money which he hath leuied, or lawfully might haue leuied to his witting or knowledge within his Bailiwike, as part or parcell, aswel of the said farmes called Vicountels in the said former act expressed, as of all other farmes of what name or title soeuer they bee called being treated, written, or otherwise charged to any of the said Sheriffes, out of the said Court of Exchequer, making expresse and distinct mention in the same rolles or schedules, as nigh as they can or may, of what person, and what lands and tenements, and for what cause the same particuler summes of money, and euerie of them to be leuied or leuiable. And that after the same rols or schedules so deliuered, and the particuler summes of money in the conteined appertaining to their proper farmes, cast and rated in the said Court, the said Lord Treasurer, Chamberlaines, Chancelor, & the said Barons in the absence of the said Treasurer, Chamberlaines, or Chancelor, or any of them for the time being, shall haue full power and authority by this act, for the leuying and recouerie of such parcels belonging to any of the said farmes, called Vicountels, or any other farmes, by what name or title soeuer they shall be called, being omitted out of the said rolles or schedules, & (a) sauing of other the Kings ancient rights and inheritances and reuenues in the said Exchequer, which be now wrongfully withholden, or vnlawfully withdrawen from the kings maiestie his possessions, & shal haue power & authoritie from time to time, to aduise such processe, and such conuenient waies & meanes, by commission, or otherwise, according to the course of the said Exchequer and further, as shall be deuised by their discretion: so that the K. Maiestie, his heires & successors may be truely answered of the issues & profits of the same: this act, or any other statute, act, or ordinance, or vse heretofore to the contrary had, made or vsed in any wise notwithstanding. And furthermore, that the said Treasurer, Chamberlains, Chancelor, & Barons of the said Exchequer, or the said barons in the absence of the said Treasurer, Chamberlains or Chancelor, or any of them for the time being, shall haue full power & authoritie by their discretions, from time to time, to giue & allow vnto all & euerie such Commissioner or Commissioners, (as they shall assign and appoint by their discretion, to enquire of the said farmes, & other the K. rights withdrawen) their reasonable colls & charges, as from time to time to the shal seem good & conuenient. An. 2. E. 6. c. 4.

38 An. 2. E. 6. ca. 34. an act is made for the Sheriffe of Northumberl. to bee accomptable for his office as other sheriffs be.

39 For that since the Statute of 1. Ed. 6. cap. 7 (before in Discontinuance of proces 2.) it seemeth not conuenient, that one same person should exercise at once in one County the offices of Sheriffe & Justice of Peace. Be it &c. That no maner of person or persons, hauing, vsing, or exercising of the office of the Sheriffe of any County or Counties, shal vse or exercise the Office of the Justices of the Peace by force of any Commission, or otherwise, in any county or counties, where he or they shalbe sheriffe, during the time only ỳ he or they shal vse or exercise ỳ said office of the shiriffwik any thing in ỳ said former act to the cõtrary in any wise notwithstãding: And ỳ all & euery act & acts to be done by authority of any Commission of the Peace during the time aboue said, shall be voide and of none effect: The

✠ ſaid former act notwithſtanding. Anno 1. Mar. 1. Parl. ca. 8.

40 Whereas the Counties and Shires of Surrey & Suſſex, Eſſex & Hertford, Somerſet and Dorſet, Warwick & Leiceſter, Nottingham & Derby, Dron & Barkſhire, of long time haue had but one Sherif to ſerue for two counties, that is to ſay: one for Surrey & Suſſex, and one for Eſſex and Hertford, and one other for Somerſet and Dorſet, & one other for Warwicke and Leiceſter, and one other for Nottingham and Derby, and one other for Dron and Barkeſhire &c. Be it &c. That the Queenes moſt excellent Maieſtie, her heires and Succeſſors, Kings and Queenes of this Realme, ſhall and may from and after the firſt day of November, which ſhall be in the yeare of our Lord God 1567. yearely chuſe and make for euerie of the ſaid Counties before named, one ſufficient and able perſon to be Sherife of the ſame in ſuch like manner and forme, as is, and hath beene vſed to bee choſen, made and done for any other County or Shire within this Realme: any Law, Cuſtome or vſage heretofore had or vſed to the contrarie thereof notwithſtanding. And that euerie perſon, which after the ſaide firſt day of November, ſhall be made and appointed Sherife, for any of the ſaid Counties, ſhall be accomptable and vſed in the order of his accompt, and all other things and allowances to him to bee made in the Court of the Eſchequer; and all other Courts and places, in ſuch manner and forme, as is commonly vſed for Sherifes in like caſes. Prouided alwaies, and be it further enacted by the authoritie aforeſaide, that the Barons of the M. Highneſſe, her Heires & ſucceſſors, of the court of the Exchequer, for the time being, calling vnto them aſwell her or their graces officers of Remembrances, & the treaſurers Remembrancer, together with the Clerke of the Pipe of the ſame Court, as alſo the ſeuerall Sherifes, the which next after the ſaid firſt day of November, ſhall bee by her Highneſſe, her Heires and Succeſſors, conſtituted, named, and appointed of euerie of the ſaide ſeuerall Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham & Derby, Dron and Barkeſhire, ſhall haue by vertue of this Act of Parliament full power and authority, to ſeuer and diuide by the diſcretion and iudgement of the ſaid Barons, all and ſingular the profers of the ſaid Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwicke and Leiceſter, Nottingham and Derby, Drenford and Barkeſhire: the which ſaid Seuerance and diuiſion of the ſaide profers, ſhall bee entred of Record in the ſaid Court of Eſcheq. & ſhall be finall and perpetuall, during ſo long time as this preſent act of Parliament ſhal indure and haue continuance. And it is further enacted by the authority aforeſaid, that in ſuch, and the ſame manner and fourme as the ſaid profers ſhall bee diuided, euen ſo the Taile of reward of euerie of the foreſaid Counties where any taile of Reuerd hereafter ſhall bee taken, ſhall be ſeuered and diuided in manner and fourme aforeſaide. And bee it likewiſe further enacted by the authority aforeſaid, that the ſaid Barons for the time being of the Queenes Highneſſe ſaide Court of Eſchequer, and of her heires and ſucceſſors, calling vnto them the ſaide Officers of the Treaſurers remembrancer, and the Clerke of the Pipe, ſhall haue full power and authority from time to time to take order and appointment for the true and ſpeedy paiment and contentation of ſuch eraction money, fees, and annuities, and other ſummes of money as hath beene accuſtomed to haue beene paied, or of right ought to haue beene payed, to any perſon or perſons, by the hands of the ſaide ſeuerall Sherifes. And that ſuch order, direction, and appointment ſo made, had, and taken by the ſaid Barons, in manner and fourme laſt before recited, ſhall be obſerued, perfourmed, fulfilled, and kept yearely, aſwell by both the Sherifes of the ſaid ſeuerall Counties of Surrey and Suſſex for the time being, as by the ſaide ſeuerall Sherifes for the time being of the ſaid Counties of Eſſex and Hertford, and of Somerſet and Dorſet, and of Warwicke and Leiceſter, and of Nottingham and Darby, and of Dronford and Barkeſhire: any vſage, Law, or Cuſtome to the contrarie in any wiſe notwithſtanding. Prouided alwaies, and be it further enacted by the authority aforeſaide, that no Sherife hereafter to be choſen and made of any one of the ſaid Counties in this act mentioned, ſhall pay in any court of Record, for any duetie belonging properly to the Office of Sherife, any other fees or charges then onely the one halfe of the charges and fees which he ſhould bee compelled to haue paied, if he had beene Sherife of two of the ſaid ſhires, and Counties, as before the making of this Act was vſed: any law, vſage, or cuſtome to the contrarie notwithſtanding. This Act to continue and indure vnto the end of three whole yeares, to be accompted from the Feaſt of All Saints, in the yeare of our Lord God, a thouſand, fiue hundred, threeſcore and ſeauen, and from thence to the end of the next Parliament, then next following the end of the ſaid three yeares. Anno 8. Eliz. cap. 16. This is made perpetuall Anno 13. Eliz. cap. 22. herefollowing 41.

41 Be it enacted, that the ſaid Act made in the ſaid 8. yere of your Maieſties Reigne (cap. 16. before 40.) for, touching, and concerning the choice, election, and making of Shirife, and Shirifes, in the ſaid ſeuerall Counties of Surrey, Suſſex, Eſſex, Hertford, Somerſet, Dorſet, Warwick, Leiceſter, Nottingham, Darby, Dron, and Barkeſhire, and euerie of them, and that all and euerie article, clauſe, ſentence, branch, and proviſo therein conteined, ſhall from henceforth for all and euerie the ſaid Shirifs and Counties, and euerie of them, except the ſaid ſhire of Surrey & Suſſex, ſtand, remaine, and continue in full force, ſtrength, vertue, & effect, to all intents, conſtructions & purpoſes, to be holden and kept for euer, any Act, Statute, law, cuſtom,

Sherifs

Barons

Remembrancer

Seuer

Profers

Taile of reward

Barons

Sherife

Fees

Cuſtome, or vſage to the contrarie thereof in any wiſe notwithſtanding. Anno 13. Eliz. cap. 22.

Sheriffe Coroner

42 Be it enacted by the authority of this preſent Parliament, that from and after forty daies after the end of this Seſſion of Parliament, no Sherif, Coroner, or other perſon to whome it ſhall appertaine, to make returne of any Writ, ſhall returne any Iuror dwelling out of any Liberty, without the true addition of the place of his dwelling or abode, at the time of the ſaid returne, or within one yeare next before the making of any ſuch returne, or ſome other addition by which the party returned may be knowne: nor any Iuror within any libertie with other addition then ſuch as ſhall be deliuered to him by the Baylife of the ſaid Liberty, or his Deputy, certified vnder his or their hand: nor any Bailife of any liberty, nor any his or their Deputy or Deputies, ſhall of himſelfe returne any Iuror, or deliuer to the Sherife, his Vndertherife, Deputy or Deputies, the names of any perſons to be returned vpon any Panell or Iurie without the true additiõ certified vnder his or their hands to the Sherife, of the place of dwelling or abode of euerie perſon ſo to be returned at the time of the ſaid returne, or within one yere next before the ſaid returne, or ſome other addition, by which the party returned may be knowne. And that no extract of Iſſues againſt any Iuror returned as aforeſaid, be deliuered out, receiued, or put in vre, without ſuch addition as is put in the originall Panell or Males wherein ſuch Iuror ſhall bee ſo returned. And that no Vndertherife, Bailife, or other Officer, or perſon whatſoeuer, ſhall collect, leuy, or gather any iſſues ſo Eſtreated, of any other perſon or perſons, then of ſuch perſon and perſons as by vertue of the ſaid Eſtreat is of right charged or chargeable with the paiment of the ſaid Iſſues, vpon paine that euery Clerke that ſhall write, or deliuer, or cauſe or procure any ſuch Eſtreat to be deliuered out, receiued, or put in vre, and euerie other perſon offending contrarie to the intent and meaning of this act, ſhall forfeit to the Quenes Maieſtie her heires and ſucceſſors fiue Markes, and to the party grieued, or which ſhall ſuſteine any loſſe thereby, the ſumme of fiue Markes of lawfull Engliſh money: All which forfeitures and penalties ſhall and may be recouered by action of debt, bill, plaint or information in any Court of Record, wherein no eſſoine, protection or wager of Law ſhall be allowed. And be it further enacted by the authority aforeſaid, that Iuſtices of Oier and terminer within the limits of their Commiſſion, Iuſtices of aſſiſes in their circuits, and Iuſtices of peace, aſwell within liberties as without, within the limits of their commiſſion, ſhall by vertue of thie preſent act, haue full power and authority, to enquire, heare, and determine, all and euery offences aforeſaid, committed, or to be committed within the ſeuerall limits, circuit, or precinct of their ſeuerall commiſſion or commiſſions, and to award forth proceſſe of execution for the leuying of the ſaid forfeitures. This act to endure to the end of the next Parliament. An. 27. Eli. ca. 7. And an. 28. El. cap. 5. this act is continued to the end of the next Parliament. And an. 31. Eli. ca. 10. this act is continued to the end of the next Parliament. And anno 35. Eliz. cap. 7. This act is continued to the end of the next Parliament next inſuing. This act of 27. Eliz. in anno 39. Eliz. cap. 18. is made to continue in force for euer.

Vndertherife

Oath Iuſtices

Oath

Bailife Clerke Sherife

43 Be it enacted by the authority of this preſent Parliament, that all and euery perſon & perſons, that from and after the laſt day of the ſeſſion of this preſent Parliament, ſhall be admitted to, or take vpon him the executing of ỹ office of an vndertherife, in any Shire or County within this realm of England, before he intermeddle with the vſe or exercile of the ſaid office, ſhall receiue or take a corporall oath vpon the holy Euangeliſts, before the Iuſtices of Aſſiſe, or one of them of the ſame circuit wherein that County is whereof he ſhal be Vndertherife, or before the Cuſtos Rotulorum, or two Iuſtices of the Peace, whereof one to be of the Quorum of the ſaid County whereof he ſhall bee Vndertherife as aforeſaid, for, and concerning the Supremacy, in ſuch manner and forme, as that oath is expreſſed and declared in one Act of the Parliament made and ordeined in the firſt yere of the Raigne of our ſaid Soueraigne Lady the Quenes Maieſtie, together with which Oath he ſhall in like ſort before the ſame perſon or perſons, receiue and take one corporall oath, as followeth, (that is to ſay) I A. B. ſhall not vſe or exerciſe the office of Vndertherife corruptly, during the time that I ſhall remaine therein, neither ſhall or will accept, receiue, or take by any colour, means or deuice whatſoeuer, or conſent to the taking of any maner of fee or reward, of any perſon or perſons for the impanelling or returning of any Inqueſt, Iurie, or Males, in any Court of Record, for the Queene, or betwixt party and party, aboue two ſhillings, or the value thereof, or ſuch fees as are allowed and appointed for the ſame, by the lawes and Statutes of this Realm: but will according to my power truely & indifferently with conuenient ſpeed impanell al Irors, and return all ſuch writ or writs touching the ſame, as ſhall appertaine to bee done by my duety or office, during the time that I ſhall remaine in the ſaid office, So helpe me God. And likewiſe bee it enacted by the authority aforeſaid, that this act ſhall be a ſufficient warrant to the perſons appointed by this act to miniſter the oth aforeſaid, for ỹ miniſtring therof accordingly. And be it further enacted by the authority aforeſaid, ỹ euery vndertherif that is already choſen & appointed for the executing of the ſaid office of vndertherif for the yere or time begun, of, or vpon the laſt change of Sherifs, ſhal within xl. daies next inſuing the ſeſſion of this preſent parliament, receiue, and take the othes mentioned in this act, before ſuch perſon or perſõs, as by this act, is, or are limited & appointed to miniſter ỹ ſame. And be it further enacted by the authority aforeſaid, ỹ euerie bailif of Franchiſe deputie & Clerke of euery Sherife and Vndertherife and euerie other perſon and perſons, which after fortie daies after the end of this Seſſion of Parliament, ſhall haue authority, or take vpon him

Proceſſe to impanel or returne any inqueſt, Jury, or tales, or to intermeddle with execution of Proceſſe in any Court of Record, ſhall before he or they intermeddle with any further execution thereof, receiue and take the othes aforeſaid corporally before the perſon or perſons appointed by this act, to miniſter the ſame, or before the head Officer of the place, if it be a Towne corporate, changing onely the wordes (the Office of Undertherife) conteined in the oath expreſſed in this act, to ſuch wordes as are conuenient for the deputation, office, or place, in which the party which taketh the Oath, is to be exerciſed in. And if any the ſaid perſons, limitted to take the oath aforeſaid, do take vpon him to impanell or returne any Inqueſt, Jurie, or tales, or to intermeddle with the execution of proces, not hauing before taken the othes aforeſaid: that then euery ſuch perſon ſhal loſe and forfait the ſummes of forty pound of currant Engliſh money: The one moity to bee to the vſe of our Soueraigne Lady the Queen, the other moitie to him or them that will ſue for the ſame. And be it further enacted &c. That if any Forf. Shirife vndertherife, or other perſon mentioned in this act, or any of them, at any time and times, from and after xl. daies next inſuing the laſt day of this preſent Seſſion of Parliament, ſhall doe or commit any act or acts, contrarie to the othes aforeſaid, or either of them, or contrary to the true intent and meaning of this act, that then euerie ſuch perſon ſo offending Forf. ſhall forfeit and loſe for euerie ſuch offence to the Damages partie or parties gricued, his or their treble damages: All which ſeuerall forfeiture before mentioned, ſhal or may by the authority of this preſent act be recouered, had, and leuied by action of debt, bill, plaint, or information in any of the Queenes Maieſties Courts of Record, in which actions, ſuites, plaints, or informations, no wager of law, eſſoine, or protection ſhall be allowed. And be it further enacted by authority aforeſaid, that the Juſt. of Aſſiſe, Juſtices and Juſt. of P. in their open Seſſions, ſhall haue Juſtices full power within the limits of their authority to Diery ter. heare and determine the defaults done contrary to this act, aſwell by preſentment & information, as indictment, & vpon conuiction of the offenders to award execution for the leny of the forfeiture aforeſaid, by fieri facias, or by attachment, Capias, or Exigent. An. 27. Eli. cap. 12. An. 29. Eliz. ca. 5. this act continues vntill the end of the nert Parliament.

44 Be it enacted by the authority of this preſent Parliament, that it ſhall not be lawfull, from the 1. day of May now next enſuing, to, or for any Sherife, Undertherife, Bailife of franchiſes or liberties, nor for any of their, or either of their officers, Miniſters, ſeruants, bailifes, or deputies, nor for any of them, by reaſon or colour of their, or either of their office or offices, to haue, receiue, or take of any perſon or perſons whatſoeuer, directly, or indirectly, for Fees the ſeruing & executing of any extent or execution vpon the body, lands, goods, chattels of any perſon or perſons whatſoeuer, more, or other conſideration or recompence, then in this preſent act is and ſhalbe limitted and appointed, which ſhall be lawfull to be had, receiued, and taken, that is to ſay, xij. d. of and for euery twenty ſhillings where the ſumme exceedeth not one hundreth pounds, and fiue pence, of and for euerie twenty ſhillings, being ouer and aboue the ſaid ſumme of one hundreth pounds, that he or they ſhal ſo leny, or extend, and deliuer in execution, or take the bodie in execution for, by vertue and force of any ſuch extent, or execution whatſoeuer, vpon paine and penalty that all and euerie Sherife, Undertherife, Bailife of franchiſes, or liberties, their and euerie of their miniſters, officers, Bailifes or Deputies, which at any time after the ſaid firſt day of May now next inſuing, ſhall directly or indirectly do the contrarie, ſhall loſe and forfeit Forf. to the party gricued his treble damage, and ſhal forfeit the ſummes of forty pound of good and lawfull Engliſh money, for euery time that he, or they, or any of them ſhall doe the contrarie. The one moity thereof to be to our Soueraigne Lady the Quéne, her heires and ſucceſſors, and the other moity thereof to the party or parties that will ſue for the ſame, by any plaint, action, ſuit, bill, or informatiõ, wherein no eſſoine, wager of law, or protection ſhal be allowed. Prouided alwaies, that this act, or any thing therein conteined, ſhall not extend to any fées to be taken or had for any execution within any City or Townes Corporate Towne corporate: any thing aboue mentioned to the contrarie hereof notwithſtanding. Anno 29. Eliz. cap. 4.

45 If any Sherife, Undertherife, or other perſon, hauing authority, or taking vpon him to breake writs, after forty daies next after the end of this ſeſſion of Parliament, doe make any warrant for the Warrant Summons of any perſon, as vpõ any writ, proceſſe, or ſuit, or for ỹ arreſt or attaching of any perſõ or Arreſt perſons by his or their body or goods, to appeare in any her Maieſties Courts at Weſtminſter or elſewhere (not hauing before the originall writ or proceſſe warranting the ſame) that then vpon com- Originall writ plaint thereof made to the Juſtices of aſſiſe, of the Juſt. of Aſſ. County where the ſame offence ſhall be committed or to the Judges of the Court, out of which ỹ proces iſſued, not onely the party that made ſuch warrant, but all thoſe that were the procurers thereof, Procurers ſhall be ſent for before the ſame Judges or Juſtices Attachants by attachments or otherwiſe, as the ſame Judges or Juſtices, ſhall thinke good, and allow of, and be Examine examined thereof vpon their oathes. And if the ſame offence be confeſſed by the ſame offenders, or proued Witneſſes by ſufficiẽt witneſſes, to the ſatiſfaction of the ſame Judges or Juſtices, ỹ then the ſame Judges or Juſtices that ſhall ſo examine the ſame, ſhall forthwith by force of this act, commit euery the ſaid offenders to the gaole of the Coũty or court where Impriſ. the ſame ſhall be examined, there to remaine without baile or mainepriſe, vntill ſuch time as they amongſt them haue fully ſatiſfied and paied vnto the Baile party gricued, by ſuch warrant, not onely the ſum of x.l. of lawfull Engliſh mony, but alſo all ſuch x.l. coſts and damages, as the ſame Judges or Juſtices Coſts Damages ſhall ſet downe that the ſame party hath ſuſteined xx.li. therby: And with al twenty pound a péce for their offence to her Maieſty. This to endure to the end of the firſt Seſſion of the nert Parliament. An. 43 Eliz. ca. 6.

Silke

Silke and Silke women.

ANno 33.H.6.cap.5. An Act was made to endure for 5. yeares, againſt bringing into England of certaine ſilke wares wrought.

2 Anno 3.Ed.4.ca.3. An Act was made to indure for fiue yeers, againſt bringing into England of certaine ſilke wares wrought.

3 Anno 22.Ed.4.cap.3. It was enacted to indure for foure yéeres, That none ſhould bring into England, ſilke, and certaine ſilke wares there named, vpon forfeiture. Which Act after, Anno 1. Ric.3.cap.10. was made effectuall for thoſe foure yéeres, and for tenne yéeres more. And after An̄ 1. H.7.cap.9. this Act was confirmed for thoſe foure yéeres, and from thence to twenty yéeres.

4 No manner of perſon from henceforth bring, or cauſe to be brought into this realme of England to be ſold, any manner ſilke wrought by it ſelfe, or with any other ſtuffe, or in any place out of this realme, in ribands, laces, girdles, corſes, haules, corſes of tiſſues, or points, vpon paine of forfeiture of all the ſaid ribands, laces, girdles, corſes, haules, corſes of tiſſues, and points, and euery of them in whoſe hands ſoeuer they be found, or the value of the ſame: The one moitie of the ſame forfeiture to our ſouereigne lord the King, and the other moitie thereof vnto any of the K. ſubiects that will ſeiſe the ſame, the which to do, it ſhalbe lawfull to euery of the Kings ſubiects at all times. And that it ſhal be lawfull to euery perſon, as well ſtranger as other, to bring into this Realme from henceforth al other manner of Silkes, as well wrought, as raine or vnwrought, to ſell at his or their pleaſure: any Act or Acts of Parliament here before to the contrarie made in any wiſe notwithſtāding. And that it ſhall be lawful to al perſons that haue any ſuch ribands, laces, girdles, corſes, haules, corſes of tiſſues, or points, wrought beyond the ſea, brought into this Land by the Kings licence, and to be ſold, to make ſale of the ſame, and euery perſon thereof to haue licence and libertie thereto, to the feaſt of Pentecoſt, that ſhall be in the yéere of our Lord God one thouſand fiue hundred and fiue. Anno 19. Hen.7. cap.1.

Somerſet.

ANno 2.Edw.6.cap.12. An Act was made to make ſuch leaſes and graunts, as certaine of the D. of Somerſets officers had made and ſhould make of certaine demeane lands of the ſaid dukes, to be of the nature of copyhold land.

Southhampton.

IT may be lawful to euery man to abate, plucke, and take away, all and euerie of the ſaid weares, and engins, and euery of them, at all times at their pleaſure, being in the ſaid hauen, betweene the ſaid places called Calſhord & Redbridge, directly without trouble, let, or vexation of any man, and that no man let, trouble, vexe, hurt, or ſue the pinchers vp, and takers away of the ſaide weares and engins, or any of them, vpon paine of forfeiture of fortie pounds of euery of them, that ſo letteth, troubleth, ſueth, vexeth, or hunteth. And that if euery perſon or perſons from henceforth make, lewe, fixe, or ſet any weares or engins for fiſhing, ſtone, timber and earth in the ſaid Hauen directly betweene the ſaid places, then he or they that ſo doe, ſhall forfeit a hundred pounds: the one half of either of the ſaid ſummes to be to the King &c. the other half to him or them that will ſue &c. and that the defendant &c. be not eſſoined &c. And this Act to indure the ſpace of twenty yéers now next inſuing. Anno 11.H.7. cap.5. This act is made perpetuall Anno 24.H.8. cap.13.

2 And further more be it &c. That euery owner, fermor, and occupier of the ſaid weares, gores and engins, and euery of the ſame, doe pull downe and put away the ſame on this ſide the feaſt of S. Michael the Archangel next comming, without leuying, maintaining, making, or repairing the ſame from henceforth, vpon paine of an hundred pound, to be forfeit and leuied likewiſe, and in like manner as in the ſame former Act is contained. This Act to indure for euer. Anno 14.H.8.cap.13.

3 An̄ 4.Iac.ca.10. An Act was made for Confirmation of ſome part of a Charter granted by K. Henrie the firſt, to the Maior, Bayliffes, and Burgeſſes of Southhampton, & for reliefe of the towne. See the Statute at large.

Spices.

BE it enácted that from and after the laſt day of Nouember inſuing thend of this ſeſſion of parliament, all ſpices, wares, drugs, and other marchandizes garbleable, that is to ſay, pepper, cloues, mace, nutmegs, cynamon, ginger, long pepper, mozemeſedes, cumminſeedes, annieſeedes, coliander ſeedes, Bynny pepper, almonds, dates, galles, gumms of all ſorts and kinds garbleable, ſpikenard, galingal, turmericke, ſetwell, caſſia ſiſtula, Ginny pepper, ſeny, barbaries, rice, erins, ſtaueſaker, calamus, ſenny pericke, caſſia Lignum, graines, carewaye ſeeds, and all other ſpices, drugs, Wares, and other Marchandizes that haue bin vſually garbled, or ought to be garbled, cleanſed, ſeuered, ſorted or diuided in the city of London, the liberties thereof, ſhal for the fees vſually allowed in that behalfe, be ſufficiently cleanſed, ſeuered, garbled, and pruned and afterwards ſealed by the garbler or garblers there for the time being pointed, or by his ſufficient deputie or deputies, ſeruant or ſeruants, before that the ſame or any part thereof ſhalbe ſold, vpon paine of forfeiture of al and euery ſuch Spices, Drugges, Wares, and other Marchandizes, or the value thereof which ſhall be ſold. And be it &c. That if any the ſaide Spices, Drugges, Wares, and other Marchandizes ſhall be mixed with any Garbles, matter, or thing whatſoeuer, after ſuch time as the ſame ſhall be firſt garbled, ſeperated, or diuided by the Garbler thereunto appointed, or by his ſufficient deputie or deputies, ſeruant or ſeruants, and ſealed as aforeſaide: That then the ſaid Spices,

Drugges,

Drugges, Wares, and other Marchandizes, or the value thereof shall be wholly forfeited. And be it &c. That for the better and more true executing of this Act, it shall and may be lawfull to and for the said Garbler of Spices, Drugs, and Marchandizes within the said City of London and Liberties therof, for the time being, and to and for his deputis or deputies, alligne or allignes by vertue of this Act, at all and euery time and times in the day time to enter into any shoppes, ware-houses, or cellars within the said City or Liberties thereof, wherein any such Drugges, Spices, Wares, or Marchandizes bought or sold, or mixed, contracte to the true meaning hereof, which haue beene accustomed to be garbled, shall be, or shall be suspected to be, and there to view, see, and search the same. And if he or they shall finde any such Spices, Drugges, Wares, or Marchandizes there vngarbled, which haue beene accustomed to be garbled, Then and so often it shall be lawfull to and for the said Garbler, and his Deputy or Deputies, Alligne or Allignes, to garble, or to cause his or their seruants to garble, and make cleane the same: the one moity of all forfeitures in this Act mentioned, to be to our Soueraigne lord the Kings Maiestie, his heyres and successours, and the other moity to him or them that will sue for the same by Action of debt, bill, plaint, or information to bee prosecuted in any Court or Courts of Record within the Realme of England: In which suite no essoine, protection, wager of law, wyit of Priuiledge, or Iniunction shal be allowed. Prouided alwaies, and be it enacted &c. That if any Marchant, or any person or persons (other then Marchants Alien, or made or to be made Denizen) shall bying any Spices, Drugges, or other Marchandizes that be garbleable within this Realme, and shall not offer the same to sale, or sell the same within this Realme, but shall bona fide, and without fraud or couine reserue or retaine the same vnsold, to be transported againe out of the Realme, and shall transport the same within eight moneths to be accounted from his first landing or arriuall, with such Spices, Drugges, or other Marchandizes garbleable, by the provision & intention of this Act that for such spices, drugs, & marchandizes so to be transported vngarbled, & not sold within this Realme, no penalty mentioned in this statute shall be leuied or incurred by anie person or persons (whether Marchants Alien or Denizen as aforesaid) saue only thing herein before contained to the contrarie in any wise notwithstanding. An 1. Ia. ca. 19

Foyl.

Garbler

Enter. Shops &c.

Marchant

Transport

Spiritvall Lawes.

Anno 25. Henrici octaui capit. 19. (which is 24 in Rome 1.) An Act was made of the submission of the Clergie to the King, and that they should not execute anie Constitutions, Ordinances, &c. without the Kings licence, and that two and thirty persons should be by the King appointed to examine those constitutions, &c. and to abrogate such as they shall thinke meete, and the residue to stand in force. And after Anno vicesimo septimo Henrici octaui capit. quintodecimo It was enacted, That the King during three yeares might name those two and thirtie persons. And after by Anno 35. Henrici octaui capit. 16. the same power is giuen to the King during his life. But these three Acts be repealed by 1. & 2. Phil. & Mar cap. 8. And the said Act of 25. ca. 19. is renued by Anno 1. Eli. cap. 1.

Clergie

32. Persons

King

Repealed Reuiued

2 Anno 37. H. 8. capit. 17. An Act was made, That Doctors of ciuill Law, being married, might exercise Ecclesiasticall iurisdiction, but it is repealed by 1. & 2. Phil. & Mar capit. 8. as appeareth in Rome 4.

Doctors

3 An 3. E. 6. ca. 11. It was enacted, That the King during three yeres might appoynt fyfteene Spirituall men, and fyfteene Temporall men to examine the Ecclesiasticall Lawes, and to compile Ecclesiasticall Lawes, with diuers Articles concerning those matters. But this Act tooke no effect.

32. Peeres

4 Be it enacted, That euery person vnder the degree of a Bishop, which doth or shall pretend to be a Priest or Minister of Gods holy word and sacraments, by reason of any forme of Institution, Consecration, or Ordering, then the form set forth by Parliament in the time of the late King of most worthie memorie King Edward the first, or now vses in the raigne of our most gracious soueraigne Lady, before the feast of the nativitie of Christ next following, shall in the presence of the Bishoppe or Bishop Gardian of the Spiritualties, of some one Dioces where he hath, or shall haue Ecclesiasticall liuing, declare his assent, and subscribe to all the Articles of Religion, which onely concerne the Confession of the true Christian faith, and the Doctrine of the Sacraments, comprised in a Booke imprinted, intituled, Articles whereupon it was agreed by the Archbishops and Bishops of both Prouinces, and the whole Clergie, in the Conuocation holden at London, in the yeare of our Lord God, a thousand fiue hundred sixtie and two, according to the computation of the Church of England, for the auoyding of diuersities of opinions, and for the establishing of consent touching true Religion, put forth by the Queenes authoritie: And shall bring from such Bishop or Gardian of Spiritualties in writing vnder his seale authentike a testimoniall, of such assent and subscription: And openly on some Sunday in the time of the publique Seruice afore noone, in euery Church, where by reason of anie Ecclesiasticall liuing he ought to attend, read with the said testimoniall, and the saide Articles, vpon paine that euery such person which shall not before the said feast doe as is aboue appointed, shal be (ipso facto) depriued, and all his Ecclesiasticall promotion shall be voide, as if he then were naturally dead. And that if any person ecclesiastical, or which shall haue Ecclesiasticall liuing, shall aduisedly maintaine or affirme any doctrine directly contrary or repugnant to any of the said Articles, and being conuented before the Bishop of the Dioces, or the Ordinarie, or before the Queenes Highnesse Commissioners in causes Ecclesiasticall, shal persist therein, or not reuoke his errour, or after such reuocation, eftsones affirme such vntrue doctrine: such maintaining or affirming and persisting,

Fol. Bishop

After Subscribe

Testimoniall

Reade

Deprive

Maintaining vntrue

Bishop Ordinary Commissioners

Reuoke

saking, or such offiones affirming shall be iust cause to deprive such person of his Ecclesiasticall promotions. And it shall be lawfull to the Bishoppe of the Diocesse, or the Ordinarie, or the said Commissioners, to deprive such person so persisting, or lawfully convicted of such offiones affirming, and upon such Sentence of Deprivation pronounced, he shall be indeede deprived. And that no person shall hereafter bee admitted to anie Benefice with Cure, except he then be of the age of three and twenty yeares at the least, and a Deacon, and shall first have subscribed the saide Articles in presence of the Ordinarie, and publiquely reade the same in the Parish Church of that Benefice, with declaration of his unfeined assent to the same. And that every person after the end of this Session of Parliament, to be admitted to a Benefice with Cure, except that within two moneths after his Induction, he doe publiquely reade the said Articles in the same Church whereof hee shall have Cure, in the time of Common Prayer there, with declaration of his unfeined assent thereto, and be admitted to minister the Sacraments within one yeare after his Induction, if hee be not so admitted before, shall be upon every such default, ipso facto, immediately deprived. And that no person now permitted by anie dispensation, or otherwise, shall retaine anie Benefice with Cure, being under the age of one and twenty yeares, or not being Deacon at the least, or which shall not be admitted, as is aforesaid, within one yeare next after the making of this Act, or within five moneths after hee shall accomplish the age of twentie foure yeares, on paine that such his dispensation shall be meerely void. And that none shall be made Minister, or admitted to preach, or minister the Sacraments, being under the age of foure and twentie yeares: nor unlesse hee first bring to the Bishoppe of that Diocesse from men knowne to the Bishoppe, to be of sound religion, a testimoniall both of his honest life, and of his profelling the doctrine expressed in the said Articles: nor unlesse hee be able to answeare and render to the Ordinary an account of his faith in Latine, according to the said Articles, or have speciall gift and abilitie to be a Preacher: nor shall be admitted to the order of Deacon or Ministerie, unlesse he shall first subscribe to the saide Articles. And that none hereafter shall be admitted to anie Benefice with cure, of, or above the value of vvv. l. yeerely in the Queenes bookes, unlesse he shal then be a Bachellor of Diuinitie, or a Preacher lawfully allowed by some Bishop within this Realme, or by one of the vniuersities of Cambridge or Oxenford. And that all admissions to benefices, institutions, and inductions to be made of any person contrarie to the forme, or any prouision of this Act, and al tolerations, dispensations, qualifications, and licences whatsoeuer to be made to the contraris hereof, shalbe meerely void in law, as if they neuer were. Prouided alway, That no title to conferre or present by lapse, shall accrue upon any Deprivation, ipso facto, but after six months after notice of such deprivation giuen by the Ordinarie to the patron. Anno 13. Eli. ca. 12.

Spiritualtie.

THe statutes made in the vvi. yeare of King Ed. grandfather to our soueraigne Lord the King that now is, touching the Clergie of England, be entirely holden and kept, and put in due execution. Anno 4. H. 4. capit. 2. Clergy

2 All the statutes, ordinaunces and graunts, made or grãted by his noble progenitors or predecessors K. of England, to the clergy of Eng. for the conseruation of their liberties & priuileges, & for the conseruation of the Liberties and Muniments of holy Church not reuoked, be firmly holden, obserued, and kept, and put in due execution according to their forme and effect. An. 4. H. 4. cap. 3. Clergy Liberties

Stanes.

ANno 1. H. 8. cap. 9. is an Act concerning the maintaining of a bridge & causey of Stanes, and for the gathering of the toll there, and the Lett. Patents made of that toll to be void. Bridge Causey Toll Letts

Staple.

THe Staples beyond the sea, and on this side, ordained by Kings in times past, & the paines thereupon prouided, shall cease: And that all Merchants strangers and privy may go and come with their marchandizes into England after the tenour of the great Charter, and that Writs be thereupon sent to al shrifes of England, & to Maiors, & Bailifes of good townes where need shall require. An. 2. Ed. 3. cap. 9. Merchants strangers Writs

2 The Staple of wolls, leather, woolfells and lead, growing and comming forth within our saide Realme and lands, shall be perpetually holden at the places vnder written, that is to say, for England at Newcastle vpon Tine, Yorke, Lincolne, Norwich, Westminster, Canterbury, Chichester, Winchester, Exceter and Bristow. For Wales at Carmardin: and for Ireland at Deuclin, Waterford, Corke and Drogheda, and not elsewhere. And that all the said wolls aswell old as new, woolfels, leather and lead, which shall be brought out of the said Realme and Land, shall be first brought to the said staples: And there the said woll and lead betwixt Merchant and Merchant, and Merchant and others, to be lawfully weighed by the Standerd. And that euerie Sacke and Sarpler of the same wolls so weighed be sealed vnder the Seale of the Maior of the Staple. And that the wolls so weighed and sealed at the staple of Yorke, Lincolne, Norwich, Westminster, Canterbury & Winchester: And also leather, woolfels, & lead which shall come there (the customes of the staple thereof payed) shal be witnessed by bill, sealed with the Seale of the Maior of the staple, and brought to the Ports vnder written, that is to say, from Yorke to Hull, from Lincolne to Saint Botolph, from Norwich to great Yarmouth, from Westminster to London, from Canterbury to Sandwich, from Winchester to Southhampton: and there the said wols Wools Leather Woolfells Lead England Wales Ireland Sacke Seale Maior

and

Customers

and lead shall be an other time weighed by our customers assigned in the same partes. And all the wolls and lead brought to the said Ports of Newcastle, Chichester, Exceter, Bristow, Carmardine, Deuelin, Waterford, Corke, and Droghda, where the other staples be holden shall be but once weighed by the standerd betwixt Merchant & Merchant, or Merchant and other, in presence of our Customers there: And an Indenture shall be made betwixt the maior of the staple being in the port of the sea, and our Customers there, of all the wolls and lead so weighed, and also of al the leather and wolfells which shall come to the saide staples, to passe there, and the same wolls and lead, and also the leather and wollfels customed and cocketed, and the custome thereof due, payed to our said Customers in all the said Ports, that is to say, of

Indenture Maior Customer

Denizens

Denizens for the time that they haue passed, half a mark of a sacke of woll, halfe a marke of three hundred

Aliens

wolfels, a marke of a last of leather. And of Aliens ten shillings of a sacke of woll, ten shillings of three hundred wollfels, and twenty shillings of a last of leather, and three pence of euery sow of lead, then the said merchandizes shal be brought by merchantstrangers, which haue bought the same, and not by Englishmen, Welshmen, nor Irishmen, to the parts beyond the sea out of the said Realme and Lands, to what parts it shall please the said Merchants strangers. And that the said Maior and Customers shall delay no man willingly for gaine, nor for such cause, nor in other manner shall anie thing take of any person to doe that that pertaineth to their office, vpon paine of imprisonment, and

Strangers

2. damages

to pay to the partie the double of that they haue so taken, and also of that that the party shal be indamaged because of such taking or delay, and moreouer to be raunsomed at our will, but shall hold them content of that that they take in certaine to doe

Maior Merchants Oath

theyr Office. And that the Maior of the Staple and the Customers take an oath of all the Marchants, which so shall passe with woolles, leather, wollfels and lead, that they shall hold no staple beyond the sea of the same merchandizes. Anno 27. Ed. 3. ca. 1. Statute Staple.

3 Forasmuch as no staple may be profitable for vs and for our said Realme and Lands, vnlesse it be free: We will and graunt for vs and for our heyres, for the maintenaunce of the saide staple, that all manner of people may come with their carriage and goods to the staple, and from the same returne freely without being disturbed by prises of vs, or of anie other. Sauing to vs and to our heyres all manner of prises royall, of all maner of carriages and victualles throughout all our saide Realme and Lands of olde times due and vsed of right, as haue bene made by vs, and by our Auncestours in times past. And euerie carrier returning from the staple, shall haue a bill vnder the seale of the Maior of the staple, whereby it may be knowen that he serueth the staple, containing the iournies that him needeth for his returne to the house, which bill shall be graunted to him. And the same Maior shalbe sworne that he shal make no such bill for none other then which serueth the staple: And if any such carier, cart, ships, beasts or other thing, which serueth for carriage of that that pertaineth to the staple, be taken, and be within the bierge out of the staple, hue and crie shall be leuied vpon the takers, and the takers shalbe forthwith taken by people of the towne, where the prise was made, or by people of an other towne, if they be lacking, and brought before the Steward & marshall of our house: And there ready punishment shalbe made of them, according as the deede requireth. And if anie such prise be made out of the bierge, hue and crie shalbe leuied, and the takers shalbe taken and arrested by the towne, where such prises shalbe made, or by other townes neare if they be lacking, and brought to the next gaole, and there to be done of them as of theeues, if the deede the same require. And in case that the people of such townes be negligent and will not pursue and arrest such takers, as before is said, the foure townes next shall answer of the damages that may be found before them whom we shal therfo assigne, that the plaintifes haue incurred by their default, if they cannot reasonably excuse themselues thereof. And if such prises be made in a place, where that the staple is, the takers shalbe arrested by the Maiors and ministers of the staple, and right done to the plaintifes by the said Maiors and ministers. So alwayes, that if such prise be made at the staple, and the staple be within the bierge, and the takers arrested be of our house, then the right shalbe done of them by the Mayors & Ministers of the Staple: And the Steward & marshal of our house, or the stewards lieutenant shalbe thereto called, if they will be there, to see that right be done of ỹ said takers according to the law of the Staple. And in case they come not, the Maior & Ministers of the staple shall proceed in the processe, & do iustice according to the law of the staple, notwithstading the not comming of the Steward, or marshall, or lieutenant aforesaid. Anno 27. Ed. 3. cap. 4. Statute Staple.

Free staple

Prises royall

Carrier

Seale

Maior

Merchants Strangers

Merchants

Wools

Leather

Woolfells

Lead

Bierge

Hue & cry

Stewards Marshall Court

Arrest

Goale Felony

Negligence

Aide

Bierge

Stewards

4 In case that our Bench or common Bench, or Iustices in Eyre, or Iustices of Assise, or the place of the Marshalsey, or any other Iustices come to the places, where the said staples be, the said Iustices, nor Stewards, nor marshals, nor other the said places shall haue no recognisance there, of that thing that pertaineth to the cognisance of the Maior and ministers of the staple. Anno 27. Ed. 3. ca. 4. Stat. Staple ca. 5.

Iustices

Marshall

5 We will and defend, that no marshall, nor other minister of our house, nor of others, shall make liuery, nor meddle in the places where the staple shall be holden and kept of the houses where the saide merchants or theyr meiny, or woolls or other merchandizes of the staple be lodged, nor enter into the same, to doe their office there, nor take any thing thereof to spare any, vpon the paine to make gree to the party at whose suite he shalbe attainted, of the quadruple of that that the plaintife shalbe indamaged, and further shall be greeuously punished against vs. Anno 27. Ed. 3. cap.

Liuery

Bond

6 We will and graunt, that no Licence nor Priuiledge to make passage by Englishmen, Irishmen or Welshmen, of woolls, leather, wollfels or lead out of the same Realme and Lands, shall be granted

Licence

Woolls Leather Woolfells Lead

graunted by vs nor our heyres against this Ordinaunce: And if any be graunted to the contrarie, they shalbe holden for none. And they shall giue no warrant nor excuse to them, which shall doe to be pulled the said marchandizes, that they shal not incurre the pain and forfeitures contained in the said Article. Anno 27. Ed. 3. cap. 7. Stat. Staple.

Maior Constable

Marchants

Lawmerchant

Impleade

Couenants

Steward

Plees of land

Felony

Writ

Petite Iust.

Imprisonment

7 We haue ordained and established, That the Maiors and Constables of the Staples shall haue Iurisdiction and Recognisance within the townes where the staples shalbe, of people and of all manner of things touching the staple. And that all merchants comming to the staple, their seruants and meiny in the staple, shall be ruled by the Law merchant, of all things touching the staple, and not by the common Law of the Land, nor by vsage of Cities, Boroughs, or other Townes, and that they shal not impleade nor be impleaded before the Iustices of the said places in plea of debt, couenaunt, and trespalles touching the staple, but shal implead all persons, of whom they wil complaine, as well such as bee not of the Staple, as those that bee of the staple, which shall be there found. And in the same manner they shall be impleaded onely before the Maior and Iustices of the staple, which shalbe thereto deputed of all manner of pleas and of action, whereof the cognisance pertaineth to the Ministers of the staple. So alwayes, that all manner of Contracts and Couenants made betwixt Merchant and Merchant or other, whereof the one party is a merchant or minister of the staple, whether the Contract or Couenaunt made, be within the staple or without, and also of trespalles done within the staple to merchants or to ministers of the staple by other, or by any of them to other: the party pl. shal chuse, whether hee wil sue his action or quarrel before the Iustices of the Staple by the Law of the staple, or in other place of the Common Law: And he shalbe thereto receiued. So alwaies, that in the pleas touching any of our house, the Steward or his lieutenant, and the marshalles of our house shalbe with the maior of the staple, to see that right be done to the parties, as before is said, if they wil be there. But pleas of Land and of Freeholde shalbe at the common Law. And if merchants or other people being in the staple, because of the same doe felony or be slaine, robbed or maihemed, by any persons, the Maior of the staple and other couenable shalbe assigned Iustices to heare and determine the said felonies and maihemes within the staple without delay, according to the common law. And if any such felon or trespaller be taken and detained within any franchise to whomsoeuer the same be, because of such felony or maiheme done within the staple, it shalbe forthwith commanded by Writ, to make the said felon or him that did the maiheme, to come before the said Iustices, to doe right of him in forme aforesaid. And if they that haue such prisoners in ward, wil not deliuer them they shal incurre the paine of C.l. towards vs. And neuertheleſſe they shal deliuer the body in the forme aforesaid. And in case that any Indictment be made out of the staple of felonies or trespalles done by people of the staple or other of them within the staple, the same Indictment shalbe sent before the saide Maior, and them which shall be assigned Iustices with him, to doe right in this partie. And if the plea or debate bee made before the Maior of the Staple betwixt the merchants or ministers of the same, and thereupon to trie thereof the trueth, an Enquest or proofe is to be taken: We will, that if the one party and the other be a stranger, it shalbe tried by Strangers. And if the one party and the other be Denizens, it shalbe tried by Denizens. And if the one partie be Denizen and the other an Alien, the one halfe of the enquest of the proofe shalbe of Denizens, and the other halfe of Aliens. Anno 27. Ed. 3. Stat. Staple. cap. 6.

Enquest

Triall Strangers Denizen Halfe the Enquest

8 To the intent that the Contracts mad within the staple shalbe the better holden and the paiments readily made: We haue ordained and established, That euery Maior of the said staples shal haue power to take Recognisances of debts, which a man wil make before him, in the presence of the Constables of the staple, or one of them. And that in euery of the said staples be a seale ordained, remaining in the custody of the said maior of the staple, under the seales of the same Constables. And that all Obligations which shalbe made vpon such Recognisances, be sealed with the said seale, paying for euerie obligation of C. pound and within, of euery pound an halfe peny. And of euery Obligation aboue an hundred pounds, of euery pound a farthing. And that the Maior of the Staple, by the vertue of the same Letters so sealed, may take and hold in prison the bodies of the debtors after the terme incurred, if he be found within the staple, til they haue made agree to the creditor of the debt and damages. And also arrest the goods of the saide debtors found within the said staple, and deliuer the said goods to the creditors by the estimation, or to sel them at the best that a man may, and deliuer the money to the creditors til the summe be due. And in case that the debtors be not found within the Staple, nor their goods to the summe of the debt, the same shalbe certified in the Chācerie vnder the said seale, by which certification a Writ shal be sent to take the bodies of the said debtors, without putting to mainprise: And to sease their lands & tenements, goods & cattels. And the writ shalbe returned in our Chauncery, with the certification of the value of the saide lands & tenements, goods and cattels. And thereupon due execution to be made from day to day in maner as it is contained in the statute marchant, so that hee to whom the debt is due, haue estate of freehold in the lands and tenements which shall be deliuered to him by vertue of the same proceſſe, and recouery by Writ of Nouel disseisin, in case if he be out. And that the debtor haue no aduantage of the quarter of a yeere that is contained in the said stat. marchant. And in case that no creditour wil haue letters of the said seale, but wil be at the faith of the said debtor, if after the terme incurred he demaund the debt, the debtor shalbe vpon the faith. An. 27. Ed. 3. Stat. Staple cap. 9.

Contracts

Maior

Recogn.

Constable

Pay

Imprison

Arrest Goods

Chancery Writ Mainprise

Nouel disseis.

9 They that haue woolles, leather, felles, and lead in the Countrey betwixt the places where the Staples be and the Sea, and the same wil no carrie

Wools Leather Fels Lead

to

to the ſtaple by freſh waters, or by armes of the Sea, ſhall make Indentures betwixt them and the Baylifes of the Townes where they put them in ſhippe, teſtifying how much wools, leather, fels, and lead is ſo put in ſhip. And the Bailifes of the places ſhal take an othe and ſufficient ſurety, for which they will anſwer, of them and the mariners, which ſhall go with the ſame wools, leather, fels and lead, to the ſtaple, and no part elſewhere: And there ſhal diſcharge before that they doe enter the Sea. And that the Bailifes ſend forthwith the one part of the Indenture, containing the ſurety and the quantity of the wools, leather, woolfels and lead, to the maior of the ſtaple, at their coſts that owe the goods, by ſome man for whom they will anſwere. And if any Maior, Baylife, or other miniſter of the place where ſuch marchandizes ſhalbe charged, ſuffer the ſaid marchandizes to paſſe in other manner, aſwell the maiors, and baylifes, and miniſters aforeſaide, as the marchants, which the ſame ſhall charge, ſhal incurre the paines and forfeitures conteined in the ſame third Article. An. 27. E. 3. ca. 15. Stat. Staple.

Indenture

Baylifes Othes, Surety

Mariners

Maior

Maior Baylifes

10 That in euery towne, where the ſtaple ſhall be holden, ſhalbe ordained certaine rowes and places where the wools and other marchandizes ſhall be put. And becauſe that the Lords or Wardens of the houſes and places (ſeeing the neceſſity of the Marchants) doe ſet perceaſe they houſe at too high ferme: We haue ordayned, that the houſes, which be to be leaſed in ſuch manner, ſhalbe ſet at a reaſonable ferme, according to the ordinance of the maior, and conſtables of the ſtaple, and of foure diſcreet men of the beſt of the Townes, where the ſtaple is, which ſhalbe ſworne in the preſence of the ſaid maior and conſtable, to make a lawfull eare, ſo that for the default of houſes, the ſtaple ſhal not be impeached. And that no man that bringeth his woolles or other marchandizes there, be diſturbed to lodge the ſame wools and marchandizes in the houſes, which they haue ſo hyred. An. 27. Ed. 3. ca. 16. Stat. ſtaple.

Woollis

Reaſonable rent

Oath

11 Becauſe We doe well perceiue that Marchants ſtrangers doe not come ſo commonly into Ireland nor into Wales, for merchandize, as they doe into England; We will of our ſpeciall grace, that it ſhall be lawfull to the people of Ireland and Wales, which may not deliuer they wolles, leather, woollfells and lead, in Ireland and in Wales to the merchants ſtrangers, to come with the ſaide merchandizes, after that they be cuſtomed and cocketed in Ireland and in Wales, to any of our ſtaples in England, which them ſhall pleaſe bringing thoſe cockets, witneſſing they Merchandizes, which they ſhall diſcharge at the Staples in England: ſo that they, when they ſhal come to their ſtaple in England, or they that bought the ſaid merchandizes of the, ſhal not pay another time cuſtoms nor ſubſidie for the ſaid merchandizes ſo cuſtomed in our ſaid lands of Ireland and Wales. And our Treaſorer, and the Barons of our Eſchequer of England, ſhall be certified two times by the yeere at the leaſt, that is to ſay, at Eaſter and Michaelmaſſe, how much wools, leather, woolfels, and lead ſhal paſſe out of the ſaid land of Ireland and the cuſtome thereof paid. And in caſe that the merchants, or other people of Ireland, or of Wales, after that they be in the ſea with they ſaid merchandizes doe paſſe to any place, other then to the ſtaples in England, they ſhal incurre the paines and forfeitures in the ſaid 3. Article. Anno 27. Edw. 3. cap. 18. Stat. Staple 9.

Ireland Wales

Cuſtome

Treaſorer Barons

Wools Leather Lead

Merchants

12 That no merchant nor other, of what condition that hee be, ſhall loſe or forfeit his goods or merchandizes for the treſpaſſe and forfeiture of his ſeruant, vnleſſe hee doe it by the commaundement or procurement of his maſter, or that he hath offended in the office, in which his maſter hath ſet him, or in other manner, that the maſter be holden to anſwer for the deede of his ſeruant by the law merchant, as elſewhere is vſed. And becauſe that merchants may not often tarry long in one place for leuying of they merchandize: We will and graunt that ſpeedy right be to them done from day to day, and from houre to houre, according to the Lawes vſed in ſuch Staples before this time holden elſewhere at all times, when they will them complaine of any, or that any will complaine of them, ſo that the marchants be not by malice delayed for default of ſpeedy remedy. An. 27. Ed. 3. ca. 16. Stat. Staple 34.

Seruant

Law merchant

Speedy right

13 Becauſe We haue haue taken all the Marchants ſtrangers in our ſaid Realme and lands into our ſpeciall protection, and moreouer graunted to doe them ſpeedy remedy of the greeuances, if any be to them done: We haue ordained and eſtabliſhed, That if any outrage or greeuance be done to them in the Country out of the ſtaple, the Juſtices of the place where ſuch outrages ſhall be done, ſhall doe ſpeedy Juſtice to them after the Lawe merchant from day to day, and from houre to houre, without ſparing any man, or to put them to ſue at the common Law. And if any man be conuict, that he hath grieued the Marchants ſo taken into our protection, he ſhalbe puniſhed againſt vs for the contempt done to vs, in aſmuch as ſhalbe iudged to the marchants for their dammages, and to the ſaid Marchants ſtrangers their double damages ſhalbe iudged. An. 27. Ed. 3. cap. 20. Stat. Staple 34.

Merchant ſtrangers

Juſtices

Law merchant

Punith Contemp

2. damages

14 Becauſe that the ſtaples may not long hold, nor the ordinaunces thereof made, and to be made, be kept, if good executors and Juſtices be not ſtabliſhed to make thereof good and ready execution: We haue ordained and ſtabliſhed, That in euery Towne, where the Staple is ordained, a Maior, good, lawfull and ſufficient ſhalbe made and eſtabliſhed, hauing knowledge of the ſaid merchant, to gouerne the ſtaple, and to do right to euery man, after the Lawes aforeſaid, without fauour, ſparing, or grieſe doing to any. And in euery place where the Staple is, ſhall bee two couenable Conſtables, now at his beginning put by vs, to one that pertaineth to they Office, as in other Staples is accuſtomed, and when they ſhalbe dead, or chaunged, then other ſhall be choſen by the Comminalty of the Marchants of the ſaid places. And that no Maior halde the Office ouer the yeare, vnleſſe hee be newly choſen by the Comminaltie of the Marchants, aſwell of Strangers as of Denizens. And that the ſayd Maior and Conſtables haue power to

Maior Law merchant

Right

Conſtables

Maior Duryere

& to kéepe the peace, and to arrest the offendors in the Staples for debt, trespasse, or other contract, and them to put in prison and punishment for the law of the Staple. And a prison shall be ordeined for the safe keping of them that so that be imprisoned. And the Maiors, Shiriffes, and Bailifes of the townes where the Staple is, or ioyning to the staple, shall be attending to the Maior, and Ministers of the staple, in the execution of their commandements, upon payne of grieuous forfeitures: and one Lord or other of the most sufficient in the Countrey, where the staple is, shall be assigned, do the aye to the Maior and the Ministers of the staple, to hinder the mouths [wherby] the saide Maior and Ministers may not be iustified, and to maintaine and rehabilitate them when need shal be, to good gouernance of the staple, & to redresse at euery insurrection that that shall be done amisse by the said Maior or Bailifes, or other, and to do right to the complainants in this behalfe. And the same Maior & Constables doe not, nor ordaine any thing contrary to this ordinance, nor make interpretation nor exception to them other wise then the words do purport, but if there be any thing that is doubted, it shall be shewed to our counsell, and there declared by good aduice. An. 27. E. 3. c. 21. Stat. Staple.

15 In euery place, where the staple shal be holden, there shal bee a certaine number of Correctors, aswell of strangers as of priuyes, good people sufficient, and learned of such mistery, lawfully to make and record the bargaines betwixt the buyers and y sellers, as haue bin vsed in other Staples holden in other places, and that they find sufficient Maintenours before the Maior and Constables of the Staple, lawfully to doe that pertaineth to their office: and if they be found in default, they shall pay to him that is endamaged, as much as his losse shall amount to, so that they meddle them not of any maner of marchandise for the time y they shall abide in the office. And that no man bee constrained to haue Corrector, vnlesse he will of his gree, nor to pay any thing to any Corrector, vnlesse he meddle of his bargaine at his request. Anno 27. Ed. 3. cap. 22. statute Staple.

16 Certaine number of porters, packers, winders, woorkers, and other labourers of wool, and al other marchandises be sufficiently ordeined for the place where the staple is, and they and the Correctors, and al maner of officers of the Staple, besides the constables, shall be sworne before the Maior of the staple, that they lawfully shall doe their office, without fraude or male engine. Also all marchants Aliens and Denizens, comming to the said staples because of marchandise, shall be sworne before the same Maior & Constables that they shall be iustified by the same Maior and Constables, according to the law and vsage of the staple, and shall maintaine as much as in them is, the staple and the Lawes and vsages of the same without fraude or male engine. And the Maior and Constables shalbe sworne in the Chancerie, to doe lawfully that that pertaineth to them. Anno 27. Edw. 3. cap. 23.

17 The Merchants strangers shall chuse two Merchantes strangers, whereof the one to dwelle the South, & the other towards the North, shall be assigned to sit with the Maior and Constables of the staples, where some of those persons chosen shall come, to heare the plaintes touching Marchantes Aliens, that shall bee moued before the said Maior and Constables, at all times, that any of the says persons choisen shall be there, and to the end that right may be done to the said marchants aliens, so that the saide Maior and Constables shall not cease to go forth in their iournells, in case that those persons chosen come not there. And in case that debate rise betwixt them, vpon the discussing of any plea or quarell: the tarrying of these same plea & quarell shall bee sent before the Chancelor, here, and other of our counsell, to bee determined theron without delay. And also fiue persons shall be chosen, that is to say, foure aliens, whereof two shall be of Almaine, and two of Lombardie, and two of England, which shall be discreat men, and worthy of faith, and shall sweare that they shall well and lawfully do their office, that is to say, that when & at what time any question or debate shall rise or come amongst Merchantes of any vnreasonable wull or vnsure packing, according to the conuenantes made betwixt the sellers and the buyers, that the sayd persons or foure of them, may before the Maior of the Staple and the officers, by their oath, say and amend as reason will, and thereupon credence shall bee giuen to them without any contradiction. An. 27. E. 3. c. 24. Stat. Staple.

18 No Merchant, nor other, shal make confederacy, conspiracie, counte, imagination or murmour, or male engine in any point that may turne in impeachment, disturbance, arrestance, or distresse of the saide staples, or of any thing that to them pertaineth, or may pertaine, and if any doe, and thereof be attainted before the Maior and Ministers of the staples, or other whom we shal there to assigne, shall incurre the paines and forfeitures contayned in the sayd third article. Anno 27. E. 3. cap. 25.

19 That all the said things be firmely kept and holden in all points, notwithstanding franchise, custome, priuiledge, exemption, iudgements, or other graunts made to Cities, burroughes, townes, communalties, people of the 5. ports, & other ports, & any other singuler persons. And in case y anything bee to be amended, added, changed, or withdrawne of any of the said points in time to come by a true cause, we will, that the same be done by deliberation and aduise of the great men, & other of our counsell in the Parliament. Sauing in other things to the Prelates, Dukes, Eatles, Barons, and other Lordes, their Faires, Markets, Hundreds, Wapentakes, Leetes, Iurisdictions, Courts, Franchises, and Priuileges, and all others things to them pertayning in the places where the Staples bee and shall bee, and elsewhere, as farre forth as they had them before that the Staples were ordayned. Anno 27. Ed. 3. cap. 28. Stat. Staple.

20 Forasmuch as the Staple is now of late ordayned, to abide perpetually in England, and

at the beginning there was no euidence in certaine, by which a man might assigne or limit in certaine ý, ý the Maiors & Constables in the places where the staples be ordained, ought to take by yere in certain for their trauaile, but it was then assented by the Lords and commons, that of euery sack should be leuied eight pence for the first yeare, and deliuered to the said Maiors and Constables in the places where the saide staples bee assigned, which first yeare passed out of the gule of August last past, it neuertheles commeth as much wools or wel nigh as much to the port of London, as do in all the other staples through the Realme, and to some of other staples commeth as much of woolles, as to two or three of the other staples, so that to one staple commeth more, and to another lesse, so that the Maior and Constables of some place take to much, & in some places too little, & the people be very much charged to pay eight pence ob. a sacke, (as is aforesayde) had vnto regard to the summe of the wools, that passeth ouer the Sea: And all the time that the said staple was abiding beyond the Sea, he that is chosen maior by the Merchants of Eng. did take a certaine by yeare: And also it were reason that it should bee so in England, and that in reasonable manner, euery man according to his trauel, and that the people should not be so much charged: Wherefore it is ordained by the King and the great men, and by the aduice of all the Counsell, that no more shalbe leuied of a sack but foure pence in no part from the gule of August last past hitherto, nor from hencefoorth. And that the foure pence of the sack in euery place where the staple is, shall be put in a bore, and sealed with the seales of the Maior and Constable, to the intent that the said Maior and Constables may be thereof payed of their certaine that they should take. And if at the end of the yeare more be found in the Bore, then the fees of the sayde Maior and Constables shall amount vnto, it shall bee safely kept, to pay and performe the fees of the Maiors and Constables in other Staples, where the foure pence will not thereto suffice. And if any thing remaine in the sayd bores, after the fees paied, the same summe residue, shall be saued to the common profit of the Merchants of the Staple for the yeare to come, and for to pay for the weights made of neiue, and also for payment of other things necessary touching the Staple. And as much as is leuied in all the places where the Staple bee, ouer the sayd summe of foure pence of the sacke, after the gule of August last past, shall bee rebayled and restored to the vses aforesayde. And the fees of the Maior and Constable be ordeyned and limited in the forme as followeth, that is to say, the Mayor of the staple of Westm. shal take a hundred pound and euery of the Constables there tenne Markes. The Maior of Yorke, Kingstone vpon Hul, Norwich, and Wincheller, euery of them twentie pound and euery of the Constables of the sayde places a hundred shillings, the Mayors of Newcastle vpon Tine, Chicheller, and of Exceter tenne pound, and euery of the Constables of those places fiue Markes. And if any of the Mayors and Constables aboue named refuse the office, hee shall pay to the Companie as much as his fee shall amount to. And Proclamation of the same was made throughout England the first day, &c.

4. Pence

Fees

Common profit

Fees

Refuse

An. 28. E. 3. cap. 21. All the ordinances made in the great Counsel holden at Westminster the Sunday next after the Feast of Saint Mathew the Apostle last past, together with certaine declarations and additions made in this present Parliament, bee firmely kept and holden for a Statute to endure for euer, which declarations and additions follow in this manner. Whereas it is contayned in the sayde Ordinances, that euerie Merchant, that selleth his woolles at the Staple, shall be holden to warrant the packing of the same woolles, or if the plea or debate be mooued before the Maior of the Staple, betwixt the Merchants, or Ministers of the same, and thereupon to trie the truth thereof by enquest, enquest shall be taken, and if the one partie and the other bee Denizen, it shall be tried by Denizens, or if the one partie be Denizen and the other Alien, the halfe of the Enquest or of the prowe shall be of Denizens, and the other halfe of Aliens. And also, that no Merchant, priuie nor stranger, nor other of what condition that he be, shall goe by land nor by water, against such Shippes charged with Wines, wares or other Merchandises comming into the Realme of England, nor other Landes of the Kings, in the Sea or elsewhere, for to forestal, buy, or in other manner giuing them earnest before that they come to the Staple, or to the Port where they shall be discharged, nor enter the ships for such cause, till the Merchandises be set to land for to sell: It is accorded and stablished, that the warranty of packing of woolles for diuers mischieses which the Commons haue thereof perceyned, shall wholy bee out. And that no man be holden to make such warrantie, vnlesse it be by couenant made by deed ensealed. Also that no man, other then a Merchant Denizen or Alien, that knoweth not the Lawes and vsages of the Staple, vsed before ý the sayd ordinances of the staple be made, shall be charged by the same Lawes and vsages till they be declared in the Parliament. And that in all manner of enquestes and prowes, which be to be taken or made amongst Aliens and Denizens, be they Merchants or other, as well before the Mayor of the Staple, as before any other Iustices or Ministers, although the King be partie, the one halfe of the enquest or prowe shall bee Denizens, and the other halfe of Aliens, if so many aliens be in the town or place where the enquest or prowe is to be taken, that be not parties, nor with ý party in contracts, pleas or other quarrels, whereof such enquest or prowe ought to be taken, & if there be not so many aliens, then shal there be put in such inquests or prowes as many aliens as shalbe found in the same townes or places which be not thereto parties, nor within the parties, as afore is sayde, and the remnant of Denizens, which be good men and not suspicious to the one partie nor to the other. And that no manner Ship which is freight towardes England or elsewhere, bee compelled to any Port of England, not here to bide against the will

Warrant

Enquest

Denizens

Forestall

Warrant void

Common Merchant

Enquest

Halfe Denizens

Ships

will of the Maisters and Mariners of the same, or of the Merchants to whom the goods be, and if such come of their grees, or be driuen by tempest, or other misfortune or mischiefe, to any port in England, and the Maisters, Mariners, or Merchants of the same ship will sell or deliuer part of their merchandises with their good will, it shalbe lawfull for euery man to buy such merchandises freely without impeachment, in the port where such ships shal come, after the said merchandises bee not put to land for to sell, so alwayes that no merchant nor other shall go by land nor by water against such ships charged of merchandises, to forestal the same merchandises, or to make them carriage by way of forestalling, vpon the paines contained in the third article of the said Ordinances, so that the maisters, Mariners & Merchants, after that they haue so sold that that pleaseth them of their said goods, and paied thereof the custome, may freely depart and go with their ships, and all the remnant of their goods, where as please them, without custome thereof to be payed. And that none of what condition that he bee, by art nor engine make nor set disturbance to any ship charged with merchandises, to come to any port of England, but to the Port where the Maisters, mariners & merchats will first of their free will arriue, nor after y they haue arriued, shal meddle with the sale of the same merchandises, nor disturbe the Merchants nor their seruents, that they may not the same by their owne handes, according as to them best shall seeme for their profit, sel and deliuer their Merchandises, at what time, and to whom shall them best please. And if any set disturbance, hee shal incurre a grieuous forfeiture against the king, according to the quantitie of y tresspalle. An 28.E. 3.cap.13.

22 It is accorded and established, that shewing of wols shalbe made of the Staple euery day of the week, except the Sunday & solemne Feastes of the yere. And that no shewing nor sale of wolles be made within three miles aboue the Staple, but only at the Staple, vpon the paine contayned in the third article of the Ordinance of the staple. Sauing alwayes, that euery Lord and other man then a Merchant, may freely lodge, shew & sell his wols, which be of his owne growing, in his owne house or other place where pleaseth him. Anno 28. E. 3. cap.14.

23 The Staple of Westminster shall begin his bound at Temple barre, and extend to Tuthil. And also in other Cities & Towns, where the staples be, the bounds of the same Staples shal bee within the walles, where the cities & townes be walled or enclosed, and in the cities or towns, which be not walled nor enclosed, the boundes of the said staples shall not be through all the Citie or Towne. Anno 28. Ed.3.cap.15.

24 An.34.E.3.ca.21. the King by Parliament confirmed his grant before made by his L. patents to Englishmen for carrying of merchandises of the Staple ouer the Sea contrary to the statute of An. Ed.3.cap.

25 Though it be ordayned by the Statutes of the staple, that the Maiors and Constables of the said Staples shall haue iurisdiction and Conisance within the Townes where the Staples bee of the people and of all manner of things touching the Staple, and of Felonies, mayhems, and trespasses done within the Staple: It is accorded and assented, that the sayd Maiors and Constables shall haue conisance onely of debts, couenants and contracts, and all other pleas touching merchandise & suretie of merchandise betwixt Merchants, which be Merchants knowne, and Pleces of Felonies, and all other places as well within the Staple as without, shall be at the common Law as they were before the making of the Staple, and notwithstanding the sayd Statute. Sauing alwayes that the Merchants aliens (be they plaintifs or defendats) may sue their plaints and quarrels as well of trespasse as of other what they will, before the Maior of the Staple by the Lawe of the Staple, or elsewhere at the Common Lawe, as is contayned in the said Statute of the Staple. And that the King and all other Lords within their Seigniories haue and enioy their Franchises, iurisdictions, and priuiledges, as they had before the same statute made, so alwayes that the Maior of the Staple haue power to take Recognisances of debts of euery person (be he Merchant or other) in the same manner as is contained in the same statute of the staple. An. 36. Ed.3.cap.7.

Conisance

Fees

Felonies

Sue

Stat. of Stap.

Franchises

Maior Recognisance

26 The Staple shall be in England. And that the Statute of the Staple made in the sayde seuen and twentieth yeare with the Declarations, Additions and Modification thereof made, be holden and kept, notwithstanding any Graunt, Licence, or other Statute or Ordinance made afterward. Anno 38.E.3.cap.7.

England

27 That the Staple be remoued from Middleborough to Caleis, so that it shall be at Caleis the first day of December next comming. An. 12. R.2. cap.16.

Caleis

28 That the Staple be remooued from Caleis into England, so that it bee in England, the Sunday next after the feast of the Epiphany, at the furthest. And that it bee holden in the places contayned in the statute of the staple, made in the seuen & twentieth yere of the Kings grandfather that now is, and in none other place. And that the said statute be firmely and surely holden, and duely executed in all points, with the additions underwritten, notwithstanding any Declaration or Statute made hereafter to the contrary, that is to say, that euery person alien, of what degree or condition that he be, that bringeth any Merchandises into England, shall find sufficient sureties before the custostomers in the port where the merchandise shall be brought, to buy other merchandise to the value of halfe the said merchandises so brought at the least, as wols, leather, wolfels, lead, tin, butter, cheese, clothes, or other commodities of the Land. Anno 14.R.2.cap.1.

England

Alien

Sureties

Wools
Leather
Lead
Tinne
Butter
Cheese
Cloth

29 In euery Port and place where the Staple shall be, the Maiors, Constables, Brokers, and all other officers and ministers of the Staple shall bee swoorne first to the king, and after to the staple. An 14.R.2.cap.3.

Maiors
Constables
Brokers
Othe

30 The ſaid Statute, that is to ſay, An. 27. Ed. 3. ca. 9. (before 8.) be firmely kept and holden. And that no Maiors of the Staple take or receiue any Recogniſance of debt, contrary to the forme of the ſaid ſtatute, vpon paine to pay to the King the moity of the ſumme recogniſed before him. Anno 15. R. 2. cap. 17.

Maior Recog.

31 Anno 21. R. 2. cap. 17. It was enacted, that the Statute concerning Merchants of the Staple ſhould be kept, and the licences contrary thereunto ſhould be void, but this parliament of An. 21. R. 2. was repealed by 1. H. 4. cap. 3.

Parliament Repealed

32 All the Statutes (s. concerning the Staple of Caleis) thereof made and not repealed, bee holden and kept, and put in due execution, & that the wholerepaire of wools, woolfels leather, lead, whole tinne and ſhotten tinne, and all other Merchandiſes pertayning to the ſtaple, paſſing out of ỹ realm of England, and of the Countries of Wales and Ireland, be at the ſaid place of Caleis, and at none other place beyond the Sea, as long as the ſaide Staple ſhall be at Caleis, vpon payne of forfeiture of ỹ very value of ỹ merchandiſes which ſhall paſſe elſwhere, but to the parts towards ỹ Weſt named in the ſayd Statutes thereof made. And that noe licence from henceforth be graunted to the contrarie, except of woolles, felles, and leather of Northumberland, Weſtmerland, Cumberland, and the Biſhoprick of Durham, ſauing the Kings prerogatiue. Prouided alwayes, that if any merchants vnder colour of any licence, ſhip any woolles of the growing of any part of Yorkſhire, or of any other countrey of the Realme, except of the growing of the ſame partes of Northumberland, Weſtmerland, Cumberland, and the Biſhoprickes of Durham, they ſhall forfeit to the King the valus of all the wools ſo ſhipped, & alſo they ſhal loſe the benefit of the ſame licence. And hee that the ſame eſpieth, and thereof giueth knowledge to the Treaſorer of England for the time being, ſhall haue the fourth part of the forfeiture ſo by him notified. Añ 2. H. 6. cap. 4.

Woolles Felles Leather Lead Tinne Merchandiſe

Caleis Forf.

Licence Wools Felles Leather Prerogatiue

Wools

Forf.

Fourth part

33 Anno 8. H. 6. cap. 18. An act was made that an ordinance made for woolles and Merchandiſes of the ſtaple, ſhould endure for three yeares, which ordinance was, that the prices ſhould be enhanſed, that ready paiment ſhould bee made, that Bullion ſhould be brought to the mint, that egall partition ſhould bee made, and that acquittances ſhould be made. This Statute is confirmed by Anno 11. H. 6. cap. 13. as it ſeemeth, Tamen quære, and ſee both the ſtatutes.

Woolles

Bullion

34 Anno 8. H. 6. cap. 15. It was enacted that the Maior of the ſtaple then ſhould continue maior for a certaine time, notwithſtanding any Statute or ordinances.

Maior

35 All the Recogniſances of debtes before the ſaid Maiors and Conſtables of Caleis, made or to be made by any perſons beyond the Sea, ſhal be as effectuall and executorie, & of ſuch force in al points within the Realme, and in the ſame forme executorie, as the ſaid recogniſances made before the ſayde Maior and Conſtables of the Staple of Weſtm. or before any other Maiors or Conſtables of the Staple within the ſaid Realme be. Anno 10. H. 6. cap. 1.

Recog. Maior

36 Anno 20. H. 6 cap. 2. An act was made to endure for ſeuen yeares, to auoid an ordinance of a partition made vpon woull & felles in the ſtaple at Caleis, & concerning the ſale of wools & felles there, and tinnage of Bullion there.

Woolls Felles Bullion

37 An. 27. H. 6. c. 2. An act was made to endure for fiue yeares for confirmation of the liberties of the Staple, and againſt licences for carying of woll felles, or tinne to any other place then to the ſtaple of Caleis.

Liberties Licences

38 An. 4. H. 7. was an act (not priuate) made, that none inhabitant of Caleis ſhould bee factor or atturney to any merchant of the ſtaple there dwelling in England, but that act was repealed Anno 19. H. 7. cap. 12.

Factors

Repeald

Steele.

WHere diuers perſons of late haue deceitfully forged & made of certain yron called Bidbow yron, like to the faſhion and manier of gads of ſteele, & haue ſold ỹ ſame ſo forged to diuers of ỹ K. ſubiects for ſteele, whereby the greateſt part of edged toles, weapons, & other neceſſarie things hauing edges, are of little or no value or goodneſſe, to the great hurt of the Kings louing ſubiects: For reformation whereof, Be it &c. that if any perſon after the firſt day of May next comming, doe forge or make any ſuch gaddes of yron, or doe vtter or put to ſale any ſuch gaddes of any yron, ſhal forfeit for euerie gadde ſo forged or vttered, or put to ſale, foure pence. The moitie &c. In the which action &c. Anno 2. E. 6. cap. 27.

Gads yron Forf. Paine

Stillyard.

FOr Marchants of the ſame houſe in Almaine, hauing the houſe in the Citie of London commonly called Guildhald Theutonicorum, That by authority of this ſaid parliament, euery act, ſtatute, or ordinance, acts, ſtatutes, or ordinances heretofore made not concerning merchants, merchandiſes, or other wares, extend not to ỹ preiudice, hurt, or charge of the ſaid merchants of the hanſe, contrary to the ancient liberties, priuiledges, free vſages, ges, & cuſtomes of the old time graunted to the ſaid merchants of the hanſe, as wel by the k. noble progenitors, & ratified & confirmed by ỹ K. grace, as by authority of diuers parliaments. But that all ſuch act, ſtatute, and ordinance, acts, ſtatutes, and ordinances ſo made or to be made in derogation of the ſaid liberties, and priuiledges, free vſages, and cuſtomes, ſtand and be againſt the ſaide Merchants and their ſucceſſors, and euery of them, void, repealed, annulled, and of none effect, any act, ſtatute, or ordinance, acts, ſtatutes or ordinances to ỹ contrary made, or to be made, notwithſtãding. Prouided alway, that this act, or any thing therin contained, extend not, or be in any wiſe preiudicial or hurtfull to the Maior, Shirifes, Citizens or Comminaltie of the Citie of London, or any of them, or to the ſucceſſors, of any of them, of or for any intereſt, li-

Priuil. Spirit. Londo.

bertie,

uelle, priuiledges, franchises, or other things the worthy of them giuen or granted by the kings most noble Progenitors or predecessors kings of this Realme, or by authoritie of Parliament, or otherwise: This present act, or any thing therein contayned notwithstanding. Anno 19. Henry. 8. cap. 23.

Steward of the Kings houshold.

A Statute made Anno 23. H. 8. cap. 39. concerning the great Master of the kings houshold, but it is repealed by 1. Mar. 2 Parl. cap. 4. and the office of the Lord Steward of the kings houshold is reuiued, and diuers things at large vnder this Statute concerning that office.

Stile.

Anno 35. H. 8. cap. 3. an act was made concerning the Kinges Stile, wherein the Supremacie was. But it is repealed by 1. and 2. Phil. & Mar. capitulo 8. as appeareth in Rome 4.

Strode.

Anno 4. H. 8. capitulo 8. An act was made for one Richard Strode that was condemned in the Courts of Stanerie in Deuonshire.

Surueiours.

FIrst it is to be inquired of the Castles and also of other buildings ditched about, what ỹ wals, buildings, timber, stone, lead, and other manner of couering is worth, and how they may be sold according to the very values of the same wals and building. And for how much the buildings without the ditch may be sold, and what they be worth with the gardens, courtilages, doue houses, and all other issues of the courtyardes by the yeare. It is to be inquired also, how many fields are of the demeanes, and how many acres in euery field, and what euerie acre is worth by the yeare. And how many acres of medowe are of the demeanes, and how much euerie acre by it self is worth by the yere to be let out. Also how many acres of pasture there be, and for what beastes or cattels the same pasture is most necessarie, and how many it will find, and of what maner, and what the pasture of euery beast is worth to be let out by yere. Also for ein pasture, that is common, how many and what beastes and cattell the Lord may haue in the same, & how much the pasture of euery beast is worth by the yere to let. Also it is to be inquired of parks, & demean woods, which the Lord may assert & improue at his pleasure, and how many acres they containe, and how much the pasture of an acre is worth, & how much the land is worth after the wood is felled, and how many acres it containeth, & how much euery acre is worth by yeare. Also it is to be enquired of forrein woods, whether other men haue common, and how much the Lord may improue to himselfe of the same woods, & how many acres, and for how much the pasture of euerie acre may be sold, & how much the ground is worth yerely after the wood is felled, and how many acres it containeth, and what euerie acre is worth by the yeare. Also it is to be enquired, whether the Lord may giue or set anything after the felling of the foresayd woods, and what such gifts or sales are worth by yeare. Also it is to be inquired of pawnage, and herbage of the Mowble, and all other profits of Foriestes, Woodes, Riuers, Waste, Mylles. Ponds, Heathes, and Mall, and how much it is worth by the yeare. Also of milles, fishponds, fortall and common, what they bee worth by the yeare. Also it is to be inquired of Freholders, the which do will without as well as within, that is to say, how many Freholders there be, and what manner Landes and tenements, and what fees they hold, and by what seruices, whether certeyn by fealtie or Knights seruice, or otherwise, and what they pay yerely of rent of assise, and who holde by charter, and who not, and who by old tenure, and who by newe feoffement. And it is to be inquired of the saide free tenants, which shall followe the Court of the Countie, and which not, and what and how much falleth to the Lord after the death of such free tenants. It is to be inquired also of customarie tenaunts, that is to witte, how many there be, and howe much land euery of them holdeth, and what workes and customes he doth, & what the workes & customes of euery tenant be worth yearely, and how much rent of assise be payed yearely besides the workes and customes, and which of them may be tared at the will of the Lord, and which not. It is also to be inquired of Cottages, that is to say, what cottages, or courtilages they hold, and by what seruice, and how much they doe pay by the yere for all their cottages and courtilages. It is also to be inquired of pleas and perquisites of the Courtes of the Rolles, which is awing of dogges, and how much they be worth in the yeare in all issues. It is also to be enquired of Churches that belong to the Lordes gift, how many there be, and what and where, and how much euerie Church is worth by the yeare after the true estimation of the same. It is also to be inquired, what be the dutie of heriots, suites, markets, escheats, customes, forfeites, and for ein workes and customs, and what the pleas and perquisites of courts, fines, reliefes, and all other casualties are worth by the yere, that may fall in any of these things. Anno 4. E. 1.

Pawnage
Herbage
Riuers
Waste
Mylles
Freholders
Seruice
Rent
Cottages
Pleas
Perquisites
Churches
Heriots
Faires
Markets
Courts
Reliefes

Suite.

FOr doing suits vnto the Courts of great lordes, or of meaner persons, from hence this order shalbe obserued, that none that is inscoffed by deth, from henceforth shall be destreined to doe such suite in the Court of his Lord, without he be specially bound thereto by the forme of this decree, These onely being except, whose almeners or they themselues, hand bled to do such suit before the first

Feoffement
Destraint

voyage of the saide King Henry into Britaine, sithence which nine and thirtie yeares and an halfe are passed vnto the time that these statutes were enacted. Likewise from henceforth none that is in-

Without deed

feoffed without deed from the time of the conquest, or any other ancient feoffement, shall be distrained to do such suites, vnlesse that he or his auncestors vsed to do it before the said voyage. And they that

Service

are infeoffed by deed to doe a certaine seruice, as for seruice of so many shillings by yere, to be acquited of all seruice from henceforth, shall not be bounden to such suites or other like, contrary vnto the forme of their feoffement. And if any inheritance (whereof but one suit is due) discend vnto many heires, as to parceners, who so that hath the eldest part of the inheritance shall do that one suit for himselfe and his fellowes, and the other coheires shall be contributaries according to the portion for doing such suit. And if any feoffees be seised of any inheritãce, (whereof but one suit is due) the lord of the fée shal haue but that one suit, and shall exact of the said inheritance but that one suit, as hath béene vsed to be done before. And if those Feoffees haue no warrant or meane which ought to acquite them, then all the feoffées according to their portion, shall be contributaries for doing the suit of them. And if it

Distraine

chance that the Lords of the Fée doe distrain their tenants, for such suites, contrary to this Act: then

Lords attached

at the complaint of the Tenants, the Lords shal be attached to appeare in the Kings Court at a short day, to make answere thereto, and shall haue but one essoine therein (if they be within the Realme.) And immediatly the beastes or other distresses taken by this occasion, shall be deliuered to the plaintifes, and so shall remaine vntill the plea betwixt them be determined. And if the lords of the courts, which take distresses, come not at the day that they were attached, or doe not keepe the day giuen to

Sheriffes

them by essoine: then the Shirifs shal be commanded to cause them to come at another day, at which day if they come not, then he shall be commanded to

Distreine

distraine them by all the goods and cattels that they haue in the Shire, so that the Shirife shall answer to the King of the issues of the saide inheritance, And ỹ he haue their bodies before our Justices at a certaine day limited, so that if they come not at that day, the partis plaintife shal go without day, and his beastes, or other distresses taken by that colour, shall remaine deliuered vntill the same Lords haue recouered the same suit by award of the Kings Court, and in the mean time such distresses shall cease. Hauing to the Lords of the Court their right to recouer those suites in forme of Law, when they will plead therefore. And when the Lords of the Courts come in to answer the plaintifs of such

Connict

trespasses, and be conuict therupon, then by award

Damages

of the Kings Court the plaintifes shall recouer against them the damages that they haue sustained

Tenant

by occasion of the said distresse. Likewise if the tenants after this act withdraw from their Lordes such suits as they were wont to do, and which they did before the time of the said voyage, and hitherto vsed to do, then by like speedines of iustice as be to limiting of daies, & awarding of distresses, the lords of the Courts shall obtaine iustice to recouer their suits with the damages, in like maner as the tenãt should recouer theirs. And this recouering of da-

Damages

mages muste bee vnderstand of withdrawing from themselues, and not of withdrawing from their auncestors, nouertheless the Lords of the Courts shall not recouer seisin of such suites against their tenants by default, as they were wont to doe. And touching suites withdrawen before the time afore mentioned, let the cõmon law run as it was wont before time. Marleb. cap. 9. An. 52. H. 3.

Swannes.

NO person, of what estate, degrée, or condition he be, other then the sonne of our Soueraign Lord the King, from the feast of Saint Michaell next comming, shall haue or possesse any such marke or game of his owne, or any other to his vse shall

Game

haue or possesse any such marke or game, except he haue lands and tenements of the estate of freehold

Annuities

to the yerely value of fiue markes aboue all yerely charges. And moreouer, that euery person or persons now hauing any such marke or game, shal sell or giue the same betwixt this and the feast of Saint Michael next comming to the vse of them to whom they shall be so sold or giuen. And if it happen any person or persons, not hauing lands or tenements to the sayde yearely value, to haue or possesse any such marke or game after the saide feast: that then it shall be lawfull to any of the Kings Subiects,

Goods forfeit

hauing lands or tenemẽts to the said value, to sease the said Swannes as forfait. Whereof the King shall haue the one halfe, and he that shal so sease, the other halfe. An. 22. Ed. 4. cap. 6.

Tayle.

COncerning Landes that many times are giuen vpon condition, that is to wit, where any

Condition

giueth his land to any man and his wife, and to the heires begotten of the bodies of the same man & his wife, with such condition expressed, that if the same man, and his wife die without heires of their bodies betwéene them begotten, the land so giuen should reuert to the giuer or his heire. In case also where one giueth lands in free mariage, which gift

Frank mariage

hath a condition annexed, though it be not expressed in the deede of gift, which is this: That if the same husband and wife die without heire of their bodies begotten, the land so giuen shall reuert to the giuer or his heire. In case also, where one giueth land to another, and to the heires of his bodie issuing, it seemeth very hard, and yet seemeth vnto the giuers and their heires, that their will being expressed in the gift, was not heretofore, nor yet is obserued. In all the cases aforesaid, after issue begotten and borne betwéene them (to whome the landes were giuen vnder such condition) heretofore such Feoffées had power to alien the land so

Disherit

giuen, and to disherite their issue, contrarie to the mindes of the giuers, and contrarie to the

forme

forme expressed in the gift. And further, where the issue of such feoffe is failing, the land so giuen ought to returne to the giuer or his heire, by forme of the gift expressed in the deed, though the issue (if any were) haue died: yet by the deed and feoffement of them, (to whom land was so giuen vpon condition) the donors haue heretofore bene barred of their entrie, which was directly repugnant to the forme of the gift: Wherefore our Soueraigne Lord the King, perceiuing how necessarie and expedient it should be to prouide remedie in the aforesaid cases, hath ordained, That the Will of the giuer, according vnto the forme in the deed of gift manifestly expressed, shall be from henceforth obserued, so that they to whom the land was giuen vnder such condition, shall haue no power to alien the land so giuen, but it shall remaine vnto their issue after their death, or shall reuert vnto the giuer or his heires (if issue faile) where as there is no issue at all, or if any issue be, and faile by death, or heire of the bodie of such issue failing: Neither shal the second husband of any such woman from henceforth haue any thing in the land so giuen vpon condition, after the death of his wife by the Lawe of England, nor the issue of the second husband and wife shall succeed in the inheritance, but immediatly after the death of the husband and wife (to whom the land was so giuen) it shall returne to their issue, or to the giuer, or to his heire, as before is sayd. And forasmuch as in a new case new remedie must be prouided, this manner of writ shall be granted to the partie that will purchase it. Præcipe A. quod iuste &c. red. B. Manerium de R cum suis pertinentijs qd. C. dedit tali viro, & tali mulieri, & heredibus de ipsis viro & mulieri exeuntibus. Or thus, Quod C. dedit tali viro in liberum maritagium cum tali muliere, &c. & qd. post mortem prædictorum viri & mulieris, prædicto B. filio eorundem viri & mulieris, descendere debeat per formam donationis prædictę, vt dicit &c. vel quod C. dedit tali & heredibus de corpore suo exeuntibus, & qd. post mortem illius talis prædicto B. filio prædicti talis descendere debeat per formam, &c. The writ whereby the giuer shall recouer (when issue faileth) is common ynough in the Chaunceric. And it is to wit, that this Estatute shall hold place touching alienation of land contrarie to the forme of the gift hereafter to be made, and shall not extend to gifts made before. And if a fine be leuied hereafter vpon such lands, it shall bee void in the Law. Neither shall their heires, or such as the reuersion belongeth vnto, though they be of full age, within England, and out of prison need to make their plaint. W. 2. cap. 1.

Taxes, Tenthes, Fifteenes, Subsidies, Reliefes, Contributions, and Beneuolences.

ANno 25. Ed. 1. It is ordained, That the taxes taken shall not be taken in custome, nor but by the common assent of this Realme, except the auncient aides and taxes. And the taxes of wools of xl. s. of a sacke was released.

2 No Tallage or ayde by vs or our heires in our Realme be put or leuied without the will and assent of the Archbishops, Bishops, Earles, Barons, Knights, Burgesses, and other free Commons of our Realme, nothing bee taken from henceforth, in the name or by occasion of maletout of a sacke of Woll. Stat. de tallagio non concedendo.

3 Because the Commons haue felt great griefe where as they granted any ayd to the King of their goods, and certaine were assigned to tare their goods, and the tarers haue leuied the same tare, and yelded their account for the same at the Exchequer and there paied money: Iustices haue ben assigned afterward to enquire vpon their doings, which Iustices haue taken ransomes and fines of the tarers and other, by colour of their Commissions, to the great oppression and impouerishing of them, the King will that from henceforth they shalbe tared after the old maner, and not otherwise. An. 1. E. 3. Stat. 2. cap. 6. Tare

4 An. 14. Ed. 3. cap. 20. & An. 14. Ed. 3. Statut. Prelatorum cap. 1. It appeareth that a tare was graunted to the King for two yeres, of the ix. sheafe, ix. fleece, and ix. lambe, and of Citizens and Burgesses the ninth part of their goods, & of other that liued not by gaine, the fiftenth part of their goods, and it was there enacted, That that graunt should not be drawne in example and preiudice in time comming. Tare ix. Part. xv. Part

5 An. 14. Ed. 3. cap. 21. & Anno 14. Ed. 3. Stat. Prelatorum capit. 4. It appeareth that a tare was granted to the King vpon wools and fels, and other marchandise for a time. Tare Wools Fels

6 An. 18. E. 3. A Statute containing seuen chapters concerning a tare of wols, fleece, and lambe, granted to the King. Wools Fleece Lambe

7 Anno 18. Edw. 3. cap. 1. The Temporaltie graunted to the King certaine disines and fiftenes. Disines Fiftenes

8 Anno 18. Edw. 3. pro clero capit. 1. The Clergie graunted to the King a disme for three yeares. Clergie Disme

9 Anno 25. Edw. 3. Stat. de forma leuationis quindecim, Fines, issues, amerciaments, and diuers other forfeitures were graunted to the Commons in ayd of a tenth and fiftene graunted to the King.

10 An. 36. Ed. 3. cap. 14. It was enacted, That certaine fines and amerciaments should be leuied to the payment of the fiftene graunted for three yeares. Fifteenes

10 An. 5. R. 2. Stat. 2. cap. 3. A Subsidie was graunted for two yeares. Subsidie

11 Item that no imposition nor charge be put vpon wolls, leather, or wollfels, other then the Custome and Subsidie granted to the King in this present Parliament, and if any be, the same shalbe repealed and annulled as it was another time ordained by Statute, sauing alway to the King his auncient right. An. 11. R. 2. ca. 9. Charge Wools Fells

12 All manner forreines, hauing lands or tenements, goods and cattels, within any Townes at the day of the graunt of any disme or quinzime, or any

any other tare, although they lead away their beasts, or carrie away their goods and cattels out of the same Towne, after the day of the said graunt, that the same forreines and euerie of them shall be contributorie with the inhabitants of such townes to such Disme, Fifteene, or Tare, and that the Collectors of the same Disme, Quinzime, or Tare, for the time being, within such Townes, shall haue power by authoritie of their Office, to tare and assesse such forreines according to the quantitie of their goods, cattels, and possessions being in the said Towns, at the day of the grant of the said Dismes, Quinzime, or Tare, and for the same sums where to they be assessed or tared, to distraine in euerie place within the Countie, as well before that our said Soueraigne Lord the King be answered of the whole summes that attaineth to the said Townes, as after. Prouided alwayes, That no man or woman be two times charged for any such beastes, goods, nor cattels, in any wise by occasion thereof. An. 9. H. 4. cap. 7.

Forreines
Collectors
Tare
Distraine

13 An. 31. H. 6. A Subsidie of Pondage and a Subsidie of Woll was granted to the king for his life. And after the same yeare, An. 31. H. 6. ca. 8. part of those Subsidies were discharged for certain yeares.

Pondage
Wooll

14 Anno 12. Edw. 4. capitul' 3. A Subsidie of Tonnage and Pondage was giuen the King for his life, for certaine wares expressed in the Act.

Tonnage
Pondage

15 The Subiects and Comminaltie of this his Realme, from henceforth shall in no wise be charged by any such charges and imposition, called a benevolence, nor by such like charge. And that such exactions, called a benevolence, before this time taken, shall be taken for no example, to make such or any like charge, of any of his said subiects of this Realme hereafter, but shalbe damned and annulled forever. An. 1. R. 3. ca. 2.

Benevolence
Void

19 11. H. 7. cap. 10. An Act was made for the leuying of a Benevolence granted to the king.

Benevolence

17 If any Maior, Sherife, Bailife, or other Officer in any Citie, Borough, or Towne within this Realme, distraine, take, and leuie any custome called Scauage, otherwise called Shewage, of any Marchant Denizen, or of any other the Kings subiects Denizens, of or for any manner of marchandise, to our Soueraigne Lord the king before truely customed, that is brought or conueyed by land or by water to be vttered and sold in any City, Borough, and Towne in this Land: Or if that any Maior, Sherife, Bailife, or other Officer in any Citie, Borough, and Towne for nonpaiment of the said Scauage, let or disturbe any Marchant, or any other person or persons being Denizens, to sell and vtter their marchandise by them brought into any Citie, Borough, or Towne: That then euerie Maior, Sherife, Bailife, or other Officer distraining, leuying, or taking any such Scauage, or otherwise offending in any thing contrarie to this present Act, shall forfeit for euerie time that he so offendeth twentie pounds, the one moitie thereof to the King, and the other moitie thereof to the partie in that behalfe grieued, or to any other that first sueth in that part by action of debt, in any Shire within this Realme to be sued, and that the defendants in any such action be not admitted to wage or doe their Law &c. Prouided alway, That the Maior, Sheriffes, and Comminaltie of the Citie of London, and euerie of them shall haue & take all such summes of money for the said Scauage, and of euerie person Denizens, as by our Soueraigne Lord the King and his honourable Counsell shall be determined to be the right title of the Maior, Sheriffe, and Comminaltie of the said Citie of London, or any of them, this Act in any wise notwithstanding. An. 19. H. 7. ca. 8.

Maior Sherife Bailife
Distraine
Scauage
Marchant
Maior Sherife Bailife
Disturbe
Forf. Moitie
Maior Sherifes London

18 An. 6. H. 8. cap. 14. The Subsidie of Tonnage and Pondage granted to K. E. 4. An. 12. E. 4. cap. 3. during his life was enacted to stand good and effectuall during the life of H. 8.

Tonnage Pondage

19 See Englishmen &c. that English men sworne to forreine Princes, shall pay Subsidies and Impositions as strangers.

Englishmen

20 An. 32. H. 8. cap. 32. An Act is made concerning a Subsidie of iij. s. of the pound graunted by the Clergie of the Prouince of Canterburie to the King.

Subsidie iij. s. Clergie

21 An. 33. H. 8. cap. 59. The Temporaltie by Parliament, graunted a great Subsidie to the King with many articles and clauses concerning the same.

Temporaltie Subsidie

22 An. 34. H. 8. ca. 16. An Act was made concerning a great Subsidie graunted of the Temporaltie, with many articles and clauses concerning the same.

Subsidie Temporaltie

23 Anno 34. H. 8. cap. 27. An Act was made for the confirmation of a Subsidie granted by the Clergie.

Clergie

24 Anno 37. H. 8. cap. 24. An Act was made for the confirmation of a Subsidie granted by the Clergie.

Clergie

25 Anno 37. H. 8. cap. 25. An Act was made concerning a great Subsidie graunted of his Temporaltie with many articles and clauses concerning the same.

Subsidie Temporaltie

26 Anno 1. Ed. 6. cap. 13. Was graunted by the Parliament to Ed. 6. during his life a Subsidy of Tonnage and Pondage, and another Subsidie for Woolfels, and hides: with a prouiso for the confirmation of the priuiledges of the Marchants of the Stilyard, which prouiso to endure to the end of the next Parliament.

Tonnage Pondage Woolfels Hides Stilyard

27 An. 2. Ed. 6. cap. 35. An Act was made for the confirmatiõ of a Subsidie granted to the Clergie, of vj. s. of the pound.

Subsidie Clergie

28 An. 2. Edw. 6. cap. 36. A relefe was graunted to the King for three yeres, and yearely twelue pence of the pound of goods of the naturall subiects and corporations, and of aliens two shillings of the pound, and a certaine summe for sheepe, and for woollen clothes, and there be many long articles for the leuying of the same. And after Anno 3. Edward 6. capitul. 23. an Act was made for the release of the breaches in the said acte of releife for the paiment of sheepe and clothes, and a graunt of a Subsidie to be paied in one yeere.

Relefe
Aliens
Sheepe
Clothes
Releife

26 Anno 7. Edward. 6. capitul. 12. there was graunted

Temporal. Dismes. Fifteenes. Subsidie

graunted to the King by the Temporaltie two Dismes, two Fifteenes, and a Subsidie of foure shillings of the pound vpon lands, & two shillings eight pence vpon goods. And there be many long articles for the leuying thereof. And after Queene Marie by her Letters patents, dated 2. Septembris An. 1. M. did pardon and remit the said Subsidies of foure shillings & two shillings eight pence. And after Anno primo Mariæ 1. Parliament capitulo decimo septimo, she did acquit and discharge the said Subsidie of foure shillings, and two shillings eight pence, sauing the two Fifteenes and Dismes, &c.

Pardon

Subsidie Clergie

30 An. 7. Ed. 6. cap. 13. A Subsidie of vj. s. of the pound graunted to the King by the Clergie, was confirmed by Parliament. And in that Act be diuers articles for the leuying of the same.

Tonnage Poundage Subsidie Clergie

31 Anno 1. M. Was a Subsidie granted her of Pondage and Tonnage during her life.

Temporal.

32 An. 2. & 3. P. & M. cap. 22. A Subsidie of six shillings of the pound then granted by the Clergie, was confirmed by Parliament. And in the same Parliament cap. 3. a Subsidie was granted by the Temporaltie of foure shillings of the pound for lands, & two shillings eight pence of the pound for goods.

33 Anno 4. & 5. P. & M. A Subsidie of eight shillings in the pound, granted by the Clergie, was confirmed, and a Subsidie graunted by the Temporaltie of foure shillings of the pound for lands, and two shillings eight pence goods. And the like Subsidie was graunted Anno primo Elizab.

Tonnage Wine

34 We giue and grant to you our supreame liege Ladie and Soueraigne, one Subsidie called Tonnage, that is to say, of euerie tunne of Wine comming, or that shall or is come into this your Realm, by way of marchandise, the summe of three shillings, and so after the rate. And for euerie tunne of sweet Wine, as well Malmesy as other, that shall or is come into the same your realme, by euerie or any Marchant alien, as well by the Marchants of Hanse and Almaine, as by any the Marchant stranger of what nation soeuer he be, three shillings. And so after the rate ouer and aboue the three shillings afore graunted. And of euerie Aume of Renish wine, comming, or that shall or is come into this your Realme, by way of marchandise, by euerie or any Marchant Denizen or Alien, of what Nation soeuer he be, twelue pence. And also one other Subsidie called Pondage, that is to say, of all manner of goods and marchandises of euerie Marchant Denizen and Alien whatsoeuer he be, caried and to be carried out of this your said realm, or brought or to be brought into the same by way of marchandise, of the value of euerie twentie shillings of the same goods and marchandise twelue pence, and so after the rate. And of euerie twenty shillings value of tinne and pewter vessell carried out of this your Realme by any and euerie Marchant Alien, twelue pence ouer and aboue the vj. pence afore said. Except and alwayes foreprised out of this graunt of Subsidie of Pondage, all maner of woollen cloth made or wrought, or that shall be made or wrought within this your Realme of England, and by euerie or any Marchant Denizen, and not borne Alien, carried or to bee carried out of this your said Realme. And all manner of wools, woolfels, and hides, and backes of leather also carried or to be carried out of this your Realme. And all wines, and all manner of fresh fish, and bestiall, comming, or that is or shall come into the same your Realme. And further wee your sayd poore Commons by the aduise, assent, and authoritie aforesaid, giue and graunt vnto you our sayd Soueraigne liege Ladie and Soueraigne, for the causes aforesaid, one other Subsidie of all manner of woll, woolfels, and leather, carried or to be caried out of this your Realme, in manner & forme following (that is to say) of euerie Marchant Denizen, of and for euerie sacke of woll, three and twentie shillings and foure pence, and for euerie 240 woolfels thirtie three shillings foure pence, and of and for euerie last of hides and backes of euerie such Marchant Denizen, fortie six shillings eight pence. And of euerie Marchant stranger, not borne your liege man, as well those that be made Denizens, as hereafter shall be made by Letters patents or otherwise, as all other Marchants Strangers, of and for euerie sacke of woll 3. l. 6. s. 8. d. and of and for euerie 240. woolfels 3. l. 6. s. 8. d. also for euery last of hides and backes three pounds thirteene shillings and foure pence. And so of all the said wools, woolfels, hides, and backes, and euerie of them, after the rate, that so is or shall be caried, to haue, take, enioy, and receiue the Subsidie aforesaid, and euerie of them, and euerie part and parcell of them, to your Highnesse, from the sixteenth day of Nouember last past, during your life naturall. And further we your said poore Commons, most humbly desire your Maiestie, that it may be enacted by your Highnesse, by the aduise & assent of the Lords aforesaid, and vs your sayd Commons, and by the foresaid authoritie of this present Parliament assembled, That the gifts and graunts aforesayd shal be good and effectuall, according to the true meaning of the same. And that it may be further enacted by authoritie aforesaid, that if any wines, goods, marchandise, wools, woolfels, hides, & backes of leather aforesaid, or other things afore specified, whereof the Subsidies aforesaid, or any of them is or shall be hereafter due, shall at any time hereafter during the time aforesaid, be shipped, or put into any boat, crayer, ship, or vessell, to the intent to be carried into the parts of beyond the Seas, or else be brought from the parts of beyond the Seas, into any Port, Hauen, Creke, or other place of this your Realme, by way of marchandise, and there layed on land, (the Subsidies aforesaid of the premisses due, or to be due, by the reason of this grant not payd) or the Collector of that same Subsidie, or his Deputie, with & by the consent, knowledge, and agreement of the Comptroller & Surueyor, or one of them at the least, not agreed for the same in the custome house, according to the true meaning and intent of these aforesaid graunts, and euerie of them, that then from the said fiftenth day of Nouember last past, and not before, all the sayd wines, goods, marchandise, wools, woolfels, hides, and

Denizen

Wools Fells Leather Wines Fresh fish

Subsidie Wooll Leather

Denizen

Marchant Strangers

Wines Marchandise

Shipped

Collector

Wines Marchandise

and backes, and other the premisses aforesaid, and euerie part and parcell thereof so shipped, or else put into any boats, crayer, or other vessel aforesaid, to the intent aforesaid, or brought into this Realm and there layed on land, as is also aforesaid, shall be and remaine forfeit to your Highnesse during the time aforesaid, the one moitie of the value thereof to your Highnesse, and the other moitie to him or them that will seise the same, or sue for the same. And that it may please your Highnesse, that all Marchants, as wel Denizens as Strangers, comming into this your Realme, be well and honestly intreated and demeaned, for such things as Subsidie by this Act is graunted for, as they were in the time of your said noble progenitors, without oppression to them to be done, paying the Subsidies aforesaid. And further that it be enacted by the authoritie aforesaid, That if any goods, marchandises, wools, woolfels, or leather aforesaid, or any part thereof, of any Marchant Denizen, naturally borne your liege man, which hath or shall passe out of this your said Realm, after the said sixteenth day of November last past, during the terme of this gift and graunt, hath or shall happen to bee taken with enemies, or pyrats vpon the Sea, or perished by infortune in any ship or shippes that shall happen to be taken or perished within the time of the sayd graunt, whereof the Subsidies aforesaid, or any of them to your Highnesse due, or to be due, is or shall be in forme aforesaid duely payed or agreed for, without fraud or collusion, and such losse or losses as beene before rehearsed, bee found and proued before the Treasurer of England, or the chiefe Baron of your Exchequer, for the time being, by the examination of the same Marchants, if they be aliue, or of their executors or administrators, if they be dead, or two true credible persons sworne, or other reasonable witnesse, and proues sworne, witnessing the same marchandizes so to be lost, or perished, that then the same Marchants Denizens that were or shalbe owners of the aforesaid goods, marchandises, woll, woolfels, hides, or other marchandises aforesaid, as shal be so perished or lost, if they be on liue, their executors and administrators, if they be dead, and euerie of them, by force and vertue of this Act, when them liketh, during the said terme, shall or may newly ship as much wool, woolfels, hides, or other goods and marchandises in the same Port or Ports in the which the same woll, woolfels, hides, or other goods and marchandises aforesaid so lost and perished, were or shall be shipped, without any of the Subsidies aforesaid, now graunted to be had or payed therefore to your Highnesse in any wise. And that all such profits of the premisses, so to bee lost or perished, be certified into your Chancerie by your said Treasurer, or chiefe Baron, there to remaine of record. And after such certificate made, the Chancellor of England, or the Lord Keeper of the great Seale for the time being, shall make and deliuer vnto the said Marchants, their executors, or administrators, or any of them, or to their atturney or atturneyes, in the behalfe of any of them, as many and such writs and warrants to be directed as wel to the Collectors of the Subsidies aforesayd, or any or euerie of them for the time being, as to the Treasurer and Barons of your Exchequer for the time being, shall be thought requisite and needfull for the sayd Marchants, their executors or administrators, or their atturney or atturneyes, or any of them, or the said Collectors, or any of them, to haue for the obtaining as well of the shipping, as of the allowance thereof. And further, that euerie Marchant Denizen, that shall ship hereafter any woll, woolfels, hides, or any other good and marchandise in any Carrike or Galley, shall pay to your Maiestie during the time aforesaid, all manner of customes, and all the Subsidies aforesayd, as any Alien borne out of this your Realme. Anno 1. Eliz. cap. 19.

Fort. Moitie — Marchants — Marchandises — Pirats — Treasorer — Chief Baro — Marchandises lost — Newly ship — Without Subsidie — Certified Chauncerie — Writs — Denizen Woll Felles Hides

35 Anno 5. Eliz. cap. 29. A Subsidie of six shillings the pound was graunted by the Clergie, and a Subsidie, two Fifteenes and Tenthes graunted by the Temporaltie. The like graunted 8. Elizab. cap. 17. & 18.

36 Anno 13. Eliz. cap. 36. A Subsidie of six shillings the pound graunted by the Spiritualtie, was confirmed, and two Fifteenes and Tenthes graunted by the Temporaltie, and a Subsidie of eight groats the pound of cattels &c. and for lands foure shillings, to bee paied at two seuerall payments, with many long articles for the collection of the same.

37 Anno 18. Elizab. cap. 22. A Subsidie of vj. s. in the pound was graunted by the Clergie. And two fifteenes and tenthes by the Temporaltie, and one Subsidy of iiij. s. the pound lands, and v. s. viij. d. goods.

38 Anno 23. Elizab. cap. 15. A Subsidie and two fifteenes and tenthes was graunted by the Temporaltie.

39 An. 27. Elizab. cap. 28. A Subsidie of six shillings in the pound was granted by the Clergie, and two fifteenes and tenthes by the Temporaltie, and the Subsidie of iiij. s. the pound lands, and v. s. viij. d. goods.

40 Anno 29. Eliz. A Subsidie of six shillings in the pound was graunted by the Clergie, and two fifteenes and tenthes by the Temporalty, and a Subsidie of iiij. s. the pound lands, and v. s. viij. d. goods.

41 Anno 31. Eliz. Two Subsidies of six shillings in the pound were graunted by the Clergie, and foure fifteenes and tenthes by the Temporaltie, and two Subsidies of iiij. s. the pound lands, and v. s. viij. d. goods.

42 Anno 35. Elizab. Two Subsidies of iiij. s. in the pound were granted by the Clergy, and three Subsidies, and six fifteenes and tenthes granted by the Temporaltie. The Subsidies, by the Temporaltie being of iiij. s. the pound lands, and v. s. viij. d. goods.

43 An. 39. Eliz. There was graunted to the Queenes Maiestie three Subsidies of iiij. s. in the pound, by the Clergie and by the Layetie, six fifteenes and tenthes, and three Subsidies of v. s. viij. d. goods and lands.

44 Anno 43. Elizab. Foure like Subsidies of the

the Pounde and of the dayrie, and eight fifteenes to be granted to her Maiestie.

And we your poore Commons doe giue & graunt to your said Soueraigne Lord and Soueraigne, one Subsidie called Tonnage, that is to say, of euerie Tonne of Wine that shall come into this Realme, or any your Maiesties Dominions, by way of marchandise, the summe of three shillings, and to that rate; and of euerie tunne of Sweet Wines, as well Malmesey as other, that is or shall come into this Realme by any Marchant Alien, three shillings, and so after that rate, ouer and aboue the three shillings aboue mentioned: And of euerie Tunne of Rhenish Wine that is or shall so comein, twelue pence, and also one other Subsidie called Pondage, that is to say, of all manner of goods and marchandise of euery Marchant Denizen and Alien, carried or to be carried out of this Realme, or any your Maiesties Dominions, or to bee brought into the same by way of marchandise, of the value of euerie twentie shillings of the same goods and marchandise, twelue pence, and so after thorate: And of euerie twentie shillings value of Tinne and Pewter vessell carried out of this Realme by euerie or any Marchant Alien, twelue pence, ouer and aboue the twelue pence aforesaid. Except and forepriſed out of this graunt of Subsidie of Pondage, all maner of woollen cloth made or wrought, or which shall be made or wrought within this Realme of England, and by euerie or any Marchant Denizen, and not borne Alien, carried or to be carried out of this your said Realme, and all manner of wools, woolfels, hides, and backs of leather that is or shall bee carried out of this your Realme, and all wines not before limited to pay Subsidie or Tonnage, and all manner of fresh fish and bestiall, comming, or that shall come into the same your Realme. And further wee your said poore Commons by the aduise, &c. doe giue and graunt vnto you our said liege Lord and Soueraigne, one other Subsidie, that is to say, of euerie Marchant borne Denizen, of and for euerie sacke of woll, three and thirtie shillings foure pence, and of and for euerie 240 woolfels thirtie three shillings foure pence, and of and for euerie last of hides and backes, three pounds six shillings eight pence, and so after the same rate for euerie lesse or greater quantitie for any ỹ same marchãdize more or lesse. And of euerie Marchant Stranger, not borne Denizen, of and for euerie sacke of woll 3. l. 6. s. 8. d. and of and for euerie 240. woolfels 3. l. 6. s. 8. d. and for euery last of hides and backes, three pounds thirteene shillings foure pence. And so of all the said wools, woolfels, hides, and backes, and euerie of them, after the rate: to haue, take, enioy, and receiue the Subsidies aforesaid, and euerie of them, and euerie part and parcell of them, to your Highnesse, from the eighteenth day of March last past, during your life naturall. And that it may be further enacted &c. That if any wines, goods, or other marchandise, whereof the Subsidies aforesaid are or shall be due, shal at any time hereafter be shipped, or put into any boat, or other vessell, to the intent to be carried into the parts beyond the Seas, or else bee brought from the parts beyond the Seas into any Port of this Realme, or other your Maiesties Dominions, by way of marchandise, and vnshipped to be layed on land, the Subsidie, Custome, and other duties due, or to be due for the same, not payd or lawfully tendred, or the Collectors thereof, or his Deputie, with the consent and agreement of the Comptroller, Surueyor, or one of them at the least, not agreed with for the same in the Custome house, according to the true meaning of this Act: That then from the said eighteenth day of March last past, all the same wines, goods, and marchandise whatsoeuer, shall be forfeit to your Highnesse during the time aforesaid: The one moitie of the rate thereof to your Highnesse, and the other moitie to him or them that will seise the same, or sue for the same: And that it may please your Highnesse, that all Marchants, as well Denizens as Straungers, comming into this your Realme, be well & honestly intreated and demeaned for such things as Subsidy by this Act is granted for, as they were in the time of your noble progenitors and predecessors, without oppression to them to be done, paying the Subsidies aforesayd. And be it &c. That if any goods or marchandise as aforesayd of any Marchant being borne Denizen, after the said eighteenth day of March, during the terme of this graunt, hath beene or shall be taken by any enemies, or pyrats, vpon the sea, or perished in any ship or ships, that shall happen to be taken or perished within the time of the said graunt, whereof the Subsidies and other duties aforesayd, are or shall be duely paied, or agreed for, as aforesayd, and that duely proued before the Treasurer of England, or chiefe Baron of the Exchequer for the time being, by the examination of the same Marchants, if they be aliue, or of their executors or administrators, if they be dead, or by two credible witnesses at the least sworne, or other reasonable witnesse and prowfe sworne, then the same Marchant or Marchants, his or their executors or administrators, shall or may newly ship in the same Port, where the goods or marchandise aforesayd were or shall be customed, so much other marchandise or goods, as the same goods and marchandise that are or shall be lost as aforesaid, shall amount vnto, in Custome, without paying any thing for the same, so as the same prowfe be recorded and allowed of in the Court of Exchequer, and certified vnto the Collectors of the Custome of the Port, where the same wares and marchandises are to be newly shipped without custome as aforesaid. And further, that euerie Marchant Denizen that shall hereafter ship any woll, woolfels, hides, or any other goods and marchandise, in any Carrike or galley, shall pay to your Maiestie all manner of Customes and all the Subsidies aforesaid, as any Alien borne out of this Realme. Prouided alwayes, That it shall and may be lawfull to all and euery of the Subiects of our Soueraigne Lord the King, at his and their will and pleasure to carrie & transport out of this Realm, in the ships or other vessels of any the Subiects aforesaid, all and euerie kind of Herrings or other Sea-fish to be taken vpon the

Seas

Tonnage

Pondage

Woollen cloth

Hides, Woolfels, &c.

Fresh fish

Denizen

Wool

Leather

Marchant Stranger

Customes vnpaid.

Fost.

Marchants

Denizen

Pyrats

Treasurer. Barons of the Exchequer

Newly ship

Without Custome

Herrings Sea-fish

Seas by any the Subiects aforesaid, from or out of any Port or Harborough of this Realme, to any place out of the Kings Dominions, without paying of any Customs, Subsidie, or Poundage money for the same Herrings and Fish, so carried or transported, during this present graunt of Subsidie of Tonnage and Poundage, Any thing herein contained to the contrarie notwithstanding. 5. Iac. cap. 3.

Herrings Sea fish

48 Anno 5. Iac. Foure Subsidies of fower shillings in the pound were graunted to the King by the Clergie, and three entire Subsidies of two shillings eight pence the pound goods, and foure shillings lands, and sixteenes and tenthes by the Temporaltie.

47 Anno 7. Iac. One Subsidie of six shillings in the pound was granted to the King by the Clergie, and one entire Subsidie of two shillings eight pence the pound goods, and foure shillings lands, and one sixteene and tenth by the Temporaltie.

Templers.

ANno 17. Ed. 2. It was enacted, That neither the King nor the Lords should have by escheat the lands that were the Templers (which Order was then dissolued.) But that these lands should remaine to the Prior and brethren of the Order of the Hospitall of Saint Johns of Ierusalem, which Order was then erected for the defence of Christendome.

S. Johns Ierusalem

Tenure.

Distraine

NO man shal be distrained to doe more seruice for a Knights fee, nor for any freehold, then thereof is due. Magna charta ca. 10.

Escheat

2 If any man hold of any escheat as of the Honour of Wallingford, Nottingham, Boloine, or of any other escheats which be in our hand, and are Baronies, and die, his heire shall giue none other relefe, nor doe none other seruice to vs, then he should to the Baron, if it were in the Barons hand. And we in the same wise shall hold it as the Baron held it, neither shal we haue by occasion of any such Baronie or escheat, any escheat or keeping of any of our men, vnlesse they do hold of vs otherwhere in chiefe, or else he that held the Baronie or escheat otherwhere, held of vs in chiefe. Magna charta cap. 31.

Relefe Seruice

Free man

3 No free man from henceforth shall giue nor sell any more of his land, but so that of the residue of the lands, the Lord of the fee may haue the seruices due to him which belongeth to the fee. Magna charta cap. 32.

Seruice

Free man Feoffee

4 From henceforth it shall be lawfull to euerie free man to sell at his owne pleasure his lands and tenements, or part of them, so that the feoffee shall hold the same land or tenement of the chiefe Lord of the fee, by such seruice and customs as his feoffor held before. And if he sell any part of such lands or tenements to any, the feoffee shall immediately hold it of the chiefe Lord, and shall be forthwith discharged of such the seruices for so much as pertaineth or ought to pertaine to the said chiefe Lord for the same parcell, according to the quantitie of the land or tenement so sold. And so in this case the same part of the seruice shall remaine to the Lord to be taken by the hands of the feoffee for that which he ought to the tenant quod nunquam answerable to the same chiefe Lord, according to the qualitie of the land or tenement sold for the parcell of the seruice before. And it is to be vnderstood, that by the said sale nor purchase of lands or tenements, or any parcell of them, such lands or tenements shall in no wise remaine to mortmaine, either in gift or in whole, neither by police, nor cause, contrarie to the forme of the Statute made thereupon, vnlesse speciall it be by that Statute ordeined, but one by the said holden in fee simple. Anno 18. Ed. 1. cal. Quia emptores terrarum.

Seruice Mortmaine Fee simple

5 Whereas diuers people of the Realme complaine that they be grieued by that the lands and tenements, which doe holden of the King in chiefe, are aliened without licence, whereby the seruices which thereof ought to be done to the Kings hands, and holden as afore: The King shall not hold them as forfeit in such case, but will and graunt from henceforth, that such lands and tenements so aliened, there shall be reasonable fine taken in the Chauncerie by due Proces. Anno E. 3. cap. 18.

Chiefe Fine

6 Whereas diuers haue complained, that they be grieued by reason of purchasing of lands and tenements, which haue bene holden of the Kings progenitors that now is, as of Honours, and the same lands and tenements haue bene taken into the Kings hands, as though they had bene holden in chiefe of the King, as of his Crowne: The King will that from hence forth no man be grieued by any such purchase. Anno Ed. 3. cap. 13.

Chiefe

7 Item it is accorded, That the alienations of land and tenements, made by people, which held of King Henry great grandfather to the King that now is, or of other Kings before him, to hold of themselfe, that the alienations shall stand in their force: Sauing alwayes to our Soueraigne Lord the King his prerogatiue of the time of his grandfather, his father, and of his owne time. Anno 34. E. 3. cap. 15.

Alienation

8 All lands, tenements, hereditaments, and other possessions, which the first day of March next before the fourth day of March, the first yeare of the Kings raigne, were holden by fealtie and rent, or other seruices, of any person or persons not attainted, which lands, tenements, hereditaments, or other possessions, the fourth day of March in the first yeare of the Kings raigne, or any time after came into the Kings hands or possession by reason of any attainder of Treason, and after passed from the King by any of his Letters Patents, to any person or persons, or hereafter shall passe from the King by any of his Letters Patents, to any person or persons, that the same person or persons, and euerie of them, and euerie their heire and heires, assignee and assignees, successor and successors, shal haue, perceine and take such rent and rents, as to any of them were due, and ought to be due, of the same

Fealtie Rent Attainder Letters

same lands, tenements, hereditaments, or other possessions, or any of them, being in the hands of any other person or persons then the king, as if the said attainders had not binded. And that it shal be lawful to every person or persons not attainted, & to every of them, & to every of their heirs or heirs, assignes and assignes, successors & successors, in the same lands, tenements, hereditaments, or other possessions, being in the hands of any other person or persons then of the king, or the said rent or rents to distraine after such manner and forme, as they & every of them might have done if the same attainders had not béene had. Which Act to be in force vntil the 1. day of this said parliament. an. 7 E. 4. ca. 5.

9 From and after the foure and twentieth day of Aprill in the fiue and twentieth yeare of your most noble raigne, that your said Highnelle, your heires or successors, shall or may at your will and pleasure, vpon your Letters patents, of any manors, lands, tenements, reuersions, rents, seruices, tithes, pensions, portions, aduowsons, patronages, or other hereditaments, not exceeding the cleere yerely value of fortie shillings, which were belonging to any of the said houses comprised in the said Act, whereby any estate of inheritance doth or shal passe from your said Highnelle, your heires, successors, (houses, tenements, cottages, and gardens, whereunto lands, tenements, or hereditaments do appertaine, onely excepted) reserued vnto your said Highnelle, your heires and successors, either a tenure by Knights seruice in capite, or else a tenure in Socage or free Burgage, and not in capite, at your free will and pleasure, with the yearely rent of the tenth part of the said lands and tenements to be comprised in euerie such Letters patents, according to such rate and value, as the same manors, lands and tenements shall be expressed and rated to be of the yearely value in the same Letters patents, the said rent to be paied to the Officers of your Highnelle said Court of the Augmentations of the reuenues of your Crown, to your said Highnelle vse, according as other reuenues there, be and shall be paied by the authoritie of the said Act. And that of houses, tenements, cottages, and gardens, whereunto no lands, tenements, or hereditaments doe appertaine, not being any of the Kings princely houses, reserued and kept by a keeper thereof to the Kings vse, which were belonging to any of the said houses comprised in the said Act, vpon euerie the Letters patents of any the said houses, tenements, cottages & gardens, to the which no lands doe appertaine, whereby any estate of inheritance doth or shall passe therein from your said Highnes, your heirs or successors, to reserue vnto the same your Highnes, your heirs & successors at your own will & pleasure, either a tenure by Knights seruice in capite, or else a tenure in socage, or free burgage, & not in capite, with that yearely rent of the tenth part as is aforesaid: Any Law, Statute, custome, vsage, or any other thing or things heretofore to the contrarie thereof in any wise notwithstanding.

Anno 36. H. 8. cap. 14.

10 All manors, lands, tenements, rents, reuenues, parsonages, tithes, and other hereditaments not being at the time of the making of any such letters patents heretofore made sithen the said fourte and twentieth day of Aprill (s. mentioned in the Act of 31. H. 8. cap. 14. before 9.) aboue the cleere yearely value of fortie shillings, and all houses, mes- Fortie shillings by yeere
suages, cottages, curtilages, orchards, yards and gardens, whereunto no other lands, tenements, or hereditaments were belonging or appertaining, not being any of the Kings princely houses, reserued and kept by a keeper thereof to his Graces vse, by whatsoeuer title or titles they or any of them came vnto his Maiesties hands, heretofore giuen or granted by his Maiestie, to any person or persons, or bodies politike, sithen the said xxij. day of Aprill, in the said xxv. yeare of his raigne by his letters patents, whereby any estate of inheritance L. patents
hath passed from his Highnelle, to hold the same of his Highnelle, his heires and successors, by fealtie Fealtie
onely, or by fealtie onely and not in capite, or in socage, or free burgage, or by fealtie onely in free and common socage, and not in capite, or by any manner of such like words in effect: Or to hold the same by fealtie, or of any of his Graces honors, manors, or lands, or by fealtie only, as of any of his Graces honors, manors, or lands, and not in capite, or by any like words in effect: shall from the date of euerie such letters patents be adiudged, taken and déemed, to all intents and purposes to be holden in so- Socage Burgage
cage or burgage, & not in capite, according to the verie expresse and plaine words contained in any such letters patents, without any further implication, construction, or explanation of the Law, therof to be made or had by any person or persons against the same, and in no maner of wise to be déemed, adiudged, or taken to be holden in capite: Any ambiguitie, doubt, or other thing heretofore risen or moued, or hereafter to bé moued, stirred, or set forth to the contrarie thereof notwithstanding.

And be it &c. That the Kings Highnelle, his heires King
or successors, at any time or times within fiue yeares next after the first day of November last past, shall and may at his or their owne wills and pleasures, vpon any letters patents made, or here- L. patents
after to be made of any manors, lands, tenements, rents, reuersions, seruices, parsonages, tithes, portions, pensions, and other hereditaments, not bé- ing rated or valued at the time of the making of any such letters patents aboue the sum of xl. s. by yere, Fortie shillings by yeere.
whereby any estate of inheritance hath or shal passe from his Highnes, his heires or successors (houses, messuages, cottages, orchards, yards and gardens, whereunto no other lands, tenements, or hereditaments doe appertaine, onely excepted.) And also shall and may vpon any like letters patents here- L. patents
after to be made within the sayd fiue yeares, of any houses, messuages, cottages, orchards, yards, curtilages or gardens, whereunto no other lands, tenements, or hereditaments do apper aine, not being any of the Kings princely houses, reserued and kept by a keeper thereof to his Graces vse, by whatsoeuer title or titles the said manors, lands, tenements, rents, reuersiõs, seruices, parsonages, tithes, portions, pensions, houses, tenements, cottages, gardens, and other the premisses, or any of

them so to be giuen or graunted, be come, or hereafter shall come to his graces hands, his heires or successors, reserue either a tenure by knights seruice in Capite, or else a tenure by fealty, or in socage, or burgage, and not in Capite. And that all and singular the said seuerall tenures, aswell heretofore reserued and made sithen the said xviij. day of Aprill, in the said xxvj. yere of our said soueraigne Lord the kings raigne, as hereafter within the said fiue yeres next after following to be reserued as made, and hauing these words, & non in Capite, shall from the date of euery such letters patents be deemed, adiudged, and taken to be tenures in socage or burgage, and not in Capite. And that the patentées of the same manors, lands, tenements, and other the premisses, or part thereof, their heires and assignes, and euery other person or persons, hauing the same or any part thereof, shall hold the same manors, lands, tenements, houses, cottages, and other hereditaments, comprised in any such L. patents of our said Soueraigne Lord & K. his heirs or successors, & hauing the said words, & non in Capite, by the seruice of fealty in socage or burgage, according to the expresse words contained in any such Letters patents, and shall not hold the same or any part thereof, of our said Soueraign Lord, his heires or successors in chiefe, or in Capite, nor shall bee compelled by reason onely of the same, to sue any liuerie, make fine for alienation, or sue any licence or pardon for alienation onely thereof. And the heire and heires of euery such patentée, of their heires or assignes, or of any other hauing any estate, right or title, of, in or to the same manors, lands, tenements or hereditaments, and hauing no other lands, tenements, or hereditaments holden of the K. highnesse in Capite, shall and may freely and lawfully after the death of any such patentée, their heires or assignes, or other person or persons hauing any such estate, right, or title, enter into the said manors, lands, tenements, houses, cottages, & other hereditamẽts comprised, or to be comprised in any such Letters patents, without suing of liuery, Ouster le main, or any fine or fee to be payed for any liuery only thereof, to our Soueraigne Lord the king, his heires or successors for the same by reason only of such tenure in socage or burgage expressed or to bee expressed in any of the said Letters patents: any law, custome or vsage heretofore had or vsed to the contrarie thereof in any wise notwithstanding. Añ 37. H. 8. ca. 20.

Tenure

Socage
Burgage

Fealtie in socage

Liuery
Licence

Heires
Enter

Ouster le main
Liuery

II Where before this time ambiguities, questions and doubts haue been moued and stirred in diuers and sundrie the kings courts of record, whether such honors, castles, manors, lands, tenements, and other hereditaments, are holden of the king in Capite, which any of his louing subiects do hold by knights seruice, socage, or other seruices of the king, as of his duchies, earledomes, baronies, honors, castles, manors, lands, tenements, fees, and seigniories, which haue come to the hands and possession of diuers of his highnesse most noble progenitors, by attainder of treason, misprision of treason, attainders of premunire, and prouision, had and done by act of Parliament, by verdict, confession, conuiction or vtlagarie, & offices, or no offices thereupon found, or by the dissolution, surrender, or giuing vp to the king, or to any his noble progenitors of any religious or ecclesiasticall houses or places, or of any manors, lands, tenements, or other hereditaments, to any of the same religious or ecclesiasticall houses or places in any wise appertaining or belonging or no, by reason of which premisses, his said humble and obedient subiects and tenants haue beene heretofore much vnquieted, molested and grieued: Wil therfore the king our Soueraigne Lord minding, and entirely desiring the quietnesse of his said subiects, and that the certeintie of his Lawes in that behalfe might be knowen & declared to his said louing subiects, for a plaine declaration and resolution to bee had of, for, or concerning the premisses, at the humble petition and suite of the Lords and commons in this present parliament assembled doth ordeine &c. That all such honors, castles, manors, lands, tenements, and other hereditaments, and euery of them, which now be, or at any time hereafter shall be holden of the king, or of any of his heires or successors, or by any of his said subiects by knights seruice, socage, or otherwise, as of any his or their dukedomes, earledomes, baronies, castles, manors, lands, tenements, fees, or seigniories, which be come to the king, or his most noble progenitors, or hereafter shall come to the king, his heires or successors, by meanes of any such attainder, conuiction, vtlagarie, or of any such dissolution, surrender, or giuing vp of any religious or ecclesiasticall houses or places, or of any manors, lands, tenements, or hereditaments, to any of the said religious or ecclesiasticall houses or places in any wise belonging or appertaining, shall not from henceforth be adiudged, deemed, taken or construed to any intent, construction or purpose, to be holden in capite, or as tenure in Capite, any ambiguity, question, or doubt heretofore moued to the contrarie notwithstanding. Prouided alwayes, and be it &c. that this act, or any thing therein contained, shall not in any wise be preiudiciall ne hurtfull to the king, his heires or successors, to, for, or concerning any wardship, liuery, primer seisin, fine for alienation, or to or for any other profit or aduantage, which now is come, or hereafter shall or may come, fall, or grow to the king, his heires or successors, by or from any person or persons which now doth, or hereafter shall hold any honors, seigniories, castles, manors, lands, tenements, or other hereditaments, of the king in chiefe, as of his person, or of any other his auncient possessions, & being not come to the king by any such attainder, confession, cõuiction, vtlagarie, dissolution, giuing vp or surrender, as be aboue said. Prouided also, & be it &c. that this present act, or any thing therin cõteined, or specified, shall not in any wise, or by any means giue any aduantage, liberty or profit to any tenant or owner in fee simple, of any honors, manors, lãds, tenemẽts, or other hereditamẽts, which haue hertofore sued any special or general liuery, or ouster le main, out of ỹ hands of the K. or any of his noble progenitors, of any honors, manors, lands, tenements,

In Capite
Knights seruice

Attainder
Misprision
Premunire

Vtlagarie

Lands

Knights seruice
Socage

Lands

In Capite

Fine
Primer seisin

Chiefe

Tenant

Liuery
Ouster le main

or other hereditaments, by tenure or service they were or be holden, or that have, or shall consiste by any matter of record, any tenure in chiefe of the king, but that they, their heires and assignes shall have and hold the same manors, landes, tenements, and other hereditaments, in like manner and forme as they did before the making of this present Act, and as though this present Act had never bene had ne made, Any thing above declared and enacted to the contrarie notwithstanding. Anno 1. Ed. 6. cap. 4.

Tiles.

FOr the harme that hath growne for default of true and sufficient making, whiting, and anealing of plaine tile, rose tile, corner tile, and gutter tile: Be it &c. That all and everie person or persons, which hereafter shall vse the occupation of making of any such tils as before is said, shall make it good, reasonable, and verie sufficient, & thoroughly whited and anealed. And that the ground whereof any such tile shall be made, shall be digged and cast vp before the first day of November next before that they shall be made, and that the same earth be tilled and turned before the first day of February, then next following, and not wrought before the first day of March then next following, and that the same ground, before it be put to making of tile, be truely wrought and tried from stones. And also, that the vaine called maine or marle, & chalke, lying commonly in the ground, nere to the earth, convenient to make tile, after the digging of the said ground, whereof any such tile shall be made, shall be well lawfully and truely severed and cast from the earth whereof any such tile shall be made. And that everie such plaine tile so to be made, shall containe in length tenne inches and an halfe, and in breadth six inches and a quarter of an inch, and in thicknesse halfe an inch and halfe a quarter at the least: And that everie such rose tile or creast tile so to be made, shall containe in length thirteene inches, and the thicknesse of halfe an inch and halfe a quarter at the least, with convenient depenesse according. And that everie gutter tile and corner tile to be made, shall containe in length tenne inches and a halfe, with convenient thicknesse, bredth, and depenesse according. And if any person or persons set to sale to any person or persons, any such tile above specified, made or to be made against the sayd ordinance: then the seller thereof shall forfeit to the buyer of the same, the double value of the same tile, and besides that, shall make fine and ransome to the king at his will. And that everie person that findeth himselfe grieved, and will sue in this behalfe, shall have an action of debt against the offenders, wherein shall be made and had like proces, recouerie and execution, as is or may be at this day, in any other actions of debt pursued at the Common Law. And that the plaintife in everie such action (if it be found with him) may recover against the defendant in the same action, his reasonable costs and expences of his suit. And that the defendant in any such action, shall not be admitted to wage his law, or to have any essoyne or protection allowed, nor no auauntage by fourching by essoine or default. And also that the Justices of Peace for the time being, within any county of this Realme, and every of them shall have full power to enquire, heare and determine, by their discretions, aswell by examination or otherwise, the defaults, offences and trespasses, which shall happen to be done against this ordinance, aswell at the kings suite, as at the parties which shall sue by himselfe grieved in that behalfe. And if it be found, or may appeare to the Justices of Peace, or any of them by examination or otherwise by their discretion, that anie person or persons have offended contrary to this ordinance, that then the same Justices before whom it shall be found or appeare, shall assesse vpon the offender in this behalfe no lesse fine, then for euery thousand of plaine tile set to sale contrary to this ordinance fiue shillings. And for every hundred of rose tile, vj. s. viij. d. And for every hundred corner tile or gutter tile y. s sold contrary to this ordinance. And that lesse fine be made after the rate of the same by the discretion of the said Justices, or any of them. And that the same Justices shall have full power to call before them or any of them, at any time & place requisite, such and so many persons, as by their discretion have or shall have best experience & knowledge, in the occupation of making of tile, to search & examine the digging, casting, turning, departing, making, whiting, and anealing aforesaid. And that the same person or persons which so shalbe assigned searchers, shal have ful power to make such search. And that no person put no such tile to sale, before that it be searched by the said Searchers, upon paine of forfeiture of the same tile. And if the same Searchers or any of them doe find that any person or persons, exercising the occupation of tile making, doe offend contrarie to this ordinance, that then the same Searchers shal present such defaults before the Justices of P. at their next Sessions. And that everie such presentment be as strong and effectuall in the law, as the presentment of twelue men. And that such Searchers so to be ordained, assigned, and deputed, shall have of everie such tile-maker, for his labour of the said search, for everie thousand plaine tile searched j. s. of everie hundred rose tile j. s. ob. and everie corner tile and gutter tile q. And that the same Searchers shall doe and execute their effectuall devoir and diligence in this behalfe, according to this ordinance, upon payne of forfeiture to our Soueraigne Lord the King for everie default in this behalfe tenne shillings. And that the Justices of peace shall have power to examine, enquire, and determine the faults of such Searchers in the premisses, in like forme as aboue is ordained for the defaults of Tilemakers. This ordinance to begin to take effect at the feast of S. Michael next ensuing, and not before. Anno 1. E. 4. cap. 4.

Any Iust. of peace

Enquire Diter & ter.

Fine

1. Iu. of P.

Examine

Search Fort.

Iust of P. Sessions

Fort.

Iust. of P.

Tindale, Riddesdale, and Exhamshire.

IF any person of the said franchises of Tindale and Exhamshire, reliant or dwelling in the same,

Murder Treason Felonie

of what estate or condition that he be, do any murderers, treasons, manslaughters or robberies, or consent to doe them out of the said fraunchises of Tindale and Exhamshire, proces shall made against him by the common law, untill he be outlawed. And that after such outlagarie pronounced and returned, the Justices before whom such outlagarie is returned, shall make thereof certification to such minister or ministers of the said franchises, as to them best shall seme in this behalfe according to their discretion, and such felons shall be taken by such minister or ministers, and his lands and tenements, goods and cattels being within the same fraunchise seised into the hands of the Lords of the same franchises, of Tindale and Exhamshire for the time being as forfeite. And that the other lands, and tenements, goods & cattels of such felons being out of the same franchises, shall wholly remaine to the king and to other Lords, having thereof franchise as forfeit. Saving alwayes to the king the forfeitures of such murderers, traitours, manslears, robbers, and other offendors, and of other things which to him do belong, as of the right of his Crowne. An 2.H.5.cap.5.

Proces

Forfeit lands

King

2 Such processe, certification and execution shall be made from henceforth against such murderers, manslears, robbers, consenters, and offenders, abiding or resiant within the said franchise of Riddesdale, because of their offences done out of the said franchise of Riddesdale. And also such manner forfeiture shall runne in all points as well towards our Soueraigne Lord the king, as against all other persons, as it was ordeined for the said offenders of Tindale and Exhamshire, by the said Statute made at Leicester, and according to the forme and equitie of the same Statute. Saving alwaies to the king that that pertaineth in this behalfe, as of the right of his Crowne. An 9.H.5. cap.7.

3 The said Lordship and bounds of North and South Tindale now being in his hands, and all lands and tenements within the same, in whose possession soeuer they be, and euery part thereof stand and bee from henceforth Gildable, and part of the Shire of Northumberland aforesaid, and no franchise ne franchises: but that all maner of the kings writs shall runne, and all his Officers, as well the Warden or Wardens of the East & middle marches of England towards Scotland, the Lieutenant or Lieutenants, the Justices of peace, Shirife, Escheator, Coroner, Bailifes & other Officers and their deputies, and euery of them, of, and within the Countie of Northumberland aforesaid, and all their warrants and precepts shall be obeyed, and of as great authoritie in the law, by reason of this act, within the said Lordship and bounder of North and South Tindale, and euery part thereof, as in any other part of the said Shire of Northumberland. And ouer this, that no person or persons, of what estate, degree, or condition he or they bee of, that now haue, or hereafter shall haue or hereafter shall haue authority or power in his or their owne right, or any other mans, to demit or let to ferme for yeres or yeres, terme of life or at will, any lands or tenements within the Lordship and bounds of Northland South Tindale aforesaid, but that the lesse or lesses before he or they take the profits by force of any such lands, any such lands or tenements, find good & sufficient sureties, at the discretion of persons hauing lands and tenements within the said Shire of Northumberland, not being within the said Lordship & bounds of North and South Tindale, to the full yerely value of fortie shillings, ouer and aboue all maner charges and reprises, by recognisance to the king our Soueraigne Lord in twentie pounds, before two at the least of the Justices of the Peace of the said Shire of Northumberland for the time being, whereof one shall bee of the Quorum, upon this condition, that if the said lesse or lesses within eight dayes warning to them, or any of them personally or openly at his or their owne houses, or in his or their Parish Church giuen, by any of the said Justices of the peace, the Shirife of the said County of Northumberland, and warden of the East and middle marches against Scotland, or his lieutenant, personally appeare not before the same Justices of the peace, Warden, or Lieutenant, at any session or sessions, gaole delinerie, warden court, at such place & day within the said Shire of Northumberland, or day, or dayes of truce whersoeuer it shall fortune them to be assigned, and as they or any of them shall be thereunto as before is rehearsed, warned three and then to answere all such treasons, felonies, murders, and trespasse, or attempts contrary to the truce from henceforth by them, or any of them to be done, then the said summe of twentie pounds shall be forfeit, the one halfe thereof to the king &c. and the other halfe to him or them that will sue therefore, giuing thereof to the Justices, before whom the recognisance is or shall be taken after the execution thereof to be had of his said part is reuoked, fortie shillings. And that the said Justices of whom the said Recognisance is or shall be taken, as before is rehearsed, and all other Justices of the peace within the said Shire of Northumberland for the time being, shall by reason of this act haue full authoritie to enquire thereof, & to take presentments and information thereupon, and forward processe and execution of and for the same summe upon any presentments or information made thereon, in like, and as ample forme, as the kings Justices of his bench shall or may doe, of, or for any Recognisance taken afore them; forfeited for the keeping of the kings peace. And if any person or persons after the feast of Easter next coming in king vpon him or them to let or demit as aforesaid his heirdes, any lands, tenements, within the said Lordship or bounds of the Ryr South Tindale, where such fuerty is before hand sold, as before is rehearsed, that ye person or persons that so letten or demitten, shall by the same act for euery acre of ground, & euery mese & mansion, or dwelling place within the said Lordship and bounds aforesaid, by him or them so letten or demitten, forfeit xl. s. the one halfe to the king, and the other to him or them that will sue therefore. And that the Justices of the

Gildable Northumberland

Writs

Wardens

Just. of P. Sheriffe Escheator Coroners Bailife

Warrants

Lands

Lead

Goods

Forfeit lands Recognis.

Just. of P.

Common Counties

Forf. Goods

Just. of P.

Just. of P.

the

the Peace of the said Shire of Northumberland for the time being, shall haue like authoritie in all things concerning this forfeiture, as by this Act or ordinance is giuen them in the Recognisance afore expressed, and that all manner of Leases, dimissions, made or to be made of any lands, tenements within the said Lordship and bounds of North and South Tindale, for the which no such suretie shall be had and found at the sayd Feast of Easter, and so forth as tofore is rehearsed, be and stand from thence forward void, and of none effect. And if any person or persons, of what estate, degree, or condition hee or they be of, take vpon him or them after the said Feast of Easter, to enter, occupie, dwell, hold, or inhabit any lands, tenements, or ground within the said Lordship and bounds of of North and South Tindale, not being his owne inheritance in fee simple or in fee taile, without lawfull or sufficient suretie by him or them found, as before is rehearsed, except he be a Lord Spirituall or Temporall of this Realme, that he and they so doing, haue imprisonment by the space of a whole yeare, without baile or mainprise, and so for to continue till he haue found sufficient suretie vnto our Soueraigne Lord the King, by Recognisance before the Justices of the said Countie, to be of good abearing against the King and all his liege people. Anno 11. H. 7. cap. 9.

Lands
Surtie
Hold
Surtie
Lay
Imprit.
Mainprise
Bel. of P. Good abearing
*

Tinne.

ANno 14. R. 2. ca. 7. It was enacted, That the passage for Tinne to be carried out of the Realme, should be at the Port of Dertmouth, and no where else. And after Anno 15. R. 2. cap. 8. that Statute was repealed, and that to the feast of S. Iohn next cõming, Tinne to be carried out, might be charged in any Port in England.

Dertmouth
Repealed
Calice

2 After the said Feast they shall repaire to Calice for the time that the resort of woll shalbe there, paying alway the customes, subsidies, and deuoirs there due before the passage of the said Tinne. An. 15. R. 2. cap. 8.

Tithes.

WHereas Writs of Scire facias haue bene graunted, to warne Prelates religious and other Clerkes, to aunswer of dismes in our Chauncerie, and to shew if they haue any thing, or can any thing say, wherefore such dismes ought not to be restored to the said demaundants, and to aunswer as well to vs, as to the partie of such dismes, that such writs from henceforth be not graunted. And the Proces hanging vpon such writs, be annulled and repealed. And that the parties be dismissed from the Secular Judges of such manner of pleas. Sauing to vs our right, such as wee and our auncestors haue had, and were wont to haue of reason. Anno 18. E. 3. cap. 7. pro clero, & ca. 14.

Chauncerie
Dismes
Repealed

2 At what time that any person of holy Church be drawne in plea, in the Secular Court, for his owne tithes taken by the name of goods taken away, and he which is so drawne in plea, make an exception, or alledgeth, that the substance and suit of the businesse is onely vpon tithes, due of right and of possession to his Church, and to another his benefice, that in such case the generall auerrement shall not bee taken without shewing specially, how the same was his lay cattell. Anno 1. R. 2. cap. 14.

Secular Court
Church
Auerment

3 The fermers and all manner occupiers of the manors, lands, tenements, and other possessions of Aliens, shall pay, and be bound to pay, all maner of dismes thereof due to Parsons and Vicars of holy Church, in whose Parishes the same manors, lands, tenements, and possessions be so assessed and due, as the law of holy Church requireth, notwithstanding that the said manors, lands, tenements, or other possessions be seised into the Kings hands, or notwithstanding any prohibition made, or to bee made to the contrarie. An. 5. H. 4. cap. 11.

Fermers
Aliens
Seised
Prohibition

4 See Prouision 17. and 18. against them that obtaine Bulls from Rome to be discharged of tythes.

Bulls Rome

5 Forasmuch as many euill disposed persons haue attempted to withhold their tythes, as well prediall as personall, and haue also contemned and disobeyed the Proces and decrees of the Ecclesiasticall Courts of this Realme: Be it &c. That euerie of the subiects of this Realme of England, Ireland, Wales, and Calice, and marches of the same, according to the Ecclesiasticall Lawes and ordinance of this Church of England, and after the laudable vsages and customes of the Parish or other place where he dwelleth, or occupieth, shall yeld and pay his tithes, offerings, and other dueties of holy Church, and that for such subtractions of any of the said tithes, offerings, or other dueties, the Parson, Vicar, Curate, or other partie in that behalfe grieued, may by due Proces of the Kings Ecclesiasticall Lawes of the Church of England conuent the person or persons so offending before his Ordinarie, or other competent Iudge of this Realme, hauing authoritie to heare and determine the right of tithes, and also to compell the same person or persons offending, to doe and yeld their said dueties in that behalfe. And in case the Ordinarie of the Diocelle, or his Commissarie, or the Archdeacon or his Officiall, or any other competent Iudge aforesaid, for any contempt, contumacie, disobedience, and other misdemeanour of the partie defendant, make information and request to any of the Kings most honourable Councell, or to the Iustices of Peace of the Shire where such offendour dwelleth, to assist or ayde the same Ordinarie, Commissarie, Archdeacon, Officiall, or Iudge, to order or reforme any such person in any cause before rehearsed, that then hee or the Kings sayd Honourable Councell, or such two Iustices of Peace, whereof one to bee of the Quorum, to whom such information or request shall bee made, shall haue full power and authoritie by vertue of this Act, to attach, or cause to bee attached, the person or persons against whom such information or request shall bee made. And to commit the same person or persons to ward, and there to remaine without bayle or mainprise, till

Dismes
Ecclesiasticall Lawes
Offerings
Subtractions
Proces
Ecclesiasticall Lawes
Ordinaries
Commissarie
Archdeacon
Officiall
Information
K. Councell
2. Iu. of P.
Quorum
Authoritie
Attach
Imprit.
Mainprise

Suretie Recog. that he or they shall haue found sufficient suretie, to be bound by Recognisance or otherwise, before the Kings said Councellor, or Justice of Peace, or any other such like Councellor or Justice of P. to the vse of our said Soueraigne Lord the King, to Ale Obedience Proces Decrees giue due obedience to the Proces, procedings, decrées and sentences of the Ecclesiasticall Court of this Realme, wherein such suit or matter for the premisses shall depend or be. And that euerie of the K. Councell 2. Iu. of P. Kings said Councellors, or two Justices of peace, whereof one to be of the Quorum, as is aforesayd, shall haue full power and authoritie by vertue of this Act, to take, receiue, and record Recognisances and Obligations, in any of the cause aboue written. Prouided alway, That this Act or any thing therein contained, shall not extend to any inhabitant of the Citie of London, for or concerning any manner of tithe, offering, or other Ecclesiasticall duetie growne and due to be payed or yelden within the same Citie, because there is another order made for the payment of tithes and other dueties within the said Citie. Prouided also, That euerie person and persons, being partie or parties to any such suit, shall and may make and haue his or their lawfull action, demaund, or prosecution, Appeales, Prohibitions, and all other their lawfull defences and remedies in euerie such suit, according to the sayd Ecclesiasticall Lawes and Statutes of this Realme, in as ample and liberall manner and forme, as they or any of them might haue had, if this Act had neuer béene made, Any thing in this Act aboue written notwithstanding. Prouided alwayes and be it &c. That this Act for recouering of tithes, ne any thing therein contayned, shall take force or effect, but onely vntill such times as the Kings Highnesse, and such other thirtie two persons, which his Highnesse shall name and appoint for the making and establishing of such Lawes as his Highnesse shall affirme and ratifie, to be called the Ecclesiasticall Lawes of this Church of England. And after the sayd Lawes so ratified and confirmed, as is aforesaid: That then the sayd Tythes to bée payed to euerie Ecclesiasticall person, according to such Lawes, and none otherwise. Anno 27. Henrici octaui capitulo 20.

London Parties Action Appeales Prohibitiõs Ecclesiastical Lawes Ratifie

6 Be it &c. That all and euerie the Citizens and inhabitants of the Citie of London, and Suburbes within the Liberties of the same, shall at this present time of Easter next comming, pay vnto the Curates of the said Citie and Suburbes, all such and like summes of money, for tythes, oblations, and other dueties, as the said Citizens and inhabitants by the order of my Lord Chauncellor, and other of the Kings most Honorable Councell, and the Kings Proclamation, paied, or ought to be payed by force and vertue of the said order, at Easter, that was in the yeare of our Lord God 1535. And the same paiments so to continue from time to time, vntill such time as any other order or law shal be made, published, ratified, and confirmed by the Kings Highnesse, and the 32. persons by his Grace to be named, as well for the full establishmẽt concerning the paiment of all tithes, oblations, and

London Suburbs Oblations Chauncellor Proclamation Order other dueties of the inhabitants within the said citie and suburbes, within the liberties of the same, as for the making of other Ecclesiasticall Lawes of this Realme of England. And that euerie person denying to pay as is aforesaid, shall by the commãdement of the Maior of London for the time being, be committed to prison, there to remaine vntill such time as he or they haue agreed with the Curate and Curats for the said tithes, oblations, and other duties, as is aforesaid. Anno 27. H. 8. cap. 21.

Denie Maior Imprison Agree

7 Forasmuch as in the Statute of the payment vnto the Kings Maiestie, his heirs and successors, of the first fruits of the Spirituall promotions, offices, benefices, and dignities within this Realme, and other the Kings dominions, erpresse mention and declaration is not had ne made, from what time the yeare shall be accounted, in which the first fruits shall be due and paiable to his Highnesse: that is to wit, whether immediatly from the death, resignation, or depriuation of euerie Incumbent, or from the time of admission, or new taking of possession in euerie such promotion: And also by reason that in the same Statute it is not declared who shall haue the fruits, tithes, and other profits of the said benefices, offices, promotions, and dignities Spirituall, during the time of vacation thereof, diuers of the Archbishops & Bishops of this realme, haue not onely when the time of perceiuing and taking of tithes (that is to say, wool, lambe, corne, and hay, & tithes vsually paid at the holy time of Easter) hath approached, deferred the collation of such benefices as haue béene of their owne patronage, but also haue vpon presentations of Clerks made vnto them by the iust patrons, protracted and deferred to institute, induct, and admit the same Clerkes, to the intent that they might haue & perceiue to their owne vse the same tithes growing, during the vacation: So that through such delayes (ouer and aboue the first fruits, which be iustly due to the K. Highnesse) they haue béene constrained also to lose all, or the most part of one yeares profits of their benefices and promotions, and to serue the cure at their and their friends proper costs and charges, or vtterly to forsake and giue ouer their benefices and promotions, to their great losse and hinderance: For reformation whereof it is &c. That the said yeare, in which the first fruits shall be paied to the Kings Grace, shall begin and be accounted immediatly after the auoydance or vacation of any such benefice or promotion Spiritual afore rehearsed. And that the tithes, fruits, oblations, obuentions, emoluments, commodities, aduantages, rents, and all other whatsoeuer reuenues, casualties, or profits certaine and vncertaine, afferring or belonging to any Archdeaconrie, Deanrie, Prebend, Parsonage, Vicarage, Hospitall, Wardenship, Prouostship, or other Spirituall promotion, benefice, dignitie, or office, (Chauntries onely excepted) within this Realme, or other the Kings dominions, growing, rising, or comming, during the time of vacation of the same promotion Spirituall, shall belong, and afferre to such person, as shall be thereunto next presented, promoted, instituted, inducted, or admitted, and to his executors, towards

An. 26. H. 8 cap. 3. First fruits Begin Auoydance Vacation Executors

the

the payment of the firſt Fruits to the Kings highneſſe, her heires and ſucceſſours: any vſage, cuſtome, libertie, priuiledge, or preſcription to the contrarie had, vſed, or being, in any wiſe notwithſtanding. And it is &c. that if any Archbiſhoppe, Biſhoppe, Archdeacon, Ordinarie, or any other perſon or perſons to their vſe and behoofe, at any time heretofore ſith the firſt day of May laſt paſt, haue perceiued, receiued, or taken, or at any time hereafter do perceiue, receiue, or take the Fruites, tythes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profits, or caſualties, comming, growing, or belonging, or which hereafter ſhal come, grow, afferre, or belong to any Archdeaconrie, Deanrie, Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignitie, or office, (Chauntries onely excepted) within this Realme, or other the Kings Dominions, during the Vacation of ſuch Archdeaconrie, Deanry, Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignitie, or office, (Chauntries onely excepted.) And the ſame vpon reaſonable requeſt from henceforth to be made, doth not render, reſtore, ſatiſfie, content and pay to the next incumbent, being lawfully inſtituted, inducted, or admitted to ſuch Archdeaconrie, Deanrie, Prebend, Parſonage, or Vicarage, or other promotion, benefice, dignitie, or office ſpirituall, except before excepted, or doe let or interrupt the ſaid Incumbent to haue the ſame: that then euerie Archbiſhoppe, Biſhoppe, Archdeacon, Ordinarie, or other perſon ſo doing, ſhall forfeit and loſe the treble value of ſo much as he ſhall then haue receiued of the fruites of euerie Prebend, Parſonage, Vicarage, Hoſpitall Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, whereof he ſo ſhal perceiue, receiue, or detaine, let or interrupt the incumbent to perceiue, receiue, and haue the fruites, tythes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profits, or caſualties: The one Moitie of which forfeiture ſhall be to the King, &c. and the other moity thereof to the incumbent of the ſame Prebend, Parſonage, or Vicarage, or other ſpirituall promotion, to be recouered in any of the Kings Court, by Action, Bill, Plaint, Information, or otherwiſe, in ſuch action or ſuit the defendant ſhall not bes admitted to wage his lawe, &c. Prouided alway, that it ſhall be lawfull to euery Archbiſhoppe, Biſhoppe, Archdeacon, and Ordinaries, their officers, and miniſters, to retayne in his or their cuſtodie, ſo much of the tythes, fruites, obuentions, oblations, emoluments, commodities, aduantages, rents, reuenues, caſualties, and profits, as ſhall amount to pay vnto ſuch perſon or perſons, as hath, or ſhall ſerue to keepe the cure of ſuch Archdeaconrie, Deanrie, Prebend, Parſonage, or Vicarage, or other ſpirituall promotion, during the vacation, of his or their reaſonable ſtipend or ſalarie. And alſo for the Collection, gathering, and leuying of ſuch Tythes, Fruites, emoluments, rents, and other profits, riſing, and growing, during the vacation aforeſayde: any thing in this Act contayned to the contrarie in any wiſe notwithſtanding. Prouided alſo and be it &c. that in caſe any of the incumbents aforeſayd happen to die, and before his death hath cauſed any of his glebe Landes to bee manured and ſowne at his proper coſtes and charges with any corne or grayne, that then in that caſe all and euery of the ſame Incumbents may make and declare their Teſtaments of all the profits of the Corn growing vpon the ſame glebe Landes ſo manured and ſowne: any thing contayned in this preſent act in any wiſe notwithſtanding. Prouided alway, that if the fruits of the vacation of the ſaid ſpiritual promotion be not ſufficient to pay the curats ſtipend and wages for ſeruing the cure the vacation time, that then the ſame be borne and paied by the next incumbent, within foureteene dayes next after that he hath the poſſeſſion of any the ſaid promotion ſpiritual. An. 28. H. 8. cap. 11.

8 Where diuers and many perſons inhabiting in ſundrie Counties and places of this Realm, and other the Kings Dominions, not regarding their dueties to Almightie God, and to the King our ſoraigne Lord, but in few yeres paſt more contemptuouſly and commonly preſuming to offend and infringe the good and wholeſome Lawes of this Realme and gracious commaundements of our ſayd Soueraigne Lord, then in times paſt hath beene ſeene or knowne, haue not letted to ſubtract and withdraw the lawfull and accuſtomed tythes of Corne, Hay, Paſturages, and other ſort of tythes and oblations, commonly due to the owners, proprietaries, and poſſeſſors of the Parſonages, Vicarages, and other Eccleſiaſticall places, of and within the ſayd Realme and Dominions, being the more incouraged thereunto, for that that diuers of the Kings Subiects being lay perſons, hauing Parſonages, Vicarages, and Tythes, to them, and to their heires, or to them and to their heires of their bodies lawfully begotten, or for terme of life, or yeares, cannot by the order and courſe of the Eccleſiaſticall Lawes of this Realme ſue in any Eccleſiaſticall Court, for the wrongfull withholding and detayning of the ſayde Tythes, or other dueties, nor cannot by the order of the Common Lawes of this Realme haue any due remedie againſt any perſon or perſons, their heires or aſſigns, that wrongfully detayneth or withholdeth the ſame, by occaſion whereof much controuerſie, ſuit, variance, and diſcord is like to inſurge, and inſue, among the Kings Subiects, to the great detriment, dammages, and decay of many of them, if conuenient and ſpeedy remedie thereof bee not had and prouided. Wherefore it is &c. That all and ſingular perſons of this ſayde Realme and other his Dominions, of what eſtate, degree, or condition ſoeuer hee or they bee, ſhall fully, truely, and effectually diuide, ſet out, yelde or pay all and ſingular Tythes and Offerings aforeſayde, according to the lawfull cuſtoms and vſages of the Pariſhes and places where ſuch Tythes or dueties ſhall grow, ariſe, come, or bee due. And in caſe that it ſhall happen any perſon or perſons of his or their vngodly and peruerſe will

Firſt fruits
Cuſtome
Archbiſhop
Ordinarie
Incumbent
Glebe lads
Teſtamts
Corne
Wages
Subtract
Corne
Hay
Paſturage
Eccleſiaſti-
call lawes
Common
Lawes
Diuide
Set out
Cuſtomes

Detaine

will and mind, to detaine or withhold any of the sayd Tythes or Offerings, or part or parcell therof: then the Parson, or partie being Ecclesiasticall or Lay person, hauing cause to demaunde or haue the sayd Tithes or Offerings, being thereby wronged or grieued, shall and may conuent the

Ordinary Chancellary

person or persons so offending before the Ordinary, his Commissarie, or other competent Minister or lawfull Judge of the place where such wrong shall bee done, according to the Ecclesiastical lawes. And in euerie such cause or matter of suite, the same Ordinarie, Commissarie, or other competent Minister or lawful Judge hauing the parties,

Procurators

or their lawfull Procurators before him or them, shall and may by vertue of this Act proceede to the examination, hearing, and determination of euery such cause or matter, ordinarily or summarily, according to the course and Proces of the said Ecclesiasticall Lawes, and thereupon may giue sentence accordingly. And in case that any of the parties, for any cause or matter concerning that suite,

Sentence

Appeal Judgement

doe Appeall from the sentence, order, and definitiue iudgement of the sayde Ordinarie, or other competent Judge, as is aforesayd: Then the same Judge by vertue of this act, forthwith vpon such appellation made, shall adiudge to the other partie the reasonable costes of his suite therein before expended, and shall compell the same partie appellant to satisfie and pay the same costes so adiudged

Costes

Processe Censures Suretie

by compulsary Proces and censures of the sayde Lawes Ecclesiasticall, taking suretie of the other partie, to whom such costes shall be adiudged and payed, to restore the same costes to the partie appellant, if after, the principall cause of that suite of

Appeall

Appeall shall be adiudged against the same partie, to whom the sayd costes shall be yelden: And so euerie Ordinarie or other competent Judge Ecclesiasticall, by vertue of this Act, shall adiudge costs to the other partie vpon euerie Appeall to be made in any suite or cause of subtraction or detention of any Tithes, Offerings, or in any other suit to be made, for, or concerning the duetie of such tithes or Offerings. And further be it &c. That if any

Detention

Sentence

person or persons after such sentence definitiue giuen against them, obstinately and wilfully refuse for to pay their Tithes or duties, or such sums of money so adiudged, wherein they bee condemned

Refuse

2. Iu. of P. Quorum

for the same: that then two the Justices of the peace of the same Shire, whereof one to be of the Quorum, shall haue authoritie by this Act, vpon information, certificate, or complaint to them made in writing by the said Ecclesiasticall Judge that gaue the same sentence, to cause the same partie so refusing, to be attached & committed to the next Gaole,

Complaint

Attach Impris. Mainprise Recognisance

and there to remaine without baile or mainprise, till hee or they shall haue found sufficient suretie to be bound by recognisance or otherwise before the same Justices, to the vse of our Soueraigns Lord the King, to performe the sayd definitiue sentence and iudgement. Prouided alwayes, and bee it &c. That no person or persons shall be sued or otherwise compelled to yeeld, giue, or pay, any manner of Tythes for any Manors, Landes, Tenements, or Hereditaments, which by the Lawes or

Use

statutes of this realm are discharged or not chargeable with the payment of any such Tythes. Prouided also, and be it &c. That this Act, or any thing therein contayned, shall not in any wise binde the inhabitants of the City of London, and Suburbes of the same, for to pay their Tythes and offerings within the same Citie, and Suburbes, otherwise then they ought or should haue done before the making of this act: any thing in this act contayned to the contrary notwithstanding. And be it &c. that in all cases, where any person or persons, which now haue, or which hereafter shall haue any estate of inheritance, freehold, terme, right, or interest, of,

Not charged

London Suburbes

Freehold

in, or to any Parsonage, Vicarage, Portion, pension, tythes, oblations, or other ecclesiastical or spiritual profit, which now be, or which hereafter shal be made temporal, or admitted to be, abide, or go, to or in temporal hands, or lay vses and profits by the

Lay vse

Lawes or Statutes of this Realme, shall hereafter fortune to be disseised, deforced, wronged, or otherwise kept, or put from their lawfull inheritance, estate, seisin, possession, occupation, terme, right, or interest, of, in, or to the same, or of, in, or to any parcell thereof, by any person or persons, claiming or pretending to haue interest or title, in, or to the same: that then in all and euerie such case or cases, the person or persons so disseised, deforced, or wrongfully kept, or put from his or their right or possession, as is afore rehearsed, their heirs, wiues,

Disseis

Heires Wiues

and such other to whom such iniury or wrong shal be done or committed, shall and may haue their remedie in the Kings Temporall Courtes, or other Temporall Court, as the case shall require for the

Remedy

recouerie, getting, or obtaining of such inheritance, estate, freehold, seisin, possession, terme, right, or interest, by writs originall of Precipe quod reddat, Assise of Nouell disseisin, Mordancester, Quod ei deforceat, writs of dower, or other writs originall, as the case shall require, to bee deuised and graunted in the Kings Court of Chauncerie, of euerie such Parsonage, Vicarage, Portion, Pension, or other profit called Ecclesiasticall or Spirituall, so to be demanded, according to the nature and cause of the sute thereof, in like maner and forme, as they should, ought, or might haue had, of, or for Lands, Tenements, or other Hereditaments, in such maner to be demaunded. And that writs of couenant,

Precipe quod reddat Assise of Nouell disseisin Mordancester Quod ei deforceat Chauncerie

Writs

and other writs for fines to be leuied, and all other assurances to be had, made, or conueyed of any such Parsonage, Vicarage, Portion, Pension, or other profit called Ecclesiasticall or spirituall, as is aforesayd, shall be hereafter deuised and graunted in the said Chauncerie, according as hath beene vsed for fines to be leuied, & assurance to bee had, made, or conueyed of Lands, Tenements, or other hereditaments. And that all iudgements to be giuen vpon

Assurance

Chancery Fines

Iudgm.

any of the sayd writs originall, so to be deuised and graunted, of, or for any the premisses, or any of them: And all fines to bee leuied and knowledged in any of the Kings sayd Courts thereof, shall be of like force and effect in the Lawe to all intents and purposes, as iudgements giuen, and fines leuied of Lands, Tenements, and hereditaments in the said courts vpon writs originals therfore duely pursued

Fines

ed and prosecuted, albeit no such breache of waite p-riginall out of the sayd Court of Chaunterie haue heretofore proceeded or beene awarded. Prouided alwayes, that this last Act shall not extend, nor be expounded, to giue any remedie, cause or action or suits in the Courtes Temporall, against any person or persons which shall refuse or denye to set out his or their Tythes, or which shall pretende, withhold, or refuse to pay his Tythes or Offerings, or any parcell thereof, but that in all such cases the person or partie, being Ecclesiasticall or Lay person, hauing cause to demaund, or to haue the said Tithes or offerings, and thereby wronged or grieued, shall take and haue the remedie for their sayd Tythes or Offerings in euerie such case in the Spirituall Courts, according to the prouiance in the first part of this Act mentioned, & not otherwise: any thing herein expressed to the contrary thereof notwithstanding. An. 32. H. 8. cap. 7.

Refuse

Spirituall Courts

9 Within which Act (s. 27. H. 8. cap. 21. before 6.) diuers variances, contentions, & strifes, are newly risen and grown between the said Parsons, Vicars, and Curates, and the sayde Citizens and inhabitants (s. of London) touching the payments of their Tythes, Oblations, and other duties, by reason of certayne wordes and termes specified in the sayd order, which are so plainely and fully set forth, as it is thought conuenient and meet to be: For appeasing whereof, aswell the sayd Parsons, Vicars, and Curates, as the sayd Citizens and inhabitants haue compromitted and put themselues to stand to such order and decree touching the premisses, as shall bee made by the sayde right Reuerend Father in God, Thomas Archbishop of Canterbourie, Metropolitan and primate of England, the right Honorable Sir Thomas Wriothesley, Knight, Lord Wriothesley, and Lord Chaunceler of England, the right Honourable Thomas Duke of Northfolke, the Lord Treasorer of England, the right Honorable Sir William Paulet Knight, Lord S. John, Lord President of the Councell, and Lord great Maister of the Kings most Honourable houshold, the right Honourable Sir John Russell Knight Lord Russell, and Lord priuie Seale, the right Honorable Edward Earle of Hertford the Lord great Chamberlaine of England, the right Honorable John Viscount Lisle, high Admirall of England, Sir Richard Lister chiefe Justice of England, Sir Edward Montague Knight, chiefe Justice of the Common Bench at Westminster, and Sir Roger Cholmley Knight, chiefe Baron of the Exchequer, for a finall ende and conclusion to be had & made touching the premisses for euer. And to the intent to haue a full peace and perfect end betweene the sayd parties, their heires and successours, touching the said tithes, oblations, and other duties for euer. Be it enacted that such ende, order, and direction, as shall be made, decreed, and concluded by the fore-named Archbishop, Lords, and knights, or any six of them, before the first day of March next ensuing, for & concerning the payments of the tithes, oblations, and other duties within the said Citie, and the liberties of the same, and inrolled in the Kings high Court of Chaunterie of Record, shall stand, remaine, and be as an Act of Parliament, and shall bind as well all Citizens, and inhabitants of the said Citie and liberties for the time being, as the said Parsons, Vicars, Curates, and their successours for euer according to the effect, purport, and intent of the sayd order and decree, so it be made & inrolled. And that euery person denying to pay any of his or their Tithes, Oblations, or other duties, contrary to the said decree so to be made shall by the commandement of the Maior of London for the time being, and in his default or negligence, by the Lord Chauncelor of England for the time being, be committed to Prison, there to remaine till such time as he or they haue agreed with the Curate or Curates, for his or their sayd Tythes, Oblations and other duties, as is aforesayd. Anno 37. H. 8. cap. 12.

Refuse

Maior

L. Chancellor for Imprisonment

The Decree.

AS touching the payments of Tythes in the Citie of London, and the liberties of the same: It is fully ordered and decreed by the most Reuerend Father in God, Thomas Archbishop of Canterbury, Primate and Metropolite of England, Thomas Lord Wriothesley, Lord Chauncelor of England, William Lord Saint John, President of the Kings Maisties Councell, and Lord great Maister of his Highnesse houshold, John Lord Russell, Lord priuie Seale, Edw. Earle of Hertford, Lord great Chamberlaine of England, John Viscount Lisle, high Admirall of England, Richard Lister Knight, chiefe Justice of England, and Roger Cholmley Knight, chiefe Baron of his Graces Exchequer, this present fourth and twentieth day of February, Anno Domini secundum cursum & computationem Ecclesiæ Anglicanæ, millesimo quingentesimo quadragesimo quinto, according to the Statute in such case lately prouided. That the Citizens and Inhabitants of the said Citie of London, and liberties of the same, for the time being, shall truely without fraud or couin for euer pay their Tithes to the Parsons, Vicars, and Curats of the said Citie, and their successors for the time being, after the rate hereafter following, that is to wit: Of euerie tenne shillings rent by the yeare, of all and euery house and houses, shops, warehouses, cellers, and stables, and euery of them within the sayd Citie and liberties of the same xviii pence ob. And of euery twenty shillings by yeare of all and euerie such house and houses, shops, warehouses, cellers, and stables, and euery of them within the sayd Citie and liberties, two shillings nine pence, and so aboue the rent of twenty shillings by yeare, abating from tenne shillings to tenne shillings, according to the rate aforesayd. Item, that where any leasers or shall be made of any dwelling house or houses, shops, warehouses, cellers, or stables, or of any of them, by reason or Couine, reserving lesse rent then hath been accustomed, or is or that any such Leases shall be made without any rent reserued vpon the same, by reason of any fine or income paid before hand, or by any fraud or couine. That then

Parsons Vicars Curates

Tythes

in

In euery such case the tenant or farmer, tenants or farmers thereof, shall pay for his or their Tithes of the same, after the rate aforesaid, according to the quantitie of such rent or rents, as the same house or houses, shops, warehouses, cellers, or stables, or any of them were last letten for, without fraud or couin, before the making of such Lease. Item, that euerie owner or owners, inheritour or inheritours of any dwelling house, or houses, shoppes, warehouses, Cellers, or Stables, or any of them within the said City and liberties, inhabiting or occupying the same himselfe, or themselues, shal pay after such rate or rythe, as is abouesayde, after the quantitie of such yearely rent as the same was last letten for, without fraud or couin. Item, if any person or persons haue taken, or hereafter shall take any mease or mansion place by lease, and the taker or takers thereof, his or their executors or assigns doth or shall inhabite in part thereof, and haue or hath within eight yeare last past before this order, or hereafter will or shall let out the residue of the same: That then in such case the principal farmer or farmors, or first taker or takers thereof, his or their executors or assignes, shall pay his or their tithes after the rate aforesayde, according to his or their quantitie therein, and that his or their executors, Assignee or Assignees, shall pay his or their tithes after the rate abouesayde, according to the quantitie of his or their rent by yeare. And that if any person or persons haue, or shall take diuers mansion houses, shops, Warehouses, Cellers, or Stables in one lease, and letteth, or shal let out one or moe of the said houses, and keepeth, or shall keep one or moe in his or their owne hands, and inhabiteth or inhabite in the same: that then the said taker or takers, and his or their executors or assigns shall pay his or their tithes after the rate abouesaid, according to the quantitie of the yerely rent of such mansion house or houses, retayned in his or their hands. And that his assignee or assignees of the residue of the said mansion house or houses, shall pay his or their tithes after the rate abouesayd, according to the quantitie of their yearely rents. Item, if such farmer or farmers, or his or their assignees of any mansion house or houses, warehouses, shops, Cellers, or Stables, hath at any time within eight yeres last past, or shal hereafter let ouer all the said mansion house or houses contained in his or their lease, to one person, or to diuers persons: That then the inhabitants, lessers, or occupiers of them, and of euerie of them, shall pay their Tithes after the rate of such rents, as the inhabitants, lessers, or occupiers, and their assignee or assignees, been or shal be charged withall, without fraud or couin. Item if any dwelling house within eight yeares last past, was, or hereafter shall bee conuerted into a warehouse, storehouse, or such like, or if a warehouse, storehouse, or such like within the said eight yeares was, or hereafter shall bee conuerted into a dwelling house: That then the occupier or occupiers thereof shall pay tithes for the same, after the rate aboue declared of mansion house rents. Item that where any person shall demise any Dyehouse, or Brewhouse, with implements conuenient and necessary for dying or brewing, reserving a rent vpon the same, as well in respect of such implements, as in respect of such dyehouse, or brewhouse: That then the tenant shall pay his Tithes after such rate as is aforesaid, the third pennie abated. And that euery principal house or houses, with key or wharf, hauing any crane or gibet belonging to the same, shall pay after the like rate of their rents, as is aforesaid, the third pennie abated. And that other tenantes belonging to houses hauing no crane or gibet, shall pay for his Tythes, as shall be payed for mansion houses, in forme aforesayde. Item, that where any mansion house with a shoppe, stable, warehouses, wharfe with crane, timberyard, tenteryard, or garden belonging to the same, or as parcell of the same, is or shall bee occupied together, that if the same bee hereafter seuered or diuided, or at any time within 8. yeares last past were seuered or diuided: That then the farmer or farmers, occupier or occupiers thereof, shall pay such tithes as is abouesayd, for such shops, stable, warehouses, wharf with crane, timberyard, tenteryard, or garden aforesayd, or seuered or diuided after the rate of their seueral rents thereupon reserued. Item, that the said Citizens and inhabitants shall pay their Tythes quarterly, that is to say, at the feast of Easter, the Natiuitie of Saint Iohn Baptist, the Feast of Saint Michaell the Archangell, and the Natiuitie of our Lord, by euen portions. Item, that euerie housholder, paying tenne shillings rent, or aboue, shall for him, or her selfe bee discharged of their foure offering dayes: But his wife, children, seruant, or others of their familie, taking their rights of the Church at Easter, shall pay two pence for their foure offering dayes yearely. Prouided alwayes, and it is decreed, that if any house or houses, which hath been, or hereafter shall be letten for tenne shillings rent by yeare, or more, be, or hath at any time within 8. yeares last passed, or hereafter shall be diuided and lessed into small parcels or members, yelding lesse yerely rent then tenne shillings by yere: That then the owner or owners, if he or they dwell in any part of such house, or else the principall lessee or lessees, if the owner or owners doe not dwell in some part of the same, shall from henceforth pay for his or their tithes after such rate of rent, as the same house was accustomed to be letten for, before such diuision or dividing into parts or members: And the vnderfarmer and farmers, lesse and lesses, to be discharged of all tithes for such small parcels, parts or members, rented at lesse yearely rent then tenne shillings by yeare without fraud or couin, paying two pence a piece yerely for their foure offering dayes. Prouided alway, and it is decreed, that for such gardens as appertaine not to any mansion house, and which any person or persons holdeth, or shall hold in his or their hands for pleasure, or to his owne vse: that then the person so holding the same shall pay no tithes for the same. But if any person or persons, which holdeth, or shal hold any such garden, containing halfe an acre or more, doth or shal make any yerely profit thereof by way of sale: That then he or they shall pay tithes for

Leases

the

the same, after such rate of his rent, as is herein first above specified. Prouided also, that if any such gardens now being of the quantitie of half an acre, or more, be hereafter by fraud or couin diuided into any lesse quantitie or quantities, then to pay tythe according to the rate aboue sayd. Prouided allway, that this decree shall not extend to the houses of great men, or noble men, or noble women, kept in their owne hands, & not letten for any rent, which in times past hath payed no tythes, so long as they shall so continue vnletten. Nor to any Halles of crafts or companies, so long as they be kept vnletten, so y^t the same Hals in times past haue not vsed to pay any tithes. Prouided always, & it is decreed, that this present order and decree, shall not in any wise extend, to bind or charge any shedes, stables, cellers, timbery ardes, ne teinteryards, which were neuer parcell of any dwelling house, ne appertayning or belonging to any dwelling house, ne haue accustomed to pay any Tithes: but that the sayde Citizens and inhabitants shall thereof be quite of payment of any Tithes, as it hath beene vsed and accustomed. Prouided also, and it is decreed, that where lesse summe then after sixteene pence halfe penny in the tenne shillings rent, or lesse sum then two shillings nine pence in the twenty shillings rent, hath beene accustomed to be payed for tythes: That then in such places the sayd Citizens and inhabitants shal pay but onely after such rate as hath beene accustomed. Item it is also decreed, that if any variance, controuersie, or strife, doe or shall hereafter arise in the said Cities for non payment of any tythes: or if any variances or doubt arise vpon the true knowledge or diuision of any rent or tythes, within the liberties of the said Citie, or of any extent or assessement thereof, or if any doubt arise vpon any other thing contayned within this decree: That then vpon complaint made by the partie grieued to the Maior of the Citie of London for the time being, the sayd Mayor by the aduice of counsell, shall call the sayd parties before him, and make a finall end in the same, with costes to be awarded by the discretion of the sayd Maior and his assistants, according to the intent and purport of this present decree. And if the sayd Mayor make not an end thereof within two moneths after complaint to him made, or if any of the sayde parties finde themselues agrieued: that then the L. Chauncelor of Eng. for the time being, vpon complaint to him made within 3. moneths then next following, shal make an end in the same, with such costs to be awarded as shall be thought conuenient, according to the intēt and purport of the said decree. Prouided alwayes, that if any person or persons take any tenement for a lesse rent then it was accustomed to be letten for, by reason of great ruine or decay, brenning, or such like occasions or misfortunes: That then such person or persons, his executors or assignes, shall pay tythes onely after the rate of the rent reserued in his or their Lease and none otherwise, as long as the same Lease shall indure.

10 Not onely the sayd Actes made in the sayde seuen and twentieth and two and thirtieth yeares of the raigne of the sayd late King Henry the eight (before 5. and 8.) concerning true payment of Tythes, and euerie Article and braunch therein contayned, shall abide & stand in their full strength and vertue: But also be it &c. That euerie of the Kings Subiects, shall from henceforth truely and iustly, without fraud or guile diuide, set out, yeld, & pay all manner of their prediall Tythes in their proper kind as they rise & happen, in such maner & form, as hath beene of right yelded & payed within xl. yeres next before the making of this act, or of right or custome ought to haue beene payed. And that no person shall from henceforth take, or cary away any such or like tithes which haue beene yelded or payed within the sayd fortie yeres, or of right ought to haue beene payed in the place or places tytheable in the same, before he hath iustly diuided or set forth for the tithe thereof the tenth part of the same, or otherwise agree for the same tythes with the Parson, Vicars, or other owner, proprietary, or farmer of the same Tythes, vnder the payne of forfeiture of treble value of the Tythes so taken or caried away. And be it &c. that at all times whensoeuer, and as often as the sayd predial tithes shall be due at the tithing time of the same, it to be lawfull to euery party, to whom any of the sayd tithes ought to be payed, or his deputie, or seruāt, to view and see their sayd tythes, to be iustly and truely set forth and seuered from the nine parts, and the same quietly to take and cary away. And if any person cary away his Corne or Hay, or his other predial tithes, before the tithe thereof be set forth, or willingly withdraw his tithes of the same, or of such other things whereof predial tithes ought to be paied, or do stop, or let the Parson, Vicar, proprietary, owner, or other their deputies or farmours, to view, take, and cary away their tythes, as is aboue sayd, by reason whereof the said tithe or tenth is lost, impaired, or hurt: That then vpon due proofe therof made before the Spirituall Judge, or any other Judge, to whom heretofore hee might haue made complaint, the party so carying away, withdrawing, letting, or stopping, shall pay the double value of the tenth or tythe so taken, lost, withdrawne, or caried away, ouer and besides the costes, charges, and expences of the suit in the same, the same to be recouered before the Ecclesiasticall Judge, according to the Kings Ecclesiasticall lawes. And be it &c. That all and euerie person which hath, or shall haue any beastes or other cattell tytheable, going, feeding, or depasturing in any waste or common ground, whereof the Parish is not certainely knowne, shall pay their Tythes for the increase of the sayd cattell so going in the sayde waste or common, to the Parson, proprietarie, portionarie, owner, or other their farmers, or deputies, of the Parish, Hamlet, Towne, or other place, where the owner of the sayde cattell inhabiteth or dwelleth. Prouided alwayes, and be it &c. That noe person shall be sued, or otherwise compelled to yeld, giue, or pay any maner of tithes for any manors, lands, tenements, or hereditaments, which by the Lawes and Statutes of this Realme, or by any priuiledge or prescriptian, are not chargeable with the payment

Diuide set out Predial tythes

Cary away

Tenth part

View

Disturbe

Spiritual Judge

Double Value

Costes

Beastes

Waste

Lands not charged

Priuiledge

ment of any such Tythes, or that be discharged by any composition reall. Prouided alwayes, and be it &c. That all such barren heath, or waste ground, other then such as be discharged for the payment of Tythes by Act of Parliament, which before this time haue lien barren, and payed no Tythes, by reason of the same barrennesse, and now be, or hereafter shall bee improued and conuerted into arable ground, or meadow, shall from henceforth after the end and terme of seuen yeares next after such improuement iustly ended and determined, pay tythe for the Corne and Hay, growing vpon the same: any thing in this act to the contrarie in any wise notwithstanding. Prouided alwayes and be it &c. That if any such barren, waste, or heath ground hath before this time borne charged with the payment of any Tithes, and that same be hereafter improued and conuerted into arable ground, or meadow: that then the owner or owners thereof, shall during seuen yeares next following, from and after the same improuement, pay such kind of Tythe, as was payed for the same before the sayde improuement: any thing in this act to the contrarie in any wise notwithstanding. And be it &c. that euerie person exercising merchandises, bargayning and selling, clothing, handycraft, or other art or facultie, being such kind of persons, and in such places, as heretofore within these fortie yeares haue accustomably vsed to pay such personal tithes, or of right ought to pay, other then such as be common day Labourers, shall yearely at or before the Feast of Easter, pay for his personall Tythes, the x. part of his cleare gaines, his charges expenced, according to his estate, condition, or degree, to bee therein abated, allowed, and deducted. Prouided alway, and be it &c. That in all such places where handicraftes men haue vsed to pay their Tythes within these fortie yeare, the same custome of payment of Tythes to be obserued, and to continue: any thing in this Act to the contrarie notwithstanding. And be it &c. That if any person refuse to pay his personall Tythes in forme aforesayd: that then it shall be lawful to the Ordinarie of the same diocesse where the partie that so ought to pay the sayd Tythes is dwelling, to call the same partie before him, and by his discretion to examine him by all lawfull and reasonable meanes, other then by the parties owne corporall oathe, concerning the true payment of the sayde personall Tythes. Prouided alwayes and bee it &c. That all and euerie person and persons, which by the Laws and customes of this Realme, ought to make or pay their offerings, shall yeerely from henceforth well and truely content and pay his or their offerings to the Parson, Vicar, proprietary, or their deputies, or their farmers, of the parish or Parishes, where it shall fortune or happen him or them to dwell or abide. And that at such foure Offering dayes, as at any time heretofore within the space of foure yeares last past, hath bin vsed and accustomed for the payment of the same, and in default therof to pay for their sayd offerings at Easter then next following. Prouided also and be it &c. That this Act or any thing therein contayned, shall not extend to any Parish which standes vpon and towardes the Sea coastes, the commodities and occupying whereof consisteth chiefely in fishing, and haue by reason thereof vsed to satisfie their Tythes by Fish, but that all and euerie such Parish and Parishes, shall hereafter pay their Tythes according to the laudable customes as they haue heretofore of auncient time within this fortie yeares vsed and accustomed, and shall pay their offerings, as is aforesayd. Prouided alwayes and be it &c. that this act, or any thing therein contayned, shall not extend in any wise to the inhabitants of the Citie of London, and Canterburie, & the Suburbes of the same, nor to any other Towne or place that hath vsed to pay their Tythes by their houses, otherwise then they ought or should haue done before the making of this act: any thing contayned in this act to the contrarie in any wise notwithstanding. And be it furthermore enacted, that if any person do subtract or withdraw any manner of Tythes, Obuentions, profits, commodities, or other duties before mentioned, or any part of them, contrarie to the true meaning of this act, or of any other act heretofore made: that then the partie so subtracting, or withdrawing the same, may or shall bee conuented and sued in the Kings Ecclesiasticall Court, by the partie from whom the same shalbe subtracted or withdrawen, to the intent the Kings Iudge Ecclesiasticall, shall and may then and there heare and determine the same, according to the Kings Ecclesiasticall Lawes. And that it shall not bee lawfull vnto the Parson, Vicar, proprietarie, owner, or other their farmers or deputies, contrarie to this act, to conuent or sue such withholder of Tythes, Obuentions, or other dueties aforesayde before any other Iudge then Ecclesiasticall. And if any Archbishop, Bishop, Chancelor, or other Iudge Ecclesiastical, give any sentence in the aforesayd causes of tithes, obuentions, profits, emoluments, and other dueties aforesaid, or in any of them, (and no appeale prohibition hanging) the party condemned doe not obey the said sentence, that then it shall be lawfull to euerie such Iudge Ecclesiasticall, to excommunicate the said partie, so as afore condemned, and disobeying, in the which sentence of excommunication, if the sayde party excommunicate wilfully stand and endure still excommunicate by the space of fortie dayes next after, vpon denunciation and publication thereof in the Parish church of the place or Parish where the party so excommunicate is dwelling, or most abiding, the sayd Iudge Ecclesiasticall may then at his pleasure signifie to the king into his court of Chauncery of the state & condition of the sayd party so excommunicate, and thereupon to require proces De excommunicato capiendo, to bee awarded against euery such person as hath borne so excommunicate. Beit, &c. That if any partie at any time hereafter, for any matter or cause before rehearsed, limited, or appointed by this Act, to be sued or determined in the Kings Ecclesiasticall Court, or before the Ecclesiasticall Iudge, doe sue for any prohibition in any of the Kings Courtes where Prohibitions be-

Heath. Waste ground

Barren

Merchants Artificers

Labourers

Tenth

Refuse

Ordinary

Examine

Offerings

Sea coasts

Fish

Tythes

London Canterbury

Withhold

Dyer &c.

None other Iudge Archbishop Bishop Chancelor

Diddey Excommunicate

Chancery

Excommunicato capiendo

Prohibition

before this time haue bene vsed to be graunted: That then in euery such case, the same party before any prohibition shall be graunted to him or them, shall bring and deliuer to the hands of some of the Iustices or Iudges of the same Court where such party demaunded prohibition, the very true copie of the libell depending in the Ecclesiasticall court, concerning the matter wherefore the party demandeth the prohibition, subscribed or marked with the hand of the same party. And vnder the copy of the said libell shall be written the suggestion wherefore the party so demaundeth the said prohibition, and in case the said suggestion by two honest and sufficient Witnesses at the least, be not proued true in the Court, where the saide prohibition shall be so graunted, within six moneths next following, after the said prohibition shall be so graunted and awarded: that then the party that is letted or hindered of his or their suite in the ecclesiasticall court, by such prohibition, shall vpon his or they⁊ request or suit, without delay haue a Consultation graunted in the same case in the court where the said prohibition was graunted, and shall also recouer double costs and dammages against the party that so pursued the said prohibition, the said costs and damages to be assigned or assented by the court where the said consultation shal be so graunted: for which costs and damages, the party to whom they shalbe awarded, may haue an action of debt, by bill, plaint, or information in any of the Kings Courts of Record, wherein the Defendant shall not wage his or their law, nor haue any essoine or protection alowed or admitted. Prouided alwayes, and be it enacted by the authority aforesaid, that this Act, or any thing therein contained, shall not extend to giue any Minister or Iudge Ecclesiasticall, any iurisdiction to holde plea of any matter, cause, or thing being contrary or repugnant, to, or against the effect, intent or meaning of the statute of West. 2. ca. 5. the statutes of Articuli Cleri, Circũspecte agatis, Sylua cædua, the treatise De Regia prohibitione, ne against the statute of An. 1. E. 3. ca. 10. or any of them, ne yet hold plea in any matter whereof the Kings Court of right ought to haue iurisdiction, any thing herein contained to the contrarie in any wise notwithstanding. Prouided neuertheless, where heretofore such a custome hath bene in many parts of Wales, That of such cattell and other goods as hath ben giuen with the marriage of any person, they⁊ tythes haue bene eracted and leuyed by the Parsons and Curats in those partes, which custome being dissonant from any part of this Realme, as it seemed when the said countrey of Wales was through ciuill dissention vnculted, for want of other sufficient profites that might otherwise grow to the curats and ministers there to haue before that time tollerable, so that now the country being wel manured & husbanded, and that tyth is duly paied there of corne, hay, woll, & cheese, and of other increase of all maner of cattell, as it is commonly in all other parts of this Realme, the same custome seemes to be greuous & vnreasonable, specially where the benefits are else sufficient for the finding of the said Ministers and Curates: that it be therefore enacted by the authority aforesaid, That from and after the first day of May next comming, no such tythes of marriage goods be eracted or requyred of any person within the sayd dominion of Wales, or Marches of the same: Any thing in this Act contayned, or any other Act, Custome, Prescription, had or made to the contrarie hereof notwithstanding. Anno 2. Ed. 6. cap. 13.

Marriage goods

Tolles.

TOuching them that take outragious toll, contrary to the common customs of the Realme in Market townes: It is prouided, That if any do so in the kings townes which is giuen in fee ferme, the King shal seize into his owne hand the franchise of the Market. And if it be another towne, and the same be done by the Lord of the towne, the K. shall doe it in like maner. And if it be done by a bayliffe, or any other meane Officer, without the commandement of his Lord, he shall restore to the playntife asmuch more for the outragious taking, as he had of him if he had carryed his toll, and shall haue forty dayes imprisonment. Touching Citizens and Burgesses, to whom the K. or his father hath granted murage to inclose they⁊ towns, which take such murage otherwise then it was granted vnto them, and thereof be attaynted: It is prouided that they shall lose they⁊ graunt for euermore, and shall be greeuously amerced vnto the K. W. 1. ca. 30.

Fee ferme Seise Franchises

Bayliff

Imprisonment Citizens

Murage

Fork.

Townes.

FOrasmuch as diuers and many houses, messuages & tenements of habitations in the townes of Nottingham, Shrewesbury, Ludlow, Bridgenorth, Quinborow, Northampton and Glocester, now are, and of long time haue ben in great ruine and decay, and specially in the principall and chiefe streetes there being, in the which chiefe streets in times past haue bene beautifull dwelling places, there well inhabited, which at this day much part thereof is desolate and voyde grounds, with pits, sellers and vaults lying open and vncouered, very perilous for people to go by in the night, without ieoperdy of life, which decayes are to the great impouerishing and hinderance of the same towns. For the remedy whereof, it may, &c. that if the owner or owners of any such voyd & decayed houses or grounds within the precinct of the sayd townes of Nottingham, Shrewesbury, Ludlow, Glocester, Bridgenorth, Quinborow, and Northamphampton, within three yeares next after Proclamation thereof be made by the Mayors, Sherifes, and Baylifes of any of the sayd Townes, by what name or names soeuer they be incorporated, in, and vpon any such vacant or decayed houses and grounds in any such townes, as is aforesaid, and according to this Act doe not enter and sufficiently reedifie and build the sayde decayed houses or voide grounds: that then it shall be lawful to the Lord of whom such vacant grounds or decayed houses bin, or shalbe holden, to enter immediately after the said three yeers expyred, and to haue the same grounds

Houses

Chiefe streets

iij. Yeares

Maiors Sherifes Baliffes

Reedifie

Lord

Enter

to them and their heires or successors for euer: So that the said lords do sufficiently reedifie and build the same vacant or voide grounds, wherein hee or they may enter by this Act, within iij. yéeres next & immediatly following the determination of the former three yéeres, in the which the owners ought to haue entred, reedified, & builded the same, by vertue of this Act. And if such Lords as may enter by this Act, do not enter, and well & sufficiently reedifie and build the same voyd and decayed houses & grounds in the said iij. yeers to them limited by this Act: that then it shalbe lawful to the maiors, sherifes, bailifs, and comminalty of the said townes, by what name or names soeuer they be incorporated, & their successors for the time being, immediatly after the said three yéeres erpired, to enter into euery such void or decayed grounds or ground, to holde and retaine, without interruption of them and their successors for euer, cléerely discharged of all rents going out of the same, aswel against the Lord or Lords of whom such ground or grounds be holden, as all other, so that alwayes the same maiors, sherifes, bailifs, or comminaltie, or their successors for the time being, do weil and sufficiently reedifie and build the same ground or grounds, wherein they may so enter by this Act, within iij. yéers next & immediatly following the determination of the former three yéres, in the which the foresaid Lords, of whom such ground or grounds were holden, should, or ought to haue entred, reedified and builded the same. And in case the said maiors, sherifes, bailifes, and comminalty, or their successors for the time being, do not enter & sufficiently reedifie & build the same void or decaied houses or grounds, in forme aforesaid, within the said term of iij. yéers according to this Act, that then it shalbe lawful to the first owner & owners of such decayed and voyd grounds, their heires or successors, immediatly after the same iij. yeares erpired, into the same ground & grounds to reenter, and the to retaine to them, their heires or successors, as in their first estate: Any thing in this Act to the contrarie notwithstanding. Prouided alwayes, that this Act nor any thing therein contained, be in any wise preiudiciall or hurtfull to any person or persons, being at the time of the saide Proclamation made, vnder the age of one and twentie yeares, or to any woman couert baron, or any person or persons being in prison, or beyond the Sea in the Kings warres, or his other lawful affaires, during such times as such person or persons shal be within age, couert baron, in prison, or beyond the Sea, so that the same person or persons, after he or they be come to full age, or being not couert baron, out of prison, and come againe within this Realme, within three yeares next insuing, doe reedifie the same houses so decayed. Anno 27. Henrici octaui capit. 8.

Maiors Sherifes Baylifes

Enter

Reedifie

First owner

Reenter

Vnder age Woman couert Imprison

Reedifie

2 Forasmuch as there hath béene in times past diuers and many beautifull houses of habitation within the walles and Liberties of the Cities, Boroughs, and Townes of Yorke, Lincolne, Canterbury, Couentrie, Bathe, Chichester, Salisbury, Winchester, Bristowe, Scarburgh, Hertford, Colchester, Rochester, Portsmouth, Pole, Linne, Feuersham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exceter, Ipswich, Southampton, great Yarmouth, Drenford, great Wicombe, Guilford, Estredford, Kingstone vpon Hull, Newcastle vpon Tine, Beuerley, Bedford, Leicester, and Barwicke, and now are fallen downe, decayed, and at this day remaine vnreedified, and doe lie as desolate and vacant grounds, many of them nigh adioyning to the high stréetes, repleniſhed with much vncleannes and filth, with pittes, cellers, and vaults lying open and vncouered, to the great perill and daunger of the Inhabitants, and other the Kings subiects passing by the same, and some houses be feeble and very like to fal downe, daungerous to passe by, which decayes are to the great impouerishing and hinderance of the same Cities, Boroughs and Townes. It may, &c. That if any person or persons, or bodies politique, being owners or possessioners of any such desolate or voyd grounds, that haue béene at any time within fiue and twenty yeares, immediatly past before the xv. day of Aprill, in the xxij. yeare of his Maiesties raigne, builded for houses of habitation, or of any other house or houses of habitation, now or hereafter being in decay, & not fully fallen downe, within the libertie or precincts of any of the said cities, boroughs or townes, do not sufficiently reedifie, build and repaire, or cause to be reedified, builded and repaired the said desolate void grounds, or decayed houses conuenient for habitation & dwelling, within three yeares next after proclamation thereof to be made in or vpon the same void ground or grounds, decayed house or houses, by the Maiors, Sherifes, Baylifes, or other head Officers of euery of the said Cities, Boroughs or Townes, by what name or names soeuer they be incorporate, euery of them within the precinct of their owne authoritie: that then it shall be lawfull to the Lord or Lords of whom such desolate void grounds, or decayed, or ruinous houses béen holden, after the said three yeares erpyred, to enter into the same, and to haue the same grounds or houses to them & to their heyres and successours to their owne proper vses for euer, so that the said Lord or Lords so entring by authoritie of this Act, doe sufficiently reedifie, build, and repaire the same void grounds or decayed houses, within two yeares next and immediately following the determination of the saide three yeares. And in case such Lord or Lords as may enter by this Act, doe not enter, and well and sufficiently reedify, build or repaire the same void grouds or decayed houses within the saide two yeares to them limited by this Act: that then it shall be lawfull to all such person or persons, or bodies politike, as shall then haue anie rent charge going seuerally out of anie of the said voide ground or grounds, or decayed house or houses in anie of the saide Cities, Boroughs, or Townes, immediately after the said two yeares erpyred, to enter into the same, and to haue the same voyde grounds, or decayed houses, to them, their heyres or successours for euer, to their owne proper vse, so that the said person or persons or bodies politike, hauing the saide rent charge, entring by authoritie of this Act,

Houses

Reedifie

Lords

Enter

Reedifie

doe

Robert Darto ci8 booke

Reedifie

do sufficiently build, reedifie, and repayre the same desolate and voide ground or grounds, or decayed

One yeare

house or houses within one yeare next and immediately following the determination of the sayd two yeares, to the said Lord or Lords appointed by this Act. And in case such person or persons, or bodies politique, hauing the said rents charges, as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, and repayre the same void grounds or decaied houses within the said one yere to them appointed by the vertus of this Act: that

Maiors Sheriffes Bailifes

then it shall be lawfull to the Maiors, Sheriffes, Bailifes, or Comminaltie, or other head Officers of the said Cities, Boroughs, and Townes, by what name or names soeuer they be incorporate, or their successours, euery of them within the limits of their authorities, immediatly after the said yeare expyred, into euery such desolate or void grounds,

Enter

decayed or ruinous houses to enter, and the same grounds and houses, and euery of them, to holde and enioy to them and their successours for euer, clerely discharged of all rent going out of the said grounds or houses, as well against the said Lord or Lords, as all person or persons, or bodies politike, hauing any such rent or rents, as before is said, so that the same Maiors, Sheriffes, Bailifes, and Comminaltie, or other head Officers, as is aforesaid, or their successours for the time being, doe

Reedifie

reedifie, build, or repayre, or cause to be reedified, builded, and repaired the same ground & grounds,

& Yeares

house or houses, within three yeares next and immediately following the determination of the said yeare, to such person or persons, or bodies politike, that shall haue any such rent, as is aforesaid. And in case the said Maiors, Sheriffes, Bailifes, Comminaltie, or other head Officers, as is aforesaid, or their successors, do not enter & reedifie, build, and repaire the same void ground or grounds, or decayed house or houses, in forme aforesaid, within the said terme of three yeares after the said entrie: that

First owner

then it shalbe lawful to the first owner or owners, possessioner or possessioners of such void ground or grounds, or decayed house or houses, their heires or successors, immediatly after the said three yeares to the said maiors, sheriffes, bailifes, comminaltie, or other head officers, as is afore limited, expired, into the same ground or grounds, house or houses,

Reenter

to reenter, and the same to retaine to them, their heires or successours, as in their first estate, any thing contained in this present Act to the contrary notwithstanding. Prouided alwaies that this present Act, nor any thing therein contained, be in any wise preiudiciall or hurtfull to any person or persons, being at the time of the said Proclamati-

Vnder age Couert Prysion

on made, vnder the age of xxi. yeares, or to any woman being maried, to any person or persons being in prison, or beyond the sea in the Kings warres, or in his other lawfull affaires during such time as such person or persons shalbe within age, maried, in prison, or beyond the sea, so that the same person or persons, after hee or they shall come to the age of xxi. yeres, or being not married, out of prison, or come ayne within this Realme, within iij. yeares next insuing, doe reedifie the same desolate or voyd grounds, or repaire the decayed houses. Anno 32. H.8. cap. 18.

3 Anno 32. H.8. cap. 19. A like Act is made (almost word for word to this last Act) concerning the repairing of the boroughs and townes of Shafton, Shireburne, Bipor, Dorchester, and Weimouth within the Countie of Dorset, and the Boroughs and Townes of Plimmouth, Plimpton, Barstable, Tauistocke, and Dartmouth, within the countie of Deuonshire, and the boroughs and townes of Launceston, Liskerd, Lestuthiel, Bodeman, Truru, and Yelston, within the countie of Cornewall, and the Boroughs and Townes of Bridgewater, Taunton, Somerton, and Ilchester, within the Countie of Somerset, and the Borough of Maldon in the countie of Esser, and also the Borough and shire towne of Warwicke, in the county of Warwicke.

4 Forasmuch as in times past, diuers & many beautifull houses of habitation haue bene within the walles and liberties of the city of Canterbury, the city of Rochester, the boroughs and townes of Stampford, & great Grimsby in the county of Lincoln, the towne of Cãbridge in the county of Cambridge, the borough or towne of Darby in the county of Darby, the borough or town of Gilford in the countie of Surrey, the towne of Dunwich in the countie of Suffolke, the boroughs or townes of the Cinque Ports with their members, the towne of Lewes in the coũty of Suller, & the town of Buckingham in the coũty of Buckingham, which now are fallen downe, decaied, and at this time remain vnreedified, lying as desolate & void grounds, and many of them adioyning nigh vnto the high streets replenished with much ordure, filth, & vncleannes, with pits, cellers, and vaults, lying open and vncouered, to the great perill and danger of all the inhabitants, and other the Kings subiects passing by the same, and some houses be very weake & feble, ready to fall downe, & be very daungerous to passe by, to the great decay and hinderance of the said cities, boroughs, townes & Cinque ports: It may therefore be enacted &c. that if any person or persons, or bodies politike, being owners or possessioners of any such desolate or voyd grounds, that at any time

Houses

within xlv. yeares next before the making of this

45. Yeares

Act haue bene builded for houses or habitations, or

Houses

for any house or houses of habitations, now or hereafter being in decay, & not fully fallen down, within the liberties & pretincts of any of the said boroughs,

Reedifie

towns & places, do not sufficiently reedifie, build & repaire, or cause to be reedified, builded, & repaired the said desolate voyd grounds, & decayed houses

Decayed houses 2. Yeares

conuenient for habitation & dwelling, within y. yeres next after proclamatiõ to be made, or vpõ the same void ground or grounds, decayed house or houses,

Maiors

by the maiors, aldermen, & burgesses or other head Officers within the precinct of their owne authorities, that then it shalbe lawfull for the chiefe lord

Chiefe lord

or lords immediate, of whom such desolate & voyd grounds decayed, and ruinous houses be holden,

Enter

after the said two yeares be expyred, to enter into the same, and to haue the same grounds or houses

Garden

with the curtelage, backeside, and garden adioyn-

ing to the same, if they be of the inheritance of the Owner or Owners of the saide decayed house or ground, and exceed not one acre of ground, to them and to their heyres or successors, or to their owne proper vse for euer, so that the saide Lord or Lords immediatly entring by the authority of this Act, do sufficiently reedifie, build, or repayre the same void ground or decayed houses, within two yeares and an halfe next and immediatly following the determination of the aforesaid first two yeres. And in case such Lord or lords as may enter by this Act, doe not enter, and well and sufficiently reedifie, build or repayre the same voyd grounds or decayed houses, within the said two yeares and an halfe to them limited by this Act: Or if such lord or lords immediate, as may enter by this Act, do sufficiently reedifie, build and repaire the same void grounds or decayed houses, within the said two yeres and a halfe to them limited, and after they, their heyres or successors suffer the same houses or void grouds to fall in ruine and decay, and do not build or reedifie the same sufficiently within two yeres and an halfe of such ruine or decay: That then it shall be lawful to al person and persons, or bodies politike, as shall then haue any rent charge ioyntly or seuerally going out of the said void ground or grounds, or decayed house or houses in any of the sayd cities, boroughs, townes, or places, immediatly after the sayd two yeres and a halfe expyred, to enter into the same, and to haue such of them, their heirs and successours, to their owne proper vse, as shall so build the sayd voyd grounds or decayed houses, by authority of this Act, the same void ground or houses with the curtelage, backeside, or garden adioyning to the same, if they be of the inheritaunce of the Owner or Owners of the sayde decayed houses or ground, and excede not in quantity one acre of ground discharged of all Rents going out of the same grounds and houses, as well against the said Lord and Lords immediate, as all other person or persons, or bodies politike, hauing any rent or rents charges, or rent secke out of the same, other then the fee farme of the said city, borough, towne, or place, or soure parcell thereof, so that the said person or persons, or bodies politike, hauing the saide rent charge entring by authority of this Act, doe sufficiently reedifie, build and repayre the same desolate & void ground or grounds, or decayed house or houses, within one yeere and three quarters next and immediately following the determination of the said two yeares and an halfe to the said Lord or Lords immediate appoynted by this Act. And in case such person or persons, or bodies politike, hauing any of the said rents charges as may enter by this Act, doe not enter and well and sufficiently reedifie, build, or repayre the same voyd grounds or decayed houses, within one yeare and three quarters to them appoynted by vertue of this Act, or if they or any of them, hauing such rent charge, and that may enter by this Act, doe sufficiently build & repayre the same voyd ground or grounds, or decayed house or houses within the sayd one yeere and three quarters to them limited, and after they, their heyres or successours suffer the same voyd ground or grounds, house or houses to fall in ruine and decay, and doe not build or reedifie the same sufficiently within one yeare and three quarters after such ruine or decay: That then it shall be lawfull to the Mayors, Aldermen, and Burgesses, and other the head Officers of the sayd Cities, Boroughs, Townes, and places, by what name or names soeuer they be incorporated, and their successours, and euery of them within the limites of their authorities, immediately after the sayd yeare and three quarters expyred, into euery such desolate and voyd grounds, decayed or ruinous houses, to enter, and to haue, holde, and enioy to them, and to their successours for euer, to their owne vse, the same ground or houses, and euery of them with the curtelages, gardens, and backesides to the same, if they be of the inheritance of the owner or owners of the sayd decayed house or ground, and exceed not in quantity one acre of ground, clerely discharged of all rents going out of the same grounds or houses, as well against the sayd Lord or Lords immediate, as all other person or persons, or bodies politique, hauing such rent charge, or rent secke, as before is sayd, other then the fee farme of the sayd City, Borough, Towne, or place, or parcell thereof, so that the same Mayors, Aldermen and Burgesses, or other head Officer, as is aforesayd, or their successours for the time being, doe reedifie, build or repayre, or cause to be reedified, builded or repaired the same ground or grounds, house or houses within three yeares next and immediately following the determination of the sayd yeere and three quarters, limited or appoynted to such person or persons, or bodies politike, that haue or shall haue any rent, as is aforesayd. And in case the sayd Mayors, Aldermen, and Burgesses, or other head Officers, as is aforesaid, or their successours doe not enter and reedifie, build and repayre the same voyd ground or grounds, decayed house or houses, in forme aforesaid, within the said terme of three yeares after their sayd entry, or if they sufficiently reedifie, build and repayre the same voyd ground or grounds, or decayed house or houses within the sayd three yeres to them limited by this Act, and after they or their successours suffer the same house or houses, voyde ground or grounds to fall to ruine and decay, and doe not build and reedifie the same sufficiently within three yeres after such ruine or decay: that then it shall be lawfull to the first Owner or Owners, possessor or possessors of such voyd ground or grounds, decayed house or houses, their heyres or successours, immediatly after the said three yeres (to the said Mayors, Aldermen, and Burgesses, and other head Officers, as is afore limited) expyred, into the same houses, ground or grounds, Curtelages, Gardens and Backesides to enter and the same to retaine to them, their heires and successors, as in the first estate, any thing contained in this present Act, to the contrary notwithstanding. Prouided alway, that this Act, or anie thing therein contained, bee not in ee wise hurtfull or preiudiciall to anie person or persons, being at the time of the sayd Proclamation made,

Reedifie

Two yeres and a halfe

Enter

Garden

Reedifie

One yeare iij quarters

Ruine

Waist

Enter

Fee farme

Waist

Reedifie

Reedifie iij. Yeares

Vnder age

vnde, vnder the age of xxj. yéres, or being feme couert, or in prison, or beyond the sea in the Kings warres, or in his other lawfull affaires, or to anie person or persons not being then of whole and perfect memorie, during the time that such person and persons shall be within age, married, in prison, or of no perfect memory, or beyond the sea, so that the same person or persons, their heyres or successors, after that he or they come to their full age of twenty one yéeres, or be vnmaried, out of prison, or come againe within this Realme, or be of whole and perfect memory, within three yeares then next insuing, doe reedifie the same desolate or void grounds, or repaire the said decayed houses. Anno 33. H. 8. cap. 36.

5 Anno 35. Henrici octaui cap. 4. A like Act is made (almost word for word in this last Act) for the repayring of the Towns of Shrewsburie in the county of Salop, the citie of Chester in the countie of Chester, the towne of Ludlow in the countie of Salop, Hauerford west in the county of Hauerford in south Wales, the towne of Pembroke, Temby in the county of Pembroke, the towne of Carmardin in the Countie of Carmardin, the Towne of Mountgomerie in the county of Mountgomerie, Cardife, Swanelle, Cowebridge, New Radnor, and Prestend in the county of Radnor, the towne of Brecknocke in the county of Brecknocke, and the towne of Monmouth in the countie of Monmouth, the towne of Maldon in the county of Essex the towns of Abergauenny, Vske, Carlion and Newport in the county of Monmouth, the towns of Lancaster, Preston, Lerepole, and Wigam in the county Palantine of Lancaster.

6 That any person or persons which doe now inhabite and dwell, or hereafter shall inhabite and dwell in the Country any where, or county within this Realme of England, out of any of the said Cities, boroughs, towns corporat, or market towns, from and after the feast of Saint Michael the archangell next comming, shall not sell or cause to bee sold by retaile, any woollen cloth, linnen cloth, Haberdasherie wares, Grocerie wares, Mercerie wares, at, or within any of ỹ said cities, boroughs, townes corporate, or market towns, or within the suburbes or liberties of the saide cities, boroughs, townes corporate, and market townes, within the said realme of England (except it be in open faires) vpon paine to forfeit and lose for euerie time so offending, the summe of six shillings and eight pence, and the whole wares so sold, proffered and offered to be sold contrary to the forme, intent, and effect of this present Act, as aboue is said: the one moitie of al which forfeitures to be to the vse of our said soueraigne Lord and Lady the King and Quénes maiesties, and the other halfe to him or them that shal seise and sue for the same in any of the Kings and Quénes Courts of Record, by bill, plaint, action of debt, information, or otherwise, wherein no essoine, protection or iwager of Law shalbe had or allowed. Prouided alway, that this Act shall not in anie wise extend nor be hurtfull to anie person or persons, that bring any of the said woollen cloth, linnen cloth, Haberdash, Grocery, Mercery ware or wares to any of the said cities, boroughs, towns corporate, or market townes, to be sold or cause to be sold by whole sale in grosse, & not by retaile, but they and euery of them may lawfully sell the same, in as large and ample maner, forme and condition by whole sale in grosse, and not by retaile, as they and euery of them might haue done at any time or times before the making of this Act: Any thing therein to the contrary notwithstanding. Prouided alway, that this present Act shall not extend to any person or persons that now dwell or inhabite in the Country, or hereafter shall dwell or inhabite out of any of the said cities, boroughs, townes corporate, or market townes, but that they and euery of them at any time hereafter, when they or any of them shalbe free of any the guildes or liberties of any the said cities, boroughs, townes corporate or market townes, and dwel or inhabit within any of the same cities, boroughs, towns corporat, or market townes: that they and euery of them so being free, shall and may sell or cause to be sold, any the wares aforesaid, by retaile, in as ample and large manner, as they & euery of them might haue done, being free of the said cities, boroughs, and townes aforesaid, before the making of this Act: Any clause or article in this Act to the contrary notwithstanding. Prouided alway, and be it &c. That it shalbe lawful to all persons to sell or cause to be sold by retaile, or otherwise, all maner of cloth, linnē, or wollen, of their owne making in euery citie, borough, towne corporate, and market towne within this realms, as freely and frankely as they might haue done before the making of this Act: Any thing in the same contained to the contrary hereof notwithstanding. Prouided alway, that this Act or anie thing therein contained, shall not be preiudiciall or hurtfull to the Liberties and Priuiledges of the Universities of Oxford and Cambridge, or eyther of them, any thing in this Act heretofore mentioned to the contrarie notwithstanding. Anno 1. & 2. Ph. & Mar. cap. 7.

Wares

Whole sale & retaile

Country

Free Retails

Wares

Oxford Cambridge

7 Where the borough towne of New Woodstocke, in the county of Oxford, is fallen into great pouerty, ruine, and decay, which was wont to bee chiefly supported by the accesse of the Kings and Quénes of this realme, the Quénes Maiesties noble Progenitors, vnto their Manor of Woodstocke, which hath very seldome happened for many yéers now past, which borough being reedified, would be verie necessarie for many Artificers of sundry occupations and mysteries, if any vent or traffike might there be had and maintained, whereby the saide Artificers drawne thither, might liue and maintaine themselues and their families. And where it is thought and certainely knowne, that the free burying and selling of wool, yarne, and cloth making in the said borough, being in the middest of the Realme, farre distant from the Seas, and in Cotsolde, from whence great store of verie good Woolles are gotten, would bee a great aduancement and enriching to the same, without preiudice or hurt to any, and a speciall meane whereby many poore people there, and in the countries inuironing, should be well set on worke and relieued, as in

Woodstock

Free buying

Woolles

Poore people

ſpinning, carding, weaning, falling, and ſuch like: And forasmuch as the ſaide Towne and Borough is a very fit place both to diſpatch & make a Staple of wolls, which would be alſo very commodious and profitable to the Countrey thereabouts: Be it therefore enacted by the authoritie of this preſent parliament, That from henceforth it ſhall and may be lawfull to and for all and euery perſon and perſons, freely to buy and ſell within the ſaid Borough of New Woodſtocke, all manner of woolles and yarnes brought or to be brought into the ſaide Borough, vpon the vſuall Markets and Faire dayes, and the ſame woolls and yarnes to vſe and employ to their beſt profit and aduantage: anie ſtatute or ſtatutes, vſe or preſcription heretofore had, made or prouided to the contrary in anie wiſe notwithſtanding. Anno 18. Eliz. ca. 21.

Staple

Woolls

Treaſon.

WHereas diuers opinions hath beene before this time, what caſe ſhould be adiudged treaſon, and what not: The King, at the requeſt of the Lords and of the Commons, hath made a declaration in the maner as hereafter followeth, that is to ſay, When a man doth compaſſe or imagine the death of our ſouereigne Lord the King, or of the Lady his wife, or of their eldeſt ſonne and heyre, or if a man doth violate the Kings wife, or the Kings eldeſt daughter vnmarried, or the wife of the kings eldeſt ſonne and heyre, or if a man doe leuy warre againſt our Soueraigne Lord the King in this realme, or be adherent to the Kings enemies in his Realme, giuing to them ayde and comfort in the Realme or elſewhere, and thereof be probably attainted of open déed by men of his condition: And if any man counterfeit the Kings Great or Priuie Seale, or his money, and if a man bring falſe mony into this Realme counterfeit to the mony of England, as the mony called Lushburgh, or other, like to the ſaid money of England, knowing the mony to be falſe, to marchandize or make payment, in deceit of our ſaid ſoueraigne Lord the King, and of his people: And if a man ſlay the Chauncellour, Treaſorer, or the Kings Juſtices of the one Bench or the other, Juſtices in Eyre, or Juſtices of Aſſiſe, and all other Juſtices aſſigned to heare and determine, being in their places doing their Offices: It is to be vnderſtood, that the caſes aboue rehearſed, ought to be iudged treaſon, which extendeth to our ſoueraigne Lord the King, and his royall Maieſtie. And of ſuch treaſon the forfeiture of the Eſcheates pertaineth to our ſoueraigne Lord, as wel of the lands and tenements holden of other as of himſelfe. And moreouer, there is another maner of treaſon, that is to ſay, When a ſeruant ſlayeth his maſter, or a wife her husband, or when a man Secular or Religious ſlaieth his Prelate to whom he oweth faith and obedience. And of ſuch treaſon the Eſcheats ought to pertaine to euery lord of his owne fée. And becauſe that many other like caſes of treaſon may happen in time to come, which a man cannot think nor declare at this preſent time: It is accorded, That if anie other caſe ſuppoſed treaſon, which is not aboue ſpecified, me happen before any Juſtices, the Juſtices ſhall tarry without any going to iudgement of the treaſon, till the caſe be ſhewed and declared before the King and his Parliament, whether it ought to be iudged treaſon or felony. And if percaſe any man of this Realme ride armed couertly or ſecretly with men of armes againſt any other to ſlay him or rob him, or to take him or keepe till he hath made fine or raunſome for to haue his deliuerance, it is not the minde of the King nor his Councell, that in ſuch caſe it ſhall be iudged treaſon, but ſhall be iudged felony or treſpaſſe according to the Lawes of the Land of olde time vſed, and according as the caſe requireth. And if in ſuch caſe or other like before this time, any Juſtices haue iudged treaſon, and for this cauſe the lands and tenements haue commen into the kings hands as forfeit, the chiefe Lords of the Fée ſhall haue the eſcheats of the tenements holden of them, whether that the ſame tenements be in the Kings hands or in others, by gift or in other maner. Sauing alwayes to our ſouereigne Lord the King, the yeere and the waſt, and the forfeitures of cattels, which pertaine to him in the caſes aboue named. And that Writs of Scire facias be graunted in ſuch caſe againſt the land-tenants without other originall, and without allowing any protection in the ſaid ſuite. And that of the lands which be in the K. hands, Writs be graunted to the Sheriffes of the counties where the lands be, to ſet them out of the Kings hands without other delay. Anno 25. Ed. 3. cap. 2.

Imagine
K. death
K. wife
Sonne
Daughter
Warre
Counterfeit
Great ſeale
Priuie ſeale
Money
Chancelor
Treaſorer
Juſtices
Foyl.
Maſter
Husband
Prelate
Foyl.

Juſtices Doubtfull

Ride armed

Felony Treſpaſſe

Eſcheat

Waſte and waſte

Scire facias

Sheriffes

2 The King ſtraitly defendeth to all manner of people, vpon paine of aſmuch as they may forfeit againſt him in body and goods, that none from henceforth make nor beginne againe thoſe riots and rumours, nor other like. And if any the ſame doe, and that duely proued, it ſhalbe done of him, as of a traytor to the King and to his ſaid Realme. An. 5. Ric. 2. capit. 6. This Riot, Rumour, and Aſſemblies here ſpoken of, be intended of Inſurrections, as appeareth by this Statute, and by the Statute of 5. Rich. 2. cap. 5. Therefore ſee theſe two Statutes at large in the great Bookes of Statutes.

Riot

Inſurrections

3 Anno 11. Rich. 2. cap. 4. It was made treaſon to ſue to breake anie thing in the Parliament. But after Anno ſecundo Henrici quarti capit. 22. It was enacted, That none ſhould be grieued for ſuing contrarie to the Act in 11. R. 2. cap. 4.

4 That no Juſtice haue power to giue iudgement in other caſe of treaſon or in other manner, then they might before the beginning of this preſent Parliament. Anno 11. Ric. 2. cap. 2.

5 An. 21. Ric. 2. cap. 3. 4. & 20. Certaine things were made treaſon, but this parliament was repealed by An. 1. H. 4. ca. 3.

6 In time to come, no treaſon ſhall be adiudged otherwiſe then hath bin ordained in the time of his noble grandfather K. Edward the third, whom God aſſoile. An. 1. H. 4. cap. 10.

7 Anno 8. Henrici ſexti capit. 6. Burning of houſes by them that ſend Billes to appoynt money to be layed in a certaine place was made treaſon. But it is repealed by Anno primo Mariæ 1. Seſſi-

one,

one, as appeareth heere following 20.

8 Añ 20.H.6.cap.3. It was enacted to endure for ſix yeeres, that the taking of the perſon or goods of certain perſons by Welſhmen in Wales or in the the Marches, was treaſon. And after Añ 27.H.6.cap.4. that Act was made to endure to the next Parliament, and then to expire.

9 Foraſmuch as by the kings ſufferance, diuers coynes of Gold and Siluer which bee not of the kings proper coyne of England, be currant in payment within this Realme, diuers and many euill diſpoſed perſons, perceiuing that the forging and counterfeiting of ſuch coynes is neither felonie nor treaſon, preſume and take vpon them for their ſingular auaile and profit, to counterfeit and forge ſuch coynes to the great hurt and preiudice, aſwell of the king our Soueraigne Lord, as to the hurt of all the kings ſubiects: It is therefore ordeined and eſtabliſhed by authoritie of the ſaid Parliament, that the counterfeiting and forging of euery ſuch coine bee adiudged treaſon, as it is of the counterfeiting of the proper coine of the King of this Realme. Añ 4.H.7.cap.18.

10 Anno 22.Hen.8.cap.9. Poiſoning was made Treaſon, and that the offenders ſhould bee boiled to death, & ſhould not haue their clergie, and that Iuſtices of peace might enquire thereof, and of counterfaiting of coine of outward Realmes, and make proces by Cap. onely, and that Iuſtices of aſſiſe might heare and determine the Treaſon by poyſoning, as the counterfeiting of ſuch coine, and the lands of the offenders by poyſoning, to eſcheat to the Lords. But Añ 1.E.6.cap.12. And Anno 1.M.1.Seſſione, theſe treaſons be repealed.

11 Anno 26.Hen.8.cap.13. It was made treaſon to wiſh, will, or deſire by word or writing, or by craft imagine, inuent, practiſe or attempt any bodily harme to the king or Quéene, or their heires apparant, or depriue them of the dignitie, title, or name of their royall eſtates, or to publiſh by writing or wordes, the King to be Heretike, Schiſmatike, Tyrant, Infidell, or Vſurper of the Crowne, or deteine from the King fortreſſes, ſhippes, or munition of warre, that the offenders ſhould not haue ſanctuarie. But this act was repealed by 1.Edw.6. cap.12. and by 1.M.1. Seſſione.

12 If any of the Kings ſubiects, denizens or other, doe commit or practiſe out of the limittes of this Realm in any outward partes any ſuch offences which by this act are made, or heretofore haue beene made treaſon: that then ſuch treaſons whatſoeuer they be, or whereſoeuer they ſhall happen ſo to be done or committed, ſhall be enquired, and preſented by the oathes of twelue good and lawfull men, vpon good and probable euidence and witneſſe, in ſuch Shire and Countie of this Realme, and before ſuch perſons, as it ſhall pleaſe the kings Highneſſe to appoint by Commiſſion vnder his great Seale, in like maner & forme as treaſons committed within this Realme haue beene vſed to be enquired of and preſented, and that vpon euery indictment & preſentment founden and made of any ſuch Treaſons, and certified into the kings Bench, like proceſſe and other circumſtance ſhall be there had and made againſt the offendors, as if the ſame Treaſon ſo preſented had beene lawfully found to be done and committed within the limits of this Realme. And that all proceſſe of outlawry hereafter to bee made and had within this Realme, againſt any offenders in treaſon, being reſiant or inhabiting out of the limits of this realm, or in any of the parts beyond the Sea at the time of the outlawry pronounced againſt them, ſhall be as good and effectuall in the law to all intents and purpoſes, as if ſuch offenders had beene reſident and dwelling within this Realme at the time of ſuch proceſſe awarded, and outlawry pronounced. And be it &c. that euery offender and offenders being hereafter lawfully conuict of any maner of high treaſons by preſentment, confeſſion, verdict or proceſſe of outlawry, according to the due courſe and cuſtome of the common lawes of this Realme, ſhall loſe & forfeit to the kings Highneſſe, his heires and ſucceſſors, all ſuch lands, tenements, and hereditaments, which any ſuch offender or offenders ſhall haue of any eſtate of inheritance in vſe or poſſeſſion, by any right, title, or meanes within this Realme of England, or elſewhere within any the Kings Dominions, at the time of any ſuch Treaſon committed, or any time after. Sauing to euery perſon and perſons, their heires & ſucceſſours, other then the offenders in any Treaſons, their heires and ſucceſſours, and ſuch perſon & perſons as claim to any their vſes, all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, offices, and other profites, which they ſhall haue at the day of committing ſuch Treaſons, or at any time afore, in as large and ample maner, as if this Act had neuer beene had or made, Añ 26.H.8.ca.13.

Beyond ſea Outlawry

Conuict

Forf. Lands

Leaſes Rents Offices

13 Anno 27.H.8.cap.2. Counterfeiting of the kings ſigne manuell, priuie ſiguet, or priuie ſeale, was made treaſon. But it is repealed by Anno 1.Ed.7.cap.12. and by Anno 1.M.1.Seſſione.

Signe manuel Priuie ſeale Repealed

14 Añ 28.H.8.ca.18. marrying & contracting with any of the kings children or kinſwomen, was made treaſon. But it is repealed by Añ 1.E.6.c.12. and by 1.M.1.Seſſione.

Marriage Repealed

15 If any perſon or perſons haue done or committed, or hereafter ſhall doe or commit any high Treaſons, when they were in good, whole and perfect memorie, and after their accuſation, examination, and confeſſion thereof, before any the kings Maieſties councell, ſhall happen to fall to Madneſſe or Lunacie, that yet neuertheleſſe, if it ſhall appeare by the teſtimonie of foure of the kings councell or moe, that ſuch perſons at the time of doing their Treaſon, and at the time of their accuſation, examination, and confeſſion thereof, were of good, perfect, and whole memorie, and then not madde nor lunatike, but ſithen that time fallen to madneſſe or lunacie, and ſo certified in the kings Chancerie, by writing ſubſcribed with the names of foure of the ſaid councell or moe: that then in euery ſuch caſe the kings Maieſties Commiſſion of oier and terminer of the Treaſons ſhall be awarded out of the ſaid Chancerie vnder his Highneſſe great Seale into ſuch Shire and place, and to ſuch perſons,

Whole memorie Mad Teſtimony Chancerie Commiſſion

persons, as it shal please the kings most royal Maiestie to limit and appoint, in which commission shall bee specially mentioned and expressed the names of such person and persons, who shall happen to be accused and examined of treason before any the Kings Maieties councell as is aforesaid, and an expresse mention, that by the testimony of foure of the Kings Councell, such person or persons so accused or examined of Treason, were of good, perfect & whole memorie, at the time of committing their offences, and at the time of their accusation, examination and confession thereof, and that sithence that time they become madde or lunatike. By vertue of which Commission, the Commissioners limited by the same Commission, shall haue power and authority to enquire of the Treasons done by such persons by the inhabitants of freeholders of the Shire where such Commission shall be directed to, whersoeuer the said Treasons were done or committed. And if such person or persons aforesaide, shall happen to be indicted of high Treason, then the said Commissioners without personall appearance or arraignement of such person or persons so indicted, shal cause the Sherife or his ministers, or other hauing authority to returne proces in such cases, to returne a panell before them of sufficient and lawfull freeholders of the Shire where such persons shall be Indicted for the triall of their treasons conteined in their indictment. And after the returne of the said panell and appearance of the Iurie, the said Commissioners in the absence of the said person or persõs so indicted, being mad or lunatik, without any arraignement, answer or plea to the indictmẽt, shall sweare ry. such of the said Iurie as shalbe returned before them, to trie whether the person or persons indicted be guilty of the treasons cõteined in the indictment, or any of them, or not guilty, causing onely ẏ indictment to be read to the said Iurie, and after the reading thereof, cause and suffer open euidence to bee giuen to the Iurie', aswell for the King as for the party touching the Treasons conteined in the Indictment, as to their discretions shall seeme conuenient. Whereupon the Iurie shall be bounden to giue their verdict according to their euidence, as if the person indicted had been present, arraigned and pleaded for the same. And if it shal happen such person or persons so indicted to be found giuilty by the said Iurie so charged to trie such treasons, that then the offenders, of such treasons so found guilty, shall haue such iudgement, and suffer such paines of death, forfeitures of lands, goods, cattels, and all other things, as is commonly limitted in cases of high Treason, and as if such persons had bẽne of good and whole memorie, and personally present arraigned, and pleaded to their indictment, and had beene found guilty thereof, their madnesse or lunacy, or their absence, non arraignement, or not pleading to the said indictment in any wise not letting nor withstanding. Prouided alway, and be it &c. that if any of the Pẽres of this Realme shall happen to bee accused and examined of high Treason before any the kings Councell, and doe confesse the same, and afterwards fall to madnesse or lunacy, as is aforesaid: ẏ then such treasons done & committed by any Pẽere of the Realme, and by him or her confessed vpon examination thereof before any of the Kings Councell, as is aforesaid, and their confessions, if they can write, subscribed with their name shall bee enquired of by vertue of the Kings Commission of oyer and terminer, to be awarded in manner & forme aboue rehearsed. And if they shal happen to be indicted of high Treason by vertue of such Commission, yet neuertheles their triall shall be alwaies had by their Pẽres, before the high Steward of England, to be assigned by the Kings Highnesse. And that the High Steward to be assigned by the Kings Maiesty in euery such case, shall haue the indictment brought to him, and shall cause to be summoned to appeare before him the Peeres of the Realme, as hath bẽne accustomed, at a day & place by the said High Steward to be limitted, at which day and place the said high Steward, after the appearance of the Pẽres before him, hauing the Record of the said Indictment before him, shall in the absence of the person indicted, which shal happen to bee mad or lunatik, as is aforesaid, and without his or her arraignement or pleading to the indictment, cause the said Indictment to be read to the Pẽres, and in their presence cause to be declared by his discretion al maner of euidences and witnes touching the treasons conteined in the said Indictment, and afterward charge the Pẽres vpon their faiths and dueties of allegeance that they owne the kings maiestie, to trie whether the person indicted bee guilty of ẏ treasons conteined in the indictments, or any of them, or not guilty. And if they shall finde him or her guiltie, that then such iudgement, execution, and forfeitures, shal be had, made or done, as if such person indicted had bẽne of good memorie, & personally present, arraigned, and pleaded to the said indictment, & had bẽne found guilty of the treasons therein conteined: the madnesse or lunacy of such persons in such cases as is aforesaid notwithstanding. And be it &c. that if any person or persons shal happen to be attainted & conuicted of high treason by authority of parliamẽt, or by the due course of ẏ cõmon laws or statuts of this realm, & afterwards fal to madnes or lunacy, ẏ yet neuertheless they shal haue & suffer executiõ, their madnes or lunacy notwithstanding. And if any person & persons shal be attainted of high treason by the course of the common lawes or Statutes of this Realm, that in euery such case euery such attainder by the Common Law, shall be of as good strength, value, force, and effect, as if it had bẽne done by authoritie of Parliament. And that the Kings Maiesty, his heires and successors, shall haue as much benefit & aduantage by such attainder, as wel of vses, rights, entries, conditions, as possessions, reuersions, remainders, and all other things, as if it had bẽne done and declared by authority of parliament, and shall bee deemed and adiudged in actuall and reall possessions of the lands, tenements, hereditamẽts, vses, goods, cattels, and all other things of the offenders so attainted, which his Highnesse ought lawfully to haue, and which they so being attainted ought or mought lawfully lose and forfeit, if the attainder

Foure

Commissioners Enquire

Indict Party absent

Shirife

Panell Freehol-ders

Party absent

Euidence

Iurie Verdict

Iudgement Forf.

Non arraignment Non pleading

Peeres

Confesse Madde

Enquire

Triall Peeres High Ste-ward

Summon

Party absent

Euidence

Charge

Iudgment

Attaint Parliament

Execution Madde

Attaint Common law Statute

Kings aduantage

Lands Goods

attainder had bene done by authority of Parliament, without any office or inquisition to be found of the same, any law, Statute, or vse of the Realme to the contrary thereof in any wise notwithstanding. Saving to all and euerie person and persons and bodies politike, and their heires and assignes, and successours, and euery of them, other then such person and persons, which hereafter shal be attainted of High Treason, and their heires and assignes, and euerie of them, and all and euerie other person and persons, claiming by them or any of them, or to their vses, or to the vses of any of them, after the said Treason committed, all such right, title, vse, possession, entry, reuersions, remainders, interests, conditions, fees, offices, rents, annuities, commons, leases, and all other commodities, profits, and hereditaments, whatsoeuer they or any of them should, might, or ought to haue had, if this act had neuer bene had ne made. Anno 33. H.8.cap.20.

Without licence

Bodies politike

Right

16 Anno 33.H.8.cap.21. It is enacted, that if the king did marry a woman thinking her then to be a Maide, where shee was not, if shee did not declare her vnchaste life to the king before the marriage, it is Treason. And that if the Queene or the Princes wife doe procure any person to haue carnall knowledge with her, or any doe procure any of them to the like: that then the Queen and the princes wife, and the other so procuring &c. is treason. But these Treasons be repealed by 1.Ed.6.cap.12. and by 1.Mariæ 1.Session. as appeareth here following 18. and 20.

R.Barry Maid

Treason, Queene Princes wife Carnall knowledge

Repealed

17 Anno 35.H. 8. cap.3. An act was made concerning the kings stile of Supremacy, and certaine points concerning the kings stile, and his person and crowne, be made Treason, but it is repealed by 1.& 2.Phil.& Mar. cap. 8. as appeareth Rome 4.

Stile

Repealed

18 By An. 1.Ed.6.cap.12. All offences made Treason or petty Treason, by any statute, were from thencefoorth repealed, but onely such as were Treason or petty treason by the Statute made an. 25.E.3.Stat.de prodition, but ca.2.& such offences as in the said Statute of An.1.E.6.ca.12 be expressed & declared to be Treason or Petit treason, not that any paines of death, penalty or forfeiture be to any offenders for doing any treason, or petit treason other then such as be in the said Statute of 25.E.3. or by the said Statute of 1.Ed.6. and after in the said Statute of Anno 1.Ed.6.cap.12. it is enacted as followeth. If any person or persons at any time after the first day of March next comming, by open preaching, expresse words or sayings, do affirme or set forth, that the king, his heires or successors, kings of this Realme, for the time being, is not, or ought not to be supream head in earth of the church of England and Ireland, or any of them, immediately vnder God, or that the Bishop of Rome, or any other person or persons, other then the king of England for the time being, is or ought to be by the lawes of God, supreame head of the same Church, or of any of them, or that the King, his heires or successors Kinges of this Realme, is not, or ought not to be King of England, France, and

Preaching Words

Supreme head.

Pope

Titles

Bulls

and Ireland, or any of them, or after the said first day of March, doe compasse or imagine by open preaching, expresse words or sayings, to depose or deprriue the king his heires or successors Kings of this Realme, from his or their royall estate or titles to, or of the Realmes aforesaid, or do openly publish or say by expresse words or sayings, that any other person or persons, other then the king, his heires or successors kings of this Realme, of right ought to be Kings of the Realmes aforesaid, or any of them, or to haue and inioy the same, or any of them: ỳ then euerie such offender being thereof duly conuicted or attainted by the Lawes of this Realme, their ayders, comforters, abeters, procurers, counsellers, for his or their such first offence, shall lose & forfeit to the king all his and their goods and cattels, and also shall haue and suffer imprisonment of his & their bodies, at the kings pleasure. And if any person being once conuicted and attainted of any of the said offences, shall after his conuiction or attainder eftsoones commit or perpetrate any of the offences before mentioned, other then such as be expressed in the Statute made in said fiue & twentieth yeare of King Edward the third, and shall be thereof duely conuicted or attainted by the lawes of this Realme: that then euerie such offender, their aiders, comforters, abetters, procurers, and counsellers, for his or their second offence or offences, shall lose and forfeit to the King the whole issues & profits of all his and their lands, tenements, and other hereditaments, benefices, prebends & other spiritual promotions, for terme of life of such offender or offenders, & shall also lose and forfeit to the K. all his or their goods or cattels, and also suffer during his or their liues, perpetuall imprisonment of his and their bodies. And if any person being two tims hereafter conuicted or attainted of any of the same offences, shall after his said conuiction or attainder eftsoones commit or perpetrate againe any of the said offences, to be therof duly conuicted or attainted by the lawes & statutes of this Realme: ỳ then euerie such third offence or offences shal be deemed and iudged High Treason, and the offender or offenders, their ayders, comforters, abetters, procurers, and counsellers, being therein conuicted or attainted, according to the Lawes and Statutes of this Realme, shall be deemed and adiudged high Traitors, and shall suffer paines of death, and lose and forfeit all their goods and cattels, lands and tenements to the king, as in cases of High Treason. And be it &c. that if any person or persons at any time after the said first day of March next comming by writing, printing, ouert deed or act, doe affirme or set forth that the king of this Realme, for the time being, is not or ought not to be supreme head in earth of the Church of England & Ireland or of any of them immediately vnder God, or shall by writing, printing, ouert deed or act, after the said first day of March, affirme, or set forth that the Bishop of Rome, or any other person or persons, other then the king of England for the time being, is, or ought to be by the lawes of God, or otherwise, the supreme head in earth of the same Churches, or of any of them, or doe after the said first day of March,

Compasse

Deprriue

Words

Ayders Procurers

Forf. Goods Imprisl.

25.Ed 3.

Forf.

Lands Spirituall promotion

Forf.

Goods Terme of life Imprison

High treason

Traitors Forf.

Writing Printing Ouert deed Supreme head

Pope

Compaſſe Deppine

Marth, compaſſe or imagine by writing, printing, ouert deed or act, to depoſe or depriue the King, his heires or ſucceſſors, Kings of this Realme, from his or their royall eſtate or titles of the King of England, France and Ireland, or of any of them, or by any writing, printing, ouert deed or act, doe affirme that any other perſon or perſons other then the King, his heires and ſucceſſors, is, or of right ought to bee king of the Realmes of England, France & Ireland, or to haue and enioy the ſame or any of them: ỳ then euerie ſuch offence & offences, ſhall be deemed and adiudged high Treaſon, and the offender and offenders, ayders, comforters, abetters, procurers and Councellers therein conuicted or attainted, according to the lawes and ſtatuts of this Realme, ſhall be deemed and adiudged high Traitors, and ſhall ſuffer paines of death, and loſe and forfeit all their goods and cattels, lands and tenements to the King, as in caſes of high Treaſon. Prouided alway, and be it &c. that this eſtatute or any thing therein conteined, ſhall not in any wiſe extend to repeale, annul, or make fruſtrate or void, any act or acts of Parliament, Statute or Statuts made concerning the counterfeiting or forging of any of the coines of this Realme, or for the coyne of any other Realme or Realmes currant within this Realme, or for the clipping, waſhing or filing any of the ſaid coine, or for, or concerning the bringing into this Realme, of counterfeit mony or coine, ne to any ſtatute made in the ſeuen & twentieth yeare of the ſaide late King Henrie the eight, concerning the falſe forging and counterfeiting of the Kings ſigne manuel, priuie Signet, or priuie ſeale, ne to their Counſellers, procurers, aiders and abetters, nor to any article or branch concerning the ſame offences, or any of them, conteined in the ſame Statutes or any of them. And be it &c. That if any the heires of the King our ſaid Soueraigne Lord that now is, or any perſon or perſons to whome the Crowne and Dignity of this Realme is limitted and appointed by act of parliament, made in the ſiue and thirtieth yere of the Raigne of the ſaid late K. Hen. the eight, or the Heires of any of them, doe at any time hereafter vſurpe the one of them vpon the other in the Crowne of this Realme, or demaund, challenge, or claime the ſame otherwiſe, or in any other forme or degree of deſcent or ſucceſſion, or in any other courſe, forme, degree or condition, but onely in ſuch maner and forme as is declared by the ſaid eſtatute, or if any of the ſaid heires or perſons aforeſaid, doe interrupt or let the Kings Highneſſe that now is, peaceably and quietly to keepe haue and enioy the ſaid imperiall Crowne: that then all and ſinguler the offenders, their aiders, comforters, abetters, procurers and counſellers therein, ſhall bee deemed and adiudged high Traitors, and ſhall ſuffer and incurre the paines of death, loſſe and forfeitures as is aforeſaid in caſes of high Treaſon. Prouided alſo and be it &c. that this act of Parliament, or any thing therein mentioned, as concerning the repeale of any eſtatute or eſtatutes made touching treaſon or miſpriſion of treaſon, ſhall not in any wiſe giue any maner of benefite, aduantage or commoditie, to any perſon or perſons, being the laſt day of October laſt paſt, arreſted or impriſoned for treaſon, petit Treaſon, or miſpriſion of Treaſon, or to any perſon or perſons, heretofore being indicted of treaſon, petit Treaſon, or miſpriſion of Treaſon, or to any other perſon or perſons being likewiſe conuicted, outlawed, or attainted of treaſon, petit treaſon, or miſpriſion of treſon, or being fled beyond ỳ ſeas, or into Scotland, before the ſaid laſt day of Octo. laſt paſt, for any treaſon, petit treaſon, or miſpriſion of treaſon, but that they and euery of them ſhall ſuffer ſuch paine of death, loſſes, and forfeiture of lands and goods, as in caſes of treaſon, as though this act had neuer been had or made any thing in this act to the contrarie in any wiſe notwithſtanding, and that the Lawes and Statutes repealed by this act, ſhall ſtand againſt them, and euerie of them, in full ſtrength, vertue, force, and effect, concerning all and euerie offence by them, or any of them heretofore committed or done. Prouided alway, and be it &c. That no perſon and perſons, ſhall in any wiſe be impeached or put to anſwere for any of the offences aboueſaid, concerning treaſons, by open preaching or words onely, vnleſſe the party offender or offenders be t hereof accuſed within 30. daies next after the ſame open preaching or words ſo ſpoken or declared, if the accuſers ſhall fortune to be within this Realme, during the ſpace of 30. daies next after the ſaid offence committed or done. And if the accuſer ſhall happen to be out of this realme, during the ſaid ſpace of 30. daies, then the partie or parties ſo offending, ſhal be accuſed, as is aforeſaid, within ſix monethes next after the ſame preaching, or words ſpoken or declared, or elſe ỳ party or parties ſo offending, their aiders, comforters, abetters and counſellers, or any of them, not to be impeached or put to anſwere for any ſuch offence or offences, and that the ſame accuſation or accuſations ſo to be had, made and declared, ſhal be made to one of the kings Counſell, or to one of the Kings Juſtices of Aſſiſe, or elſe to one of the Kings Juſtices of Peace, being of the Quorum, or two Juſtices of the P. within the ſhire where the ſame offence or offences ſhall happen to be done or cõmitted, any thing conteined in this act to the contrary thereof in any wiſe notwithſtãding. Prouided alſo, & be it &c. ỳ concealement or keeping ſecret any high Treaſon, ſhall bee from henceforth adiudged, deemed, and taken miſpriſion of Treaſon, and the offender therein ſhall forfeit and ſuffer as in caſes of miſpriſion of treaſon as heretofore hath beene vſed, any thing aboue mentioned to the contrary notwithſtanding. Prouided alſo, and be it &c. That this act or any thing therein conteined, ſhall not extend to charge or make any perſon or perſons to be offender or offenders in any of the articles aboueſaid, for calling, naming, ſaying, writing, or printing the French King, for the time being, by the name of the King of France or French King, any thing aboue declared & enacted, to the contrary in any wiſe notwithſtanding. Prouided alwaies, and be it enacted &c. That no perſon or perſons after the firſt day of Februarie next comming, ſhall be indicted, arraigned, condemned,

Pitie

High treaſon Abetters

Traitors Forf.

Forging coine

Clipping Waſhing Filing Counterfeit money

Signe manuell Priuy ſeale

Vſurpe

Chalenge

Traitors

Treaſon Miſpriſion

Comict Outlawes Fled

Preaching Words Terme Thirty daies

6. Months

B. Counſell Juſt. of Aſſ. Juſt. of P. Quorum

Concealment Miſpriſion

Forf.

French K.

Endict

or

or conuicted, for any offence of Treason, petie Treason, misprision of Treason, or for any words before specified, to bee spoken after the said first day of Febr. for which the same offender, speaker, offenders or speakers, shall in any wise suffer any paines of death, imprisonment, losse or forfeiture of his goods, cattels, lands or tenements, vnlesse the same offender, speaker, offenders or speakers be accused by two sufficient and lawfull witnesses, or shall willingly, without violence confesse the same. Anno 1. Ed. 6. capitulo 12. Note that all that is in this last act touching the kings Supremacy, or against the Popes authority is repealed by 1. and 2. Phil. and Mar. capitulo 8. as appeareth Rome 5. And all that is made Treason by this last Act, is repealed by 1. Mar. 1. Session. as appeareth here after.

Treason Misprision Words

Two witnesses

Repealed

19 If any person & persons, after the first day of June next comming, by open preachings, expresse words or sayings, do expresly, directly, & aduisedly set forth & affirme that the K. that now is, is an Heretike, Schismatike, Tyrant, Infidel, or Vsurper of the Crowne, or that any his heires or successors, to whome the Crowne of this Realme is limited, by authority of Parliament, holden in the fiue and thirtieth yeare of the Raign of the late King Henrie the eight cap. 1. (which is in Crowne 5.) being in lawfull possession of the Crowne, is an Heretike, Schismatike, Tyrant, Infidell, or Vsurper of the Crown, that then euery such offender being thereof duly conuicted or attainted, by the lawes of this Realme, their abetters, procurers, and coũsellers, and all and euery their ayders and comforters, knowing the said offences or any of them to be done, for his or their first offence, shall lose and forfeit to the King all his and their goods and Cattells, and also shall haue and suffer imprisonment of his and their bodies at the kings will and pleasure. And if any person being once conuicted or attainted of any of the said offences, shall after his said conuiction or attainder eftsoones commit or perpetrate any of the offences before mentioned in forme aforesaid, committed, and shall bee thereof duly conuicted or attainted by the lawes of this Realme: that then enerie such offender and offenders, their abetters, procurers and counsellers, and all and euerie their ayders and comforters, knowing the said offences or any of them to be don, for his or their second offences, shall lose and forfeit vnto the King the whole issues and profits of al his and their lands, tenements, & other hereditaments benefices, prebends, and other spirituall promotions, for terme of the life of such offender or offenders, & shal also lose and forfeit vnto the King al his & their goods and cattels, and also suffer during his & their liues, perpetuall imprisonment of his and their bodies. Prouided alwaies, that such of the said spirituall promotions as shall be charged with cure, be alwaies by the Kings Maiestie, and his heires and successors, sufficiently furnished of a Curate, for the discharge of the same. And if any persons being two times hereafter conuicted or attainted of any the said offences, in forme aforesaid committed, shall after his second conuiction or attainder eft soones commit or perpetrate again any of the said offences in forme aforesaid, & be thereof duely conuicted or attainted by the laws and statutes of this Realme, that then euerie such third offence or offences shall be deemed and adiudged high Treason, and the offender or offenders therein their abetters, procurers and counsellers, and all and euerie their ayders, and comforters, knowing the said offences, or any of them to be done, beeing therof conuicted or attainted, according to the laws and statutes of this Realme, shall bee iudged and deemed high Traitors, and shall suffer paines of death, and lose and forfeit all their goods and cattels lands and tenements whereof hee or they shall bee seised of an estate of inheritance, in his or their own right to the King, as in cases of high Treason. And be it &c. That if any person &c. by writing, printing, painting, caruing or grauing, do directly, expresly, and aduisedly publish, set forth and affirme, that the king that now is, or any his heires or successors, limited as is aforesaid, is an Heretike, Schismatike, Tyrant, Infidell, or Vsurper of the Crowne: that then euerie such offence or offences shall be deemed and adiudged high Treason, &c. And be it &c. That if any person &c. rebelliously doe retaine, keepe or withhold frõ our said soueraigne Lo. his said heirs and Successors, any of his or their Castles, Fortresses, Fortlets, or holds within this Realme, or in any other the kings Dominions or Marches, or rebelliously keepe, deteine or withhold from the K. said Highnes, his said heires or successors, any of his or their ships, Ordonances, Artillery, or other munitions, or fortifications of war, and do not obediently render & giue vp to our said Soueraigne Lord, his said heirs or successors, or to such persons as shall be deputed by them or any of them, such Castles, Fortresses, Fortlets, Holds, Ships, Ordonances, Artillery or other munitions, and fortifications of warre, rebelliously kept and detained, within fiue daies next after shall be commanded by our said Soueraigne Lord, his said heires or successors, by open Proclamation vnder the great Seale the same proclamation to be made in such place and order, so as the party and parties to be charged by this act, may conueniently haue notice and knowledge thereof: that then euerie such person &c. shall be adiudged traitors, &c. And ouer ỹ be it &c. that if any of the Kings subiects, denizens, or other, do cõmit or practise out of the limits of this Realme in any outward parts, any the offences which by this act are made, or heretofore now standing in force haue bẽne made treason, that then such treasons whatsoeuer they be, or whereseuer they shall happen to be done or committed shall be enquired and presented by the oathes of twelue good and lawfull men, vpon good and probable euidence and witnes in such shire and County of this Realme, & before such persons as it shall please the King, his said heires or successors, to appoint by Commission vnder his great seale, in like maner and forme as treasons committed within this Realme, haue bẽne vsed to be enquired of and presented. And that vpon euerie Indictment & presentment founden & made of any such treasons, & certified into the K. Bench, like

Treasons Writing Printing Publish King

Heretike Vsurper

Castles Fortresses

Ships Munitions

Sixe daies

Proclamation

Traitors

Subiects Denizens

Outward parts

Enquire Oths

Euidence

Commissio

Indictment K. Bench

Proceſſe

Outlawry

Party outlawed One yere

Yeeld Chiefe Juſt Trauerſe

Trauerſe Verdict Acquite

Offenders

Forf.

Preaching words Three moneths

K. Councel Juſt. of Aſſ. Juſt. of P. Quorum

Conceale-ment

Miſpriſion Forf.

like Proceſſe and other circumſtance ſhall be there had and made againſt the offenders, as if the ſame Treaſon ſo preſented had bene lawfully found to be done and committed within the limits of this Realme. And that all Proceſſe of Outlawrie hereafter to be made and had within this Realme againſt any offenders in treaſon, being reſiant or inhabitant out of the limits of this Realme, or in any the parts beyond the Sea at the time of the outlawrie pronounced againſt them, ſhall bee as good and effectual in the law, to al intents and purpoſes, as if any ſuch offenders had bin reſident and dwelling within this Realme, at the time of ſuch proces awarded, and Outlawry pronounced. Prouided alwaies, and be it &c. That if the party ſo hereafter to be Outlawed, ſhall within one yeare next after the ſaid Outlawrie pronounced, or iudgement giuen vpon the ſaid Outlawry, yeeld himſelfe vnto the chiefe Juſtice of Eugland, for the time being, and offer to trauerſe the Indictment or appeale, whereupon the ſaid Outlawrie ſhal be pronounced as is aforeſaid, that then he ſhall be receiued to the ſaid Trauerſe, and being therupon found not guilty by the verdict of twelue men, he ſhall be clearely acquited and diſcharged of the ſaid Outlawrie, and of all penalties & forfeitures by reaſon of the ſame, in as large and ample maner and forme, as though no ſuch outlawry had bene made, any thing herein conteined to the contrarie in any wiſe notwithſtanding. And be it &c. that euerie offender or offenders being hereafter lawfully conuict of any maner of high Treaſon, by preſentment, confeſſion, verdict, proces or outlawry, according to the due courſe and cuſtome of the common lawes of this Realme, ſhall loſe and forfeit to the K. Highneſſe his heirs and ſucceſſors aforeſaid, all ſuch lands, tenements, and hereditaments, which any ſuch offender or offenders ſhall haue of any eſtate of inheritance in his owne right, in vſe or poſſeſſion, within this Realme of England, or elſewhere within any the Kings Dominions, at the time of any ſuch Treaſon committed, or any time after. And be it &c. that no perſon or perſõs, ſhal in any wiſe be impeached for any of the offences abouesaid committed, onely by open preaching or words, vnleſſe the offender or offenders be thereof accuſed within three moneths next after the ſame open preaching or words: and that the ſame accuſation or accuſations be had, made and declared, to one of the kings Counſell, or to one of the Kings Juſtices of Aſſiſe, or elſe to one of the Kings Juſtices of the P. being of the Quorum, or to two Juſti. of the P. within the ſhire where the ſame offence or offences ſhall happen to be done or cõmitted, any thing conteined in this act to the contrary thereof in any wiſe notwithſtãding. Prouided alſo, & be it &c. y conceale-ment or keeping ſecret of any high Treaſon, bee deemed, and taken onely miſpriſion of Treaſon, and the offender therein to forfeit and ſuffer as in caſe of any miſpriſion of treaſon as heretofore hath bene vſed, any thing aboue mentioned to the contrary notwithſtanding. Prouided alwaies, and bee it enacted &c. That no perſon or perſons after the firſt day of June next comming, ſhall be indicted, arraigned, condemned, conuicted, or attainted for any of the Treaſons or offences aforeſaid, or for any other Treaſons that now be, or hereafter ſhall bee, which ſhall hereafter be perpetrated, committed or done, vnleſs the ſame offender or offenders be thereof accuſed by two lawfull accuſers, which ſaid accuſers at the time of the arraignement of the party accuſed, if they be then liuing, ſhall be brought in perſon before the party ſo accuſed, & auow and maintaine that that they haue to ſay againſt the ſaid party, to proue him guilty of the Treaſon or offences conteined in the bill of Indictment laid againſt the partie arraigned, vnleſſe the ſaid partie arraigned ſhall willingly without violence confeſſe the ſame. Confeſſe Sauing to euerie perſon and perſons, their heires and ſucceſſors, other then the offenders and their heirs, and ſuch perſon and perſons as claim to any their vſes, al ſuch rights, titles, intereſt, poſſeſſiõs, leaſes, rents, reuerſions, offices and other profits, Right which they or any of them ſhall haue at the day of committing ſuch Treaſons, or at any time after, in as large & ample maner as if this act had neuer bin had or made. Prouided alſo, & be it &c. y the wife or wiues, whoſe Huſband or Huſbands hereafter ſhall be attainted of treaſon ſpecified in this act, or of any other Treaſons whatſoeuer they be, ſhall in no wiſe be receiued to aſke, challenge, demand, or haue dowrie of any the lands, tenements, or hereditaments of any the perſon or perſons, to be attainted of treaſon, as is aforeſaid, during y ſaid attainder in his force, any thing before mentioned to the contrarie in any wiſe notwithſtanding. Anno 5. Edw. 6. capitulo 11. Note that the Treaſons made by this Act, be repealed by 1. M. 1. Seſſion, by generall words, as appeareth here after 20.

20 From henceforth none Act, déed or offence being by Act of Parliament or Statute made Treaſon, petit Treaſon, or miſpriſion of Treaſon by words, writing, cyphering, déedes, or Repeale otherwiſe whatſoeuer, ſhall bee taken, had, deemed or adiudged to be high treaſon, petit treaſon, or miſpriſion of treaſon, but only ſuch as be declared, and expreſſed to bee Treaſon, petit Treaſon, or miſpriſion of Treaſon, in or by the Act of Parliament or Statute made in the fiue and twentieth yeare of the Raigne of the moſt noble 25. Ed. 3. King of famous memorie King Edward the third (s. de proditionibus cap. 2.) touching and concerning Treaſon, or of declaration of Treaſons, and none other, nor that any paines of death, penalty or forfeiture in any wiſe inſue, or bee to any offender or offenders for the doing or committing any Treaſon, petit Treaſon, or miſpriſion of Treaſon, other then ſuch as be in the ſaid Eſtatute made in the ſaid fiue & twentieth yere of the Raigne of the ſaid K. Edw. the third, or deined and prouided, any act or Acts of Parliament, ſtatute or Statutes, had or made at any time heretofore or after the ſaid fiue and twentyeth yeare of the Raigne of the ſaide late King Edward the third, or any other declaration or matter to the contrarie in any wiſe notwithſtanding. Prouided alwaies, and be it &c. that this act of parliament, or any thing therein mentioned, ſhall not

in

in any wiſe extend to giue any manner of benefit, aduantage or commodity to any perſon or perſons being the laſt day of Sep. laſt paſt, arreſted or impriſoned for treaſon, petit treaſon, or miſpriſion of treaſon, or to any perſon or perſons heretofore being indicted of treaſon, petit treaſon or miſpriſion of treaſon, or being outlawed or attainted of treaſon, petit treaſō, or miſpriſiō of treaſon, before ỳ laſt day of Sept. laſt paſt, or being cōmanded to kéep his or their houſe or houſes, or other mēs houſes, or otherwiſe excepted out of the M. highnes moſt gracious pardon giuen the day of her coronation, but ỳ they and euerie of them for any the offences before mentioned, perpetrated, committed or done by them, or any of them, before the ſaid laſt day of Septemb. ſhall ſuffer ſuch paines of death, loſſes and forfeitures of lands and goods, as in caſe of Treaſon, as though this act had neuer béen had nemade, any thing in this act to the cōtrary in any wiſe notwithſtanding. Anno 1. M. 1. Seſſion.

Arreſt

Indicted Outlawed

21 That if any perſon or perſons hereafter falſly forge and counterfeit any ſuch kinde of coyne of golde or ſiluer, as is not the proper coine of this Realm, and is or ſhalbe currant within this realm, by the conſent of the Queene, her heires or ſucceſſours, or if any perſon or perſons at any time hereafter doe falſely forge or counterfeit the M. ſigne manuel, priuy ſignet or priuie ſeale: that then euerie ſuch offence ſhal bée déemed and adiudged high Treaſon, and the offenders therein, their counſellers, procurers, ayders and abetters being conuict, according to the lawes of this Realme, of any of the ſaid offences, ſhalbe likewiſe déemed and adiudged Traitors againſt the Quéen, her heires and ſucceſſors, and the Realme, and ſhall ſuffer and haue ſuch paines of death, forfeiture of lands, goods and cattels, and alſo loſe the priuiledge of all Sanctuarie, as in caſe of high treaſon it is vſed and ordeined. Anno 1. M. 1. Parl. cap. 6.

Counterfeit Gold Siluer current

Signe manuel Priuy ſeale Treaſon Abetters

Traitours

Sanctuary

22 Anno 1. & 2. Phil. & Ma. capitul. 9. certaine prayers were made Treaſon, but that act is determined by the death of Quéene Mary.

Prayers Determined

23 Anno 1. & 2. Phil. & Mar. ca. 10. diuers offences were made Treaſon, which are determined by the death of Queene Marie, but certaine clauſes therein ſerue to continue, as: And be it further enacted &c. that all trials hereafter to be had, awarded, or made for any Treaſon, ſhall be had and vſed onely according to the due order and courſe of the common Lawes of this Realme, and not otherwiſe. Sauing to euerie perſon and perſons and bodies politike, and corporate, their heires and ſucceſſours, other then the offenders and their heirs, and ſuch perſon and perſons as claime to any of their vſes, all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, offices, and other profits, which they or any of them ſhall haue at the day of the committing ſuch treaſons, or at any time afore, in as large and ample maner as if this act had neuer béene had or made. Prouided alwaies and be it &c. That concealment or kéeping ſecret of High Treaſon, be déemed and taken onely Miſpriſion of Treaſon, and the offenders therein to forfeit and ſuffer as in caſes of miſpriſion of Treaſon hath heretofore beene vſed, any thing aboue mentioned to the cōtrary notwithſtanding. Prouided neuertheleſſe, and be it &c. That in caſes of high Treaſon, concerning coine currant within this Realme, or for counterfeiting the King or Quénes Signet, Priuy Seale, great Seale, or Signet Manuel, ſuch maner of tryall, and none other be obſerued and kept, as heretofore hath béene vſed by the Common Lawes of this realm: any law, Statute or any other thing or things to the contrary notwithſtanding.

Concealement

Miſpriſion

Triall

24 That if any perſon or perſons, after the twentieth day of Janu. next comming ſhall bring from the parts beyond the Sea into this Realme, or into any the Dominions of the ſame, any ſuch falſe and counterfeit coine or money being currant within this Realme, as is aforeſaid, knowing the ſame coine or money to be falſe and counterfeit, to the intent to vtter or make payment with the ſame within this Realme, or any the Dominions of the ſame, by merchandizing or otherwiſe: ỳ all and euery ſuch perſon or perſons ſo offending, as is aforeſaid, their counſellers, procurers, ayders, and abettors in that behalfe ſhall bée deemed and iudged to be offenders in high Treaſon, and ſhall ſuffer after lawfull conuiction or attainder thereof, ſuch paines of death, loſſe and forfeiture of lands, goods, and cattels, as other offenders ſhall doe in caſes of high Treaſon. And be it &c. that all and euerie perſon and perſons, that ſhall at any time after the ſaid twentieth day of January, be accuſed or impeached of any the offences conteined and prouided for in this ſtatute, or of any other offence or offences, concerning the impayring, counterfeiting, or forging of any coine currant within this Realme, ſhall and may bee indicted, arraigned, tryed, conuicted or attainted, by ſuch like euidence, and in ſuch maner and forme as hath béene vſed and accuſtomed within this Realme, at any time before the firſt yeare of the Raigne of our late Soueraigne L. King Edward the ſixt, Any ſtatute, cuſtome, law, or vſage to the contrary thereof in any wiſe notwithſtanding. An. 1. & 2. P. & M. cap. 11.

Bring

Counterfeit coine

Vtter

Abetters Treaſon Forf.

Triall Euidence

25 Be it enacted, ỳ if any perſon or perſons, after ỳ 1. day of May next to come, do malitiouſly, aduiſedly & directly compaſſe or imagin to depriue the M. Maieſty ỳ now is, or the heires of her body to be begotten being K. or Quéens of this realm, frō the ſtile, honour, & kingly name of Imperial crown of this Realme or from any other the Realmes & Dominions vnto our ſaide Soueraigne Lady appertaining & belonging, or to deſtroy the Quénes Maieſtie that now is, or any the heires of her body being kings or Queenes of this Realme, or to leuy warre within this Realme, or within any the Marches or Dominions to the ſame belonging, againſt the Queenes Maieſtie that now is, or any the heires of her body being Kinges or Queenes of this Realme, or to depoſe the Queenes Maieſtie that now is, or any the heires of her body being Kings or Quénes of this Realme, from the Imperiall Crowne of the Realmes and Dominions aforeſaid, and the ſame compaſſings, imaginatiōs, or anye of them, malitiouſly, aduiſedly, and directly

Compaſſe Depriue the Queene

Stile

Deſtroy

Leuy warre

Depoſe

Preaching Words

rectly shall or doe vtter by open preaching, expresse words or sayings, or if any person or persons after the said first day of May next comming, shall malitiously, aduisedly, and directly say, publish, declare, mainteine or hold opinion, that the M. Maiestie that now is, during her life, is not or ought not to bée Quéene of this Realme, or after her death, that the heires of her Highnesse bodie being Kings or Queenes of this Realme, of right ought not to bée Kings or Quénes of this Realme, or that any other person or persons, other then the Queenes Highnesse that now is, during her life, ought to bée King or Quéene of this Realme, or any other the Realmes or Dominions aforesaid, or after her death, other then the heires of her bodie, being Kings or Quénes of this Realme, as long as any of her saide heires of her body begotten shall be in life, of right ought to haue and enioy the imperiall Crowne of this Realme, or any the Realmes & Dominions aforesaid, that then euerie such offender, being thereof duely conuicted or attainted by the Lawes of this Realme, their abbetters, procurers and counsellers, and all and euerie their comforters, knowing the said offences or any of them to be done, and being thereof duely conuicted or attainted, as is aboue said, for his or their such offence, shall forfeit and lose to the Quénes Highnes, her heires and successors, all his and their goods and cattels, and the whole issues and profits of his or their lands, tenements, and hereditaments for terme of the life of euery such offender or offenders, and also shall haue and suffer during his and their liues perpetuall imprisonment. Prouided alwaies, and be it further enacted by authority aforesaid, that all and euerie Ecclesiasticall person being conuicted or attainted in forme aforesaid, for euery such his offence, shall immediately and presently vpon such attainder had, be iudged, and remaine in the Law to all intents depriued from all his benefices and promotions spirituall, or Ecclesiasticall, in such maner and forme, that it shall be lawfull for euerie Patron, Founder, or giuer thereof, to present immediately after such attainder had, some one other to the same, as though the said offender or offenders were deceased. And if any person or persons being hereafter conuicted or attainted of any ỹ said offences in form aforesaid cõmitted, shall after his or their conuiction or attainder eft sones cõmit or perpetrate any of the said offences in forme aforesaid, that then euerie such second offence or offences shal be déemed and adiudged high Treason, and the offender or offenders therein, their abetters, procurers, and counsellers, and all and euerie their aiders and comforters, knowing the saide offences, or any of them to be done, being thereof conuicted or attainted according to the Laws and Statutes of this Realme, shall be iudged and déemed high Traitors, and shall suffer paines of death, and lose and forfeit all their goods and cattels, lands and tenements to the Quénes Maiestie, her heires and successors, as in cases of high treason, by the laws of this realm at this day of right ought to be lost and forfeited. And be it further enacted by the authority aforesaid, that if any person or persõs at any time after the saide first day of May next to come, by any writing, printing, ouert deed or act, malitiously, aduisedly, and directly do affirme, that the Queenes Maiesty that now is, ought not to haue and enioy the stile, honor and kinglie name of this Realme, or that any person or persons, other then the Quénes Maiestie that now is, ought to haue or enioy the stile, honour and kingly name of this Realme, or that the Quénes Maiestie that now is, during her life, is not, or ought not to bée Queen of this realm, nor after her death, that the heires of her highnes body being Kings or Quénes of this Realme, of right ought not to haue and enioy the Imperiall Crowne of this Realme, or that any person or persons, other then the Quénes Maiestie that now is, during her life, or after her death, other then the heires of her body begotten, being kings or Quénes of this Realme, as long as any of her said heires of her body shall bée in life, of right ought to haue and enioy the Imperiall Crowne of this Realme: that then euerie such offence & offences shall bee iudged high treason, and the offender and offenders therein, their abetters, procurers and councellers, and all & euerie their ayders and comforters, knowing the said offences or any of them to bee done, being thereof lawfully conuicted or attainted by the laws of this Realme, shall be déemed and adiudged high Traitors, and shall suffer paines of death, and lose and forfeit all their goods and cattels, lands and tenements to the Quénes Maiestie, her heires and successors, as in cases of high treason by the Lawes of this Realme at this day of right ought to bee lost and forfeit. Sauing to euerie person and persons, bodies politike and corporate, their heires and successors (other then the offenders and their heires, and such person and persons, as claime to any of their vses) all such rights, titles, interests, possessions, leases, rents, reuersions, offices, and other profits, which they or any of them shall haue at the day of the committing such Treasons, or at any time afore, in as large and ample maner, as if this act had neuer béene had or made. Prouided alwaies, and be it declared and enacted by the authority aforesaide, that concealement or keeping secret of any high Treasons, be déemed and taken onely misprision of treason, and the offenders therein to forfeit and suffer as in cases of misprision of Treason hath heretofore béene vsed: any thing aboue mentioned to the contrary notwithstanding. Prouided also, that if it shall fortune hereafter any of the Péeres of this realme to be indicted of any the offences made treason, or misprision of treason by this act, that then the same Péeres or Péere, so being indicted, shal be put to answer to euerie such indictment before the high Steward of England, for the time being, and to haue his & their tryall of his & their Péeres, and to receiue & haue such like iudgement, vpon the same tryall of his or their Péeres, or make open confession of the same offence or offences, as is vsed in other cases of high Treason. And bé it further enacted by the authority aforesaid, that no person or persons shall in any wise be impeached

M. of Engl.

Attaint

Abetters

Impriſon

Eccleſiaſticall perſon

Depriue

Patron Founder

High treaſon

Traitors

Writing Printing

Stile

Traitor Abetters

Bodies politike

Rights

Concealment

Miſpriſion

Peeres

High Steward

impeeched for any of the offences aforesaid committed onely by open preaching or words, vnlesse the offender or offenders be thereof indicted within
6. Monthes five moneths next after the same open preaching or words, any thing mentioned in this act to the contrarie notwithstanding. Prouided alwaies, that
Abettors the Counsellers, procurers, comforters, & abetors mentioned in this act, for his or their first offence, shal suffer like punishment, penalty, & forfeiture, as is conteined in this act against the principall offenders for their first offence, & none other. And that the counsellers, procurers, comforters, & abetters,
Punishmẽt for his or their second offence, shall sustein like punishment, penaltie and forfeiture, as is conteined in this act against the principall offender or offenders for their second offence and none other. Prouided alwaies, and be it enacted by the authoritie aforesaid, that no person or persons shall be hereafter indicted or arraigned for any offence or offences made treason or misprision of Treason by this act,
2. witnesses vnles the same offence or offeuces of treason & misprision of treason aforesaid, be proued by the testimony, deposition and oath of two lawfull and sufficient witnesses at the time of his and their indictment, which saide witnesses also at the time of the arraignement of the party so indicted (if they be the
Confesse liuing) shall bee brought forth in person before the party so arraigned, face to face, and there shall auow & openly declare all they can say against ẏ said party so indicted, vnlesse the party so indicted shall willingly without violence confesse the same. An. 1. Eliz. cap. 6.

Clypping Washing Rounding Filing Money 26 Be it enacted, declared and established, that from and after the first day of may next comming, clipping, washing, rounding, or filing, for wicked lucre or gaines sake of any the proper moneys or coynes of this Realme, or of the dominions thereof, or of the moneys or coines of any other realme,
Current allowed & suffered to be current within this realm, or the dominions thereof at this present, or that hereafter shall be the lawfull monyes or coynes of this Realme, or of the dominions thereof, or of any other Realme, and by proclamation allowed & suffered to be current here, by the Quẽnes Maiestie her heires or successors, shall be taken, deemed & adiudged by vertue of this act to be treason, & the of-
Treason fenders therein, their counsellers, consenters, & ayders, shall bee from and after the same first day of May, taken, deemed, adiudged as offenders in treson, and being therof lawfully conuicted or attainted, according to the due order & course of the lawes of this Realme, shall suffer paines of death, and lose vnd forfeit all his, and their goods and cattels, and shal also lose and forfeit all his & their lands, & tenements during his or their naturall life or liues onely. And be it enacted by the authority aforesaid,
Grant that all and euery person and persons which haue any lawfull grant to haue & enioy the forfeitures of lands, tenements, goods or cattels of offenders, and men attainted in high treason, within any manor,
Manor Lordship Lordship, towne, parish, hundred, or other precinct within this Reaime of England or Wales, shall & may at all times hereafter haue like liberty to take, seise, & enioy all such forfeitures of lãds, tenements, goods, & cattels, as shall come & grow within their libertyes by force of the attainder of any person or persons, for and vpon any offence or offences made treason by this act, as they or any of them should, ought or might haue by vertue of any good & lawfull graunt of them, or any of them heretofore had or made. Prouided alwaies, and be it enacted by the authority aforesaid, that this act nor any thing therin conteined, nor any attainder or attainders of any person or persõs of any offence or offentes made treason by this act, shall in any wise extend, or bee
Corrupt bloud iudged, interpreted or expounded to make any corruption of bloud, to any the heire or the heires of any such offender or offenders, or to make the wife
Dower of any such offender to lose or forfeit her dower, of or in any lands, tenements, or hereditaments, or her title, action or interest to the same: any thing in this act conteined, or any attainder or attainders hereafter to be had, for any offence or offences made treason by this act, to the cõtrary notwithstanding. And bee it further enacted by the authority aforesaid, that if any of the Lords of the Parliament
Peere or peere of this Realme, for the time being, shal fortune at any time hereafter to be indicted of any offence made treason by this act: that then they and
Triall euery of them shall haue his or their tryall by their Peeres, as hath beene vsed heretofore in cases of High Treason. Anno 5. Eliz cap. 11.

27 Be it enacted, declared & established, that if any person or persons whatsoeuer, at any time after the last day of June next comming during the naturall life of our most gracious Soueraigne Lady Q. Eliza. (whome almighty God preserue & blesse with long and prosperous raigne ouer this realme)
Compasse shall within this Realm, or without compasse, imagine, inuent, deuise, or intend the death or destruction, or any bodily harme, tending to death, de-
Bodilie harme struction, maime, or wounding of the royall person of the same our Soueraign Lady Q. Eliz. or to
Depose Stile depriue or depose her, of or from the stile, honour, or kingly name of the Imperiall Crowne of this Realme, or of any other Realme or Dominion to her Maiesty belonging, or to leuie warre a-
Leuy war gainst her Maiesty within this Realme, or without: or to moue or to stirre any Forreiners or
Borne Strangers strangers, or with force to inuade this Realme, or the Realme of Ireland, or any other her Maiesties dominions, being vnder her Maiesties obeysance, and such compasses, imaginations, inuentions, deuices or intentions, or any of them, shall malitiously, aduisedly, and expresly vtter or declare by print-
Printing Writting Words ing, writing, cyphering, speech, words or sayings: or if any person or persons whatsoeuer, after the
Publish said last day of June, shall malitiously, aduisedly and directly publish, declare, hold opinion, affirme or say by any speech, expresse words or saying, that our said Soueraigne Lady Quẽne Elizab. during her life, is not or ought not to bee Quẽne of this realme of England, & also the Realmes of France, and Ireland, or that any other person or persons, ought of right to bee King or Queene of the said Realme of England and Ireland, or of any other her Maiesties Dominions being vnder her Maiesties obeysance, during her Maiesties

life: or ſhall by writing, printing, preaching, ſpeech, expreſſe words or ſayings, malitiouſly, aduiſedly, and directly publiſh, ſet forth and affirme, that the Quéene our ſaid Soueraigne Lady Quæne Elizabeth, is an Heretike, Schiſmatike, Tyrant, Infidell, or an Vſurper of the Crowne of the ſaid Realmes, or any of them: that then all and euerie ſuch ſaid offence or offences, ſhall bée taken, deemed, and declared by the authority of this act and Parliament, to be high Treaſon, and that aſwell the principall offender or offenders, therein, as all and euerie the abetters, counſellers and procurers to the ſame offence or offences, and all and euerie ayders and comforters of the ſame offender or offenders knowing the ſame offence or offences to be done & committed in any place within this Realme or without, being thereof lawfully and duely indicted, conuicted and attainted, according to the vſuall order and courſe of the common Lawes of this Realme, or according to the Act made in the fiue and thirtie yeare of the raigne of the late King of famous memory King Henrie the eight, father of our ſaid Soueraigne Lady entituled, An act concerning the tryall of Treaſons committed out of the Kings Maieſties Dominions (as the caſe ſhall require) ſhal be deemed, declared and adiudged Traitors to the Quæne and the Realme, and ſhall ſuffer paines of death, and alſo forfeit vnto the Quéenes Maieſtie, her heires and ſucceſſors, all and ſinguler lands, tenements, and hereditaments, goods and Cattels, as in caſes of High Treaſon by the lawes and Statutes of this Realme, at this day of right ought to be forfeited and loſt. And be it alſo enacted by the authority aforeſaid, that al and euery perſon and perſons, of what degrée, condition, place, nation, or eſtate ſoeuer they be, which ſhal after the end of thirty daies next after ỳ laſt day of this preſent Seſſion of this Parliament, at any time in the life of our ſoueraign Lady M. Elizabeth in any wiſe, claim, pretend, vtter, declare, affirme or publiſh themſelues or any of thē, or any other then our ſaid Soueraigne Lady Elizabeth the Queenes Maiеſty that now is, to haue right or title to haue and enioy the Crowne of England, during, or in the life of our ſaid Soueraigne Lady, or ſhall vſurpe the ſame Crowne, or the royall ſtile, title, or dignity of the Crowne or Realme of England, during, or in the life of our ſaid Soueraigne Lady: or ſhal hold and affirme that our ſaid Soueraigne Lady hath not right to hold and enioy the ſaide Crowne and Realme, ſtile, title, or dignity: or ſhall not after any demand on our ſaid Soueraigne Ladies part to bé made, effectually acknowledge our ſaid Soueraigne Lady to bé in right, true and lawfull Quæne of this Realm: they and euerie of them ſo offending, ſhall be vterly diſabled during their naturall liues onely to haue or enioy the Crowne or Realme of England, or ỳ ſtile, title or dignitie thereof at any time in ſucceſſion, inheritance, or otherwiſe, after the deceaſe of our ſaid Soueraigne Lady, as if ſuch perſon were naturally dead, any law, cuſtome, pretence, or matter whatſoeuer to the contrary notwithſtanding. And be it further enacted, that if any perſon ſhall during the Ma. Maieſties life, in any wiſe hold, affirme or maintaine any right, title, intereſt or poſſibility in ſucceſſion or inheritance, in or to the Crowne of England, after our ſaid Soueraigne Lady the Queene, to bée rightfully in, or lawfully due or belonging vnto any ſuch claimer, pretender, vſurper, vtterer, declarer, affirmer, publiſher, or not acknowledger, ſo that our ſaid Soueraigne Lady the Quæne ſhall by Proclamation to be publiſhed throughout the Realme, or elſe in the more part of thoſe Shires of this Realme, aſwell in the South ſide as the North ſide of Trent, and alſo in the Dominion of Wales, in which Shires no warre or rebellion then ſhall be, ſet forth, notifie, or declare ſuch clayming, pretence, vttering, declaration, affirming, publiſhing, vſurpation, or not acknowledging: then euerie perſon which after ſuch Proclamation, ſhal during the M. Maieſties life, maintein, hold, or affirm any right in ſucceſſiō, inheritance, or poſſibilitie in or to the Crowne of England, or the rights thereof, to bs in or to any ſuch claimer, pretender, vtterer, declarer, affirmer, vſurper, publiſher, or not acknowledger, ſhal be a High Traitor, and ſuffer and forfeit as in caſes of High Treaſon is accuſtomed. And be it further enacted, that if any perſon ſhal in any wiſe hold and affirme, or mainteine, that the Common lawes of this Realme not altered by Parliament, ought not to direct the right of the Crowne of England: Or that our ſaid Soueraigne Lady Elizabeth the Ma. Maieſty that now is, with and by the authority of the Parliament of England, is not able to make lawes and ſtatutes of ſufficient force and validitie to limit and bind the Crowne of this Realme, and the deſcent, limitation, inheritance, and gouernement thereof: or that this preſent Statute, or any part thereof, or any other Statute, to bé made by the authority of the Parliament of Engl. with the royall aſſent of our ſaid Soueraigne Lady the M. for limiting of the Crowne, or any Statute of recogniſing the right of the ſaid Crowne and Realme to be iuſtly and lawfully in the moſt royall perſon of our ſaid Soueraign Lady the Quæne, is not, are not, or ſhall not, or ought not to be for euer of good and ſufficient force and validity, to binde, limit, reſtraine and gouerne all perſons, their rights and titles, that in any wiſe may or might claim any intereſt or poſſibility in or to the Crown of England in poſſeſſion, remainder, inheritance, ſucceſſion, or otherwiſe, howſoeuer, and all other perſons whatſoeuer: euery ſuch perſon ſo holding, affirming or mainteining, during the life of the M. Maieſty, ſhall bé iudged an high Traitor, and ſuffer and forfeit as in caſes of high Treaſon is accuſtomed. And euery perſon ſo holding, affirming, or mainteining, after the deceaſe of our ſaid ſoueraign Lady, ſhall forfeit all his goods and cattels. And for the auoiding of cōtentious and ſeditious ſpreading abroad of titles to the ſucceſſion of the Crowne of this Realme, to the diſturbing of the common quiet of the Realme: Be it enacted by the authority aforeſaid, that whoſoeuer ſhall hereafter during the

Words
Heretike
Vſurper
Treaſon
Abetters
Traitors
Forf.
Publiſh
Crowne
Vſurpe
Refuſe
Diſabled
Claime
Proclamation
Wales
Affirme
Traitor
Affirme Common law Crowne
Statute
Traitour
Forf. Seditious talke Title

the life of our ſaide Soueraigne Lady; by any Booke or worke printed or written, directly, and expreſſy declare and affirme at any time before the ſame be by act of Parliament of this realm eſtabliſhed and affirmed, that any one particuler perſon whoſoeuer it bee, is, or ought to bee the right heire and ſucceſſor to the Quéenes maieſty that now is, (whome God long preſerue) except the ſame be the naturall iſſue of her Maieſties body, or ſhall wilfully ſet vp in open place publiſh or ſpread any Bookes or Scrowles to to that effect: or ſhall Print, Binde, or put to ſale, or vtter, or cauſe to be printed, bound, or put to ſale or vttered, any ſuch Booke or writing wittingly: that he or they, their abbetters and counſellers, and euerie of them ſhall for the firſt offence ſuffer impriſonment of one whole yeare, and forfeit halfe his goods: whereof the one moity to the Queenes Maieſtie, the other moity to him or them that will ſue for the ſame, by bil, action of debt, plaint, information or otherwiſe in any of the Queenes Maieſties Courts, wherein no eſſoine or protection ſhall be allowed. And if any ſhall eſſſones offend therein, then they, and euerie of them their abbetters and Counſellers ſhall incurre the paines and forfeitures which in the Statutes of Proviſion or Præmunire are appointed and limited. Prouided alway, that if it ſhall happen hereafter any Peere of this Realm to be indicted of any offence made treaſon by this Act, he ſhal haue this tryall by his Peeres, as in other caſes of Treaſon is accuſtomed. Sauing to all and euery perſon and perſons, bodies politike and corporate, their heires or ſucceſſours, other then the ſaid offenders and their heires, claiming onely as heire or heires, to any ſuch offender, and ſuch perſon & perſons, as claime to any their vſes, all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, offices and other profits, which they or any of them ſhall haue at the day of the committing ſuch offence or offences, or at any time before, in as large and ample maner as if this act had neuer bin had or made. Prouided alſo, and be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall in any wiſe be arraigned for any of the offéces mentioned in this act, to be committed or done within any the quéns Maieſties Realmes or Dominions, vnleſſe the offender or offenders be thereof indicted within ſixe moneths next after the ſame offence committed: any thing mentioned in this act, to the contrary notwithſtanding. And that no perſon or perſons, ſhall in any wiſe bee arraigned for any the offences mentioned in this act to be committed or done out of any the Quéns Maieſties Realmes or Dominions, vnleſſe the offender or offenders be thereof indicted, within one yeare next after the ſame offence committed: any thing mentioned in this act to the contrarie notwithſtanding. Prouided alſo, and be it enacted by the authority aforeſaid, that no perſon or perſons ſhall bee hereafter arraigned for any of the offence or offences mentioned in this act vnleſſe the ſame offence or offences bee prooued by the teſtimony, depoſition and oathe of two lawfull and ſufficient witneſſes: which ſaid witneſſes ſhall at the time of the arraignement of ſuch perſon ſo offending, be brought forth in perſon before the party ſo arraigned face to face, and there ſhall auow and openly declare all they can ſay againſt the party ſo arraigned, vnleſſe the ſaid party arraigned ſhall willingly without violence confeſſe the ſame. Prouided alſo, and be it enacted by the authority aforeſaid, that the ayders and comforters of ſuch of the offenders aforeſaid, as ſhall malitiouſly, aduiſedly, and directly publiſh, ſet forth, and affirme that the Quéenes Highneſſe that now is, is an Heretike, Schiſmatike, Tyrant, Infidel or Vſurper of the Crowne, as in forme aforeſaid, ſhall for his ſaid firſt offence of ayding and comforting the ſaid laſt recited offender or offenders, knowing the ſame offéce or offences to be committed, incurre onely the danger and penalty of Præmunire, mentioned in the Statute of Præmunire, made in the ſixteenth yeare of King Richard the ſecond (cap. 5. Prouiſion 14.) And that ſuch ayders and comforters of the offender or offenders aforeſaid laſt recited, knowing the ſame offences to bée committed, which after their firſt conuiction and attainder thereof ſhall eſſſones offend, ſhal for his or their ſecond offence be adiudged high Traitors, & ſuffer and forfeit as in caſes of High treaſon as is aforeſaid. Prouided alwaies, and be it enacted by the authority aforeſaid, that the giuing of charitable almes in money, meate, drinke, apparell, or bedding, for the ſuſtentation of the body or health of any perſon or perſons that ſhall commit any of the Offences made Treaſon or Premunire by this Act, during the time that the ſame offender ſhall bée in priſon, ſhall not in any wiſe bee déemed or taken to bée any offence: any thing in this act conteined to the contrary thereof notwithſtanding. Anno 13. Eliz. cap. 1.

28 For the auoiding of ſuch vnlawfull practiſes as haue béene lately moued in ſéeking to take her Maieſties caſtles, towers, Fortreſſes, ſhips, &c. and other munition of Warre: Be it enacted, that if any perſon or perſons whatſoeuer, at any time, hereafter doe within this Realme or elſe where vnlawfully, and of his or their owne authority compaſſe, imagine, conſpire, practiſe or deuiſe by any waies or meanes with force, or by any craft, deuice or ſlight, malitiouſly, and rebelliouſly to take or to deteine, or kéepe from our ſaid Soueraigne Lady the Queene, any of her Caſtles, Towers, Fortreſſes, or Holdes, or malitiouſly and rebelliouſly to raſe, burne, or deſtroy any Caſtle, Bulwarke or Fort, or any part of them, hauing any Munition or Ordinaunce of the Quéenes Maieſty therein, or appointed to bée garded with any Souldiers for defence thereof within this Realme, or within any of her Maieſties Dominions or Countries, or the Marches of the ſame, and the ſame compaſſes, imaginations, practiſes, conſpiracies or deuiſes, or any of them, ſhall and doe aduiſedly by any expreſſe words, ſpéech, act, déed, or writing, expreſſe, vtter or declare, for any the malitious and rebellious intents aforeſaide: that then euerie ſuch

Printing Writing
Two witneſſes
Heire Succeſſor
Conſeſſe
Ayders
Bookes Binde Put to ſale
Publiſh
Hereticke
1. offence
Præmunire
Peere
Tryall
Heires pleaſe
Almes
Rights
6. Moneths
Deuiſe
To take or keepe Caſtles Fortreſſes
Burne
Bulwarks Towers Hold
Deſtroy Fort.
Out yeare
Vtter intent

Abetters

Felony

Death
Clergie
Sanctuary
Fork.
Eſcheate

Force

Withhold
Towers
Holdes
Fortreſſes

Rebell

Ordinance
Armour
Ships
Render

6. Dales

Proclamation

Burne
Deſtroy
ſhips
Bar hauen

Abettors

Treaſon

Fork.

Queens life

perſon and perſons, ſo hereafter offending in any the premiſſes, their ayders, counſellers, comforters, conſenters and abetters knowing therof, being thereof lawfully conuicted, according to the Lawes of this Realme, ſhall be iudged a felon and felons, and that euerie ſuch offence ſhall bee iudged to be felonie, and the offender and offenders therein, their ſayd ayders, comforters, councellers and abetters, being thereof lawfully conuicted, ſhall haue and ſuffer paines of death, as in caſes of felony, without hauing any benefit of Clergie or Sanctuarie, and alſo ſhall forfeit and loſe all his goodes and cattels, lands and tenements as in other caſes of felonie hath beene vſed and accuſtomed. And be it further enacted by the authority aforeſaid, that if any perſon or perſons doe at any time hereafter with force, malitiouſly and rebelliouſly deteine, keepe or withhold from the Queens Maiеſty any of her Caſtles, Towers, Fortreſſes, or holds, within this Realme, or any her Maieſties Dominions or Countries, or Marches of the ſame: or doe malitiouſly, rebelliouſly, and with force detaine, keepe or withhold from her Maieſtie any of her ſhips, ordinance, artillery, or other munitions, or fortifications of warres, and do not render and giue vp the ſame to our ſaid Soueraigne Lady, or to ſuch perſon as her maieſty ſhal appoint to receiue the ſame to her Maieſties vſe within ſixe dayes next after he or they ſo offending, ſhall be cõmanded by our ſaid Soueraigne Lady the Quéene by open Proclamation vnder the great ſeale of England, to be made in any place or market tolwn within the County where any ſuch offence ſhall be committed: or ſhall wilfully, malitiouſly and rebelliouſly burne or deſtroy, or cauſe to be burned or deſtroyed, any of the M. Maieſties Ships, or malitiouſly & rebelliouſly bar or cauſe to be barred any Hauen within any of the Quéenes Maieſties Dominions, that then euerie ſuch perſon and perſons ſo offending, their ayders, counſellers, and abetters, being thereof lawfully conuict according to the Lawes of this Realme, ſhall be iudged traitors, and their offences in any the premiſſes, ſhal be accepted, iudged, and taken for high treaſon, and the offenders therein, their ayders, counſellers, and abetters, being thereof lawfully conuict, according to the lawes of this Realme, ſhall haue and ſuffer ſuch paines of death, and alſo ſhall forfeit and loſe, as in caſes of High Treaſon is limitted and accuſtomed: This Act to endure during the Quéenes Maieſties life that now is. Anno 14. Eliz cap. 1.

Conſpire
Deuiſe
Enlarge

29 Be it enacted &c. that if any perſon or perſons at any time after the end of this preſent ſeſſion of Parliament ſhall imagine, conſpire, deuiſe, inuent or goe about vnlawfully and malitiouſly to enlarge or ſet at liberty any perſon or perſons committed, or to be committed, to any priſon, gard or cuſtody, by her highnes eſpeciall commandement, for any treaſon, or ſuſpition of treaſon concerning the perſon of our ſaid Soueraigne Lady the Quéen before any Indictment of ſuch perſon ſo ſought or intended to be ſet at large, or liberty, as is aforeſaid and the ſame cõſpiracies, imaginations, deuiſes, or inuentions, ſhall by expreſſe words, writing, or other matter or act, expreſſly, or manifeſtly, ſet forth, vtter or declare: ỳ then euerie perſon ſo offending, ſhall incurre the penalty and forfeiture of miſpriſion of Treaſon, and that all and euery offence and offences to be committed and done, as is aforeſaid, ſhal bee deemed and taken for miſpriſion of treaſon. And be it further enacted by the authority aforeſaid that if any perſon or perſons, at any time after the end of this preſent Seſſion of Parliament, ſhall imagine, conſpire, deuiſe, inuent, or goe about vnlawfully or malitiouſly to enlarge or ſet at libertie any perſon or perſons, being committed to any priſon, gard or cuſtody, after the ſame perſon or perſons, is, or ſhall be attainted or conuicted of any Treaſon, in any wiſe concerning the royall perſon of our ſaid Soueraign Lady the Quéne, and the ſame conſpiracies, imaginations, deuices, or inuentions, ſhal by expreſſe words, writing, matter or act, as is aforeſaid, ſet forth, vtter, or declare: that then euerie ſuch perſon ſo offending ſhall bee deemed and adiudged an high Traitor, and ſhal ſuffer, loſe and forfeit, as in caſes of High Treaſon, by the Lawes and Statutes of this Realme. This act to endure during the Quéenes Maieſties life that now is onely. Anno 14. Eliz. cap. 2.

Words
Writing

Diſpoſition
of Treaſon

Conſpire
Enlarge

Words
Writing

Traitor

Diminiſh
money

Counte

Treaſon

Fork.

Duringlife

Corrupt
blood

Dower

30 If any perſon or perſons, of what eſtate, degree or condition ſoeuer he or they be, ſhal from and after the firſt day of Aprill next comming, for wicked lucre or gaines ſake, by any art, wayes, or meanes whatſoeuer, impaire, diminiſh, falſifie, ſcale or lighten the proper monies or coynes of this Realme, or any the dominions thereof, or the monies or coines of any other Realmes, allowed and ſuffered to bee currant at the time of the offence committed within this Realme of England, or any the Dominions of the ſame, by the Proclamation of the Quéenes Maieſty, her heires or ſucceſſors, ſhall be taken, adiudged, and deemed to bee treaſon, & the offenders therein, their counſellers, conſenters, ayders, ſhall be likewiſe deemed and iudged as offenders in Treaſon, and being therof lawfully cõuicted or attainted, according to the due order of the Lawes of this realm, ſhall ſuffer paines of death, and loſe and forfeit all their goods and cattels to the Queenes Maieſty, her heires and Succeſſors, and ſhall alſo loſe and forfeit to the Quéens Highnes his heires and ſucceſſors, all their lands, tenements, and hereditaments, during his or their naturall life or liues onely. Prouided alwaies, and be it enacted by ỳ authority aforeſaid, that this act, nor any thing therein conteyned, nor any attainder or attainders of any perſon or perſons, for any offence or offences made treaſon by this act, ſhall in any wiſe extend or be iudged, interpreted, or expouded to make any corruption of bloud, to any the heir or heirs of any ſuch offender or offenders, or to make the wife of any ſuch offender to loſe or forfeit her dower or or in any lands, tenemẽts or hereditaments, or her tytle, actiõ, or intereſt to the ſame: any thing in this act cõteined, or any attainder or attainders hereafter to be had, for any offence or offences made treaſon by this act to the contrary notwithſtanding. And be it further enacted &c. That if any

of

Lord of parliament Peere

of the Lords of the Parliament, or Peere of this Realme, for the time being, ſhall fortune at any time hereafter to be indicted of anie offence made treaſon by this Act: That then they and euery of them ſhall haue his or their triall by their Peeres, as hath beene vſed heretofore in caſes of high treaſon. Anno 18. Eliz. cap. 1.

Triall

Jeſuites Prieſts

31 Be it ordained, eſtabliſhed and enacted &c. That all and euery Jeſuite, Seminary, Prieſts, and other Prieſts whatſoeuer, made or ordained out of this Realme of England, or other her Highneſſe Dominions, or within any of her Maieſties Realmes or Dominions, by any authority, power or iuriſdiction, deriued, challenged or pretended frō the ſea of Rome, ſince the feaſt of the natiuity of S. John Baptiſt, in the firſt yeare of her Highneſſe reign, ſhal within xl. days next after the end of this preſent Seſſion of Parliament, depart out of this Realme of England, and out of all other her Highneſſe Realmes and Dominions, if the winde, weather and paſſage ſhall ſerue for the ſame: or elſe ſo ſoone after the end of the ſaid xl. dayes, as the wind, weather and paſſage ſhall ſo ſerue. And be it further enacted &c. that it ſhall not be lawfull, to or for any Jeſuite, Seminarie prieſt, or other ſuch prieſt, Deacon, or Religious or Eccleſiaſticall perſon whatſoeuer, being borne within this Realme, or any other her Highneſſe Dominions, and heretofore ſince the ſaid feaſt of the Nativity of S. John Baptiſt, in the firſt yeare of her Maieſties reigne, made, ordaind, or profeſſed, or hereafter to be made, ordained or profeſſed by any authority or iuriſdiction, deriued, challenged or pretended from the ſea of Rome, by or of what name, title or degree ſoeuer the ſame ſhalbe called or knowne, to come into, be, or remaine in any part of this realme, or any other her Highneſſe dominions, after the end of the ſame forty dayes, other then in ſuch ſpeciall caſes, and vpon ſuch ſpeciall occaſions only, and for ſuch time onely as is expreſſed in this Act: and if hee doe, that then euery ſuch offence ſhal be taken and adiudged to be high treaſon, and euery perſon ſo offending, ſhall for his offence be adiudged a traitour, and ſhal ſuffer, loſe, and forfeit, as in caſe of high treaſon. And euery perſon, which after the end of the ſame forty dayes, and after ſuch time of departure, as is before limited and appoynted, ſhall wittingly and willingly receiue, releeue, comfort, aid or maintain any ſuch Jeſuite, Seminary prieſt, or other prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſaid, being at liberty, or out of hold, knowing him to be a Jeſuite, Seminary prieſt, or other ſuch Prieſt, Deacon, or religious or Eccleſiaſticall perſon, as is aforeſaid, ſhall alſo for ſuch offence bee adiudged a Felon, without benefit of Clergie, and ſuffer death, loſe and forfeit as in caſe of one attainted of felony. And be it further enacted by the authority aforeſaid, if any of her Maieſties ſubiects (not being a Jeſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is before mentioned) now being, or which hereafter ſhall be, of, or brought vp in any Colledge of Jeſuites or Seminary already erected or ordained, or hereafter to be erected or ordained in the parts beyond the Seas, or out of this realme in any forreine parts, ſhall not within ſix moneths next after Proclamation in that behalfe to be made in the City of London, vnder the great Seale of England, returne into this Realme, and thereupon, within two dayes next after ſuch returne, before the Biſhoppe of the Dioceſe, or two Juſtices of Peace of the County where hee ſhall arriue, ſubmit himſelfe to her Maieſtie and her Lawes, and take the Oath ſet forth by Act in the firſt yeare of her reigne: That then euery ſuch perſon which ſhall otherwiſe returne, come into, or bee in this Realme, or any other her Highneſſe Dominions, for ſuch offence of returning, or being in this Realme, or any other her Highneſſe Dominions, without ſubmiſſion as aforeſayd, ſhall alſo be adiudged a traitour, and ſuffer, loſe and forfeit, as in caſe of high Treaſon. And be it further enacted &c. If any perſon vnder her Maieſties ſubiection or obedience, ſhall at any time after the end of the ſayd forty dayes by way of exchange, or by any other ſhift, way or meanes whatſoeuer, wittingly and willingly, either directly or indirectly, conuey, deliuer or ſend, or cauſe or procure to be conueyed or deliuered to be ſent ouer the Seas, or out of this Realme, or out of any other her Maieſties Dominions, or Territories, into any forrein parts, or otherwiſe, wittingly and willingly yeeld, giue, or contribute any money or other releefe, to or for any Jeſuite, Seminary Prieſt, or ſuch other prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſayde, or to, or for the maintenaunce or releefe of any Colledge of Jeſuites or Seminarie, rie, already erected or ordayned, or hereafter to bee erected or ordayned, in anie the partes beyond the Seas, or out of this Realme in any forreine parts, or of any perſon then being of or in any the ſame Colledges or Seminaries, and not returned into this realme with ſubmiſſion, as in this Act is expreſſed, and continuing in the ſame realme: that then euery ſuch perſon ſo offending, for the ſame offence ſhall incurre the daunger and penaltis of Præmunire, mentioned in the ſtat. of Præmunire, made in the xvj. yeare of the reigne of K. Richard the ſecond. And be it further enacted &c. That it ſhall not be lawfull for any perſon, of, or vnder her Highneſſe obedience, at any time after the ſaid forty dayes, during her Maieſties life (which God long preſerue) to ſend his or her child, or other perſon, being vnder his or her gouernement, into any the parts beyond the Seas out of her Highneſſe obedience, without the ſpeciall licence of her Maieſtie, or of foure of her Highneſſe priuy Councell, vnder their hands in that behalfe firſt had or obtayned (except Marchants, for ſuch onely as they or any of them ſhall ſend ouer the Seas, onely for or about his, her, or their trade of Marchandize, or to ſerue as Mariners, and not otherwiſe): vpon paine to forfeit and loſe for euery ſuch their offence, the ſumme of one hundred pounds. And be it alſo enacted by the authority aforeſayd, That euerie offence to be committed or done againſt the tenour of this Act, ſhall and may be enquired of, heard, and determined, as well in the Court commonly called

Rome

xl. Dayes

Depart the realme

Euery Jeſuite Eccleſiaſtical perſon

Come into the realme

Treaſon

Aid Jeſuite

Felonie Clergie

Proclamations

Biſhop Juſt. of P.

Oath

Treaſon

xl. Dayes

Releefe to Jeſuites

Præmunire

xl. Dayes

Licence

Priuy counſell

Marchants

Mariners

Forf.

K. Bench called the Kings Bench, in the County where the ſame Court ſhall for the time be, as alſo in any other County within this Realme, or any other her Highneſſe Dominions, where the offence is or ſhall be committed, or where the offender ſhall be apprehended and taken. Prouided alſo and be it enacted by the authority aforeſaid, that it ſhall and may be lawfull, for, and to euery Owner and Maſter of any Shippe, Barke or Boate, at any time within forty dayes, or other time before limited for their departure, to tranſport into anie the partes beyond the Seas, any ſuch Ieſuite, Seminarie Prieſt, or other Prieſt aforeſayd, ſo as the ſame Ieſuite, Seminarie Prieſt, or other Prieſt aforeſayd, ſo to be tranſported, doe deliuer vnto the Mayor, or other chiefe Officer of the Towne, Port, or place where hée ſhall be taken in to be tranſported, his name, and in what place hée receiued ſuch Order, and how long hée hath remayned in this Realme, or in anie other her Highneſſe Dominions, being vnder her obedience. Prouided alſo, that this Act, or any thing therein contained, ſhall not in any wiſe extend to any ſuch Ieſuite, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is before mentioned, as ſhall at anie time within the ſayd fortie dayes, or within three dayes after that hée ſhall hereafter come into this Realme, or any other her Highneſſe Dominions, ſubmit himſelfe to ſome Archbiſhoppe or Biſhoppe of this Realme, or to ſome Juſtice of Peace within the County where hée ſhall arriue or land, and doe thereupon truely and ſincerely before the ſame Archbiſhoppe, Biſhoppe, or ſuch Juſtice of Peace, take the ſayd Oath ſet forth in Anno primo, and by writing vnder his hand confeſſe and acknowledge, and from thenceforth continue his due obedience vnder her highneſſe Lawes, Statutes, and Ordinances, made and prouided, or to be made or prouided in cauſes of Religion. Prouided alwayes, if it happen at any time hereafter, any Péere of this Realme to bée indicted of any offence made Treaſon, Felonie, or Præmunire by this Act, That hée ſhall haue his triall by his Péeres, as in other caſes of Treaſon, Felonie, or Præmunire, is accuſtomed. Prouided neuertheleſſe, and it is declared by authoritie aforeſayd, That if any ſuch Ieſuite, Seminarie Prieſt, or other Prieſts, aboueſaid, ſhall fortune to be ſo weake or infirme of bodie, that hée or they may not paſſe out of the Realme by the time herein limited, without imminent daunger of life, and this vnderſtood as well by the corporall Oath of the party, as by other good meanes, vnto the Biſhoppe of the Dioceſſe, and two Juſtices of Peace of the ſame County where ſuch perſon or perſons doe dwell or abide: That then, and vpon good and ſufficient band of the perſon or perſons, with ſureties of the ſumme of two hundred pounds at the leaſt, with Condition that hée or they ſhall be of good behauiour towards our Soueraigne Lady the Queéne, and all her liege people: Then hée or they ſo licenced, and doing as is aforeſaide, ſhall and may remayne and be ſtill within this Realme, without any loſſe or daunger to fall on him or them by this Act, for ſo long time, as by the ſame Biſhoppe and Juſtices ſhall be limited and appoynted, ſo as the ſame time of abode exceéde not the ſpace of ſixe moneths at the moſt. And that no perſon or perſons ſhall ſuſtaine any loſſe, or incurre anie daunger by this Act, for the receiuing or maintaining of anie ſuch perſon or perſons ſo licenced, as is aforeſayd, for, and during ſuch time onely as ſuch perſon or perſons ſhall be ſo licenced to tarrie within this Realme: Anie thing contained in this Act to the contrarie notwithſtanding. And be it alſo further enacted &c. That euerie perſon or perſons being ſubiect of this Realme, which after the ſayde fortie dayes ſhall know and vnderſtand, that anie ſuch Ieſuite, Seminary Prieſt, or other Prieſt aboueſaid, ſhall abide, ſtay, tarry, or be within this Realme, or other the Quéenes Dominions and Countries, contrary to the true meaning of this Act ſhall not diſcouer the ſame vnto ſome Juſtice of Peace, or other higher Officer, within twelue dayes next after his ſaid knowledge, but willingly conceale his knowledge therein: that euery ſuch offender ſhall make fine and be impriſoned at the Quéenes pleaſure. And that if ſuch Juſtice of Peace, or other ſuch Officer to whom ſuch matter ſhall be ſo diſcouered, doe not within eight and twentie dayes then next following, giue information thereof to ſome of the Quéenes Priuie Councell, or to the Preſident or Vicepreſident of the Quéenes Councell eſtabliſhed in the North, or in the Marches of Wales for the time being: that then hée or they ſo offending, ſhall for euery ſuch offence, forfeit the ſumme of two hundred markes. And be it likewiſe enacted by the authoritie aforeſayd, That ſuch of the Priuie Councell, Preſident, or Vicepreſident, to whom ſuch information ſhall be made, ſhall thereupon deliuer a note in writing, ſubſcribed with his owne hand, to the party by whom hée ſhall receiue ſuch information, teſtifying that ſuch information was made vnto him. And be it alſo enacted, that all ſuch Oaths, Bonds and Submiſſions, as ſhall be made by force of this Act, as aforeſayd, ſhall be certified into the Chauncery by ſuch parties before whom the ſame ſhall be made, within three moneths after ſuch ſubmiſſion, vpon paine to forfeit and loſe for euery ſuch offence, an hundred pounds of lawfull Engliſh mony, the ſaid forfeiture to be to the Quéene, her heyres and ſucceſſors. And that if any perſon ſo ſubmitting himſelfe as aforeſaid, doe at any time within the ſpace of tenne yeares after ſuch ſubmiſſion made, come within tenne miles of ſuch place where her Maieſtie ſhall be, without eſpeciall licence from her Maieſtie in that behalfe to be obtayned in writing vnder her hand: that then, and from thenceforth, ſuch perſon ſhall take no benefite of his ſaid ſubmiſſion, but that the ſame ſubmiſſion ſhall be voyd, as if the ſame had neuer béen. An. 27. El. cap. 2.

32 Forasmuch as through corruption, or negligent keeping, the records of Attainders of Treaſon happen many to be impayred, blemiſhed, or otherwiſe to be defective: Be it ordained and enacted by authoritie

Owner of ships

Transport

Prieſts

Maior

Prieſt

Archbiſhop Biſhop Juſt. of P.

Oath

Peere of the realme Indict

Triall

Oath

Biſhop

Juſt. of P.

Obligation

6. Months

Juſt. of P.

Impriſon Fine Juſt. of P.

Fort.

Note ſubſcribed

Chancery

Fort.

Ten miles

Records

authority of this preſent Parl, that no record of attainder that now is of any perſon or perſons, of, or for any high treaſon, where the party ſo attainted is or hath bẽn executed for the ſame Treaſon, ſhall by the heire or heires of any ſuch perſon, or by any other whatſoeuer, clayming in, from, by, or vnder any ſuch heyre or heyres, be in any wiſe hereafter reuerſed, vndone, auoyded, or impeached, by any plea, or for any errour whatſoeuer. Prouided alwayes neuertheleſſe, that this Act, nor any thing therein contayned, ſhall in any wiſe extend to any Record of Attainder, of, or for any treaſon vpon which any Writ of Errour is now depending, or which Record is already reuerſed, repealed, or vndone, by or for any errour, matter, plea, or cauſe whatſoeuer: but that the ſame ſhall be and remaine as vnto and againſt that partie, at whoſe ſuite the ſame purſuite of Errour is depending, or at whoſe Writ the ſame Record hath bẽne reuerſed, repealed, or vndone, and his and her heyres and aſſignes onely, as if this Act had neuer bẽne had or made: any thing in this Act to the contrary ther of notwithſtanding. Anno 28. Eli. cap. 2.

Errey

Attainder

Treſpaſſe.

IT is prouided alſo that Sherifes ſhall plead pleas of Treſpaſſe in their Counties, as they haue bin accuſtomed to be pleaded. And that none from henceforth ſhall haue Writtes of Treſpaſſe before Iuſticers, vnleſſe hée ſweare by his Faith, that the goods taken away, were worth forty ſhillings at the leaſt. And if hée complaine of beating, he ſhall ſweare by his Faith, that his plaint is true. Touching wounds and maymes, a man ſhall haue his Writ as before hath bẽne vſed. And it is agréed, that Defendants in ſuch pleas may make their Atturnies, where appeale lieth not, ſo that if they be attainted, being abſent, then the Sherife ſhall be commanded to take them, and ſhall haue like paine as they ſhould haue had, if they had bẽne preſent at the iudgement giuen. And if the Plaintifes, from henceforth in ſuch treſpaſſes cauſe themſelues to be eſſoined after the laſt appearance, day ſhall be giuen them vnto the comming of the Iuſtices in Eyre, and the defendants in the meane time ſhall be in peace. In ſuch pleas and other, whereas attachments and diſtreſſes doe lie, if the Defendant eſſoine himſelfe in the Kings ſeruice, and doe not bring his Warrant in at the day giuen him by the eſſoine: It is prouided, that hée ſhall recompence the Plaintifes damages for the iourney, twentie ſhillings, or more, after the diſcretion of the Iuſtices, and neuertheleſſe ſhall be greeuouſly amerced vnto the King. Gloceſt. ca. 8. Anno 6. Ed. 1.

Sherifes County

Writs

Damages

2 Be it therefore enacted by the authority of this preſent Parliament, That all and euery ſuch lewd perſon and perſons, which from and after the laſt day of February 1601. ſhall cut, or vnlawfully take away any corne or graine growing, or robbe any Orchards or Gardens, or breake or cutte any hedge, pales, railes, or fence, or digge, pull vp, or take vp any fruit trée or trées in any Orchard, Garden or elſewhere, to the intent to take and carrie the ſame away, or ſhall cut or ſpoyle any woods or vnderwoods, poles or trées ſtanding, not being felony by the Lawes of this Realme, and their procurer or procurers, receiuer or receiuers, knowing the ſame, being thereof lawfully conuicted by the confeſſion of the partie, or by the teſtimony of one ſufficient witneſſe, vpon oath before ſome one Iuſtice of Peace, Mayor, Baylife, or other head Officers, which ſhall haue power by force of this Statute to miniſter the ſaide Oath where the offence ſhall be committed, or the party offending, apprehended, ſhall giue the party or parties ſuch recompence and ſatisfaction for his and their damages, and within ſuch time as by any ſuch one Iuſtice of peace of the ſaid County where ſuch offence ſhall be done, without the Liberty of any city or towne corporate, or by ſuch head Officer or Iuſtice of Peace within any city or towne corporate ſhall be ordered and appointed, and the ſame to be onely for the firſt fault. And if ſuch Offender or Offenders ſhal be thought in the diſcretion of the ſaid Iuſtice or Iuſtices, or other head Officers, not able or ſufficient, or doe not make recompence or ſatisfaction for the ſaid damages in maner and forme aforeſaid: Then the ſaid Iuſtice or head Officer ſhall commit all and euery the ſaid offendor or offendors to ſome Conſtable or Conſtables, or other inferiour Officers of the City, Borough, Towne or Hamlet where the offence ſhall be committed, or the party apprehended, to be whipped, and for euery ſuch offence, for, or of which the offendor or offendors ſhall be eftſoones committed in forme afore limited, the perſon and perſons ſo offending, to receiue the ſaid puniſhment of whipping. And be it enacted by the authority aforeſaid, that if any Conſtable or inferiour Officer, doe refuſe, or doe not at the commaundement of any Iuſtice of Peace or other head Officer, execute by himſelfe, or ſome other to be by him appointed, vpon the offender, the puniſhmẽt limited by this ſtatute: that in that caſe it ſhall and may be lawfull for the ſaid Iuſtice of Peace to commit the Conſtable or other inferiour Officer, ſo refuſing or not executing the ſaide puniſhment by himſelfe or ſome other, to the common Gaole of the ſaid County, City, or Towne corporate, there to remaine without baile or mainprize, vntill the ſaid offendor or offendors, be by the ſaid Conſtable or Conſtables ſo refuſing, or not executing, or ſome other by his or their procurement, puniſhed and whipped, as is aboue limited and declared. Prouided alwayes, That no Iuſtice of Peace or other head Officer, doe execute this Statute for any the offences aforeſayd done vnto himſelfe, vnleſſe hée be aſſociated and aſſiſted with one or more other Iuſtices of the Peace whom the Offence doth not concerne. An. 34. Eli. cap. 7. *

Felony

Procurers

Iuſt. of P. Maior

Oath

Damages

Conſtable

Whipped

Conſtable

Impriſon

Triall.

WHere in times paſt many haue bẽne often times delayed of their Action, aſwel in aſſiſes and other pleas of lands, as in contracts, couenants, and treſpaſſes, by reaſon that the tenants, or Defendants haue put in barre a releaſe, quite claime,

Delayes

claime, or other ſpeciall deed made within a franchiſe within the bounds of the Realme where the Kings Writ runneth not: It is enacted and eſtabliſhed, That when any ſuch deeds be put forth in barre of any Action bearing date in a place within ſuch franchiſe, although there be witneſſes of the ſame franchiſes, named in the ſame deedes, if the ſame deedes be denyed, proceſſe ſhall be made into the ſame countrey where the plea ſhall be moued to haue the enqueſt of the country and the witneſſes, and if the witneſſes come not at the great diſtreſſe returned, then for the abſence of the Witneſſes, the Juſtices ſhall not let to proceed to the taking of the enqueſt, as well as if ſuch did beare date in the ſame ſhire where the plea was moued, and that the witneſſes were not of the ſame County. Anno. 9. Ed. 3. cap. 4.

Proceſſe

Enqueſt Witneſſes

2 See Baſtardy 2. for the triall of Baſtardy. An. 27. Ed. 3. Stat. Staple cap. 8.

3 An. 9. R. 2. ca. 4. it is enacted, that an iſſue, whether a Prior be datiue or remoueable ſhall be tried by the Ordinary.

Ordinary

4 Anno 27. Ed 3. ſtat. Staple. cap. 8. and An. 28. Ed. 3. cap. 13. (which two Acts be in Staple 7. and 21.) it is enacted for triall per medietatem linguæ. And after Anno 8. H. 6. ca. 28.) it is enacted as followeth. The King, &c. hath declared that the ſaid laſt eſtatute made in the time of his father (s. Anno 2. H. 5. cap. 3. which is in Iurors 9.) ſhall not be preiudiciall to the ſaid firſt ordinance, (s. An 27. Ed. 3. ſtat Staple cap. 8. and Anno 28. Ed. 3. ca. 13. which be in Staple 7. and 21. concerning Triall per medietatem linguę) ſhall not extend but only to the Inqueſts to be taken betweēn denizen and denizen, and not to the other Enqueſts & proues aboueſaid. And the ſaid firſt ordinance to be effectual and ſtand in his force, and to be put in due execution, according to the forme of the ſame. The ſaide laſt ſtatute (s. Anno 2. H. 5. cap. 3.) or that the aliens not hauing lands or tenements, to the value of forty ſhillings by the yeare, according to the effect of the ſaid later ſtatute and ordinance, (s. of Anno 2. H. 5. cap. 3. which is in Iurors 9.) notwithſtanding, Anno 8. H. 6. capit. 28. See more of Triall per Medietatem linguæ, Attaint 13. and Egyptians 1. 2.

Medietatem linguæ

Denizen

5 In which Statutes (s. Magna charta cap. 30. which is in Accuſation 1.) is no mention made how women and Ladies of great eſtate, becauſe of their huſbands Peeres of the Land, maried, or ſole, that is to ſay, Dutcheſſes, Counteſſes, or Baronneſſes, ſhall be put to anſwer, or before what Judges that they ſhall be iudged vpon Indictments of treaſons, or felonies by them committed or done, by cauſe whereof it is an ambiguity in the Lawe of England, before whom, and by whom ſuch Ladies ſo indicted ſhalbe put to anſwer and be iudged: our ſaid ſoueraigne Lord the King, willing to put out ſuch ambiguities and doubts, hath declared by authority aforeſaid, that ſuch Ladies ſo indicted, or hereafter to be indicted of any treaſon or felony, by them done, or hereafter to be done, whether that they be married or ſole, that thereof ſhall be brought in anſwer, and put to anſwer and iudged before ſuch Iudges and Peeres of the realme, as Peeres of the realme ſhould be if they were indicted or impeached of ſuch treaſons or felonies done, or hereafter to be done, and in like maner and forme, and in none other wiſe. Anno 20. H. 6. cap. 9.

Women

Judges

Ladies

6 Anno 23. H. 6. cap. 12. An Act was made, to indure to the next Parliament, concerning triall of forein pleas pleaded after iſſue ioyned.

Forein pleas Action

7 If any murderer or felon vpon his arraigne-ment hereafter, doe alleage, that he hath taken any Church, or Churchyard, for murder, or felonie, or other place priuiledged for the ſame, in a foreine county, and againſt his will taken out thereof: that then the Kings Atturney, or any other perſon that will ſue or alleage for the King, that the ſaid murderer or felon ſo arraigned, was taken at large in the ſame ſhire, where he is ſo arraigned, that then the ſame allegeance and iſſue to be tried by the Enqueſt that ſhould trie the ſaide murder or felonie within the ſame ſhire, and before the ſame Juſtice, where the ſaid murderer or felon is arraigned, as though the ſaid forein plea had not beene pleaded by the ſaid felon. And if it be founden by the ſame inqueſt, that the ſaid murderer or felon was taken within the ſame ſhire, (as is aforeſaid) that then he to haue none aduantage or benefite of the matter alleaged by him for taking out of the Church or Churchyard, or other place priuiledged, in anie ſuch forein ſhire. And this Act to indure to the next Parliament. Anno 4. H. 8. cap. 2. And after Anñ 22. H. 8. ca. 2. it is reuiued and made perpetuall.

Forein counte

R. Attorny

Inquit

Forein plea

8 All treaſons, felonies, robberies, murders, and confederacies hereafter to be committed, in, or vpon the ſea, or in any other hauen, riuer, creeke, or place, where the Admirall or Admiralls haue, or pretend to haue power, authority, or iuriſdiction, ſhall be inquired, tryed, heard, determined, and iudged in ſuch ſhires and places in the Realme, as ſhal be limited by the Kings Commiſſion or Commiſſions to be directed for the ſame, in like forme & condition, as if any ſuch offence or offences had beene committed or done, in, or vpon the land: And ſuch Commiſſions ſhall be had vnder the Kings great Seale, directed to the Admirall or Admiralls, or to his or their Lieutenant, Deputie & Deputies, and to three or foure ſuch other ſubſtantiall perſons, as ſhall be named or appointed by the Lord Chaunceller of England for the time being, from time to time, and as oft as need ſhall require, to heare and determine ſuch offences, after the common courſe of the Lawes of this Land, vſed for treaſons, felonies, robberies, murders, and confederacies of the ſame, done and committed vpon the Land within this Realme. And be it &c. That ſuch perſons to whom ſuch Commiſſion or Commiſſions ſhall be directed, or foure of them at the leaſt, ſhall haue full power and authoritie to inquire of ſuch offences, and of euery of them, by the oathes of twelue good and lawfull Inhabitants in the Shire, limited in their Commiſſion, in ſuch like manner and forme, as if ſuch offences had beene committed vpon the land within the ſame ſhire. And that euery indictment found and preſented before ſuch Commiſſioners of any treaſons, felonies, robberies, murders, manſlaughters,

Treaſons Felonies

Sea

Commiſſion

Admirall

L. Chancellor

Diuerſe.

Commiſſioners

Inquire

Dthes

Indictment

manſlaughters, or ſuch other offences committed or done, in, or vpon the Seas, or in, or vpon anie other hauen, riuer, or creeke, ſhall be good and effectuall in the Lawe. And if any perſon or perſons happen to be indicted for any ſuch offence done, or hereafter to be done vpon the Seas, or in any other places aboue limited: that then ſuch order, proces, iudgement, and execution ſhall be vſed, had, done, and made, to, and againſt euery ſuch perſon and perſons ſo being indicted, as againſt traitors, felons, and murderers, for treaſon, felony, robbery, murder, or other ſuch offences done vpon the land, as by the Lawes of the realme is accuſtomed. And that the triall of ſuch offence or offences, if it be denied by the offender or offenders, ſhall be had by xij. lawfull men, inhabiting in the ſhire limited within ſuch commiſſion, which ſhall be directed, as is aforeſaide, and no challenge or challenges to be had for the Hundred. And ſuch as ſhall be conuict of anie ſuch offence or offences, by verdict, confeſſion, or proces by authority of any ſuch commiſſion, ſhal haue and ſuffer ſuch pains of death, loſſes of lands, goods, and cattels, as if they had bæn attainted and conuicted of any treaſons, felonies, robberies, or other the ſayd offences done vpon the land. And be it &c. That for treaſons, robberies, felonies, murders, and confederacies done vpon the ſea or ſeas, or in any place aboue rehearſed, the offenders ſhall not be admitted to haue the benefite of his or their Clergie, but be vtterly excluded thereof, and from the ſame, and alſo of the priuiledge of any ſanctuarie. Prouided allway, that this Act extend not to be preiudiciall or hurtfull to any perſon or perſons, for taking any vitailes, cables, ropes, ankers or ſailes, which any ſuch perſon or perſons (compelled by neceſſity) taketh of, or in any ſhip, which may conueniently ſpare the ſame, ſo that the ſame perſon or perſons pay out of hand for the ſame vitaile, cables, ropes, ankers, or ſailes, mony, or mony worth, to the value of the thing ſo taken, or to deliuer for the ſame a ſufficient bill obligatory, to be paid in forme following, that is to ſay, If the taking of the ſame things be on this ſide the ſtraits of Marrocke, then to be payed within foure Moneths: And if it be beyond the ſaid ſtraits of Marrocke, then to be paied within twelue Moneths next inſuing the making of ſuch billes. And that the makers of ſuch billes well and truely pay the ſame debt at the day to be limited within the ſayd billes. Prouided alway, that whenſoeuer any ſuch Commiſſion for the puniſhment of the offences aforeſaide, or of anie of them, ſhall be directed or ſent to any place within the iuriſdiction of the v. ports: that then euery ſuch commiſſion ſhalbe directed vnto the Lord Warden of the ſaid fiue ports for the time being, or to his deputie, & vnto 3. or 4. ſuch other perſon or perſons, as the L. Chancelor for the time being, ſhal name & appoint: any thing in this preſent act to the contrary notwithſtanding. Añ 28.H.8.cap.15.

9 Note, that An. 27.H..ca.4. is an Act made almoſt word for word like vnto this, made in Añ 28.H.8.ca.15. And, becauſe this later act is ſomewhat large, and includeth more then that former act, therefore I haue not put here that former act.

10 For the ſpeedy trial and puniſhment of ſuch perſons as haue committed and done, or hereafter ſhall commit & perpetrate any manner of treaſons, or miſpriſions of treaſons, within the principality and dominion of Wales, and marches of the ſame, or elſewhere within any the K. dominions, where his Graces originall Writs in the Chauncerie of England commonly runneth not. Be it &c. That all ſuch treaſons and miſpriſions of treaſons, as is aforeſaid, ſhall be preſented and tried by the Oaths of twelue men inhabiting, or which ſhall inhabite within any ſuch ſhires, and before ſuch Commiſſioners as the Kings maieſtie from time to time in ſuch caſes ſhall aſſigne and appoint by his commiſſion or commiſſions of Oyer and Determiner, in like manner and forme, as if ſuch treaſons or miſpriſions of treaſons had bæne done and committed within ſuch the ſaid Shires, into the which the ſaid commiſſions of Oyer and Determiner ſhall be directed, as is aforeſaid. And that all preſentments, trialls, proceſſes, iudgements, executions, and forfeitures hereafter made, had, or done by vertue of ſuch commiſſions, ſhall be good and effectuall in the Law, to all purpoſes and intents: Any grant, cuſtome, or vſage heretofore made or vſed to the contrarie notwithſtanding. Prouided allwayes, that trials of Peeres of the realme concerning treaſons ſhalbe done and had, as heretofore hath bæne vſed and accuſtomed: Any thing in this Act contayned notwithſtanding. Anno 32.H.8.cap.4.

11 All treaſons, miſpriſions of treaſons, murders, manſlaughters, bloudſheds, and other malicious ſtrikings, by reaſon whereof blood is, or ſhall be ſhed againſt the Kings peace, which haue bæne done ſince the feaſt of all Saints laſt paſt, or hereafter ſhall be done within any the places or houſes of his Highneſſe, or his heyres, or any other houſe or houſes, at ſuch time as his Maieſtie hath bæne ſince the ſaid feaſt of All Saints, or hereafter ſhall happen to be then demurrant or abiding in his royall perſon, ſhalbe from henceforth inquired of, tried, heard, and determined within any the Kings palaces or houſes, or other houſe or houſes, where his Maieſtie or his heyres ſhall hereafter repaire vnto, or be abiding, in maner and forme following: that is to ſay, before the Lord great Maſter, or lord Steward for the time being, of the Kings moſt honorable houſhold, and of his heyres and ſucceſſors: And in the abſence of the ſaid Lord great maſter, or Lord Steward of the houſhold, before the Treaſorer and Comptroler for the time being of the kings moſt honorable houſhold, and of his heires and ſucceſſors, & Steward of the Marſhalſey for the time being, or y. of them, whereof the ſteward of the Marſhalſy for the time being to be one, by vertue of their Offices, without any commiſſion or other authoritie or power, other then by authority of this preſent act to be giuen vnto them, or to anie of them, which ſteward of the Marſhalſey ſhalbe for euer, from time to time, aſſigned & appoynted by writing vnder the ſeale of the ſaid L. great maſter, or L. ſteward for ỹ time being. And whether ỹ K. maieſty or his heirs hath, or at any time hereafter ſhalbe remoued from the palace, houſe or houſes where ſuch offēces were or ſhalbe done, or not remoued before they be inquired of, tried, heard, & determined, yet ſuch offences

ſhall

Judgemēt

Triall

So challenge Caruiee

Treaſons felonies Murders &c.

Clergie

Sanctuarie

Anilles Ropes Ankers

Preſtitie &

Pay

Obligation

Marrocke

4. Moneths

12. Moneths

Commiſſion

5. Ports

L. Warden

L. Chancel.

Treaſons Miſpriſions Murders Bloudſheds

K. houſe

Inquire Triall

L. great Maſter Steward

Treaſorer Comptroller

Steward of the Marſhalſey without commiſſion

Seale

shal by authority of this act, alwais from henceforth be inquired of, tried, heard, & determined before the kings M. and his heires officers and ministers of houshold before named, or y. of them, as is aboue said, by the inquisition & verdict of his highnes & his heirs houshold seruants in his and their check roll, in maner & forme as before & hereafter is expressed in this present act, & at such palace, house or houses, where his M. or his heires shal be at any time hereafter demurrant or abiding. And that all such returns of proces, and al executions and iudgements concerning the premisses, shall be had & done by the officers, before and hereafter expressed, & in maner and forme as before & hereafter in this present act is contained. And that al inquisitions vpon the view of persons slaine, or hereafter to be slaine within any the K. said palaces or houses, or other house or houses aforesaid, shalbe by authority of this act had & take hereafter for euer, by the coroner for the time being of the houshold of our Soueraigne Lord the King, or his heires, without any adioyning or associng of any other Coroner of any shire within this realme, by the oath of vij. or moe, of the yeomen officers of the kings & his heires most honorable houshold, returned by the y. Clerks Comptrollers, the clerk of the check, & clerks marshals, or one of them for the time being of the said houshold, to whom the said Coroner of the same houshold shall direct his precept: which Coroner of our said soueraigne lord the K. houshold, shall be from time to time named, appointed & assigned by the said L. great Maister, or lord Steward for the time being. And that the said coroner of the said houshold shal from time to time for euer, without delay certifie vnder his seale, and the seals of such persons as shal be so sworne before him, al such inquisitions, indictments, & offices vpon the view of all dead bodies, being slaine at anie time sith the feast of All Saints aforesaid, or which hereafter shall be slaine within any the K. said palaces or houses, or other house or houses aforesaid, before the said L. great Maister, or lord St. and in his absence before the Treasorer, Comptroller, & Steward of the Marsh. aforesaid, or before y. of them, whereof the said Steward of the Marshalsey to be one: And that such inquisitiõs & offices so certified, shalbe deemed, adiudged, and taken for euer, as good & effectual in the law, to all intents, constructions, & purposes, as any inquisition taken vpon the view of the body of anie person being dead by anie Coroner of any county of this realme, hath bin, or shalbe adiudged or taken. And be it &c. That the said two clerks Comptrollers, clerks of the Check, & clerkes marshals, for the time being, of the K. said houshold, & of his heires, or one of them for euer, vpon a precept to them, or to any of them hereafter to be made by the said L. great Maister, or Lord Steward, or in the absence of the said L. great Maister, or L. Steward, by the said Treasorer & Comptroler of the K. most honorable houshold, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, shall haue full power to sommon, warne, & returne the names of xxiiij. persons, being yeoman Officers of the K. said houshold, & of his heires, in the said Check roll, to inquire of such treasons, misprisions of treasons, murders, manslaughters, and other malitious strikings, by reason whereof blod is, or shall be shed against the Kings peace, before the said Lord great Maister, or lord Steward, and in his absence before the said Treasorer, Comptroller, and Steward of the Marshalsey, or before two of them at the least, whereof the Steward to be one. And that it shalbe lawfull to the said L. great Maister, or L. Steward, and in his absence to the said Treasorer, Comptroler, and the said Steward aforesaid, or y. of them, whereof the said Steward to be one, before whom such returns shalbe made, as aforesaid, to cause such number of the said xxiiij. persons so returned aboue the number of xij. persons, as to him or them shall seeme expedient, to inquire of such treasons, misprisions of treasons, murders, manslaughters, & other malicious strikings, by reason whereof blod is, or shalbe shed against the Kings peace, within the said places or houses, or other the said house or houses, sith the said feast of All Saints, or at any time hereafter shal be committed or done within the said palace or houses, or other the said house or houses. And if any person or persons be indicted by the said Jury so sworne before them, as is aforesaid, or by inquisition before the said Coroner of the said houshold, & certified before the said L. great Maister, or L. Steward, or in the absence of the said L. great Maister, or lord Steward, before the said Treasorer, Comptroller, and Steward, or before y. of them, whereof the said Steward to be one, as is aforesaid: that then immediatly without delay the said Lord great Maister, or Lord Steward, and in his absence the saide Treasorer, Comptroller, and Steward, or two of them, whereof the said Steward to be one, before whom the said presentment, inquisition, or indictment shall so be found or certified by the said Coroner of the same houshold, shall arraigne before them all & euery such person and persons so indicted, according to the course of the Common Lawe of this realme, & forthwith after issue ioyned betweene the K. our soueraigne lord, his heires or successors, and the prisoner so arraigned, the same day & place, or any other day and place, at the pleasure of the said L. great Maister, or lord Steward, and in his absence at the pleasure of the said Treasorer, Comptroller, and Steward of the Marshalsey, or two of them as is aforesaid, shall make another precept to the said clerks Comptrollers, clerks of the Checke, & clerks Marshals for the time being of the said houshold, or to one of them, to sommon and returne one other Jury of xxiiij. persons, and to appeare before the said L. great Maister, or L. Steward, and in his absence before the said Treasorer, Comptroller, or Steward of the Marshalsey, or before two of them, whereof the same Steward to be one, at such day, time, & place, and vpon such paine as shalbe then limited and appoynted of the seruants & gentlemen Officers of the Kings chamber, his heires & successors, and of the said houshold, which now take, or hereafter shall take wages by the K. check roll. And that the said Lord great Maister, or L. Steward, (if he be there present) or in his absence the said Treasorer, Comptroller, and Steward of the said Marshalsey, or two of them, whereof the same Steward to be one, before whom such Jurie shal be so returned,

Houshold seruants Checke roll

Iudgemẽts Officers

Inquisitiõs View

Coroner of houshold

Oath Yeoman Returne Clerkes

Coroner

Precept

Certifie

L. great Maister L. Steward Steward of the Marshalley

Clerkes

Summon Warne 24. Officers

Inquire

Kings peace

Iudict

Arraign

Precept Clerkes

Summon Iurie 24. perso

Kings seruants

ned, shall cause 12. of the same Iurie to be sworne, without any maner of challenge to be had or allowed for any maner of cause, to any of the sayd Iurie (malice onely excepted) truely to trie betweene our sayd Soueraign Lord the King, & his heires, and such person and persons as shall be so indicted and arraigned, of such Treasons, misprisions of Treasons, Murders, Manslaughters, and other malicious strikings, by reason whereof blood is, or shall be shed against the Kings Peace, or of any of them. And if any such person or persons, so indicted and arraigned, be found guiltie of any Treason, Misprision of Treason, Murders, or Manslaughters: That then al and euerie such person and persons, so found guiltie, shall haue iudgement of life & members, and suffer such paines of death, and shal forfeit all their Manours, Landes, Tenements, Goods, Cattels, in like manner and forme, as if the sayd person and persons had been found guiltie of any the said offences by the order of the common Lawes of this Realme, without allowing to any such person or persons so found guiltie of any the same offences, the benefit of his or their Clergie, or priuiledge of any Sanctuarie. And if any person or persons so arraigned, be found guiltie for malicious striking, by reason whereof blood is, hath beene, or shall bee shed against the Kings Peace, within the sayd place or house, or any other house, or any other the said house or houses: ỳ then euerie such person and persons shal from henceforth haue iudgement by the sayd Lord great Master, or Lord Steward (if hee be present) and in his absence, by the other before named, before whom such person or persons shal be so found guiltie, to haue his right hand stricken off before the sayde Lord great Master, or Lord Steward (if he be there present) and in his absence before the sayde Treasurer, Comptroller, and Steward of the Marhalsey, or two of the at the least, whereof the sayd Steward to be one, and at such place & time as hee or they before whom such person and persons shall bee so found guiltie, shall appoint execution to bee done, and the same execution to bee done by such persons, as the saide Lord great master, or Lord Steward (if he be there present) and in his absence as the sayd Treasorer, Comptroller, and Steward of the Marhalsey, or two of them, whereof the Steward to be one, shall name or appoint, and also shall haue iudgement to haue perpetuall imprisonment during his life, and shall pay fine and ransome at the Kings Maiesties pleasure, his heires and successours. And for the further declaration of the solempne and due circumstance of the execution appertayning, and of a long time vsed and accustomed, to and for such malicious striking, by reason whereof blood is, hath beene, or hereafter shall bee shed against the Kings Peace: It is therefore &c. That the Serieant or chiefe Surgeon for the time being, or his deputie, of the Kings houshold, his heires and successours, shall bee readie at the place and time of execution, as shall bee appointed, as is aforesayde, to seare the stumpe, when the hand is so stricken off. And the Sericant of the Pantrie for the time being of the sayd houshold, or his deputie, shall bee also then and there, readie to giue bread to the partie that shall haue his hand so stricken off. And the Serieant of the Seller for the time being of the same houshold, or his deputie, shall also bee then and there ready with a pot of Red Wine, to giue the same partie Drinke, after his hand is so stricken off, and the stumpe seared. And the Serieant of the Ewry for the time being of the same houshold, or his deputie, shall also be then and there ready with clothes sufficient for the Surgeon to occupie about the same execution. And the Yeoman of the Chandrie for the time being of the same houshold, or his deputie, shal also bee then and there, and haue in readynesse seared Clothes sufficient for the Surgeon to occupie about the same execution. And the Maister Cooke for the time being of the same houshold, or his deputie, shall also be then and there ready, and bring with him a dressing knife, and shall deliuer the same knife at the place of execution, to the Sergeant of the Larder for the time being of the same houshold, or to his deputie, who shall bee also then and there readie, and hold vp right the sayde dressing knife, till execution bee done. And the Sergeant of the Poultrie for the time being of the same houshold, or his deputie, shall be also then and there readie with a Cocke in his hand ready for the Surgeon to wrap about the same stumpe, when the hand shal be so stricken off. And the Yeoman of the Scullery for the time being of the same houshold, or his deputie, to bee also then and there ready, and prepare and make at the place of execution a fire of Coales, & there to make ready searing yrons, against ỳ said surgeon, or his deputy, shal occupy the same. And the Sergeant or chiefe Ferrour for the time beeing of the same houshold, or his deputy, shall be also then & there ready, and bring with him the searing yrons, and deliuer the same to the same Sergeant or chiefe Surgeon, or to his deputy, when they be hot. And the groome of the Sallery for the time beeing of the same houshold, or his deputy, shal be also then and there ready with vinegar and cold water, & giue attendance vpon the surgeon, or his deputy, vntil the same execution be done. And the Sergeant of the Woodyard for the time being of the same houshold, or his deputy, shal bring to ỳ said houshold, or his deputy, shal bring to the saide place of execution a block, with a betel, a staple, and cords to bind the said hand vpon the block, while execution is in doing. And be it &c. that if any person or persons so indicted of treason, misprision of treason, murder, manslaughter, or other malicious striking, by reason whereof blood is, hath been, or shalbe shed against the kings peace, as is aforesaid, and thereof bee arraigned, and obstinately refuse to answer direcly to the same offences whereof he or they be so indicted, or if such person or persons so inoicted and arraigned stande mute, and will not speake: then such person and persons so refusing to answere, or standing mute, shall be conuict, iudged, & deemed guilty of the thing whereof he or they is or shall bee so indicted and arraigned, and shal haue iudgement to haue like paines of death, and other paynes, punishments, execu-

Sergeant of the Seller. Red wine

Sergeant of the Ewry

Yeoman of the Chandrie

Maister Cooke

Dressing knife

Sergeant of the Larder

Sergeant of the Poultrie. A Cocke

Yeoman of the Scullery

A fire

Sergeant Ferrour

Searing yrons

Groome of the Sallerie

Vinegar

Sergeant of the Woodyard

Refuse

Mute

Conuict

Indictment

tions, forfeitures, losses, and seisures of lands, tenements, goods, and cattels for the same, as he or they ought, or should have had for such like offences, if he or they were, or should be found guilty therof by the verdict of twelue men. And be it &c. That the said Clerkes Comptrollers, Clerkes of the checke, and Clerkes Marshals, or one of them for the time being, shall from time to time name, assigne, and appoint a Cryer to the proclamations, and to cal the Juries, and to do other things as becommeth a Cryer of a Court to doe belonging to the office. Prouided alway, and be it &c. that this Act before rehearsed, concerning malicious strikings, by reason whereof blod is, hath bin, or shal be shed against the Kings peace, ne the paines and forfeitures before rehearsed, for the punishment of the same, shall not in any wise extend to be preiudiciall or hurtfull to any Noble man, ne to any other person or persons, that shall happe to strike his or their seruats within the said places or house, or any other house or houses aforesayd, or within ỳ limits of the same, with his or their hands or fists, or with any smal staffe or sticke, for any offence cõmitted & done, for correction & punishmẽt to be cõmitted & done to any of the K. Officers or seruants that shal strike any persõ within the same palaces or house, or any other house or houses aforesayd, although by reason of the said stroke or strokes, there happe to be any blod shed of such persõ as shal be so stricken, except the person so stricken do dye of the same stroke within one yeare next after the same stroke so giuen. Prouided also and be it &c. that the triall of Peeres of this realm for committing or doing any offences in this act before mentioned, shall be as it hath bin vsed in times past, anything in this act contained to the contrary notwithstãding. Prouided also that the liberty & iurisdiction of the Marshalsey court, and circuit of the verge shal be in all pointes, priuiledges and authorities vsed by the ministers & officers of the same, in as ful & as ample maner as it hath bin heretofore lawfully vsed for murders, felonies, offẽces & al trespalles, cõtracts, & other suits whatsoeuer they be, any thing in this act to the contrary notwithstãding. And forasmuch as before this time one Richard Stauerton of Lincolnes Inne gentleman, was cõmanded & appointed by the K. maiesty to occupy the office of the Coroners of the saide house, by force whereof he hath continued officer in the same by the space of xiii yeres or more: Be it, &c. that the said Richard Stauerton shall haue, occupy & enioy the saide office of Coroner during his life, together with all such profits and commodities as before this time haue bin due & appertaining in any wise to ỳ same. And after his decease, the sayd coroner alwais to be made assigned and appointed by the saide Lord great maister or Lord Steward for the time being. And for that hereafter it might be doubted, how far the limits and bouds of the said house or houses should extend to be taken, within which limits or bounds any the said offences, which hath bin committed or done sith the saide Feast of all Saints, or hereafter shall be committed or done, for the which all and euery person and persons so offending, should haue and suffer the paines, penalties, and forfeitures, as is aforesaid: for the plaine declaration therof, and for the auoiding of all doubts and questions which may hereafter happen to arise of, for, or vpon the same: Be it, &c. that the limits and bounds of ỳ said house & houses, within which any the offices aforesaid now cõmitted or done sith ỳ feast of al Saints, or hereafter to be committed or done, shall be punished as is aforesaid, shall extend and be taken within these places ensuing, and in none other, that is to say: within any edifices, courts, places, gardens, or chards or houses, within the porters ward of any of the house or houses aboue rehearsed, or within any gardens, priuie walkes, or chardes, tilt yardes, woodyards, tennis playes, cockfights, bowling alleys, nere adioyning to any of the houses aboue rehearsed, and being part of the same, or within two hundred fots of the standard of any outward gate or gates of any the houses aboue rehearsed, cõmonly vsed for passage out or from any ỳ house or houses aboue rehearsed. Prouided alwayes, that this Act shal not take effect, or be put in execution, till, from, and after the first day of May next ensuing, except only for murders and manslaughters, for ỳ which offences of murder and manslaughter, the same to take effect from the feast of all Saints last past, according to the tenour and effect of the sayde Act. Prouided alway, and be it, &c. That this act before rehearsed, concerning malicious strikings, by reason whereof blod is, hath bin or shall be shed against the Kings Peace, ne the paines and forfeitures before rehearsed for the punishment of the same, shall not in any wise extend or be preiudicial or hurtful to any noble man, ne to any other person or persons, that shall happen to strike his or their seruants within the said palaces or houses, or any other house or houses, place or places aforesaid, or within the limits of the same, with his or their hands or fists, or with any small staffe or sticke for correction and punishment for any offences cõmitted, & done, or to be committed & done, ne to any of the Kings Officer or Officers, that in the executing of his or their office shall strike any person or persons with his or their hands or fists, or with any small staffe or stick, or with any staffe commonly called a tipstaffe, within the same Palace or house, or any other Palaces or houses, or places aforesayd, ne to any person or persons that in doing seruice at any triumph, or any other time of seruice by the Kings commaundement or of any his graces Councell, or other his graces head Officers, shall happen for their executing of ỳ sayd seruice, to strike any person or persons with his or their handes or fistes, or with any small staffe or sticke, or with any staffe commonly called a Tipstaffe, within the same Palace or house, or any other Palaces or houses, or place or places aforesayde, although by reason of the same strake or strokes there happen to be any blood shed of such person as shall bee so stricken, except the person do dye of the same stroke within one yeare next after the stroke so giuen. Anno 33. H. 8. cap. 12.

Clerkes

Cryer

Bloodshed

Nobleman

Tryall Peeres

Marshalley Verge

Coroner

L. Steward

Bounds

Places

200. Foot

Malicious striking

Nobleman

Seruants

Officers

Triumph

Dye

One yeare

12 If any person or persons, being examined before

before the kings Counsell or three of them, vpon any maner of treasons, misprisions of treasons, or murders, doe confesse any such offence, or that the said counsell or 3. of them, vpon such examination, shal think any person so examined, to be vehemently suspected of any treason, misprisions of treasons or murder: that then in euery such case by the K. commaundement, his Maiesties commission of Oyer & terminer, vnder his highnes great seal shal be made by the Chancellor of England, to such persons, & into such shires or places, as shall be named & appointed by the K. highnesse, for the speedy trial, conuiction or deliuerance of such offenders, which commissioners shall haue power & authority to enquire, heare and determin of all such treasons, misprisions of treasons & murders, within the shires & places limited by their commission, by such good & lawfull persons, as shal be returned before them by the shirife or his minister, or any other hauing power to returne writs & procesle for the purpose, in whatsoeuer other shire or place within the kings dominions or without, such offences of treasons, misprisions of treasons or murders so examined, were done or committed, & that in no such cases, no challenge for the shire or hundred shall be allowed. Prouided that vpon the trial of such treasons, misprisions of treasons & murders, the challenge to any Iuror for lack of freehold of the yeerely value of forty shillings shall be allowed as hath beene accustomed. Prouided also, that if any the Peeres of the realme shall happen to be indicted of any of the offences aforesaid, by vertue of any such commission to be graunted by authority of this act, yet neuertheless they shal haue their triall by peeres in like maner & forme as heretofore hath bin vsed, any thing in this act contained, or any thing to be done by vertue thereof in any wise notwithstanding. Ann 33. H.8. cap. 23.

Confesse

Commissions

Chancellor

Commissioners

Challenge

Freehold

Iurors

13 See Treason 17. for trial of treason of them that become mad in lunacy.

Treason Definition

14 All manner of offences being already made or declared, or hereafter to be made or declared, by any the lawes and statutes of this Realme, to be treasons, misprisions of treasons, or concealements of treasons, and done, perpetrated or committed, or hereafter to bee done, perpetrated, or committed by any person or persons, out of this Realme of England, shalbe from henceforth enquired of, heard and determined before the Kings Iu. of his bench, for pleas to be holden before himselfe, by good and lawfull men of the same shire where the said bench shall sit and be kept, or else before such Commissioners, and in such shire of the realme, as shalbe assigned by the kings maiesties commission, and by good and lawfull men of the same shire, in like maner & forme, to all intents and purposes, as if such treasons, misprisions of treasons, or concealement of treasons had bin done, perpetrated & committed within the same shire, where they shal be so enquired of, heard and determined, as is aforesayd. Prouided alwayes, that if any the Peeres of this Realm shall happen to be indicted of any such treason or other offences aforesayd, by authority of this Act: That then after such indictment, they shall haue their tryal by their Peeres in such maner and forme as hath beene heretofore accustomed. An. 35. H.8. cap. 2.

Iustices

Commissioners

Peeres

Triall

20 15 To prouide remedie in the cases hereafter following, whereas before there was no sufficient remedie prouided, because iurors in one coũty could not take knowledge of things done in another coũty, & for the safegard of mans life, duly to punish offences: Be it &c. That where any person or persons hereafter shalbe feloniously stricken, or poisoned in one county, & die of the same stroke or poisoning in an other county, y then an indictment thereof found by Iurors of the county where the death shall happen, whether it shall be founden before the Coroner vpon the sight of such dead body, or before the Iust. of peace, or other Iustices or Commissioners, which shall haue authority to enquire of such offences, shall be as good and effectuall in the law, as if the stroke or poysoning had beene committed and done in the same County, where the partie shall dye, or where such indictment shalbe so founden, any lawe or vsage to the contrary notwithstanding. And that the Iustices of gaole deliuery, and Oyer and terminer, in the same County where such indictment at any time hereafter shal be taken: And also the Iustices of the kings bench, after such indictment shal be remoued before them, shall and may proceed vpon the same, in all points as they should or ought to doe in case such felonious stroke and death therof ensuing, or poysoning and death thereof ensuing, had growne all in one same County. And that such partie, to whom appeale of murder shall be giuen by the Lawe, may comence, taken and sue appeale of murder in the same county, where the party so feloniously stricken or poysoned, shall dye, as well against the principall and principals, as against euerie accessarie to the same offences, in whatsoeuer Countie or place the accessary or accessaries shall bee guiltie to the same. And further the Iustices before whom any such Appeale shall bee commenced, sued and taken within the yeare and day after such Murder and Manslaughter committed and done, shall proceede against all and euerie such accessarie and accessaries, in the same Countie where such Appeale shall bee so taken; in like manner and forme, as if the same offence or offences of accessarie or accessaries, had beene committed and done in the same countie where such Appeale shall be so taken, as well concerning the tryall by the Iurors of twelue men of such Countie where such Appeale or appeales shall be hereafter taken vpon the plea of not guiltie, pleaded by such Offendor or Offendors, as otherwise. And further be it, &c. That where any Murder or Felonie hereafter shall bee committed and done in one Countie, and another person or more, shall bee Accessarie or Accessaries in any manner of wise to any such Murder or Felonie in any other Countie: That then an indictment found or taken against such Accessarie and Accessaries, vpon the circumstance of such matter before the Iustices of the Peace or other Iustices or Commissioners, to enquire of felonies

Stricken Poisoned

Indictment

Coroner Iust. of P.

Just of G. Just of Oyer & ter.

Just of K. Bench

Appeale

County Dye

Principall

Accessary

Peeres & day

Murder Felony County

Indictment

Just. of P.

in the county where such offence of accessary or accessaries in any maner of wise shalbe committed or done, shal be as good and effectuall in the lawe, as if the sayd principall offence had bene committed or done within the same county where the same inditement against such accessary shalbe found. And that the Justices of gaole delinery, or oier and terminer, or two of them, of, or in such county where the offence of any such accessary shalbe hereafter committed and done, vpō suit to them made, shal write to the Custos rotulorum, or keeper of the recordes, where such principall shalbe hereafter attainted, or conuicted, to certifie them whether such principall be attainted, conuicted, or otherwise discharged of such principall felony, who vpon such writing to them or any of them directed, shall make sufficient certificate in writing vnder their seale or seales to the sayd Justices, whether such principal be attainted, conuicted or otherwise discharged or not. And after they that so shal haue the custodie of such recordes, doe certifie that such principall is attainted, conuicted, or otherwise discharged of such offence by the law: That then the Justices of gaole delinerie, or of oyer and terminer or other there authorised, shall proceed vpon euery such accessary in the countie where such accessary or accessaries became accessary, in such maner and forme as if both the said principall offences and accessary had bene committed and done in the saide county where the offence of the accessary was or shal be committed or done. And ỹ euery such accessary & other offenders aboue expressed, shall answere vpon their arraignments, and receiue such triall, iudgement, order, & execution, and suffer such forfeitures, pains, & penalties, as is vsed in other cases of felony: Any lawe or custome to the contrary heretofore vsed, in any wise notwithstanding. An. 2. E. 6. cap. 24.

Iust. of G. Iustic. of Oier & ter.

Custos rotulorum

Certificate

Iust. of G.

Iudgement Execution

Turney.

AN. 5. H. 8. c. 1. an act was made concerning ỹ administration of iustice to the K. subiects of his city of Turney beyond the sea.

Vagabonds, Beggers and poore people.

IN An. 23 E. 3. c. vlt. An. 34. E. 3. c. 1. An. 7. R. 2. cap. 5. An. 12. R. 2. cap. 7. and An. 11. H. 7. ca. 2. and An. 19. H. 7. c. 12. be acts made against vagabonds and beggers, but all those be repealed by An 1. E. 6. cap. 3.

2 Where in all places throughout this realm, vagabonds and beggers haue of long time increased, and daily doe increase in excessiue numbers by the occasion of idleneſſe, mother and root of all vices whereby hath sprung & daily do spring continuall theeſts, murders, & other sundry heinous offences and enormities to the high displeasure of god, & inquietatiō of the kings people, and to the marueilous disturbance of the common weale: And whereas many good lawes & statutes haue bin before this time diuised as well by the K. our soueraign Lord, as also by diuers his noble progenitors for the due reformation of the premisses, yet notwithstāding the said numbers of vagabonds and beggers, beenot seene diminished, but rather daily augmented and increased. Be it therefore enacted, &c. that the Justices of the peace of all and singular the shires of England within the limits of their commission, & all other Justices of peace, maiors, shiriffs, bailiffs, and other officers of all and euery cities, boroughs, ridings or franchiſe within the realme of England, within the limits of their authoritie, shal from time to time as often as need shall require by their discretions, diuide themselues within the sayd shires, cities, boroughs, ridings or franchiſes, whereof they be Justices of peace, maiors, shiriffs, bailiffs, or officers, and so being diuided, shal make diligent search and enquiry of all aged, poore, and impotent persons, which liue, or of necessitie bee compelled to liue by almes of the charity of the people, that be or shall be hereafter abiding, within euery hundred, rape, wapentake, citie, borough, parish, liberty or franchiſe, within the limits of their diuision, and after ỹ vpon such search made, the said Iu. of peace, maiors, shiriffs, bailiffs and other officers, that is to say, euery of them within the limits of their authorities whereunto they be diuided, shall haue power and authoritie by their discretions, to enable to begge within such hundreds, rape, wapentake, citie, town, parish, or other limits, as they shall appoint such of the said impotent persons, which they shal find and thinke most conuenient within the limits of their diuision, to liue of the charity and almes of the people, and to giue in commaundement to euerie such aged and impotent begger (by them enabled) that none of them shall begge without the limits to them so appointed, and shal also register and write the names of euery such impotent begger by them appointed in a bill or roll indented, the one part thereof to remaine with themselues, and the other part by them to be certified before the Justices of peace at the next Sessions after such search had, to be holden within the said shires, cities, townes or franchiſes, there to remaine vnder the keeping of Custos rotulorum. And that the said Iust. of peace, maiors, shiriffs, bailiffs, and other officers, that is to say, as they be diuided, shall haue power and authority to make such and so many seals to be engraued with the names of the hundreds, rapes, wapentakes, cities, boroughs, towns or places, within ỹ which they shal appoint & limit euery such impotent person to beg, and commit the said seales to the custody of such of them, or to the custodie of such other, as they shal think conuenient, and shall make & deliuer to euery such impotent person by them enabled to beg, a letter containing the name of such impotent person, & witnessing that he is authorized to beg, and the limits within the which he is appointed to beg: The same letter to be sealed with such of the said seales as shal be ingraued with the names of the limit, wherin such impotent person shall be appointed to beg in, and to bee subscribed with the name of one of the sayde Justices or officers aboue sayd. And if any such impotent person so authorized to beg, doe beg in any other place the within such limits as he shal be assigned vnto, that then the Justices of peace, Maiors, Shiriffs, bailiffs, constables, & all other the kings Officers

Iust. of p. Dead officers Poore Licence to beg Register Seales Limits

and

and ministers, shall by their discretions, punish all such persons by imprisonment in the stockes the space of two dayes and two nights, giuing them but only bread & water, and after that, cause euerie such impotent person to be sworne to return again without delay to the hundred, rape, wapentake, citie, borough, parish or franchise where they be authorised to beg in. And it is enacted, that noe such impotent person, as is aboue sayd, after the feast of the Nativity of S. John Baptist next comming shall beg within any part of this Realm, except he be authorised by writing vnder seale as is aboue. And if any such impotēt person after the said feast of S. John be vagrant and goe abegging, hauing no such letter vnder seale, as is aboue specified, that then the Constables and all other inhabitāts within such town or parish where such person shal beg, shall cause euerie such begger to be taken & brought to the next Justice of peace or high Constable of the hundred, and thereupon the sayd Justice of Peace or high Constable, shall commaund the sayd Constables and other inhabitants of the Town or parish which shall bring before him any such begger, ỹ they shal strip him naked from the middle vpwards, and cause him to bee whipped within the townes where he was taken, or within some other towne where the same Justice or high Constable, shall appoint, if it shall seeme to the discretion of the said Justice of peace or high Constable, that it bee conuenient so to punish such begger to him brought, and if not, then to commaund such begger to be set in the stocks in the same towne or parish where he was taken, by the space of three dayes and three nights, there to haue onely bread and water, and thereupon the said Justice or high Constable, afore whom such begger shall be brought, shall limit to him a place to beg in, and giue him a letter vnder seale in forme aboue remembred, and sweare him to depart and repaire thither immediatly after his punishment. And be it &c. that if any person or persons beeing whole and mighty in body, and able to labour at any time after ỹ said feast of S. John, be taken in begging in any part of this realme: or if any man or woman being whole and mighty in body, and able to labour, hauing no land, master, nor vsing any lawfull merchandise, craft or mistery, whereby he might get his liuing, after the same feast be vagrant, and can giue no reckoning how he doth lawfully get his liuing: that then it shall be lawful to the Constables, and all other the kings officers, ministers and subiects, of euerie towne, parish and hamlet, to arrest the saide vagabonds and idle persons, & them bring to any of the Justices of Peace of the same Shire or Libertie, or else to the high cōstable of the hundred, rape or wapentake, within which such persons shall be taken. And if he be taken within any city or towne corporat, then to be brought before the maior, shirifes, or bailifes of euery such towne corporate. And that euery such Justice of Peace, high Constable, Maiors, Shirifes & Bailifes, by their discretions, shal cause euery such idle person so to him brought, to be had to the next Market towne or other place, where the said Justices of peace, high constable, maiors, bailifes and other officers, shall thinke most conuenient by his or their discretions, and there to be tied to the end of a cart naked, and be beaten with whips throughout ỹ same market towne, or other place, til his body be bloody by reason of such whipping. And after such punishment and whipping had, the person so punished by the discretion of the Justice of Peace, high Constable, Maiors, Shirifes, Bailifes, and other officers, afore whom such person shalbe brought, shall bee inioyned vpon his oathe to returne forthwith without delay in the next straight way to the place where he was borne, or where he last dwelled before the same punishment by the space of 3. yeres, & there to put himselfe to labour like as a true man ought to do. And after that done, euerie such person so punished & ordered, shal haue a letter sealed with the seale of the hundred, rape, wapentake, citie, borough, towne, liberty or franchise, wherein he shall be punished, witnessing that he hath beene punished according to this estatute, and containing the day and place of his punishment, and the place whereunto he is limited to goe, and by what time he is limited to come thither, within which time hee may lawfully beg by the way, shewing the same letter, and otherwise not. And if he do not accomplish the order to him appointed by the said letter, then to be eftsoones taken and whipped, and so as often as any default shalbe found in him contrary to the order of this estatute, in euery place to be taken & whipped, til he be repaired where he was borne, or where he last dwelled by the space of 3. yeares, and there put his body to labor for his liuing, or otherwise truely to get his liuing without begging as long as he is able so to doe. And if the person so whipped be an idle person, and no common begger, then after such whipping he shalbe kept in ỹ stocks till he hath found suretie to go to seruice, or else to labour after the discretion of the sayd Justice of P. Mayors, Shirifes, Baylifes, high Constables, or other such officers, afore whom any such idle perso being no common begger, shal be brought, if by the discretion of the same Justice of Peace, Maior, shirife, bailife, high constable, or other such head offices, it be so thought conuenient, and that the party so punished be able to find suretie, or els to be ordered and sworne to repaire to the place where he was borne, or where he last dwelled by ỹ space of 3. yeres, & to haue like letter & such further punishmēt if he eftsoons offendeth this estatute, as is aboue appointed, to, & for the commō, strong, & able beggers, & so frō time to time to be ordered & punished, til he put his body to labour, or otherwise get his liuing truly according to ỹ law. And that ỹ Iu. of ỹ P. of euery shire, riding, city, towne & liberty, shall haue poiver & authority within the limits of their cōmissions, to enquire of all Maiors, Bailifes, Constables and other officers, and persōs that shalbe negligent in executing of this act. And if ỹ constables & inhabitants within any town or parish where any such impotent person or strong begger doth happē to beg, contrary to the forme of this statute, be negligent, and take not euery such impotent & strong begger that so shall beg against the forme of this estatute, and order, and punish euerie such begger

Parish Forfeit

as is aboue limited, that then the towneship or parish where such default shalbe, shall lose and forfeit for euerie such impotent begger that shall be suffered to beg within the said towneship or parish not being taken, ordered and punished, according to the forme of this estatute three shillings iiij. pence, and for euery strong begger that shal happen to beg within any such towneship or parish, not being taken and ordered as is aboue limited by this estatute, 6. s. 8. d. the one halfe of all which forf. to bee to the king our soueraigne Lord, and the other half to him that will sue for the same by any bill of information afore the Kings Justices of his peace in their generall Sessions to bee holden in the shire, or within the liberty where such default shal happen.

Just. of P.

And that all Justices of peace within any shire, city, borough, or liberty, shall haue full power and authoritie, as well to heare and determine euerie such default by presentment, as by such bil of information, and vpon euerie presentment afore them, and vpon euerie such bill of information to make

Procesle

procesle by distresle against the inhabitants of euery such town and parish, where any default shal be presented or supposed by any such information: by authoritie of which distresle the Shirife or other officer, to whom by the Lawe such distresle shall bee made, shall distraine the goods or chattels of such one or two of the said inhabitants, as he may haue knowledge, were most negligent and in default in the execution of this Act, and the saide distresle reteine till they find surety to appeare at the sessions limited in the sayd distresle: And in case they appeare and confesse the default, or els if they trauerse the presentment, and it be tryed against them by verdict, or deny the information, and it be proued against them by sufficient witnesse, then the sayde Justices of peace in their sessiõs shall haue authority to assesse the fines as bin aboue limited, after the rates abouesaid, & to make proces for the leuying of ỹ same by distres of the inhabitãts of such towns or parishes where such default shal be tried or proued. And ỹ euerie such fine, if it grow by presentment, to be onely to the Kings vse. And if it grow by information, then the moity thereof to be to him ỹ pursueth the informatiõ for the same, and the other moitie thereof to the Kings vse as is afore sayd. And if any such person or persons distrained, appeare not at the day and place contained in such distres, then vpon the returne of the Shirife or other officer, to whom the distresse was deliuered to execute, that such person or persons so distrayned, at the first distresse shall lose fortie pence, and at the second fiue shillings eight pence, & so to be doubled vpon euerie distresse in such cases as be awarded, till appearance may be had by one of the inhabitants of such town or parish to deny trauerse or confesse the presentment or information exhibited against any such Towne or Parish, to the intent vpon trial or proofe, the fines aboue limited may be assessed and leuied of the inhabitants of euerie such Towne or Parish as is aboue rehearsed. And be it enacted, &c. That Scholliers of the Vniuersities of Oxford and Cambridge, that goe about begging, not being authorised vnder the seale of the sayd Vniuersities by the Commissarie, Chanceller or Vicechanceller of the same, and all and singular shipmen, pretending losses of their shippes and goods of the Sea, going about the Countrey begging, without sufficient authoritie witnessing the same, shall be punished and ordered in maner and forme as is aboue rehearsed of strong beggers. And that all Proctors and Pardoners going about in any Countrey or Countries without the sufficient authoritie, and all other idle persons going about in any Countrey, or abiding in any City, Borough, or Towne, some of them vsing diuers and subtile, crafty and vnlawfull games and playes, and some of them saying themselues to haue knowledge in Philicke, Phisnomy, Palmestrie, or other crafty sciences, whereby they beare the people in hand that they can tell their destinies, diseases, and fortunes, and such other like fantasticall imaginations, to the great diseit of the Kings Subiects, shall vpon examination had before two Justices of the Peace, whereof the one shall be of the Quorum, if he by probable witnesses be found guiltie of any such deceites, bee punished by whipping at two dayes together, after the manner before rehearsed. And if he offend in the said offence or any like offence, then to be scourged 2. dayes, and the third day to be put vpon the Pillorie, from nine of the clocke, till eleuen before none of ỹ same day, and to haue one of his eares cut off. And if he offend the 3. time, to haue like punishment with whipping, standing on the Pillorie, and to haue his other eare cut off. And that Justices of the peace haue like authority in euery liberty and franchise within their Shires, where they be Justices of the Peace, for the execution of this Act in euery part thereof, as they shall haue without the Liberty and franchise. And it is further enacted that this Act shall yerely be read in ỹ open Sessions, to the intent that the sayd Estatute shall be the more feared, and the better put in execution. And furthermore be it enacted, that if any person or persõs at any time hereafter giue any harbour, money or lodging to any beggers, being strong and able in their bodies to worke, which order themselues contrary to the forme of this Estatute ỹ euery such person so doing being sufficiently proued or presented before any Justice of Peace, shall make such fine to the King, as by the discretion of the sayd Justices of Peace at their generall Sessions shall be assessed. And if any person or persons do disturbe or let the execution of this Act in any manner wise, or make rescous against any Maior, Shirife, Bailife, or other person that shall indeuour himselfe for the due execution thereof: it is then enacted that euery such person or persons, for euery such offence doing, shall lose and forfeit v. li. and ouer that to haue imprisonment at the Kings will. The one halfe of which forfeiture, if such offence be committed in any Citie or town corporate, to be to the maior, shirife, bailife, or other head officers of such city or towne corporate, where any such offence shal be done, to the vse of the comminalty of euery such city or town corporate. And if it be committed out of a city or towne corporate, then the said one halfe to

Fines

Forf.

Scholliers

Diuynors

Proctors

Idle persõs

Gamesters

Palmisters

Fortune tellers

Whipping

Eare cut off

Harbour Beggers

Rescous

Forf.

be

to the Lord of the Leet or Lawday, where such offence shall be done, and the other halfe of euerie such forfeiture to the king our Soueraigne Lord. For the which forfeiture of fiue pounds, recouerie shall be had by action of debt, bill, plaint, or information, in any of the kings Courtes, in which suit the defendants shall not wage their law, nor haue any essoine or protection allowed. Prouided alwayes, That this Act nor any thing therein contained shall be hurtfull or preiudiciall to the Barons or other inhabitants of the fiue Ports, or their members, neither to any graunt, libertie or franchise heretofore made by the king our Soueraigne Lord, or any his progenitors kings of England, to the said Barons or other inhabitants, their auncestors, predecessors, or to any of them. And that it be enacted by authoritie of this present Parliament, That all and euerie Maior & Maiors, Bayliffe and Bailifes electue and elected by the Commons and inhabitants of euerie Towne and place of the sayd Ports and members, and also Iurats of euerie of the said Townes and places of the said Ports and members, shall haue like authoritie within euerie such Towne and place, where they or any of them be or shall be Maior, Bailife, or Iurate, to put or cause to be put this Act in due execution, as the Iust. of Peace in any Countie in this Realme haue or shall haue authoritie and power by this Act to doe where they be Iustices. And that the inhabitants within euerie Towne within the sayd Ports, shall be bounden to the execution of this Act, like as other inhabitants be without the said Ports, vpon like pain as is aboue remembred. And if any person or persons which shall inhabite within the sayd fiue Ports or members, be impotent, or other idle person do hereafter beg without the said fiue Ports, or members of the same, contrarie to this Act, that then euerie such person shall be ordered and punished according to this Act, any thing in this proviso to the contrarie notwithstanding. And it is ordered and enacted, That the Seales aboue rehearsed shall be made at the costs and charges of the Iustices of Peace, Maiors, Sheriffes, Bailifs, and other Officers aboue written, on this side the Feast of the Natiuitie of Saint Iohn Baptist next comming, that is to say, that euerie of them shall doe the said Seales to be made within the limits of their diuision, iurisdiction, and authorities. And also it is ordered and enacted, That euerie licence to be made by the authoritie of this Act, whereby any impotent begger shall be authorised and assigned to beg, shall be made in this forme ensuing. Kanc. ss. Memorandam, That A. B. of Dale, for reasonable consideration is licenced to beg within the Hundred of P. R. and L. in the said Countie. Giuen vnder the Seale of that limit tali die & anno. And that euerie such letter that shall be made and deliuered to such begger or vagabond, after he hath beene whipped by authoritie of this Act, shall be made in this wise following. Kanc. ss. I. S. whipped for a vagrant strong begger at Dale in the said Countie, according to the Law, the two and twentieth day of July, in the three and twentieth yere of king Henrie the eight, was assigned to passe forthwith and directly from thence to Sale in the Countie of Middlesex, where he sayth he was borne, or where he last dwelled by the terme of three yeares, and he is limited to bee there within foureteene dayes next ensuing, at his perill, or within such number of dayes as to him shall be limited by the discretion of the maker of the sayd letter. In witnesse whereof the Seale of the limit of the sayd place of his punishment hereunto is set. And it is enacted, That euerie such letter shall be made at the equall costs of such the said Iustices, Maiors, Sheriffes, Bailifes, or other Officers, within whose iurisdictions, powers, and authorities, the sayd begger or vagabond shall bee whipped, or limited to beg in, by authoritie of this Act. And euerie such letter shall be subscribed with the hand of one of the sayd Iustices, Mayors, Sheriffes, Bailifes, or other Officers in this forme following. Per me A. B. vnum Iusticiariorum pacis, or Maiorem Ciuitatis, or Ballium Villæ, or Constabularium talis Hundredi, or else in like forme in English. And it is further enacted, That euerie such person and persons as haue the custodie of any gaoles within any Shire, Citie, Borough, or Towne Corporat, on this side the Feast of Saint Iohn the Baptist, shall doe make a Seale ingraued, with the name of the Castle, Prison, or Gaole which he keepeth. And in case any person or persons, that at any time after the said Feast of Saint Iohn, shall bee deliuered out of any Gaole or Prison, for suspitions of felonie, by Proclamation, or acquit of any felony, and hath no friends to pay his fees, nor was borne within the Hundred or place where he shall happen to be so deliuered, nor can get him no Master there to abide and worke with, shall haue libertie to beg for his fees, by the licence of the Keeper, by the space of six weekes next after such deliuerance, and after that to be compelled to goe to the Hundred where he was borne, or last dwelled by the space of three yeares, within such time as shall be limited by one of the Iustices of Peace, Maiors, Sheriffes, Bailifes, or other Officers, where such deliuerance shall be had. And it is enacted, That euerie such person so deliuered, shall haue a letter made to him by the Clerke of the Peace of the Shire, within the which he was deliuered, if he be deliuered in the Shire, and if he be deliuered in any Citie, Borough, or Towne corporate, then he to haue a letter of the common Clerke of euerie such Citie, Borough, or Towne, where he is deliuered, euerie such letter witnessing the day of his deliuerance, and the place where he was deliuered, and afore whom, and the time appointed to him to beg for his fees, and the place to the which he shall be assigned to repaire vnto, in case hee can get no Master to set to worke, where he was deliuered. And to euerie such letter the said Gaoler or Keeper of prison, out of the which such person shall be deliuered, shall put the Seale limited to bee made, as is afore said, for the said prison. And that euerie such letter shall be made in this wise following: Essex ss. The twentieth day of July, Anno regni Regis Henrici octaui vicesimo tertio, I. S. was deliuered for felonie out of the gaole of D. in the

Fiue ports

Maiors Bailifes

Seales

Licence to beg

Forme

Forme

Subscription

Gaolers

Seals

Beg for fees

Letter

Deliuerance

Forme

the said Countie, at the Sessions holden afore A. B. and his fellowes, at S. the day and yeare afore said, and is allowed to beg for his fees by the space of six weekes. And in case he can get him no Maister to worke within the said terme, then he is assigned to passe directly to D. in the Countie of R. where he saith he was borne, or last dwelled by the space of three yeres. And he is allowed fourteene dayes next after the said six weekes for his passage thither: or such number of dayes as to him shall be limited by the discretion of the maker of the said letter. In witnesse whereof the Seale of the Prison from the which he was deliuered, thereunto is set. And in such Shires where there is no Gaole, the Sheriffe thereof for the time being, shall cause a Seale to be ingraued with the name of the Shire, and shall order and vse the same Seale, to and for such persons deliuered, as is aforesaid, after like manner and forme as the Gaoler and Keeper of the Gaole is limited and appointed to doe by this Act. And it is also enacted, That euerie Clerke of the Peace of the Shire, within the which such person shall be deliuered, and euerie common Clerke of euerie Citie, Borough, or Towne corporate, within the which any such person shal be deliuered, shall make for euerie such person as shall be so deliuered, where they be such Officers, the said letter in forme aboue said, without any fee taking for the same, and shal deliuer euerie such letter to the Gaoler or Keeper of the prison, from the which such person shall be deliuered. And if there bee no Gaole there, then to the Sheriffe of the Shire where such deliuerance shall be had, within one day next after the end of the Sessions where any such deliuerance is had, vpon paine to lose and forfeit for default of euerie letter twelue pence to the King our Soueraigne Lord. And that the Gaoler or Keeper of the prison from the which the said person shall be so deliuered, and in case there bee no Gaole, then the Sheriffe of the Shire where any such deliuerance shall be had, shall not suffer any such person to goe abroad to beg for his fees, nor depart out of prison, except it be to seruice or labour, vnlesse the same Gaoler or Sheriffe first deliuer to the said person the said letter, containing his name, sealed with the Seale of the prison, from the which he shall be deliuered, or else with the Seale ingraued with the name of the Shire, if there be no prison, vpon paine for euerie default to lose twelue pence to our sayd Soueraigne Lord. And it is enacted, That if any person or persons so being deliuered out of prison, at any time after the said Feast, do beg, not hauing the sayd letter sealed, in forme aboue said, or beg contrarie to the tenor of the same letter, that then hee shall be taken, ordered, and whipped in euerie behalf, like as is aboue appointed for strong beggers: and that to be done and executed by such as be aboue limited to doe the same vpon strong beggers, and in such wise, and vpon such paine as is afore limited for execution of the punishment of strong beggers. Prouided allwayes, That it be lawfull to euerie person and persons being bounden by reason of any foundation or ordinance, to giue or distribute any money in almes, and also to euerie person and persons at common doles vsed at burials or obites, to giue and dispose in almes any money to euerie person and persons comming to such almes or doles, after like manner and forme as they haue beene accustomed to doe in that behalfe afore the making of this Act, without any danger or penaltie of this Statute, any thing contained in this present Statute to the contrarie thereof notwithstanding. Prouided also, That it be lawfull to all Maisters and Gouernours of Hospitals, to lodge and harbour any person and persons of charities of almes, according to the foundation of such Hospitals, and to giue money in almes, in as large manner and forme as they are bounden or ought to doe, Any thing in this Statute to the contrarie thereof notwithstanding. And this Act to endure vnto the last day of the next Parliament. An. 22. H. 8. cap. 12. And after Anno 14. Eliz. cap. 5. (here following 9.) this Act was repealed. And An. 35. Eliz. ca. 7. it is enacted that so much of ỳ Act (viz. of 22. H. 8. cap. 12. which is intituled, An Act concerning how aged, poore, and impotent persons compelled to liue by almes, shall be ordered, and how vagabonds and mightie strong beggers shall be punished) as concerneth the punishment of any such begger, impotent, or vagabond person, by whipping, and all branches, articles, and clauses depending vpon the same, other then the compelling of such persons to be sworne, shal from henceforth stand and be reuiued, and remaine in his full force and strength.

Clerke of Peace

Fees.

Whipped

Almes

Hospitals Pardons

Collectio

1 An. 27. H. 8. ca. 25. An Act was made for punishment of vagabonds, and reliefe of the poore, and for collections for them, to endure to the last day of the next Parliament, and then it expired.

4 An. 1. E. 6. cap. 3. An Act was made for punishment of vagabonds, and reliefe of the poore and impotent persons. And by that Statute all Statutes before made for the punishment of vagabonds and sturdie beggers, and all articles comprised in the same were repealed. And after Anno 3. Edw. 6. capitulo 16. this Act of 1. Ed. 6. cap. 3. was repealed.

5 Anno 3. Ed. 6. cap. 6. An Act was made touching the punishment of vagabonds and other idle persons: But it is now repealed by An. 14. Eliz. cap. 5. (here 9.)

6 Anno 5. Ed. 6. cap. 2. An Act was made to endure to the end of the first Session of the next Parliament (concerning the collection of almes for the impotent and needie people.) And after Anno 6. E. 6. cap. 11. this Act was continued to the last day of the next Parliament. And after Anno 1. Ma. 1. Parl. cap. 13. this Act was continued to the last day of the next Parliament. And after An. 1. Mar. 2. Parliamento ca. 12. this Act was continued to the last day of the next Parliament, and then it expired.

7 Anno 2. & 3. Phil. & Mar. cap. 5. An Act was made for the reliefe of the poore, and continued 4. & 5. Phil. & Mar. And also 1. Eliz. cap. 19. and so expired.

8 Anno 5. Elizab. capit. 3. Another Act was made for the reliefe of the poore. But is now repea-

lled

led by 14. Eliz. cap. 5. here next following 9.

9. Whereas the parts of this Realme of England and Wales be presently with rogues, vagabonds, and sturdie beggers, exceedingly pestered, by meanes whereof daily happen murthers, theftes, and other great outrages, to the high displeasure of Almightie God, and to the great annoy of the commonwealth: and for auoyding confusion by reason of numbers of lawes concerning the premisses, standing in force together: Be it enacted, That the Statute made in the two and twentieth yeare of the raigne of the late King Henrie the eight, intituled, An Act concerning aged, poore, and impotent persons, compelled to live by almes, how they shall be ordered, & how vagabonds and wightie strong beggers shall be punished (before 4.) And another Act intituled, An Act touching the punishment of vagabonds and other idle persons, made in the 3. and 4. yeare of the late King Edward the first (before 5.) and another Act made in the fift yeare of the raigne of our Soueraigne Ladie the Queene that nowis, intituled, An Act for the relefe of the poore (before 8.) And euerie branch, article, clause, and sentence in them, and euerie of them contained, shall be from and after the Feast of S. Bartholomew the Apostle next comming, vtterly void, frustrat, and of none effect. (But now see here 2. the said Act of 22. Henr. 8. in the greatest part thereof reuiued.) Be it also enacted by the authoritie of this present Parliament, as well for the better suppressing of the said outragious enemies to the Commonweale, as for the charitable releeuing of the aged and impotent poore people, in manner and forme following. First, that all and euerie person and persons whatsoeuer they be, being aboue the age of fourteene yeares, being hereafter set forth by this Act of Parliament, to be rogues, vagabonds, or sturdie beggers, and be at any time after the Feast of Saint Bartholomewes the Apostle next comming, taken begging in any part of this Realme, or taken vagatant, wandering, and misordering themselues, contrarie to the purport of this present Act of Parliament, in any part of the same, shall vpon their apprehension be brought before one of the Justices of Peace, or Maior, or chiefe Officer of Cities, Boroughes, and Townes corporate, within the Countie, Citie, Borough, or Towne corporate, where the apprehension shall happen to be, and by the said Justice or head Officer, to be presently committed to the common gaole of the said Countie, being apprehended within the Countie, or else such other place as by the Justices of peace of that Countie, or three of them, at any their generall Sessions shall be appointed: and if he be taken within any Citie, Borough, or Towne corporate, then to be committed to the prison of the sayd Citie, Borough, or Towne corporate, there to remaine without baile or mainprise, vntill the next Sessions of the Peace, or generall gaole deliuerie for the said Shire, Citie, Borough, or Towne corporate to be holden, which shall first happen, and the Constables or other officers, for the conueying of such rogue or vagabond by commaundement of the said Justices, to haue such reasonable charges for themselues and the prisoners from time to time, borne by the Parish or Parishes where the sayd rogue or vagabond shall happen to be taken, as in the discression of the Justices of peace present at the next Assise, or at the Sessions of the peace then next kept within the shire where the prisoner is apprehended, shall seeme conuenient: (But see some alteration of this after 10.) At which Sessions or Gaole deliuerie, if such person or persons be duely conuict of his or her roguish or vagabonds trade of life, either by enquest of Office, or by the testimonie of two honest and credible witnesses vpon their oathes: What then immediately he or she shall be adiudged to be grieuously whipped, and burnt through the gristle of the right eare, with a hot yron of the compasse of an inch about, (But now see here 11.) manifesting his or her roguish kind of life, and his other punishment receiued for the same, whereof entrie shall be made of record by the Clerke of the Peace of the same Shire, in the records of the same Sessions, which iudgement shall also presently be executed, except some honest persons valued at the last Subsidie next before that time, to fiue pounds in goods, or twentie shillings in lands, or else some such honest householder, as by the Justices of the peace of the same Countie, or two of them shall be allowed, will of his charitie be contented presently to take such offender before the same Justices into his seruice for one whole yeare next following, and to that end, will presently before the said Justices enter into bond by recognisance, to the vse of our Soueraign Ladie the Queene, to pay to our said Soueraigne Ladie the Queene, the summe of fiue pounds, if he keepeth not the sayd offender in his seruice by the space of the sayd whole yeare, and so bring him or her vnto the Sessions at the yeares end, or then good proofe of his or her death, during the sayd yeare, the sayd Clerke of the Peace taking for the said recognisance but twelue pence onely. And if such rogue or vagabond so taken into seruice, depart within the sayd yeare from the said seruice, against the will of him that so taketh him or her into seruice: What then such rogue or vagabond shall be whipped or burnt through the gristle of the right eare with a hot yron, as is aforesaid. (But now see here after 11.) Prouided alwaies neuertheleſſe, if the said person so committed, or to be committed, come fore the next Sessions of the peace, or the next gaole deliuerie, to be holden for the said Countie, or before their committing, and doe find any such suretie as is next before recited, to be bound in forme aforesayd for him or her, for one whole yeare: Then the said person shall not tarrie in the gaole till the next Sessions, or till the next gaole deliuerie. And be it further enacted, That the sayd person or persons so marked, or adiudged to be burnt, as aforesaid, shall not be dealt withall againe by way of punishment, by the space of fortie dayes, next after the said punishment executed, or adiudged to be burnt as is aforesaid, if he or she haue licence for the sayd fortie dayes from two Justices of the Peace of the same Shire, testifying the punishment receiued, or iudgement giuen. But if after the said punishment

Parish
Just. of P.
Connict
Triall
Witnesses
Whipped
Eare burnt
Clerke of p.
2. Ju. of P.
Seruice one yere
Recog.
Run away
Whipped
Burnt
Suretie
40. dayes
Licence
2. Just. of p.

ment executed, or iudgement giuen, the said person or persons so marked, or hauing receiued such iudgement, doe after three seuen dayes next after hee, or they shall be so marked, either in the same County where he or she was so marked, or hauing receiued such iudgemẽt, or else in any other Countie within the said Realme of England or Wales, being of the age of eighteene yeares or aboue, do eftsoones fall againe to any kind of roguish or vagabond trade of life: That then the said rogue, vagabond, or sturdie beggar, from thenceforth to be taken, adiudged and deemed in all respects as a felon, and shall in all degrees receiue, haue, suffer, and forfeit as a felon, (See here after 11.) except some honest person valued at the last Subsidie next before the time, to tenne pounds in goods, or fortie shillings in lands, or else some such honest householder as by the Iustices of the Peace of the same Countie, or two of them, shall be allowed, of mere charitie will be contented, before such Iustices, as the said vagabond is, or shall be arraigned of felonie, to take him or her into his seruice for 4. whole yeares then next following, and then before the same Iustices, will then presently put in bond by Recognisance of tenne pounds to be leuied of his lands, tenements, goods, and cattels, to the vse of our said Soueraigne Ladie, if he keepeth not the said offendor in his seruice for two whole yeares, and bring him or her vnto the Sessions at the sayd two yeares end, or good proofe of his or her death. And if such rogue or vagabond so take into seruice, depart within the said two yeares, from his or her said seruice, against the will of him that so toke him or her into seruice: That then such rogue or vagabond shall be taken, adiudged, and deemed as a felon in all respects, and shall in all degrees haue, suffer, and forfeit as a felon, without allowance or benefit of Clergie, or Sanctuarie. (But now see here after 11.) And if such rogue or vagabond after fortie dayes next after he or she shall bee two seuerall times take into seruice as is aforesaid, doe either in ỳ said Countie, or elswhere eftsoons the 3. time fall againe to a kind of roguish or vagabond trade of life: That then such rogue or vagabond shall be adiudged and deemed for a felon, and suffer paines of death, and losse of lands and goods as a felon, without allowance or benefit of Clergie, or Sanctuarie. (But see here after 11.) And for the full expressing what person and persons shall be intended within this braunch, to be rogues, vagabonds, and sturdy beggers, to haue and receiue the punishment aforesaid, for the said lewd manner of life: It is now published, declared, and set forth by the authoritie of this present Parliamẽt, That all and euery such person and persons, that be, or vtter themselues to be Proctors or Procurators, going in or about any countrey or countries within this realme, without sufficient authoritie deriued from, or vnder our Soueraigne Ladie the Queene: And all other idle persons going about in any countrey of the realm, vsing subtil, craftie, and vnlawful games or plaies, and some of them faining themselues to haue knowledge in Phisnomie, Palmestrie, or other abused sciences, whereby they beare the people in hand they can tell their destinies, deathes, and fortunes, and such other like fantasticall imaginations: and all and euerie person and persons, being whole and mightie in bodie, and able to labour, hauing not land or Master, nor vsing any lawfull marchandise, craft, or mysterie, whereby hee or shee might get his or her liuing, and can giue no reckoning how he or shee doeth lawfully get his or her liuing: and all Fencers, Bearewards, common Players in Enterludes, and Pinkrels, not belonging to any Baron of this Realme, or towards any other Honourable personage of greater degree, all Iuglers, Pedlers, Tinkers, and petie Chapmen, which sayd Fencers, Bearewardes, common Players in Enterludes, Minstrels, Iuglers, Pedlers, Tinkers, and petie Chapmen, shall wander abroad and haue not licence of two Iustices of the Peace at the least, whereof one to be of the Quorum, where and in what Shire they shall happen to wander: And all common Labourers, being persons able in body, vsing loytering, and refusing to worke for such reasonable wages as is taxed and commonly giuen in such parts where such persons do or shal happen to dwell: And all counterfeiters of licences, passports, and all vsers of the same, knowing the same to be counterfeit, and all Schollers of the Vniuersities of Oxford or Cambridge, that goe about begging, not being authorised vnder the Seale of the sayd Vniuersities by the Commissarie, Chauncellor, or Vicechauncellor of the same: And all Shipmen, pretending losses by Sea, other then such as shall bee hereafter prouided for: And all persons deliuered out of gaols, that beg for their fees, or doe trauell to their countries or friends, not hauing licence from two Iustices of the Peace of the same Countie where he or she was deliuered, shall be taken, adiudged, and deemed rogues, vagabonds, and sturdie beggers, intended by this present Act, together with all and euerie such other person and persons as shall be hereafter, for altering and breaking of such good orders, as in the second part of this present Act shal be established for the reliefe of the aged and impotent poore people, set forth and declared to be vagabonds. And further be it enacted, That if any person or persons, after the said Feast of Saint Bartholomew, giue any harbour, money or lodging, or any other reliefe, to any rogue, vagabond, or sturdy begger, either marked as before, or not marked, not hauing such a licence as is before recited, from two Iustices of Peace then in continuance, and that duely proued before the Iustices of the Peace at their Quarter Sessions; shal make such fine to the Queenes Maiestie, as by the discretions of the said Iustices, or the more part of them at their generall Sessions shall be assessed, so as the same exceed not twentie shillings. And also if any person or persons doe disturbe or let the execution of this Act in any manner of wise, or make rescous against any Maior, Sherife, Bailife, or other person that shall endeuour himselfe for or about the due execution hereof: shall forfeit and lose fiue pounds, and ouer that shall haue imprisonment at the Queenes Maiesties pleasure. Prouided alwaies,

3 Offence 6. Dayes
18. Yeares
Felonie
2. Iust. of p.
Seruice 2. Yeares
Recog.
Runaway
Felonie
Clergie Sanctuarie
21. Dayes
3. Offence
Felonie
Clergie Sanctuary
Rogues
Proctors
Idle persons
Gamesters
Palmesters
Fencers Bearewards Players Minstrels
Iuglers Pedlers Tinkers
Licence 2. Iust. of p. Quorum
Loiterers
Counterfeiters
Scholers
Shipmen
Beggers
Licence 2. Iustices of peace
Purdon
Reliefe
Iust. of P.
Fine Discretion
27. E.
Disturbe
Rescous
Fine.
Imprison

wayes, That this Act, nor any thing therein contained, shall extend to make any person or persons accessarie or accessaries to the said felonies made by this Statute, nor that any attainder by any the felonies aforesaid, shall worke or haue any corruption of bloud in the issues or line of the person attainted. Prouided also, That it shall be still lawfull to all Maisters & Gouernours of the Hospitals, to lodge or harbour any impotent or aged person or persons of charitie or almes, according to their foundation, and to giue money in almes, in as large manner as they are bound to doe by their foundation, to any such aged or impotent person: Any thing herein contained to the contrary in any wise notwithstanding. Prouided alway, That Shipmen and Souldies hauing licence of the next two Iustices of the Peace, to the place where they first happened to land, or where they first entred into this Realme, shall and may passe according to the purport of their licence, and intent of this Act of Parliament: Any thing herein contained to the contrarie in any wise notwithstanding. Be it also further prouided, That no licence recited in this Statute, shall giue any manner libertie, or be of any maner force, but only in the Shire whereof the granter or granters of such licence shall be Iustice or Iustices of Peace. Wherefore if the sayd partie licenced will haue any further passage without the daunger of this Law, then the Shire where his first licence is graunted, it shall be behouefull for him to procure, and get in euerie other Shire where he intendeth to passe, one other licence from two Iustices of the Peace of the said Shire, and so from Shire to Shire to the end of his iourney. Be it also prouided, That this Act, nor any thing therin cõtained, do in any wise extend to any Cockers or Harnest folkes, that trauell into any countrie of this Realme for Harnest worke, either corne Harnest, or hay Harnest, if they doe worke and labour accordingly, neither yet to any that happeneth to be robbed or spoiled by the way, neither yet to any Seruingmen that be of honest behauiour, that be turned from their Maisters, or whose Maister or Mistresse shall be dead, for the space of six moneths next after such turning away, or death of such Maister or Mistresse, so as euerie such Seruingman hath a Testimonial from his Maister or Mistresse, or from two Iustices of the Peace of the same Countie, declaring such turning away, or such death of his Maister or Mistresse. Prouided alwayes, That it shall be lawfull to the Lord Chancellor, or Lord Keeper of the great Seale of England for the time being, to make licence vnder the sayd great Seale, as heretofore hath beene accustomed, and that the sayd licence and licences shall as large ly extend as the contents of them will beare: Any thing herein to the contrarie in anywise notwithstanding. Prouided alwayes, and be it enacted by the authoritie aforesaid, That this present Act, or any thing therein contained, shal not extend to make frustrate or void any Safeconduct, Passport, or Licence, made or graunted, or to be made or graunted by the Lord Deputie of Ireland, or by the Lord Gouernour of the Townes and garrisons of Berwicke, or Carlile, for the time being, or any other chiefe Captaine or Gouernor of any castle or fortresse of the Quenes Maiestie, or by any other in his or their absence, hauing the charge of the said Townes and Garrisons, or by any the Guardians of the three Marches towards Scotland, or by any Generall, Lieutenant, or other Officer appointed by the Quenes Maiestie to haue the charge or conduction of any Armie, garrison, or power of men, leuied or to be leuied by her Highnesse order, appointment, and for the especiall seruice and affaires of her Maiestie, her heires or successors, or by any priuate Captaine, vpon the dispersing of any Armie, onely to any souldier or souldiers, or any other person or persons whatsoeuer, within these her Realmes of England and Ireland, passing by vertue thereof about his or their lawfull businesse and affaires: but that he or they shall and may quietly without any let or disturbance, enioy the benefit, effect, and true meaning thereof, in as large and ample manner and forme as heretofore it hath beene vsed and accustomed: Any thing in this present Act mentioned to the contrarie in any wise notwithstanding. Prouided alwayes, That this present Act, or any thing therein contained, shall not in any wise extend to the punishment of any such person or persons, as by this Statute are limited for rogues, vnlesse the same be of the age of foureteene yeares or aboue, but that they and euerie of them vnder that age shall be punished with whipping or stocking, as heretofore hath beene vsed and appointed by the Lawes and Statutes in that case prouided, and now repealed: This Act or any thing therein contained to the contrarie hereof in any wise notwithstanding. And it is further enacted by the authority aforesaid, That if within any Towne or Parish, where any such vagabond or rogue shall happen to begge, or make his abode, contrarie to the forme of this Statute, the Constable or Tithingman be negligent, and doe not his or their best indeuour for the apprehension of such vagabond or rogue, which there shall beg or make abode, contrarie to the forme in this Statute limited, or shall willingly suffer the sayd vagabond or rogue to escape from the punishment or order in the Statute prescribed: That then the sayd Constable or Tithingman in whom such default shall be, shall lose and forfeit for euerie such vagabond and vagarant person, that shall be suffered to beg, or make abode within his authoritie, contrarie to the forme of this Statute, six shillings eight pence. And forasmuch as charitie would, that poore aged, & impotent persons should as necessarily be prouided for, as the said rogues, vagabonds, and sturdie beggers expressed, and that the said aged, impotent, and poore people, should haue conuenient habitations and abiding places throughout this Realme, to settle themselues vpon, to the end that they, nor any of them should hereafter beg, or wander about: It is therefore enacted by the authoritie of this present Parliament, That the Iustices of Peace of all and singular the Shires of England and Wales, within the limits of their Commissions, and all other Iustices of the

Accessarie

Bloud

Gouernors of Hospitall haue harbour

Alms

Licence

Stat. 9. Iustices of P.

Licence

Harnest folke

Seruingmen

3. Moneths

Testimonial Iust. of P.

Chancellor

Licence

Safeconduct Passport

Not 14. yeres old Whipping

Towne Parish

Constable

Escape

Fort.

6.s.8.d.

Poore

Iust. of P. Wales.

Maiors Sherifes Bailifes

the Peace, Maiors, Sherifes, Bailifes, and other Officers of all and euerie Citie, Borough, Riding, and Franchiſes within this Realme, whereof they be Iuſtices, within the limits of their authoritie, ſhall at or before the ſaid feaſt of Saint Bartholomew next comming, diuide themſelues, and ſo being diuided, ſhall within euerie of their ſeuerall diuiſions and authorities, make diligent ſearch, and

Enquire Poore

enquire of all aged, poore, impotent and decayed perſons, borne within their ſaid diuiſions and limits, or which were there dwelling within three

3. Yeares

yeares next before this preſent Parliament, which liue or of neceſſitie be compelled to liue by almes of the charitie of the people that be or ſhall be abiding within the limits of their Commiſſions and authorities: And ſhall vpon that ſearch made,

Booke

make a Regiſter Booke, containing the names and ſurnames of all ſuch aged, decayed and impotent poore people, as be within their ſaid limits and authorities, which ſhall alwaies remaine with the

Iuſtices Officers

ſaid Iuſtices, Maiors, Bailifes, or other head Officers, or any one of them. And when the number of the ſayd poore people forced to liue vpon almes, be by that meanes truely knowne, then the ſaid Iuſtices, Maiors, Sherifes, Bailifes, and other Officers, ſhall within like conuenient time, deuiſe and appoint euerie within their ſaid ſeuerall diuiſions, meet and conuenient places by their diſcretions, to ſettle the ſame poore people for their habitations &

Abiding place

abiding, if the Pariſh within the which they ſhalbe found, ſhall not or will not prouide for them: and ſhall alſo within like conuenient time number all the ſaid poore people within their ſaid ſeuerall limits: and thereupon (hauing regard to the num-

Portion

ber) ſet downe what portion the weekely charge towards the releiſe and ſuſtentation of the ſaid poore people will amount vnto, within euerie their ſayd ſeuerall diuiſions and limits: And that done, they the ſaid Iuſtices, Maiors, Sherifes, Bailifes, and other Officers, within euerie their ſeuerall Commiſſions, authorities, diuiſions, and limits, ſhal by

Tare

their good diſcretions tare and aſſeſſe all and euerie the inhabitants, dwelling in all and euerie Citie, Borough, Towne, Village, Hamlet, and place knowne within the ſaid limits and diuiſions, to ſuch weekely charge as they and euery of them ſhal weekely contribute towards the releiſe of the ſayd poore people: and the names of all ſuch inhabitants

Booke

tared, ſhall alſo enter into the ſayd Regiſter Booke, together with their tarations: And alſo ſhall by their diſcretion, within euerie their ſaid diuiſions

Collectors

and limits, appoint or ſée Collectors for one whole yeare to be appointed, of the ſayd weekely portion, which ſhall collect and gather the ſaid portion, and make deliuerie of ſo much thereof, according

Diſcretion

to the diſcretion of the ſaid Iuſtices, Maiors, Sherifes, Bailifes, and other Officers, to the ſayd poore people, as the ſayd Iuſtices, Maiors, Sherifes, Bailifes, and other Officers ſhall appoynt

Ouerſeers

them: And alſo ſhall appoint Ouerſéers of the ſaid poore people by their diſcretions, to continue alſo for one whole yeare: And if they doe refuſe to bée

Refuſe Forf.

Ouerſéers, then euerie of them ſo refuſing, to forfeit tenne ſhillings for euerie ſuch default. And be it further enacted by the authoritie aforeſayd,

Maior London

That the Maior of the Citie of London, and the Maior, Sherifes, Bailifes, and other head Officers of euerie other Citie, Borough, or Towne Corporate, or his or their ſufficient Deputie or Deputies, within their Cities, Boroughes, and Townes corporate, and the Conſtables or Tythingmen, of all and euerie Hundred, Rape, and Wapentake, within all & euerie the ſayd Shires in England and Wales, in all and euerie ſuch abiding place and places within their Hundreds, limits, and precincts, as ſhall be pointed to ſettle the poore people in, ſhall once euerie moneth next after the ſayd places ſo appointed and inhabited with the ſayd poore people, according to the intent of this preſent Act of Parliament, make a view and ſearch of all the aged, impotent, and lame perſons within the precinct of their iuriſdictions, and all ſuch perſon and perſons, as they ſhall find not being borne within that diuiſion, nor within the ſaid Cities, Boroughes, or Towns Corporate: Then ſhall they preſently ſee the ſame poore people not there borne, nor dwelling within the ſayd three yeres (except leprous people, and bedred people) to be conueyd on horſebacke, in cart, or otherwiſe, as ſhall ſeeme beſt to their diſcretions, to the next Conſtable, and ſo from Conſtable to Conſtable, the direct way, till the ſayd perſon and perſons be brought to the place where he or ſhe was borne, or moſt conuerſant by the ſpace of three yeares next before, and there to bée put in the abiding place, or one of the abiding places in that countrey appointed, or to be appointed for the habitation of the poore people of that countrey, there to be prouided, kept, and nouriſhed of almes, as is aforeſaid, vpon payne of twentie ſhillings euerie of the ſayd Officers that neglecting. And bée it further enacted by the authoritie aforeſaid, That if any of the ſayd poore people, vpon the appointment of the ſayd Iuſtices or other Officers, refuſe to be beſtowed in any of the ſaid abiding places before mentioned, but couet ſtill to hold on their trade of begging, or after they be once beſtowed in the ſayd abiding place or places, doe depart and begge: Then the ſaid perſon and perſons ſo offending, for the firſt offence to be accounted a rogue, or vagabond, and to ſuffer as a rogue or vagabond, in the firſt degrée of puniſhment ſet forth by this Act, in all poynts: And if he, ſhe, or they doe the ſecond time offend, then to be eſtéemed as a rogue or vagabond, and to ſuffer as a rogue or vagabond, in the laſt degrée of puniſhment ſet forth by this Act in all poynts. (But ſee hereafter [illegible].) And it is further enacted by authoritie of this preſent Parliament, That if any manner of perſon or perſons appointed and elected to be Collectors, as is aforeſayd, ſhall refuſe the ſaid Office, or ſhall after he hath agréed to it, neglect the ſame, hee ſhall forfeit and loſe for euerie offence, to the vſe of the poore of the ſame place, fortie ſhillings of lawfull money of England, to be leuied by diſtreſſe, or recouered by action, bill, plaint, or information, in any Court of Record, or Lords Court, by the high Conſtable or Tithingmen aforeſaid: in which ſuit

Conſtables

Abiding place

Beard

Leapers Bedred

Conſtable

Forf.

Beare Refuſe

1. Offence Rogue

Collectors Refuſe Forf.

Pich Conſtables

no Eſſoine, Protection, nor Wager of law ſhall be allowed or admitted to the partie defendant. And if the ſaid High Conſtables ſhall be remiſſe or negligent to ſue, or ſhall refuſe to ſue the ſaid Collectors, and euerie of them, within two moneths next after ſuch refuſall or negligence, in or by the ſayd Collector: That then the ſaid High Conſtables or Tithingmen ſhall forfeit and loſe fiue pounds of lawfull money of England, to the vſe of the poore of the ſame place, to be ſued for by and in the name of two of the next Juſtices to the ſayd place or places, being out of Cities, Boroughes, and Townes corporate: if within, then by the Maior, Bailifes, or other head officers of the ſaid Cities, Boroughs, or Townes corporate, in any Court of Record, or Lords Court, by action of debt, bill, plaint, or information, in which no Eſſoine, Protection, or Wager of law ſhall be allowed. And further be it enacted, That the ſaid Collectors, and euerie of them, ſo to be choſen as is aforeſaid, ſhall make their iuſt account halfe yearely, of the ſaid collection and gathering, to two Juſtices of the Peace, dwelling next the ſaid abiding place or places, not being within any Citie, Borough, or Towne corporate, or to the Maior, Sherife, or other chiefe Officers of the ſaid Cities, Boroughes, or Towns corporate: And when they goe out of their offices, they ſhall deliuer, or cauſe to be deliuered forthwith vpon their accounts, all ſuch ſurpluſages of their collection and gathering, as ſhall then remaine vndeſtributed, to be ordered by the ſayd Juſtices, Maiors, Bailifes, or other head officers, vpon the ſaid paine of tenne pounds. If any ſuch Collector ſhall refuſe to make his ſayd account, or neglect the ſame by the ſpace of fouretéene daies after requeſt to him therefore made: Then the ſaid two Juſtices, or one of them, to commit the ſaid Collector to the next gaole for the ſaid Countie, there to remain without baile or mainprize, til he haue made his ſaid account, and immediate paiment & deliuery of all ſuch ſurpluſages as he hath receiued. And be it further enacted, That if any perſon or perſons, being able to further this charitable worke, will obſtinately refuſe to giue towards the helpe and reliefe of the ſayd poore people, or doe wilfully diſcourage other from ſo charitable a déed: the ſaid obſtinat perſon or wilfull diſcourager ſhall preſently be brought before two Juſtices of the peace, whereof one to be of the Quorum of the ſame Countie, to ſhew the cauſe of his obſtinate refuſall, or wilfull diſcouragement, and to abide ſuch order therein as the ſaid Juſtices ſhall appoint: if he refuſe ſo to doe, then to be committed to the next gaole for the ſaid Shire, there to remaine vntill he be contented with the ſaid order, and doe performe the ſame. And it is alſo further enacted, That if any of the ſaid aged and impotent perſons, not being ſo diſeaſed, lame, or impotent, but that they may worke in ſome maner of worke, ſhall bée by the Ouerſéers of the ſayd abiding place, appointed to worke, if they refuſe, then in forme aforeſayd to bée whipped and ſtocked for their firſt refuſall, and for their ſecond refuſall to bee puniſhed in caſe of Vagabonds, in the ſaid firſt degrée of puniſhment. Prouided alwayes, and bée it further enacted by the authoritie of this preſent Parliament, That three Juſtices of the Peace, whereof one to bée of the Quorum, of and with the ſurpluſages of the ſayd collections and forfeytures (the ſayd poore and impotent people ſatiſfied and prouided for) ſhall by their diſcretions in ſuch conuenient place and places within the ſayde Shires, as they ſhall thinke meet, place and ſettle to worke the ragues and vagabonds that ſhall bée diſpoſed to worke, borne within their ſaid Counties, or there abiding for the moſt part within the ſayd three yeares, there to be holden to workes by the ouerſight of the ſaid Ouerſéers, to get their liuings, and to liue and to be ſuſtained onely vpon their labour and trauell. Be it alſo further enacted by the authoritie of this preſent Parliament, That if any beggers child, being aboue the age of fiue yeares, and vnder fouretéene yeares, being male or female, ſhall bée liked of by any ſubiect of this Realme of honeſt calling, who ſhall be willing to take the ſaid child into ſeruice, the ſaid ſubiect ſhall at the next generall Seſſions to be holden for the ſayd Countie, by order of the Juſtices there, or the moſt part of them, haue the ſayd child bound with him: if it be a man child, till the age of twentie foure yeares, if it be a woman child, till the age of eightéene yeares. If the child doe after depart or be taken, or be inticed from the ſaid Maſter or Miſtreſſe, the Maſter or Miſtreſſe to haue their remedie by order of the Statute of Labourers (before in Labourers 38. for all other Statutes bee repealed) as for their ſeruát, either by way of action or otherwiſe, as well againſt the child, as againſt the taker or intiſer thereof. Be it alſo enacted by authoritie of this preſent Parliament, That all ỹ forfeitures appointed, or to grow by this Statute (except the forfeitures of Juſtices of Peace) ſhall wholly goe and be imployed to the vſe of the poore aforeſayd, and ſhall bée leuied by diſtreſſe, by the diſcretion of the Juſtices of the ſame Countie, or two of them, or other head Officers aforeſayd. And that the Juſtices of Peace in all Shires of England, ſhall in their Quarter Seſſions next after Eaſter, yerely examine the performance or not performance of this Statute, according to the tenour thereof, as they are bound to doe the Statute of Labourers, and at their ſayd Seſſions ſhall yearely appoint new Collectors, and new Ouerſéers, for the cauſes aforeſayd, and ſhall then alſo agrée vpon new viewes and ſearches of the ſayd impotent people, within euerie their limits for the yeare following, if néed ſhall bée, and further at their ſaid Seſſions, ſhall take order by their good diſcretions, for all and euerie thing and things that may in any wiſe further the intent of this Act. And bée it further enacted by the authoritie aforeſayd, That three Juſtices of Peace, within all the Shires of this Realme, whereof one to bee of the Quorum, ſhall haue full power by authoritie of this preſent Parliament, to heare and determine all cauſes (except forfeitures of Juſtices of Peace) that ſhall come in queſtion by reaſon of this preſent Act. Prouided

3. Juſt. of p.
Surpluſage
Set to work
Child
Juſt. of P. Seſſions
Bound
Run away
Vſe of the poore
Diſcretion
2. Juſt. of p.
Eaſter Seſſions
Collectors Ouerſeers
Searchers
3. Juſt. of p.
Quorum
Diers ter.

also, that to aduoyde as it is thought that the inhabitants of diuers Counties, Cities, and Townes within this Realme, be not able to releeue the poore, lame, and impotent persons with money, to be collected in manner and forme aforesaid, and that it were also great a burthen to Collectors, for to gather meat, drinke, coyne, or other things for their releefe to be imployed and bestowed in forme aforesaid: Therefore it is further enacted, That it shall be lawfull to and for the Justices of the peace, in their open Sessions of the Peace, or for the most part of them there assembled, within any the Counties, Cities, or Townes of this Realme, where collection of money cannot presently be had, as this present Act willeth and appointeth, to graunt licence vnder their hands and seales, to such and so many of the said poore and impotent, or diseased persons, or to any other person or persons to be by the sayd Justices assigned and allowed for the said poore, to aske, gather, and receiue, within such other Towne, Parish or Parishes of the said Countie, as the sayd Justices, or the most part of them there then in their said Session assembled, shall especially name, appoint, limit, and assigne, the charitable deuotion and almes at the house or houses of the inhabitants of such Townes, Parish or Parishes, by the sayd Justices named, appointed, limited, or assigned, so that they doe appoynt the sayd poore so to bee releeued onely within the Townes and Parishes being within the diuisions of the same Justices, that so shall giue such licence or licences: And that the inhabitants of euery such Parish or Parishes, to the which such poore impotent persons shall be so appointed, as is aforesaid, shall be coated and bound by vertue of this Act, vnder such paine, as to the discretion of the said Justices there in their Sessions assembled, or the most part of them, shall seeme conuenient, to releeue the sayd poore and impotent persons, in such sort, as the said Justices there assembled shall appoint. And be it further enacted, That if it shall happen any Citie, or Towne corporate, to haue in it more impotent and poore folkes, not able to labour, then the sayd Towne or Citie is able to releeue, and the sayd Citie or Towne corporate is a Countie of it selfe, or situate, or standing in one Countie, and immediately adioyning to another, that in those Cities or Townes, the Maior, or head Officers of the said Citie or Towne, shall make certificate to the Justices of the Counties adioyning to the sayd Cities or Townes, and the same Justices of the sayd adioyning Countie or Townes in their generall Sessions of the Peace, shall giue licence, and follow the order aboue remembred, according as other Justices of the counties in the which any towne or parish surcharged standeth, are before limited and authorized to doe. Prouided alwayes, and be it enacted by the authoritie aforesaid, That all & euerie summe & summes of money from henceforth to be collected or gathered within the citie of London, and the liberties of the same, by vertue of this Act, shalbe paid vnto the Governor of the Hospitall, called the Hospitall of Christs Church within the said Citie of London, for the time being, and shalbe by them from time to time distributed and bestowed for the releefe of the poore of the same Citie, according to their wisedomes and discretions: Any thing in this Statute contained to the contrarie notwithstanding. Prouided also and be it enacted by the authorities aforesayd, That all and euerie summe and summes of money from henceforth to be collected or gathered within the Citie of Couentrie, and the liberties of the same, by vertue of this Act, towards the maintenance and releefe of the Hospitall of poore people, erected in the same Citie, shalbe paid vnto such gouernor or gouernors of the said Hospitall, as now is or hereafter shall be admitted and appointed by the Maior and Aldermen of the said Citie of Couentrie, or the more part of them, for the time being, and such gouernour and gouernours so admitted and appointed, as is aforesaid, shall from time to time distribute and bestow for the releefe of the poore within the said Citie, the said summe or summes of money, according to their wisedomes and discretions: Any thing mentioned in this Act to the contrarie notwithstanding. Prouided also, and be it enacted by the authoritie aforesaid, That all and euerie summe and summes of money, from henceforth to be payed, collected, or gathered within the Citie of Gloucester, liberties and limits of the same Citie, for and toward the vse or releefe of the poore, and all and euerie other releefe, which shall be due and payable, or is to be yeelded within the sayd Citie, liberties, or limits, for and toward the releefe of the said poore, shall be from time to time payed and deliuered, or otherwise shall stand and be at the onely rule, order, and disposition of the President and Gouernours of the Hospitall of Saint Bartholomew, of the foundation of our most gracious Soueraigne Ladie Queene Elizabeth, within the sayd Citie of Gloucester for the time being, and shall be by them from time to time distributed and bestowed for the releefe of the poore of the Citie, according to their wisedomes and discretions. And be it further enacted by the authoritie aforesayd, That the Bishop of euerie Diocese, or his Chauncellor for the time being, shall yearely visit all Hospitals in the Diocis of such Bishop, where no Visitor by the founder or founders is appointed, if the founder of the said Hospitall bee then dead, and to see and take order, that the sayd Hospitals be ordered or vsed according to the sayd Statutes and ordinances of the foundation thereof, and if the founder be then liuing, the said founder to visit the same during his life, without any the Bishops visitation, and the same visitation to be at the onely costs and charges of the Visitors, and not of the Hospitall: And that it shall be lawfull to the Bishop of the Diocese for the time being where such Hospitall is, or shall be, or his Chauncellor, vpon complaint, or other intelligence of iust cause, to take account how the rents, reuenues, or profits of any such Hospitall hath been bestowed and spent, to call before him or them the said Hospitall to account, all such person & persons as

Counties Cities Townes
Weat
Iust. of P. Sessions
Licence
Citie Towne
Countie
Mayor
Counties
Sessions
Licence
Money Lonson
Hospitall
Money
Couentrie
Hospitall
Maior
Money
Gloucester
Hospitall
Bishop
Chancellor
Visitor Hospitall Founder
Bishop
Costs
Bishop
Account

as

as hade had the collection or receipt of any the said rents, issues, reuenues, or profits. And if any person or persons so called, shall and doe refuse to account, or entring into account, shall refuse to proceed and finish the same, or vpon the finishing thereof shall refuse forthwith to implot or answer to the vse of the said Hospital such summe or summes of money, as vpon the same account shall appeare to be due by him: That then euery such person and persons so refusing, shall forfeit and lose such sum and summes of money, as to the sayd Bishop or Chauncellor, and to two Justices of the Peace next inhabiting to the sayd Hospitall, shall be thought meet and conuenient, to which accounts the said Bishop or Chauncellor shall call the same two Justices of Peace. Prouided also, and be it further enacted by the authoritie aforesaid, That no person or persons, hauing charge of any voyage in passing from the Realme of Ireland, or from the Isle of Man, into this Realme of England, doe wittingly or willingly transport, bring, carrie or conuey, or suffer to be transported, brought, carried, or conueyed in any ship, picard, vessell, boat or boats, from and out of the said Realme of Ireland, or from, or out of the said Isle of Man, into the Realme of England or Wales, or any part thereof, any vagabond, rogue, or begger, or any such as shall be forced, or verie like to liue by begging within the Realmes of England or Wales, being borne in the Realme of Ireland, or in the sayd Isle of Man, on paine of euerie such person or persons, so bringing, transporting, carrying, and conueying, eyther suffering to be brought, transported, carried, & conueyed in maner & forme aforesayd, to forfeit and lose for euery such Vagabond, rogue, begger or other person, which shall be forced, or like to liue by begging within this realm of England, or Wales, being transported, and set on land in anie part of England or of Wales, xx. shillings of lawfull English mony, to the vse of the poore of the same Parish in which they were set on land, to be leuyed by the collectors of the same poore for the time being, by sealure and selling of any the goods and cattells of the same person, which shall so bring, transport, cary, or conuey any such rogue, Vagabond, or begging, or other person which shall be forced, or like to liue by begging within the realme of England, or of Wales, to the value of the same forfeiture, and on the paine of the same Vagabonds, Rogues, and Beggers so set on land, to be punished as the other Vagabonds and sturdy Beggers in this Act before mentioned and declared. And be it likewise enacted, If anie such Manske or Irish rogue, vagabond or begger, bene already, or shall at any time hereafter be set on land in any part of England or of Wales, the same shal be conueied to the next port, in, or neere which they were landed, and from thence be transported at the common charge of the countie where they were set on land, into those partes from whence they came, or were transported. Also be it prouided, that if any manner of person shall hereafter finde him or her selfe grieued with any taxation set vpon them by vertue of this Act, it shall be lawfull for them at the next generall Sessions of the Peace, to be holden within the same shire, where their taxation shall be, to make complaint thereof to the Iust. on the Bench, & to be eased of their excessiue charge by the discretion of the whole Bench, or the most of them. And if any default shall be hereafter found in any Justices of peace, or Quorum, in, or about the execution of this Act: euery of the said Justices, vpon proofe of their sayd default, by two sufficient witnesses before the Justices of Assise at the next generall Sessions of Gaole deliuerie for the same Countie, after the same default, shall forfeit and lose fiue pounds of lawfull English money, the one halfe whereof to be to the vse of the sayd poore people of the same Countie, and the other halfe to the Quenes Maiestie, which sayd forfeiture shall be leuyed by distresse, by the discretion of the saide Justices of Assises. And whereas a great number of poore and diseased people doe resort to the Citie of Bathe in the Countie of Somerset, and the Towne of Buckestone, in the Countie of Darby, for some ease and relefe of their diseases at the Bathes there, and by meanes thereof the Inhabitants of the same citie of Bath, and towne of Buckestone, are greatly ouercharged with the same poore people to their intollerable charge: Be it enacted by the authority aforesaid, That no diseased or impotent poore person, liuing on almes, at anie time after the feast of S. Bartholomew the Apostle next comming, shall resort or repayre from their dwelling places to the said Citie of Bathe, and Towne of Buckestone, or eyther of them, to the Bathes there for ease of their griefe, vnlesse such person be not onely licenced so to doe, by two Justices of the Peace of the Countie where such person doth or shall then dwell and remayne: but also prouided for the Inhabitants of such Hundreds, Parishes, or places from whence they shall be so licenced to trauel, of such releefe, for, and towards his maintenaunce, as shall be necessary for the same person, for the time of such his abode at the same Citie of Bathe, and Towne of Buckestone, or eyther of them, and returne home agayne as shall be limited by the same Licence, vpon payne to be reputed, punished, and vsed as Vagabonds, by the purview of this Statute: And that the Inhabitants of the same city and towne, shall not in any wise be charged by this Act with the finding or releefe of anie such poore people. And for the better performance of this charitable act, it is ordained & established by authoritie aforesaid, that whereas the late K. of famous memorie, king Henry the eight, his heyres or successours, or anie other person or persons, heretofore by his or their seuerall and lawfull erections, and foundations, hath or haue ordained or appointed any summe or summes of mony, rents, reliefes, or commoditie to the vse of the poore, or for the repairing or mending of high waies or bridges, not being taken away other wise by Act of Parliament, whether the same be in any cathedrall church, colledge, or elsewhere, that the B. of the diocelle, or his

Chauncellor his Chauncellor, within which the sayd Cathedrall Church, Colledge, or place is, and the Justices of the Peace of the Countie, within the which the said
3. Just. of p. Cathedrall Church, Colledge, or place is, or three
Quorum of them, (whereof one to be of the Quorum) shall
have authoritie from time to time, to examine how
and after what maner the said money, rent, reliefe,
Account or commoditie is bestowed: and to call to account
the parties which do detaine the said money, rents
or reliefe, and thereupon to take such order for the
distribution of the same, as to their discretions shal
seeme most fit, and agreeable to the good intent of
the founders, giuers, and graunters, and thereof
Certificate Chancerie to make certificate in the high Court of Chauncerie, once in euerie yeare. Prouided alwayes, that
Gaoles whereas by reason of this Act the common gaoles
of euerie Shire within this Realme are like to bee
greatly pestered with a more number of prisoners
then heretofore hath beene, for that the sayd vaga-
bonds and other lewd persons before recited, shall
vpon their apprehension be committed to the com-
mon gaole of the same Shire where they are so ta-
ken and apprehended, and that in most Shires of
this Realm, the common gaols are in such townes,
where there bee a great number of poore people, more
then they are wel able to sustaine with their reliefe,
and in some Shires the Assises are kept farre di-
stant from the place where the common Gaoles
are, by reason whereof the said prisoners are like
to famish for want of sustenance, if they be not
therefore prouided: For remedie whereof, bee it
therefore enacted by the authoritie aforesayd, That
Just. of P. it shall and may be lawfull for the Justices of peace
of euerie Shire within this Realme at their gene-
Sessions rall Quarter Sessions of the Peace to be holden
within the same Shires, or the most part of the
Taxe sayd Justices being then present, to rate and taxe
euerie Parish within the sayd Shires, at such rea-
sonable summes of money, for and towards the re-
Prisoners liefe of the sayd prisoners, as they shall thinke con-
uenient by their discretions: So that the said taxa-
tion and rate doth not exceed aboue six pence, or
eight pence by the weeke out of euerie Parish: and
Parocd Church-wardens that the Churchwardens of euerie Parish within
this Realme for the time being, shall euerie Sun-
day leuie the same, and once euerie quarter in the
Constables yeare pay to the High Constable or head Officers
of euerie Towne, Parish, Hundred, Riding, or
Wapentake within this Realme, all such summes
of money, as their Parish shall be rated and taxed,
for and towards the reliefe of the said prisoners
within their sayd seuerall Parishes: And that the
said High Constables and head Officers,
and euerie of them, shall pay all such summes of
money so to them payed by the said Churchwar-
dens, at euerie generall Quarter Sessions, to bee
holden within the said seuerall Shires, to such suf-
ficient persons dwelling neere y said Gaoles, as
shall bee appointed by the said Justices in their
Sessions sayd open Quarter Sessions, to bee there readie
Collectors to receiue the sayd money, so collected, as is a-
foresayd, and that the Collectors for the sayd
prisoners, shall weekely distribute and pay all such
summes of money, as they and euerie of them
shall receiue for the releefe of the saide prisoners, as
aforesayd, vpon payne as well the said Church-
wardens of euery parish, Constables and head
Officers of euery Hundred, or Wapentake, as al-
so the sayd Collectors appointed for the collection
and contribution of the sayd Prisoners so making Fine.
default, as aforesaid, to forfeit x.l. the one moitie Moitie
thereof shalbe to the vse of the Queens maiesty, her
heires and successors, and the other moitie to the re-
liefe of the Prisoners: Any statute, laive, custome,
vse, or other thing to the contrary in any wise not-
withstanding. Prouided alway, that the Justices
Peace within anie county of this Realme of
Wales, shall not intromit or enter into any city,
borough, or towne corporate, where be any Justice Just. of P.
or Justices of Peace, for any such city, Borough,
Place, or Towne corporate, for the execution of
any Branch, article, or sentence of this Act, for, of
concerning any offence, matter, or cause growing
or arising, within the precincts, liberties, or iurisdi-
ctions of such city, borough, place, or towne corpo-
rate, but that it may and shall be lawfull to the Ju-
stice and Justices of Peace, Mayor, Baylifes, or
other head Officers of those cities, boroughs, pla-
ces, and townes corporate, where there be Justice
or Justices, to proceed to the execution of this act,
within the precinct and compasse of their liberties,
in such maner and forme as the Justices of Peace
in any county may or ought to do within the same
county by vertue of this Act: Any matter or thing
in this Act expressed, to the contrarie thereof not-
withstanding. And that euery Justice and Justi- Just. of P.
ces of the Peace within euerie such citie, borough, Cities
place, and towne corporate, for euerie offence by
them, or any of them to be committed, contrarie to
the intent and meaning of this Statute, shall bee
punishable and chargeable as other Justices of
Peace at large in the Counties, are by this Act a-
boue appointed to be. Prouided alwayes, and be
it further enacted by the authoritie aforesaid, That
if it shall chance any Citie or Towne corporate, to Cities Townes
haue in it more poore folkes then the inhabitants
thereof shall be able to releeue, that in such case vp-
on certificate thereof made, and of the number and
names of the persons, with which they be so sur-
charged, vnto the Just. of the P. of the Countie in
which such citie or towne corporat shall lie & be si-
tuate, at their Q. Sessions of the peace, by y. Just. 2. Just. of P.
of P. of the said County, & the Maior or other head Maior
officer of the said citie or town corporat: the Justi-
ces may by their discretions in the same Sessions,
take order, appoint, & cause the same poore folke so
certified to be prouided for, releaued, by giuing of
licence to beg, or otherwise, in some other place or Licence
places of the said Countie, out of such citie or town
corporate so surcharged. Prouided alway, that this
Act, or any thing therein contained, shall not ex-
tend to the poore people for the time being in the
Hospitall, called S. Thomas Hospitall, otherwise Hospitall
called the Kings Hospitall in the Borough of
Southwarke, neere adioyning to the Citie of Southwarke
London, but that the Maior, Comminaltie, & Ci-

tizens

tizens of the said Citie of London for the time bée-ing, shall and may onely haue the rule, order, and gouernement of the said Hospitall, and of the poore people therein for the time being: Any thing in this Act to the contrarie notwithstanding. Prouided alwayes, That this Act, or any thing therein contained, or any authoritie thereby giuen, shall not in any wise extend to disinherit, preiudice, or hinder John Dutton of Dutton, in the Countie of Chester, Esquire, his heires or assignes, for, touching, or concerning any Libertie, Priuiledge, preheminence, authoritie, iurisdiction, or inheritance, which the said John Dutton now lawfully vseth or hath, or lawfully may or ought to vse within the Countie Palantine of Chester, and the Countie of the Citie of Chester, or either of them, by reason of any auncient Charters of any Kings of this land, or by reason of any prescription, or other lawfull vsage, or title whatsoeuer. This Act to endure for seuen yeares, and from thence to the end of the next Parliament then next following. Anno 14. Eliz. cap. 5. This Act is explaned, augmented, and further continued by 18. Elizab. capitulo 3. as followeth here 10. Anno 27. Elizab. capitulo 11. This Act is continued vnto the end of the next Parliament. And Anno 29. Elizab. capitulo 5. This Act is continued vnto the end of the next Parliament. And Anno 31. Elizab. cap. 10. This Act is continued to the end of the next Parliament. And Anno 35. Elizab. cap. 7. This Act is continued to the end of the Parliament next ensuing, with the prouiso or clause here following

11. In Anno 39. Elizab. cap. 18. this Act of 14. Elizab. was reuiued, and is to stand in force vntill the end of the next Parliament, excepting so much of the same Act as was altered, repealed, or otherwise prouided for by this Estatute: and there is no mention made of this Act of 13. Eliz. in An. 43. Elizab. Also this Act made in 18. Eliz. cap. 3. was reuiued and continued vntill the end of the next Parliament, excepting so much as was repealed or prouided for by the Statute of 39. Elizab. cap. 18. and in 43. Eliz. cap. 9. this Act of 18. Elizab. was continued vntill the end of the first Session of the next Parliament. Also the Act of 39. Elizab. ca. 3. was this Parliament continued to remaine in force vntill the end of the first Session of the next Parliament. And Anno 1. Iac. cap. 25. so much of the said Act Anno 14. Eliz. as concerneth the taxing, rating, leuying, receiuing, and imploying of gaole money, is reuiued, and to stand & continue vntil the end of the first Session of the next Parliament.

John Dutton

Countie Palantine

10 For some better explanation, and for some néedfull addition to the Statute concerning the punishment of vagabonds, and relieſe of the poore, made in the Session of Parliament holden the 14. yere of the Quéenes Maiesties raigne, (before 9.) Be it ordained, declared, and enacted by authoritie of this present Parliament, in maner & forme following, that is to say, first, concerning bastards begotten and borne out of lawful matrimonie (an offence against Gods law and mans law) the said bastards, being now left to be kept at the charges of the Parish where they be borne, to the great burden of the same Parish, & in defrauding of the relieſe of the impotent and aged true poore of the Parish, and to the euill example and encouragement of lewd life: It is ordained and enacted by the authoritie aforesaid, That two Iustices of the P. whereof one to be of the Quorū, in or next vnto the limits where the Parish Church is, within which Parish such bastard shall be borne, (vpon examination of the cause and circumstance) shall and may by their discretion take order, as well for the punishment of the mother and reputed father of such bastard child, as also for the better relieſe of euery such Parish, in part or in all, and shal and may likewise by like discretion, take order for the kéeping of euerie such bastard child, by charging such mother or reputed father with the paiment of money wéekely, or other sustentation for the relieſe of such child, in such wise as they shal thinke méet and conuenient. And if after the same order by them subscribed vnder their hands, any the said persons, viz. mother or reputed father, vpon notice thereof, shall not for their part obserue and performe the sayd order: That then euerie such partie so making default, in not performing of the sayd order, to be committed to ward to the common gaole, there to remaine without bayle or mainprise, except he, she, or they shall put in sufficient suretie to performe the sayd order, or else personally to appeare at the next generall Sessions of the Peace, to be holden in that Countie, where such order shall be taken, and also to abide such order as the said Iustices of the peace or the more part of them then and there shall take in that behalfe (if they then and there shal take any) and that if at the said Sessions the said Iustices shall take no other order, then to abide & performe the order before made, as is abouesaid. Also concerning Rogues, in as much as by the former Act they are to be cōueyed to the gaole or prison by the Constable or other officer, at the charges of the parish where such rogue is apprehended, for auoiding of great trauell & charges rising thereby, many are suffered to passe & winked at: Be it ordained & enacted by the authoritie of this present Parliament, That from henceforth euery such rogue apprehended, shalbe conueyed by the Constable or other officers of the parish where such apprehension shal be, but to ỹ Constable, Tithingman, & other officer of the next townechip or parish in the next hundred, & so frō one hundred to another, by ỹ Constables, Tithingmen, or officers of euery such township or parish which shalbe next in euery such hundred, the direct way, vntil they shal come to ỹ gaole or prison appointed for such rogues & vagabōds, & that euerie such Cōstable, Tithingmā, & officer, shal accordingly conuey such rogue & vagabond, vnder the paines & penalties by the said former Estatute limited, to the Constable, Tithingman, or other officer in whose parish such rogue or vagabond shall be first apprehended. And as concerning persons inquirable of, as of a rogue in the second degrée, if any such person shal after his first conuictiō, either by curing

Bastard

2. Iust. of p. Quorum

Discretion Punish

Order

Mainprise

Sessions

Next towne

Rogue

or alteration of the marke of any such person, or by alteration of name, or denying to be the same person, or by any other wayes or meanes, goe about to auoyd the hauing of his or their further punishment, that the same, or any such other allegation, shall bee considered of, and tried by the Iurie, vpon the arraignement, as parcell of their euidence: And as they shall in their consciences find the proofes, circumstances, and euidences, so to giue their verdict, which shall bee a sufficient triall in Law, without any further certificate or triall of the former record or conuiction, from any other countie or place, or by any other meane. And moreouer, that if the rogue in the second degree indicted, and by confession or verdict afterwards conuicted, shall afterward a third, or fourth, or other time after, be indicted & conuicted of roguish life: That then such person the third, or more often times, indicted & cõuicted as a rogue, shall suffer in all respects as a felon, without allowance of the benefit of Clergie. Also to the intent youth may be accustomed and brought vp in labour and worke, and then not like to grow to be idle rogues, and to the intent also that such as be alreadie growne vp in idlenesse, and so rogues at this present, may not haue any iust excuse, in saying, That they cannot get any seruice or worke, and then without any fauour or tolleration worthie to be executed, and that other poore and needie persons, being willing to worke, may be set on worke: Be it ordained and enacted by the authoritie aforesaid, That in euerie Citie and Towne Corporate within this Realme, a competent store and stocke of woll, hempe, flaxe, yron, or other stuffe, by the appointment and order of the Maior, Bailifes, Iustices, or other head Officers, hauing rule in the said Cities or Townes Corporate, (of themselues, and all other inhabitãts within their seuerall authorities, to be taxed, leuied, and gathered) shall be prouided. And that likewise in euerie other Market towne or other place, within euerie Countie of this Realme, (whereto the Iustices of Peace, or greater part of them, in their generall Sessions yearely next after Easter, within euerie limit shall be thought meet and conuenient) a like competent store and stocke of woll, hempe, flaxe, yron, or other stuffe, as the countrey is most meet for, by appointment and order of the said Iustices of Peace, or the greater part of them in their generall Sessions (of all the inhabitants within their seuerall authorities, to be taxed, leuied, and gathered) shall be prouided. The said stores and stocks in such Cities and Townes corporate, to be committed to the hands and custodie of such persons as shall by the Maior, Bailifes, Iustices, or other head Officers, hauing authoritie in euerie such Citie or Towne corporate, be appointed, and in other townes and places, to such persons as to the said Iust. of the P. or the greater part of them, in their said generall Sessions of the peace in their seuerall Counties shall bee by them appointed: Which said persons so appointed as aforesaid, shal haue power and authoritie (by the aduice of them who doe appoint them) to dispose, order, and giue rules, for the diuision and maner of working of the said stockes and stores, who shall from henceforth be called the Collectors and Gouernours of the poore, to the intent euerie such poore and needie person, old or young, able to doe any worke standing in necessitie of relieue, shall not for want of worke goe abroad either begging, or committing pilfrings, or other misdemeanour, liuing in idlenesse: Which Collectors and Gouernours of the poore, from time to time (as cause requireth) shall and may of the same stocke and store deliuer to such poore and needie person, a competent portion to be wrought into yarne, or other matter, within such time, and in such sort, as in their discretions shall be from time to time limited and prefired, and the same afterwards being wrought, to bee from time to time deliuered to the said Collectors and Gouernours of the poore, for which they shal make paiment to them which worke the same, according to the desert of the worke, and of new deliuer more to be wrought: And so from time to time to deliuer stuffe vnwrought, and receiue the same againe wrought, as oft as cause shall require, which hempe, woll, flaxe, or other stuffe wrought from time to time, shall be sold by the sayd Collectors and Gouernours of the poore, either at some market, or other place, and at such time as they shall thinke meet, and with the money comming of the sale, to buy more stuffe, in such wise as the stockes or stores shall not be decayed in value. And if hereafter any such person, able to doe any such worke, shall refuse to worke, or shall goe abroad begging, or liue idlely, or taking such worke, shall spoyle or imbesell the same, in such wise that after monition giuen, the Minister and Churchwardens of the Parish, and Collectors and Gouernours of the poore, or the more part of them, shall thinke the same person not meet to haue any more worke deliuered out of the same store & stocke: And then vpon certificate thereof made vnder their hands, and brought by one of the Collectors and Gouernours of the poore, to the hands of such person or persons, as shall in that Countie haue the ouersight and gouernement of one of the houses of Correction, in conuenient apparell meet for such a bodie to weare, he, she, or they, from such Towne, place, or Parish, shall be receiued into such house of Correction, there to be straitly kept as well in diet, as in worke, & also punished from time to time as the said persons, hauing the ouersight & gouernement of the said house of Correction, shal be appointed, as hereafter in this Act is declared: All which stockes and stores, shalbe prouided and deliuered to the hands of the said Collectors and Gouernors of the poore, before the first day of November next comming, and at all times hereafter, as occasion shall serue. And that euerie person refusing to pay, or not paying such summe of money towards the sayd stockes and stores, as vpon them or any of them shall bee by order aforesaid taxed, and at such time as by the same order shall bee appointed, shall for euerie default, forfeit double so much as he or they shall bee so taxed vnto. And moreouer be it ordayned

Triall
Verdict
Second degree
Felon Clergie
Worke
City
Towne
Stocke
Mayor Bailife Iustices
Taxe
Iust. of P.
Sessions
Custody
Maior Bailife
Iust. of P.
Collectors Gouernors
Parne
Discretion
Demy Wool Flax
Refuse Beg
Minister Church-wardens Collectors
Certificat
Apparell
Correct
Gouernors
Refuse
Forf. Double

dayned and enacted by the authoritie aforesayde, that within euerie Countie of this Realme, one, two, or more abiding houses, or places conuenient in some Market Towne, or Corporate town, or other place or places, by purchase, Lease, building, or otherwise by the appointment and order of the Iustices of Peace, or the more part of them in their sayd generall Sessions (of the inhabitants within their seuerall authorities, to bee tared, leuyed, and gathered) shall bee prouided and called the house or houses of Correction, and also stocke and store, and implements to bee in like sort also prouided, for setting on worke and punishing, not only of those which by the Collectors, and Gouernours of the Poore, for causes aforesayde to the sayde houses of Correction, shall bee brought, but also of such as bee, or shall bee inhabiting in noe Parish, or bee, or shall be taken as Rogues, or once punished as Rogues, and by reason of the vncertaintie of their birth, or of their dwelling by the space of three yeares, or for any other cause ought to be abiding and kept within the same Countie: which sayde house or houses of Correction, with stockes, stores, and implements appoynted for such houses of Correction, shall be prouided in euerie Countie, within one yeare next after this present session of parliament (if the same conueniently may be,) & if in the said time the same cannot cõueniently be, thẽ within such time as to the Iustices of Peace, or the more part of them, in their sayd generall Sessions of the Peace in euerie Countie, within their seuerall iurisdictions, shalbe thought méete and conuenient, so as it exceed not two yeares after taration in such Countie for that purpose made, or else the money leuyed to bee repayed. And that euerie person refusing to pay, or not paying, (such summe of money, towardes the making, obtayning and furnishing of the sayd houses of Correction, and buying of stockes and stores, and for the releise and sustentation of such persons as shall bee appointed to the sayde houses of Correction, vpon them or any of them shall be by order aforesayde tared, and at such time, as by the same order shall bee appointed) shall for euerie default forfeit double so much as he or they shal bee so tared vnto. And bee it further enacted by the authoritie aforesayde, that the sayde Iustices of Peace, or the more part of them in their sayde generall Sessions, in euerie Countie shall and may appoint from time to time, persons which shall bee ouerséers of euerie such house of correction, which sayd persons shall be called the Censors, and wardens of the houses of Correction, and shall haue the rule, gouernement, and order of such houses of correction, according to such orders, as by the sayd Iustices of Peace, or the more part of them in their generall Sessions in euerie Countie, shall be prescribed: And shall also by like authoritie appoint, others for the gathering of such money, as shall be tared vpon any person or persons within their seuerall iurisdictions, towardes the maintenance of the sayde houses of Correction, which shall bee called the Collectors for the houses of Correction: and if any person or persons refuse to bee Collector and Gouernor of the Poore, or Censor and Warden, or Collector of or for any the houses of Correction: That euerie person so refusing, shal forfeit and lose the summe of fiue pound. And be it further enacted by ẏ authoritie aforesayd, that all & singular person and persons, appointed by the authoritie of this act to be any collector & Gouernor of the poore, or Censor and Warden, or Collector for any the houses of Correction, in any Countie, Citie, town Corporate, or other place in this Realme, shall as often as they, or any of them shall bee called thereto by the persons having the appointment of them, make a iust account of all such summe or summes of money or other things, as they or any of them haue gathered, had, or raised in commoditie within their seuerall collections or charge: And if any such Collector and Gouernor of the Poore, Collector, Censor or Warden, of or for the houses of correction, refuse to make such account, or neglect the same by the space of fourtéene dayes next after requeſt therefore to him made, or shall not within one weéke after such account rendered, yéeld and pay the whole arrerages, which hée or they vpon such account shall bée founde in, to such person or persons, as they shall be appointed vnto by them, before whom their sayde account shall bee taken: That then the sayde Collector, Gouernor, Censor, or Warden, to bée committed to any vsual gaole within the sayde Countie, there to remaine without Bayle or Mainprise, till hée haue made his account and payment of such arrerages as he hath receiued: vpon the making of which account, it shall and may bee lawfull to such persons as haue the appointment of the said Collectors and gouernors of the Poore, Censors, Wardens and Collectors of the houses of Correction, euerie of them in their authoritie, to allow as well such reasonable allowance to euerie the sayde Collectors and Gouernors of the Poore, Censors, Wardens, and Collectors of the houses of Correction, for such money as they or any of them haue imployed or disbursed in the execution of the sayde seuerall offices, as also such reasonable fées and wages for their paynes taken in that behalfe, as to them shall bée thought conuenient and reasonable. And bee it further enacted by the authoritie aforesayde, that all the forfeitures by force of this Act being forfeited by any person or persons charged with any payment toward the stockes and stores appointed for the releise of the Poore, shall be imployed in the prouision of the stockes and stores appointed by this Act, in such place where the mony by the non-payment whereof the forfeitures did grow, was payable, and the forfeitures likewise of all persons beeing, or beeing chosen to be Collectors and Gouernors of the Poore, to be imployed in the prouision of the stockes and stores, whereof they were chosen to be Collectors and Gouernors: and all forfeitures by force of this act beeing forfeited by any person or persons charged towards the sustentation of any house of Correction, and the forfeitures of all persons beeing, or beeing chosen to bee

Cen-

Counties
Townes
Market Towne
Iust. of P.
Tare
Houses of Correction
Stocke
Rogues
M. of P.
Yeres
Refuse
Forf.
Iust. of P.
Ouerseers
Wardens
Collectors
Refuse
Forf.
Account
Refuse Neglect
Imprison
Mainprise
Fees & Wages
Forf.

Cenſors and Wardens, and Collectors of or for any houſe of Correction, ſhall bée imployed in the maintenance and furtherance of the ſaid houſes of Correction. All which ſayde forfeitures ſhall bée leuyed by diſtreſſe and ſale of the goods of the Offendor, as neere as they can, to the value forfeited, by warrant from ſuch perſons, as haue by reaſon of their ſeuerall iuriſdictions the nomination of the ſayde Collectors, Gouernors, Cenſors, and Wardens, and the taxation of the ſayde perſons, which ſhall commit the ſayde forfeitures, to any perſon or perſons by them appointed, to be directed vpon Certificate thereof made, and the partie called thereunto. And becauſe it is to bée hoped, that many well diſpoſed perſons, vnderſtanding the good ſucceſſe which will grow by ſetting people on worke and auoyding of idleneſſe, will from time to time giue to the ſuſtentation and maintenance of the ſame good purpoſe and intent. And for their better incouragement to the ſame, bée it ordayned and enacted by the authoritie of this preſent Parliament, that it ſhall bée lawfull for euerie ſuch perſon as ſhall bée ſeiſed of any Manors, Landes, Tenements, or other Hereditaments whatſoeuer in Fée ſimple, in poſſeſſion, Reuerſion, or Remainder, holden in Frée Socage of the Qu. Maieſtie, her heires or ſucceſſours, or of any other perſon or perſons, or bodie politique, in his or their own right, and to his or their owne vſe, for and during the ſpace of twentie yeares next enſuing, to make Feoffements, Graunts, or any other Aſſurances or Conueyances, or by laſt Will in writing, to giue and bequeath in Fée ſimple, all or any part of the ſayde Landes, Tenements, and Hereditaments to any bodie politique or Corporate, and their ſucceſſours in this Realme, and the Dominions of the ſame now erected, or hereafter to be erected or founded, or to any other perſons, and their heires, to and for the prouiſion, ſuſtentation, or maintenance of any of the ſayde houſes of Correction, or abyding houſes, or of any of the ſayd ſtockes and ſtores, to the vſes aforeſayde, and none other, without any Licence of Mortmaine therein to bée obtayned, or any writ of Ad quod damnum to bee ſued out for the ſame, the Acts de terra ad manum mortuã non ponend', or any other Act or Statute, Lawe, cuſtome, or vſage, heretofore had or made to the contrarie in any wiſe notwithſtanding. Sauing to our ſayde Soueraigne Ladie, her heires and ſucceſſours, and to the Lords of the Fée, all their rents and ſeruices going out of the ſayde Landes, Tenements, and Hereditaments, ſo to bée amortiſed as aforeſayde. And bée it further enacted by the authoritie aforeſayde, that whereas by the ſayde former recited Eſtatute, noe payne is limited for any impotent perſon, which hauing a competent allowance prouided for him and her within his Pariſh, ſhall notwithſtanding without Licence wander abroad loytering and begging: Be it likewiſe enacted by the authoritie aforeſayde, that euerie ſuch perſon ſhall for his or her ſuch firſt offence be whipped, and ſo returned home againe vnto his, her, or their Pariſh: And if ſuch perſon ſhall then eſtſoones offend, bëing prouided for as aforeſayde, then to ſuffer as a Rogue in the firſt degrée ought to doe by the ſayde former Eſtatute. And if the ſaid perſons ſhall eſtſoones offend, then to ſuffer paynes and forfeitures as a Rogue in the ſecond degrée ought to do by the ſame former Eſtatute, and to ſuffer ſuch payns & penalties, as by ẏ ſayd former Statute to Rogues and Vagabonds is limited: which ſayde offences ſhall be tryed, enquired of, heard and determined, as the like offences of other Rogues and Vagabondes, by the ſayd former Eſtatute are appointed to bee tryed, inquired of, heard and determined. Prouided allwayes that this Act, nor any thing therein contayned, ſhall extend to make any perſon or perſons, acceſſarie or accéſſaries to any Felonie made by this Statute, nor that any Attainder by any the ſayd Felonies, ſhall worke or be any corruption of bloud in the iſſues or line of the perſons attainted. Prouided allwayes, and be it enacted by the authoritie aforeſayd, that it ſhall and may bee lawfull to the Lord Steward of the houſholde of her Maieſtie, her heires and ſucceſſours, or to the Commiſſioners within the Vierge, to haue, exerciſe and vſe al ſuch authoritie within the ſayd Vierge, in execution as well of this Act, as of the ſayd former recited act, as any Iuſtice of Peace, hath or may haue, vſe or exerciſe elſwhere within their ſeuerall Shires, according to the limitation of the ſayd Eſtatutes: The ſayd Statutes or any thing therein contayned to the contrarie notwithſtanding. And whereas the ſayd former act is made to endure but for ſeauen yeres from the making of the ſaid act, & from thence vntill the end of the next Parliament then next following, it is now enacted by the authoritie aforeſayde, that as well the ſayde former act as this act, ſhall haue continuance from the end of this preſent Seſſion of Parliament vntill the end of ſeuen yeares then next enſuing, and from thence vntill the end of the next Parliament then following. Prouided allwayes, and be it enacted by the authoritie aforeſayd, that if any Iuſtice of the Peace aſſembled at any of the ſayde Seſſions next after Eaſter, ſhall from thence depart (before conference had, touching the execution of this eſtatute) he ſhall for euerie ſuch offence forfeit fiue pound, to be recouered and leuied as a fine vpon indictment and conuiction of treſpaſſe, and to bee imployed to the vſe of the prouiſion and furniture of the houſe or houſes of Correction in ſuch Countie. Prouided alſo, and for the furtherance of the good intention of this preſent act, (in ſome helpe toward the charges of prouiſion and furniſhing of the premiſſes) and to the intent one kind of malefactors in the common wealth may be reformed at ſome charges of other offendors: Bee it further enacted by the authoritie aforeſayde, that all and ſingular penalties and forfeitures, in any wiſe limited to grow or come to her Maieſty, for any offence hereafter to be committed againſt any of thoſe penall Statutes which

Otue

Mortmaine

Impotent perſon

Whipped

Paynes

Acceſſarie

Corrup. bloud

L. Steward

Commiſſioners

Iuſt. of P.

Forf.

Forf.

which her Maiestie by her proclamation from time to time for that purpose shall limit and appoint, shal be recouered and leuyed as aforesayd, and imployed, the one Moytie to the vse of such person or persons as shall prosecute the same by action, suits, or information, or by giuing of euidence vpon indictment and trauerse of indictment: and the other moitie to and for the prouision and furnishing of the stockes of money or other stuffe for the poore, and of the house or houses of Correction, in such maner Iust. of P. and forme as by the Iustices at the sayde Sessions after Easter next ensuing, after such recouerie shall be limited, any former penall Statute, prouision, ordinance or other thing to the contrarie hereof, in any wise notwithstanding. * Anno 18. Eliz. cap. 3. And Anno 27. Eliz. cap. 11. This act was continued vntill the end of the next Parliament. And Anno 28. Elizab. cap. 5. it is continued to the end of the next Parliament. And Anno 31. Elizab. cap. 10. it is continued vntill the end of the next Parliament. And Anno 35. Eliz. cap. 7. it is continued to the end of the parliament next ensuing, with proviso and addition here following 11.

11 Prouided &c. and be it enacted &c. That so much of the sayde Statute made in the fourteenth yeare of her Maiesties Raigne, entituled, an act for the punishment of Vagabonds, and for the relefe of the poore impotent, (before 9.) & of the sayd stat. made in the eightenth of her Maiesties Raign, intituled, an act for setting the poore on worke, and for auoyding of idlenesse, (before 10.) as concerneth the punishment of Vagabondes, by gaoling, boaring through the Eare, and death in the second degree, and euerie matter, clause, article, and prouision in the sayde Statute contayned, concerning the same, shall so farre forth onely as they concerne the same from henceforth be repealed, cease, and bee vtterly void. And be it also enacted &c. That it shall be lawfull for euerie person for and during the space of twenty yeres next ensuing, to make feoffements, graunts, or any other assurances, or by his last will in writing to giue & bequeath in fee simple, as well to the vse of the poore, as for the prouision, sustentation, or maintenance of any house of correction, or abyding houses, or of any starkes or stores, all or any part of such of his landes, Tenements, and hereditaments, and in such maner and forme as he might haue done, to and for the prouision, sustentation, or maintenance of any houses of Correction, or abiding houses, or of any stocks or stores by force of the said statute (viz. of 18. Eli. before 10.) Anno 35. Eliz. cap. 7. And Anno 1. Iac. cap. 25. so much of the sayd act an̄ 18. Eliz. as concerneth Bastardes begotten out of lawfull matrimonie, is continued vntill the end of the first Session of the next Parliament.

12 A Statute was made Anno 39. Eliz. cap. 3. for the relefe of the poore, to continue till the end of the next Session of Parliament, and by 43. Eliza. cap. 9. That Statute was continued till the end of the first Session of the next Parliament, except some new Act should bee made in that Session of Parliament concerning the same, and that was then done 43. Eliz. ca. 2. which see here after 15.

13 For the suppressing of Rogues, Vagabonds, and sturdie beggers: Bee it enacted by the authoritie of this present Parliament, that from and after the feast of Easter next comming, all Statutes heretofore made for the punishment of Rogues, Vagabonds or sturdie beggers, or for the erection or maintenance of houses of Correction or touching the same, shall for so much as concerneth the same be vtterly repealed: And that from and after the sayde feast of Easter, from time to time it shall and may be lawfull to and for the Iustices of peace Iust. of P. of any Countie or Citie within this Realme or the Dominions of Wales, assembled at any quarter Sessions of the Peace within the same Countie, Citie, Borough, or Towne Corporate, or the more part of them, to set downe order to erect, and to cause to be erected one or more houses of Corre- Houses of Correction ction within their seuerall Counties or Cities; for the doing and performing whereof, and for the prouiding of stocks of money, and all other things necessarie for the same, and for raising and gouerning of the same, & correction and punishment of offendors thither to bee committed, such orders as the same Iustices, or the more part of them shal from time to time take, reforme, or set downe in any their sayde Quarter Sessions in that behalfe, shall be of force, and be duely performed and put in execution. And be it also further enacted by the authoritie aforesayd, that all persons calling themselues Schollers, going about begging, al seafaring men, pretending losses of their ships or goods on the sea, going about the Countrie begging, all idle persons going about in any Countrey, either begging or vsing any subtill craft, or vnlawful games & playes, or fayning themselues to haue knowledge in Physiognomie, Palmestrie or other like craftie science, or pretending that they can tell destinies, fortunes, or such other like fantastical imaginations: All persons that be, or vtter themselues to be Proctors, procurers, patent-gatherers, or Collectors for gaoles, prisons, or hospitals: All Fencers, Beare-wards, common Players of Enterludes, & Minstrels, wandring abroad (other then Players of Enterludes belonging to any Baron of this realm, or any other honorable personage of greater degree, to be authorized to play vnder hand and seale of Armes of such Baron or personage:) all Iugglers, Tinkers, Pedlers, and petie Chapmen, wandering abroad: All wandering persons and common Labourers, being persons able in bodie, vsing loytering, and refusing to worke for such reasonable wages, as is tared, or commonly giuen in such parts, where such persons doe, or shall happen to dwell or abide, not hauing liuing otherwise to maintayne themselues: All persons deliuered out of gaoles that begge for their Fees, or otherwise by trauell begging: All such persons as shall wander abroad begging, pretending losses by fire, or otherwise: And all such persons not being Felons, wandring and pretending themselues to be Egyptians, or wandring in the habit, forme, or attire of counterfeit

counterfeit Egiptians, shall bee taken, adiudged, and deemed Rogues, Vagabondes, and sturdie Beggers, and shall suffain such payne and punishments, as by this Act is in that behalfe appointed. And be it enacted by the authoritie aforesayde, that euerie person which is by this present Act declared to be a Rogue, Vagabond, or sturdie begger, which shall be at any time after the sayde Feast of Easter next comming, taken begging, vagrant, wandering, or misordering themselues in any part of this Realme, or the Dominion of Wales, shall vpon their apprehension by the appointment of any Justice of the peace, Constable, Headborough, or Tythingman of the same Countie, Hundred, Parish, or Tything, where such person shall be taken, the Tythingman or Headborough, being assisted therein with the aduice of the Minister, and one other of that Parish, bee stripped naked from the middle vpwardes, and shall bee openly whipped, vntill his or her bodie bee bloudie: and shall bee forthwith sent from Parish to Parish, by the officers of euerie the same, the next straight way to the Parish where he or she was borne, if the same may bee known by the parties confession, or otherwise: And if the same bee not knowne, then to the Parish where hee or shee last dwelt before the same punishment by the space of one whole yeare, there to put him or her selfe to labour as a true Subiect ought to doe: or not being knowne where hee or shee was borne or last dwelt, then to the Parish through which hee or shee last passed without punishment. After which whipping the same person shall haue a Testimonial subscribed with the hand, and sealed with the Seale of the same Justice of the Peace, Constable, Headborough or Tythingman, and of the Minister of the same Parish, or of any two of them, testifying that the same person hath beene punished according to this Act, and mentioning the day and place of his or her punishment, and the place whereunto such person is limited to goe, and by what time the sayde person is limited to passe thither at his perill. And if the sayd person through his or her default doe not accomplish the order appointed by the said testimoniall, then to bee eftsones taken and whipped, and so often as any default shall bee found in him or her contrarie to the forme of this Statute, in euerie place to bee whipped, till such person bee repayren to the place limited: The substance of which Testimoniall shall bee registred by the Minister of that Parish, in a Booke to bee prouided for that purpose, vpon payne to forfeit fiue shillings for euerie default thereof, and the partie so whipped, and not knowne where he or shee was borne, or last dwelt by the space of a yeare, shall by the officers of the sayd village where he or she so last past through bee conueyed to the house of Correction of the limit wherein the sayde Village standeth, or to the common Gaole of that Countie or place, there to remaine and be imployed in worke, vntill hee or shee shall bee placed in some seruice, and so to continue by the space of one yeare, or not being able of bodie, vntill hee or shee shall bee placed to remaine in some almes-house in the same Countie or place: Prouided alwayes, and be it enacted, if any of the sayd rogues shall appeare to bee daungerous to the inferiour sort of people where they shall bee taken, or otherwise bee such as will not bee reformed of their Roguish kind of life by the former prouisions of this Act, that in euerie such case it shall and may be lawfull to the sayde Justices of the limit where any such Rogue shall bee taken, or any two of them, whereof one to bee of the Quorum, to commit that Rogue to the house of Correction, or otherwise to the next Gaole of the Countie, there to remain vntill their next quarter Sessions to be holden in that Countie, and then such of the same Rogues so committed, as by the Justices of the Peace then and there present, or the most part of them shall be thought fit to bee deliuered, shall and may lawfully by the same Justices or the more part of them, bee banished out of this Realme, and all other the Dominions thereof, and at the charges of that Countrie, shall bee conueyed vnto such parts beyond the Seas, as shall be at any time hereafter for that purpose alligned by the priuie Counsell vnto her Maiestie, her heires or successours, or by any fiue or more of them, whereof the Lord Chancelour, the Lord Keeper of the great Seale, or the Lord Treasurer for the time being to bee one, or otherwise bee iudged perpetually to the Gallies of this Realme, as by the same Justices or the most of them shall be thought fit and expedient. And if any such Rogue so banished as aforesayde, shall returne againe into any part of this Realm, or dominion of Wales, without lawfull Licence or warrant so to do, in euerie such case such offence shall bee Felonie, and the partie offending therein suffer death, as in case of Felonie: The sayd Felonie to bee heard and determined in that County of this Realme or Wales, in which the Offender shall be apprehended. And be it also enacted by the authoritie aforesayd, that if in any towne, Parish, or Millage, the Constable, Headborough, or Tythingman be negligent, and do not his or their best indeuours for the apprehension of such Vagabond, Rogue, or sturdie Begger, which there shall be found contrary to the forme of this present Act, and to cause euerie of them to bee punished and conueyed, according to the true meaning of this present Act: That then the sayd Constable, Headborough, or Tythingman, in whom such default shall be, shall lose and forfeit for euerie such default tenne shillings. And also if any person or persons doe in any wise disturbe or let the execution of this Law, or any part thereof, concerning the punishment or conueying of Rogues, Vagabondes, sturdie Beggers, or the relefe or setling of poore impotent persons in any manner of wise, or make rescous against any Officer or person authorised by this present Act for the due execution of any the premisses, the same person so offending shall forfeit and lose for euerie such offence the summe of fiue pounds and shall be bound to the good behauiour. And be it also further enacted by the authoritie aforesaid,

foreſayde, that noe perſon or perſons hauing charge in any voyage, in paſſing from the realmes of Ireland, or Scotland, or from the Ile of Man into this Realme of England, doe willingly or willingly bring or conney, or ſuffer to be brought or conueyed in any Veſſell or boat from and out of the ſayd Realme of Ireland, Scotland, or Ile of Man, into the Realme of England or Wales, or any part thereof, any Vagabond, Rogue, or Begger, or any ſuch as ſhall be found, or very like to liue by begging within the Realme of England or Wales, being borne in the ſame Realmes or Iſland, on payn of euerie ſuch perſon ſo offending, to forfeit and loſe for euerie ſuch Vagabond, Rogue, Begger, or other perſon like to liue by begging twentie ſhillings to the vſe of the Poore of the ſaid Pariſh in which they were ſet on land. And if any ſuch Mannith, Scottiſh, or Iriſh Rogue, Vagabond, or Begger, be already, or ſhal at any time hereafter be ſet on land, or ſhal come into any part of Eng. or Wales, the ſame after hee or ſhee ſhall bee punished as aforeſayde, ſhall bee conueyed to the next Port or Pariſh, in or neere which they were landed, or firſt came, in ſuch ſort as Rogues are appointed to bee by this preſent Act, and from thence to bee tranſported at the common charge of the Countrey where they were ſet on land, into thoſe partes from whence they came or were brought. And that euerie Conſtable, Headborough, and Thirdingman neglecting the due performance thereof, ſhall forfeit for euerie ſuch offence tenne ſhillings. Be it further enacted by the authoritie aforeſayde, that no diſeaſed or impotent poore perſon ſhal at any time reſort or repaire from their dwelling places to the Citie of Bath, or Towne of Burton, or either of them to the Bathes there for the eaſe of their griefes, vnleſſe ſuch perſon doe forbeare to begge, and be licenſed to paſſe thither by two Juſtices of the Peace, of the Countie where ſuch perſon doth or ſhall then dwel or remaine, and prouided for to trauel with ſuch reliefe, for and towards his or her maintenance as ſhal bee neceſſarie for the ſame perſon, for the time of ſuch his or her trauell, and abode at the Citie of Bath and Towne of Burton, or either of them, and returne thence, and ſhall returne home againe as ſhall bee limited by the ſayd Licence, vpon payne to bee reputed, puniſhed, and vſed as Rogues, Vagabondes, and ſturdie Beggers, declared by this preſent Act. And that the inhabitants of the ſame Citie of Bath, and Towne of Burton, ſhall not in any wiſe be charged by this Act with the finding or reliefe of any ſuch poore people. Prouided alwayes, that the Juſtices of Peace within any Countie of this Realme or Wales, ſhall not intromit or enter into any Citie, Borough, or Townes Corporats, where be any Juſtice or Juſtices of the Peace for any ſuch Citie, Borough, or Towne Corporate, for the execution of any braunch, article, or ſentence of this Act, for or concerning any offence, matter, or cauſe growing or ariſing within the precincts, liberties, or iuriſdictions of ſuch Citie, Borough, or Townes Corporate, but that it may and ſhall be lawfull to the Juſtice and Juſtices of the Peace, Maiors, Bayliffes, and other head Officers of thoſe Cities, Boroughes, and Townes Corporate, where there be ſuch Juſtices of the Peace, to proceed to the execution of this act, within the precinct and compaſſe of their liberties, in ſuch maunder and forme as the Juſtices of Peace in any Countie may or ought to doe within the ſame Countie by vertue of this Act: any thing in this Act to the contrarie thereof notwithſtanding. Prouided alwayes, that this Act, or any thing therein contayned, ſhall not extende to the poore people for the time being, in the Hoſpitall called S. Thomas Hoſpitall, otherwiſe called the Kings Hoſpitall in the Borough of Southwork neere adioyning to the Citie of London, but that the Maior, Commonalty, and Citizens of the ſayd Citie of London for the time being, ſhall and may haue the rule, order, and gouernement of the ſayd Hoſpitall, and of the poore people therein for the time being: anything in this Act to the contrarie notwithſtanding. Prouided alwayes, that this act or any thing therein contayned, or any authoritie thereby giuen, ſhall not in any wiſe extend to diſinherite, preiudice, or hinder Iohn Dutton of Dutton in the Countie of Chester Eſquire, his heires or aſſignes, for, touching, or concerning any libertie, preeminence, authoritie, iuriſdiction, or inheritance, which the ſayd Iohn Dutton now lawfully vſeth, or hath, or lawfully may or ought to vſe within the Countie Palantine of Cheſter, and the Countie of the Citie of Cheſter, or either of them, by reaſon of any auncient Charters of any Kings of this land, or by reaſon of any preſcription, vſage, or title, whatſoeuer. And be it further enacted by the authoritie aforeſayd, that al fines and forfeitures appointed or to grow by this preſent Act, (except ſuch as are otherwiſe limited and appointed by this preſent Act) ſhall wholy goe and be imployed to the vſe of the reparations and maintenance of the ſayd houſes of Correction, and ſtock and ſtore thereof, or reliefe of the poore where the offence ſhall be committed, at the diſcretion of the Juſtices of the Peace of the ſame limit, Citie, Borough, or Towne Corporat: And that al fines and forfeitures appointed or to grow by conuiction of any perſon according to this preſent act, ſhall by warrant vnder the hands and ſeales of any two or more of the Juſtices of the Peace of the ſame county, Citie, Borough, or Towne Corporate, bee leuied by diſtreſſe and ſale of the goods and chattels of the offender, which ſale ſhall be good in the Lawe againſt ſuch Offender. And that if any of the ſaid offences, ſhall be confeſſed by the offender, or that the ſame ſhalbe proued by two ſufficient and lawfull witneſſes, before ſuch two or more Juſtices of the Peace: that then euery ſuch perſon ſhall forthwith ſtand and be in the Lawe conuicted thereof. And bee it alſo further enacted by the authority aforeſayd, that any two or more Juſtices of the Peace within all the ſayd ſeuerall Shires, Cities, Boroughes, or Townes Corporate, whereof one to be of the Quorum, ſhall haue full power by authoritie

ritie of this p̄ſent Act, to heare and determine all cauſes that ſhall growe o̲r come in queſtion by reaſon of this Act. And be it alſo further enacted by the authoꝛitie aforeſayd, that the Loꝛd Chaunceloꝛ o̲r Keeper of the great Seale of England foꝛ the time being, ſhall and may at all times hereafter by vertue of this p̄ſent Act, without further warrant, make and direct Commiſſion o̲r Commiſſions vnder the great Seale of England, to any perſon o̲r perſons, giuing them o̲r ſome of them thereby authoꝛitie, aſwell by the othes of good and lawfull men, as of witneſſes o̲r examination of parties, o̲r by any other lawfull wayes o̲r means whatſoeuer, to enquire what ſummes of money o̲r other things haue beene o̲r ſhall bee collected o̲r gathered foꝛ, o̲r towardes the erection of any houſes of Coꝛrection, o̲r any ſtockes o̲r other things to ſet poꝛe on woꝛke, o̲r foꝛ the maintenance thereof at any time after the ſeuenteenth day of Nouember, in the eighteenth yeare of the Raigne of the Quéenes moſt excellent Maieſtie, and by whom the ſame were o̲r ſhal bee collected o̲r gathered, and to whoſe handes comnen, and to what vſe, and by whoſe direction the ſame was o̲r ſhalbee imployed: And to call all and euery ſuch perſon and perſons, and their ſuretics, and euerie of their executoꝛs o̲r adminiſtratoꝛs to an accompt: And to compell them and euerie of them by attachment of their goods o̲r bodies, to appeare beſoꝛe them foꝛ the ſame, and to heare and determine the ſame, and to leuie ſuch money and things as they ſhall finde not to haue beene duely imployed vpon the ſayde houſes of Coꝛrection, o̲r ſtockes, o̲r vpon other like vſes, hauing in ſuch other like vſes reſpect of things paſt by the ſayde Commiſſioners to be allowed of, eyther by diſtreſſe and ſale of the goods and chattels of ſuch perſons as they ſhall thinke fit to be chargeable o̲r anſwerable foꝛ the ſame, o̲r by impꝛiſonment of their bodies at their diſcretion: And that the ſayde Commiſſioners ſhal haue full power and authoꝛitie to execute the ſame Commiſſion accoꝛding to the tenour and purpoꝛt thereof: And that all their pꝛoceedings, doings, iudgements, and executions by foꝛce and authoꝛitie thereof, ſhall bee and remaine good and auaileable in the Lawe: which ſayde money ſo leuyed by the ſayde Commiſſioners, ſhall bee deliuered and imployed foꝛ the erecting o̲r maintenance of the ſame: Pꝛouided alwayes neuertheleſſe, that euery Seafaring man ſuffering ſhipwracke, not hauing wherewith to relieue himſelfe in his trauels homewards, but hauing a Teſtimoniall vnder the hand of ſome one Iuſtice of the Peace, of o̲r néere the place where he landed, ſetting downe therein the place and time where and when hee landed, and the place of the parties dwelling o̲r birth, vnto which hee is to paſſe, and a conuenient time therein to bee limited foꝛ his paſſage, ſhall and may without incurring the daunger and penaltie of this Act in the vſuall wayes directly to the place vnto which hee is directed to paſſe, and within the time in ſuch his Teſtimoniall limited foꝛ his paſſage, aſke and receiue ſuch reliefe as ſhall bee neceſſarie in and foꝛ his paſſage. Pꝛouided alſo, that this Statute, noꝛ any thing therein contayned, ſhall extend to any childꝛen vnder the age of ſeauen yeares, noꝛ to any ſuch Glaſmen as ſhal be of good behauiour, and doe trauell in o̲r thoꝛow any Countrey without begging, hauing licence foꝛ their trauelling vnder the handes and Seales of three Iuſtices of the Peace of the ſame Countie where they trauell, whereof one to bee of the Quorum. And bee it alſo further enacted by the authoꝛitie aforeſayd, that this pꝛeſent act ſhall bee pꝛoclamed in the next Quarter Seſſion o̲r ſeſſions in euerie Countie, & in ſuch other Market Townes o̲r places, as by the moꝛe part of the Iuſtices of the Peace in the ſayde Seſſions ſhall be agréed and appoynted. This Act to indure to the end of the firſt Seſſion of the next Parliament. Anno 39. Eliz. cap. 4. (See a declaration of this Statute here after 16.) This Act was continued Anno 43. Eliz. cap. 9. vntill the end of the firſt ſeſſion of the next parliament. And añ 1. Ia. ca. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament, with this Prouiſion annexed thereunto. That the ſayde laſt mentioned Act, noꝛ any thing therein contayned, ſhall impeach, auoid, pꝛeiudice, o̲r reſtraine ſuch Libertie and inheritance, as Iohn Dutton of Dutton in the County of Cheſter Eſquire, and his Auncеſtoꝛs (whoſe heire he is) haue lawfully vſed and exerciſed in allowing Minſtrels in the Countie Palantine, and Countie of the Citie of Cheſter, and foꝛ gouernement of minſtrels there, and kéeping a court yerly ſoꝛ that purpoſe.

14 Be it enacted by the authoꝛitie of this pꝛeſent Parliament, that all idle and wandering Souldiers o̲r Mariners, o̲r idle perſons, which now are o̲r hereafter ſhall bee wandering, as Souldiers o̲r Mariners, ſhall ſettle themſelues in ſome Seruice, Labour, o̲r other lawfull courſe of life, without wandering, o̲r otherwiſe repaire to the places where they were boꝛne, o̲r to their dwelling places, if they haue any, and there remaine, betaking themſelues to ſome lawfull trade o̲r courſe of life, as aforeſayde, vpon payne that all perſons offending contrarie to this Act to be reputed as Felons, and to ſuffer as in caſe of Felonie, without any benefit of Clergie to be allowed. And be it further enacted, that euerie idle and wandering Souldier o̲r Mariner, which comming from his Captain from the Seas, o̲r from beyond the Seas, ſhall not haue a Teſtimoniall vnder the hand of ſome one Iuſtice of the peace, of, o̲r nére ỹ place where he lãded, ſetting down therin the place and time, where and when he landed, and the place of his dwelling o̲r birth, vnto which he is to paſſe as aforeſayd, and a conuenient time therein limited foꝛ his paſſage, o̲r hauing ſuch Teſtimoniall, ſhall wilfully exceede the time therein limited, aboue foureteene dayes. And alſo as well euerie ſuch idle and wandering Souldiour o̲r Mariner, as euerie other idle perſon wandering as Souldiour o̲r Mariner, which ſhall at any time hereafter forge o̲r counterfeite any

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ſuch teſtimoniall, or haue with him or the any ſuch teſtimoniall forged, or counterfeited, as aforeſayd, knowing the ſame to be counterfeited or forged, in al theſe caſes euery ſuch act or acts to be felony, and the offendors to ſuffer as aforeſaid, without any beneſite of Clergie. And be it further enacted, that it ſhalbe lawful for the Iuſtices of aſſiſes, Iuſtices of gaole deliuery, & Iuſtices of peace of euery county, and for all Iuſtices of Peace in townes corporate, hauing authority to heare and determine felonies, to heare and determine all ſuch offences in their generall Seſſions, and to execute the offendors which ſhal be conuicted before them, as in caſes of felony is accuſtomed: except ſome honeſt perſon valued at the laſt Subſidie next before the time, to tenne pounds in goods, or fortie ſhillings in lands, or elſe ſome honeſt freeholder, as by the ſaide Iuſtices ſhall be allowed, will bee contented before ſuch Iuſtices, as ſuch perſon ſhall be arraigned of felony to take him or them into his ſeruice for one whole yeare, then next following, and them before the ſaide Iuſtices will bee bound by Recogniſance of tenne pounds, to be leuied of his Lands, Goods, Tenements, and Chattells to the vſe of our Soueraigne Ladie the Queene, if hee keepe not the ſaid perſon or perſons for one whole yeare, and bring him to the next Seſſions for the Peace and Gaole Deliuerie, next enſuing after the ſayd yeare: And if anie ſuch perſon retained, depart within the yeare, without the licence of him that ſo retayned him, then to be indicted, tryed, and iudged as a Felon, and not to haue the beneſit of the Clergy. Prouided alwayes, That if anie ſuch idle and wandering perſon as aforeſayd, ſhall happen to fall ſicke by the way, ſo that by reaſon of his weaknes he can not trauell to his iornies end within the time limited within his teſtimonial, no ſuch to be within the danger of this eſtatute, ſo as he ſette himſelf in ſome lawful courſe of life, as aforeſaid, or repaire as aforeſaid, to ỹ place where he was borne, or was laſt abiding, within conuenient time, after the recouerie of his ſickenes, and there remaine as aforeſaid: Any thing in this Statute contained to the contrary notwithſtanding. Prouided alſo and be it &c. that when any ſuch Souldier or Mariner, comming from the ſeas, or frō beyond the ſeas, as aforeſaid, ſhal repaire to the place of his dwelling or birth, according to the purport of the ſaid Teſtimoniall, and cannot of himſelf get there any worke, whereby to imploy himſelfe to labour, or other lawful courſe of life, as aforeſaid: That then in all ſuch caſes vpon complaint made by ſuch Souldier or Mariner, to two Iuſtices of Peace of the ſaid county, of, or neere the ſaid place, the ſaid ỹ. Iuſt. ſhall take order by their diſcretion, to ſet ſuch ſouldier or mariner to ſome ſuch honeſt labour or worke, as to them ſhalbe thought meete. And for want of ſuch worke, the ſaid two Iuſtices ſhall tare the whole Hundred by their diſcretions, for the releiſe of ſuch Souldier or Mariner, till ſuch ſufficient worke may be had. Prouided alſo, That if any ſuch Souldier or Mariner comming from the Seas, or from beyond the Seas, as aforeſayd, ſhall not at the time of his landing, or in his trauell, to the place whereunto he is to repaire, as aforeſaid, going the direct way, that then he reſort to ſome Iuſtice of the Peace next adioyning to the ſayd place of landing or way, and make knowne vnto the ſayd Iuſtice his pouertie: who vpon perfect notice thereof had, ſhall haue full power and authority by this preſent Act, to licence the ſame Souldier or Mariner to paſſe the next and direct way to the place where he is to repaire, and to limit him ſo much time onely, as ſhall be neceſſarie for his trauell thither: And that in ſuch caſe his licence being ſo made, and hee purſuing the forme of ſuch his licence, ſhall and may for his neceſſarie releiſe in his ſuch trauell, aſke and take the releiſe that any perſon ſhall willingly giue him, and in ſuch caſe, his ſuch trauell and taking of almes as aforeſaid, ſhall not be taken an offence againſt this Law. Prouided alſo, That this Act, nor any thing therein contained, ſhall extend or be interpreted to make or worke any corruption of bloud in any the heires or heire of any ſuch offender or offenders: Any thing in this Act to the contrarie notwithſtanding. Prouided alſo, and bee it further enacted, That this Act ſhall not take any force or effect, till fortie dayes next after the end of this Seſſion of Parliament, and ſhal continue to the end of the Parliament next enſuing. Anno 39. Elizabethæ cap. 17. This Act by Anno 43. Elizab. capit. 9. is continued vntill the end of the firſt Seſſion of the next Parliament. And Anno primo Iacobi capitulo 25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

Churchwardens

Eaſter weeke

One month

Iuſt. of P.

Set to worke

Taration

Stocke

15 Be it enacted by the authoritie of this preſent Parliament, That the Churchwardens of euerie Pariſh, and foure, three, or two ſubſtantiall houſholders there, as ſhall be thought meet, hauing reſpect to the proportion and greatneſſe of the ſame Pariſh and Pariſhes, to be nominated yerely in Eaſter weeke, or within one Moneth after Eaſter, vnder the hand and Seale of two or more Iuſtices of the Peace in the ſame Countie, whereof one to be of the Quorum, dwelling in, or neere the ſame Pariſh or Diuiſion, where the ſame pariſh doth lie, ſhall be called Ouerſeers of the poore of the ſame pariſh. And they, or the greater part of them ſhall take order from time to time, by, and with the conſent of two or more ſuch Iuſtices of Peace, as is aforeſaid, for ſetting to worke of the Children of all ſuch, whoſe Parents ſhall not by the ſaid Churchwardens and ouerſeers, or the greater part of them, be thought able to keep and maintaine their children. And alſo for ſetting to worke all ſuch perſons married, or vnmarried, hauing no meanes to maintaine them, vſe no ordinarie and daily trade of life to get their liuing by, and alſo to raiſe weekely, or otherwiſe (by taration of euerie Inhabitant, Parſon, Vicar, and other, and of euerie occupyer of lands, houſes, tithes impropriate, or propriations of tithes, coale-mines, or ſaleable vnderwoods in the ſayd pariſh, in ſuch competent ſumme and ſummes of Money, as they ſhall thinke fitte) a conuenient Stocke of flaxe, hemp, woll, threede, yron, and other neceſſarie ware and

ſtuffe to ſet the poꝛe on woꝛke, and alſo competent ſummes of Money, foꝛ, and towards the neceſſarie releefe of the lame, impotent, old, blind, and ſuch other among them beeing poꝛe, and not able to woꝛke, and alſo foꝛ the putting out of ſuch Childꝛen to be Apꝛentices, to bee gathered out of the ſame Pariſh, accoꝛding to the abilitie of the ſame Pariſh, and to doe, and execute all other things, as well foꝛ the diſpoſing of the ſaid ſtocke, as otherwiſe concerning the pꝛemiſſes, as to them ſhall ſeeme conuenient: Which ſayde Churchwardens and Ouerſeers ſo to bee nominated, oꝛ ſuch of them as ſhall not bee let by ſickeneſſe, oꝛ other iuſt excuſe, to bee allowed by two ſuch Juſtices of Peace, oꝛ moꝛe, as is afoꝛeſaide, ſhall meete together at the leaſt once euerie Moneth, in the Church of the ſayd Pariſh, vpon the Sunday in the afternoone, after Diuine Seruice, there to conſider of ſome good courſe to bee taken, and of ſome meete oꝛder to bee ſet downe in the pꝛemiſſes, and ſhall within foure dayes after the end of theyꝛ yeare, and after other Ouerſeers nominated as afoꝛeſaid, make and yeelde vp to ſuch two Juſtices of Peace, as is afoꝛeſaid, a true and perfect accompt of all ſummes of money by them receiued, oꝛ rated and ſeſſed and not receiued, and alſo of ſuch Stocke as ſhall bee in theyꝛ hands, oꝛ in the hands of anie of the poꝛe to woꝛke, and of all other things concerning theyꝛ ſayd Office, and ſuch ſumme oꝛ ſummes of money as ſhall bee in theyꝛ hands, ſhall pay and deliuer ouer to the ſaid churchwardens and Ouerſeers, newly nominated and appoynted, as afoꝛeſaid, vpon paine that euerie one of them abſenting themſelues without lawfull cauſe as afoꝛeſaid, from ſuch Monethly meeting foꝛ the purpoſe afoꝛeſaid, oꝛ being negligent in theyꝛ Office, oꝛ in the execution of the Oꝛders afoꝛeſaid, being made, by, and with the aſſent of the ſaide Juſtices of Peace, oꝛ anie two of them beſoꝛe mentioned, to foꝛfeit foꝛ euerie ſuch default of abſence, oꝛ negligence, twentie ſhillings. And be it alſo enacted, that if the ſaid Juſtices of peace doe perceiue that the Inhabitants of anie Pariſh are not able to leuie amongſt themſelues ſufficient ſummes of Money foꝛ the purpoſes afoꝛeſayde: That then the ſayde two Juſtices ſhall and may taxe, rate, and aſſeſſe, as afoꝛeſaid, anie other of other Pariſhes, oꝛ out of anie Pariſh within the Hundꝛed where the ſaide Pariſh is, to pay ſuch ſumme and ſummes of Money to the Churchwardens and Ouerſeers of the ſaid poꝛe Pariſh, foꝛ the ſaid purpoſes, as the ſaid Juſtices ſhall thinke fitte, accoꝛding to the intent of this Law. And if the ſaid hundꝛed ſhal not be thought to the ſaid Juſtices, able, and fit to relieue the ſaid ſeuerall Pariſhes not able to pꝛouide foꝛ themſelues, as afoꝛeſayd: Then the Juſtices of Peace at theyꝛ generall Quarter Seſſions, oꝛ the greater number of them, ſhall rate and aſſeſſe, as afoꝛeſaid, anie other of other pariſhes, oꝛ out of any pariſh within the ſayde Countie foꝛ the purpoſes afoꝛeſayd, as in theyꝛ diſcretion ſhall ſeeme fit. And that it ſhall be lawfull as well foꝛ the Pꝛeſent as Subſequent Churchwardens and Ouerſeers, oꝛ anie of them, by Warrant from anie two ſuch Juſtices of peace as is afoꝛeſaide, to leuie as well the ſayd ſummes of money, and all arrerages of euerie one that ſhal refuſe to contribute, accoꝛding as they ſhall be aſſeſſed, by diſtreſſe, and ſale of the Offendours goodes, as the ſummes of Money, oꝛ Stocke which ſhall bee behinde vpon anie Accompt to bee made, as afoꝛeſayd, rendering to the parties the ouerplus, and in defect of ſuch Diſtreſſe, it ſhall bee lawfull foꝛ anie ſuch two Juſtices of the peace, to commit him oꝛ them to the Common Gaole of the Countie, there to remayne without Baile oꝛ Mainepꝛiſe, vntill payment of the ſayd ſumme, arerages, and ſtocke. And the ſaide Juſtices of Peace, oꝛ anie of them, to ſend to the Houſe of Coꝛrection oꝛ common Gaole ſuch as ſhall not imploy themſelues to woꝛke, being appoynted thereunto, as afoꝛeſaid: And alſo any two ſuch Juſtices of Peace, to commit to the ſaid Pꝛiſon, euerie one of the ſaide Churchwardens and Ouerſeers, which ſhall refuſe to accompt, there to remayne without Bayle oꝛ Maynepꝛiſe, vntill hee haue made a true Accompt, and ſatiſfied and payed ſo much as vpon the ſayd Accompt ſhall be remayning in his hands. And be it further enacted, that it ſhall be lawfull foꝛ the ſayd Churchwardens and Ouerſeers, oꝛ the greater part of them, by the aſſent of any two Juſtices of the Peace afoꝛeſaid, to bind anie ſuch childꝛen, as afoꝛeſayd, to be Apꝛentices, where they ſhall ſee conuenient, till ſuch man childe ſhall come to the age of foure and twentie yeares, and ſuch woman childe to the age of one and twentie yeares, oꝛ the time of her Marriage: The ſame to be as effectuall to all purpoſes, as if ſuch childe were of full age, & by Indenture of couenant bound him oꝛ her ſelfe. And to the intent that neceſſary places of habitation may moꝛe conueniently be pꝛouided foꝛ ſuch poꝛe impotent people: Be it enacted by the authoꝛity afoꝛeſaide, that it ſhall and may be lawful foꝛ the ſaid Churchwardens & Ouerſeers, oꝛ the greater part of them, by the leaue of the L. oꝛ lords of the manoꝛ, where of any waſt oꝛ Common within theyꝛ pariſh is oꝛ ſhall be parcell, and vpon agreement beſoꝛe with him oꝛ them made in writing vnder the hands and ſeales of the ſaid loꝛd and loꝛds, oꝛ otherwiſe, accoꝛding to any oꝛder to be ſet downe by the Juſtices of Peace of the ſaid county at their generall Quarter Seſſions, oꝛ the greater part of them, by like leaue and agreement of the ſaid loꝛd oꝛ loꝛds, in writing vnder his oꝛ theyꝛ hands and ſeales, to erect, build, & ſet vp in fit and cõuenient places of habitation, in ſuch waſte oꝛ common, at the generall charges of the pariſh, oꝛ otherwiſe of the hundꝛed oꝛ county as afoꝛeſaid, to be tared, rated, and gathered, in manner beſoꝛe exꝛeſſed, conuenient houſes of dwelling foꝛ the ſaid impotent poꝛe: and alſo to place Inmates oꝛ moꝛe families then one in one cottage oꝛ houſe, One Act made in the one and thirtieth yeare of her Maieſties raigne, intituled, An Act againſt the Erecting and Maintayning of Cottages, oꝛ anie thing therein contayned to the contrarie notwithſtanding: Which Cottages and Places foꝛ Inmates ſhall not at anie time after bee

vſed

Pꝛentices

Ouerſeers of the poꝛe

Meete once a moneth

Accompt

Foꝛf. xx. ſhillings

Other pariſhes

Impriſonment

Bind children pꝛentices

Build

Houſes by poꝛe pꝛo

vſed or imployed, to, or for anie other habitation, but onely for impotent and poore of the ſame Pariſh, that ſhall be there placed from time to time by the Churchwardens and ouerſéers of the poore of the ſame pariſh, or the moſt part of them, vpon the paines and forfeitures contayned in the ſaid former Act made in the ſaid one and thirtieth yeare of hir Maieſties reigne. Prouided alwais, that if any perſon or perſons ſhal find themſelues grieued with anie Aſſeſſe or Taxe, or other Act done by the ſaid Churchwardens and other perſons, or by the ſaid Juſtices of Peace, that then it ſhalbe lawfull for the Juſtices of Peace, at their generall quarter Seſſions, or the greater number of them, to take ſuch order therein, as to them ſhal be thought conuenient, and the ſame to conclude and binde all the ſaid parties. And be it further enacted, that the Father and Grandfather, and the Mother and Grandmother, and the children of euery poore, old, blinde, lame, and impotent perſon, or other poore perſon, not able to worke, being of a ſufficient abilitie, ſhall at their owne charges relieue and maintaine euerie ſuch poore perſon in that manner, and according to that rate, as by the Juſtices of peace of that County where ſuch ſufficient perſons dwell, or the greater number of them, at their generall Quarter Seſſions ſhall be aſſeſſed, vpon paine that euerie one of them ſhall forfeit xx. ſ. for euery moneth which they ſhall faile therein. And be it further hereby enacted, That the Maiors, Baliffes, or other head Officers of euery Towne and place Corporate, and Citie within this Realme, being Juſtice or Juſtices of Peace, ſhall haue the ſame authoritie by vertue of this Act, within the limits and precincts of their iuriſdictions, as well out of Seſſions, as at their Seſſions, if they hold any, as is herein limited, preſcribed, and appointed to Juſtices of the Peace of the Countie, or any two or more of them, or to the Juſtices of Peace in their Quarter Seſſions, to do and execute for all the vſes and purpoſes in this Act preſcribed, and no other Juſtice or Juſtices of Peace to enter or meddle there. And that euery Alderman of the citie of London within his ward, ſhall and may doe and execute in euerie reſpect, ſo much as is appointed and allowed by this Act to be done and executed by one or two Juſtices of Peace, of anie County within this Realme. And be it alſo enacted, that if it ſhall happen any pariſh to extend it ſelfe into more Counties then one, or part to lie within the Liberties of anie Citie, Towne, or place Corporate, and part without, that then as well the Juſtices of Peace of euerie Countie, as alſo the head Officers of ſuch citie, towne, or place corporate, ſhall deale and intermeddle onely in ſomuch of the ſaid pariſh, as lieth within their Liberties, and not anie further. And euerie of them reſpectiuely within their ſeuerall Limits, Wardes, and Iuriſdictions, to execute the ordinances before mentioned concerning the nomination of Ouerſéers, the conſent to binding Apprentices, the giuing Warrant to leuie Taxations vnpayed, the taking account of Churchwardens and Ouerſéers, and the committing to priſon ſuch as refuſe to accompt, or deny to pay their arrerages due vpon their accompts. And yet neuertheles, the ſaid Churchwardens and Ouerſéers, or the moſt part of them of the ſaid Pariſhes, that doe extend into ſuch ſeuerall limits, and iuriſdictions, ſhall without diuiding themſelues, duely execute their Office in all places within the ſaid Pariſh, in all things to them belonging, and ſhall duely exhibite and make one accompt before the ſaid head Officer of the towne or place corporate, and one other before the ſayd Juſtices of Peace, or anie ſuch two of them, as is aforeſaid. And further be it enacted by the authoritie aforeſaid, that if in any place within this Realme there happen to be hereafter no ſuch nomination of Ouerſéers yéerely, as is before appointed: That then euery Juſtice of Peace of the Countie dwelling within the Diuiſion, where ſuch default of nomination ſhall happen: And euerie Mayor, Alderman, and head Officer of Citie, Towne, or place corporate, where ſuch default ſhall happen, ſhall loſe and forfeit for euerie ſuch default fiue pounds, to be imployed towards the reliefe of the poore of the ſaide Pariſh, or place corporate, and to be leuied as aforeſaid of their goodes by Warrant from the generall Seſſions of the Peace of the ſayd County, or of the ſame Citie, Towne, or place corporate, if they kéepe Seſſions. And bée it alſo enacted by the authoritie aforeſaide, That all penalties and forfeitures before mentioned in this Act to be forfeited by anie perſon or perſons, ſhall goe and be imployed to the vſe of the poore of the ſame Pariſh, and towards a Stocke and Habitation for them, and other neceſſarie vſes and reliefe, as before in this Act are mentioned and expreſſed, and ſhall be leuied by the ſayde Churchwardens and Ouerſéers, or one of them, by Warrant from anie two ſuch Juſtices of Peace, or Mayor, Alderman, or head Officer of Citie, Towne, or place corporate, reſpectiuely within their ſeuerall Limits, by diſtreſſe and ſale thereof, as aforeſaid, or in defect thereof, it ſhall be lawfull for anie two ſuch Juſtices of Peace, and the ſayd Aldermen and head Officers within their ſeuerall limits, to commit the Offendour to the ſayd Priſon, there to remaine without baile or mainepriſe, till the ſayd forfeitures ſhall bée ſatisfied and payed. And bée it further enacted by the authoritie aforeſayd, That the Juſtices of Peace of euerie Countie or place corporate, or the more part of them in their generall Seſſions to be holden next after the Feaſt of Eaſter next, and ſo yearely as often as they ſhall thinke méete, ſhall rate euerie Pariſh to ſuch a weékely ſumme of Money as they ſhall thinke conuenient, ſo as no pariſh be rated aboue the ſumme of fiue pence, nor vnder the ſumme of a halfe peny, weékly to be payed, and ſo as the totall ſumme of ſuch taration of the pariſhes in euery county, amount not aboue the rate of two pence for euery Pariſh within the ſaid Countie: Which ſummes ſo tared, ſhall be yéerely aſſeſſed by the agréement of the pa-

richioners within themſelues, or in default thereof, by the Churchwardens and petie Conſtables of the ſame Pariſh, or the more part of them, or in default of theyr agreement, by the Order of ſuch Juſtice or Juſtices of Peace, as ſhall dwell in the ſame Pariſh, or (if none be there dwelling) in the parts next adioyning. And if any perſon ſhall refuſe or neglect to pay anie ſuch portion of money ſo tared, it ſhall bee lawfull for the ſaide Churchwardens and Conſtables, or any of them, or in theyr default for anie Juſtice of Peace of the ſaide limit, to leuy the ſame by diſtreſſe, and ſale of the goods of the party ſo refuſing or neglecting, rendering to the party the ouerplus, and in default of ſuch diſtreſſe, it ſhall be lawfull to anie Juſtice of that limit, to commit ſuch perſon to the ſayd priſon, there to abide without bayle or mainprize, till he haue payed the ſame. And be it alſo enacted, that the ſaid Juſtices of the peace at their generall Quarter Seſſions to bee holden at the time of ſuch taxation, ſhall ſet downe what competent ſummes of money ſhall be ſent quarterly out of euerie Countie or place Corporate, for the releife of the poore Priſoners of the Kings bench, and Marſhalſey, and alſo of ſuch Hoſpitalles, and Almes houſes, as ſhall be in the ſaid Countie, and what ſummes of money ſhall bee ſent to euerie one of the ſayde Hoſpitalles and Almes houſes, ſo as there be ſent out of euerie Countie yerely twentie ſhillings at the leaſt to ech of the ſaide Priſons of the Kings Bench, and Marſhalſey, which ſummes ratably to bee aſſeſſed vpon euerie Pariſh, the Churchwardens of euerie Pariſh ſhall truely collect and pay ouer to the high Conſtables in whoſe Diuiſion ſuch Pariſh ſhall bee ſituate, from time to time, Quarterly tenne dayes before the end of euerie Quarter, and euerie ſuch Conſtable at euerie ſuch Quarter Seſſions in ſuch Countie, ſhall pay ouer the ſame to ſuch two Treaſorers, or to one of them, as ſhall by the more part of the Juſtices of Peace of the Countie, bee elected to bee the ſayd Treaſorers, to be choſen by the Juſtices of Peace of the ſaide Countie, Citie, or Towne, or place Corporate, or of others which were ſeſſed and tared at fiue pound lands, or ten pound goodes, at the leaſt, at the tare of Subſidie next before the time of the ſaide Election to bee made. And the ſaide Treaſorers ſo elected, to continue for the ſpace of one whole yeare in theyr Office, and then to giue vp theyr charge with a due accompt of theyr receipts and diſburſements, at the Quarter Seſſions to bee holden next after the Feaſt of Eaſter in euerie yeare, to ſuch others as ſhall from yeare to yeare in forme aforeſaid ſucceſſiuely bee elected Treaſorers for the ſaid Countie, Citie, Towne, or place Corporate: which ſaide Treaſorers, or one of them ſhall pay ouer the ſame to the Lord chiefe Juſtice of England, and Knight Marſhall for the time being, equally to bee diuided to the vſe aforeſaide, taking theyr Acquittaunce for the ſame, or in default of the ſayde Chiefe Juſtice, to the next auncienteſt Juſtice of the Kings Bench, as aforeſaide. And if anie Churchwarden or high Conſtable, or his Executors or Adminiſtrators, ſhall faile to make payment in forme aboue ſpecified, then euerie Churchwarden, his executors or adminiſtrators, ſo offending, ſhal forfeit for euery time the ſumme of tenne ſhillings, and euerie high Conſtable, his Executors or Adminiſtrators, ſhall forfeit for euery time the ſumme of twentie ſhillings, the ſame forfeitures, together with the ſummes behind, to be leuied by the ſaid Treaſorer and Treaſorers, by way of diſtreſſe, and ſale of the goods as aforeſayd, in forme aforeſayd, and by them to be employed towards the charitable vſes comprized in this Act. And be it further enacted, that all the ſurpluſage of Money which ſhall be remaining in the ſaide Stocke, of anie Countie, ſhall by diſcretion of the more part of the Juſtices of Peace in theyr Quarter Seſſions, bee ordered, diſtributed, and beſtowed for the releife of the poore Hoſpitalls of that County, and of thoſe that ſhall ſuſtaine loſſes by fire, water, the ſea, or other caſualties, and to ſuch other charitable purpoſes, for the releife of the poore, as to the more part of the ſaid Juſtices of Peace ſhall ſeeme conuenient. And be it further enacted, That if any Treaſorer elected, ſhall wilfully refuſe to take vpon him the ſaid office of Treaſorerſhip, or refuſe to diſtribute and giue releife, or to accompt, according to ſuch forme as ſhalbe appointed by the more part of the ſaid Juſtices of Peace: That then it ſhall be lawfull for the Juſtices of Peace in theyr Quarter Seſſions, or in theyr default, for the Juſtices of Aſſiſes, at the Aſſiſes to be holden in the ſame County, to fine the ſame Treaſorer by theyr diſcretion: the ſame fine not to be vnder three pounds, and to be leuyed by ſale of his goods, and to be proſecuted by any two of the ſaid Juſtices of Peace, whom they ſhall authorize. Prouided alwayes, that this Act ſhall not take effect vntill the Feaſt of Eaſter next. And be it enacted, that the Statute made in the nine and thirtieth yeare of her Maieſties reigne, intituled, An Act for the Releife of the poore, ſhall continue and ſtand in force vntill the feaſt of Eaſter next, And that all Taxations heretofore impoſed and not payed, nor that ſhall bee payed before the ſaid feaſt of Eaſter next, And that all taxes hereafter before the ſaid Feaſt, to be tared by vertue of the ſaid former Act, which ſhall not be payed before the ſaid feaſt of Eaſter, ſhall, and may, after the ſaid feaſt of Eaſter, be leuied by the ouerſeers, and other perſons in this Act reſpectiuely appointed to leuy taxations by diſtreſſe, & by ſuch warrant in euery reſpect, as if they had bin tared & impoſed by vertue of this Act, and were not paied. Prouided alwayes, that whereas the Iland of Fowlenelle in the county of Eſſex, being inuironed with the ſea, and hauing a Chappell of eaſe for the inhabitants therof, and yet the ſaid Iland is no pariſh, but the Lands in the ſame are ſituated within diuers Pariſhes, farre diſtant from the ſaid Iland. Be it &c. that the ſaid Iu. of peace ſhall nominate & appoint inhabitants within the ſaid Iland to be ouerſeers for the poore people dwelling within the ſaid Iland,

and

and that both they the ſaid Juſtices, and the ſayd Ouerſeers ſhall haue the ſame power and authoritie to all intents, conſiderations and purpoſes, for the execution of the parts and Articles of this Act, and ſhall be ſubiect to the ſame paines and forfeitures, and likewiſe that the Inhabitants, and Occupiers of lands there, ſhall be liable and chargeable to the ſame payments, charges, expences, and orders, in ſuch manner and forme as if the ſame Iland were a Parith. In conſideration whereof, neither the ſaid Inhabitants or Occupiers of land within the ſaid Iland ſhal not be compelled to contribute towards the releefe of the poore of thoſe Parithes, wherein theyr houſes or lands which they occupy within the ſayd Iland are ſituated, for or by reaſon of theyr ſaid habitations or occuppyings, other then for the releefe of the poore people within the ſaid Iland, neither yet ſhall the other Inhabitants of the Parithes wherein ſuch houſes or lands are ſituated, be compelled by reaſon of theyr reſſancie or dwelling, to contribute to the releefe of the poore Inhabitants within the ſaid Iland. And be it &c. That if any Action of Treſpaſſe, or other ſuite ſhall happen to be attempted and brought againſt anie perſon or perſons for taking anie diſtreſſe, making of any ſale, or any other thing doing, by authoritie of this preſent Act: The Defendant or Defendants in any ſuch action or ſuite, ſhall and may either pleade not guiltie, or otherwiſe make Auowrie, Cogniſance, or Juſtification, for the taking of the ſaid diſtreſſes, making of ſale, or other thing doing, by vertue of this Act, alleadging in ſuch Auowrie, Cogniſance, or Juſtification, That the ſaid diſtreſſe, ſale, treſpaſſe, or other thing whereof the Plaintife or Plaintifes complained was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any erpreſſing or rehearſall of any other matter of circumſtance contained in this preſent Act. To which Auowrie, Cogniſance, or Juſtification, the Plaintife ſhall be admitted to reply, That the Defendant did take the ſaid diſtreſſe, made the ſaid ſale, or did any other act or treſpaſſe, ſuppoſed in his declaration of his owne wrong, without anie ſuch cauſe alledged by the ſaid Defendant, whereupon the iſſue in euery ſuch Action ſhall be ioyned, to be tryed by verdict of twelue men, and not otherwiſe, accuſtomed in other perſonall Actions. And vpon the triall of that Iſſue, the whole matter to be giuen on both parties in euidence, according to the very trueth of the ſame. And after ſuch Iſſue tryed for the Defendant, or nonſuite of the Plaintife, after appearance, the ſame Defendant to recouer treble damages, by reaſon of his wrongfull veration in that behalfe, with coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Jurie, or Writ to enquire of the damages, as the ſame ſhall require. Prouided alwayes, that this Act ſhal indure no longer then to the end of the nert Seſſion of Parliament. 43. Eli. cap. 2. And anñ 1. Iac. cap. 25. it is continued vntill the end of the firſt Seſſion of the next Parliament, with this Addition, viz. Be it enacted, That all perſons, to whom the Ouerſeers of the poore, ſhall, according to this Act, binde any children apprentices, may take, and receiue and keepe them as Apprentices: any former Statute to the contrary notwithſtanding.

16 Whereas ſithence the making of the Act Añ 39. Eliz. cap. 4. diuers doubts and queſtions haue been moued and growne by diuerſity of opinions, taken, in, and vpon the letter of the ſaid Act. For a plaine declaration whereof, be it declared and enacted, That from henceforth no authority to be giuen or made by any Baron of this Realme, or any other honourable Perſonage of greater degree, vnto any other perſon or perſons, ſhall be auaileable to free and diſcharge the ſayd perſons, or anie of them from the paines and puniſhments in the ſaide Statute mentioned, but that they ſhall be taken within the offence and puniſhment of the ſame Statute. And whereas in the ſaid Statute there is a Prouiſo contained, That the ſaide Statute, nor any thing therein contayned, ſhall extend to any ſuch Glaſſemen as ſhalbe of good behauiour, and ſhall trauell, in, or through any County without begging, hauing Licence for theyr trauelling, vnder the hands and ſeales of three Juſtices of the Peace of the ſame Countie where they trauell, whereof one to be of the Quorum, as by the Statute more at large appeareth: By reaſon of which Libertie, many notorious Rogues and Vagabonds and euil diſpoſed perſons haue vndertaken, and do profeſſe the trade of Glaſſemen, and by colour thereof doe trauell vp and downe diuers Counties of this Realme, and doe commit many Pickeries, petties Felonies, and other miſdemeanors. For the auoiding of which inconuenience, be it eſtabliſhed and enacted &c. That from and after two Moneths nert after the end of this preſent Seſſion of Parliament, all ſuch perſon and perſons as ſhall wander vp and downe the Countries to ſell Glaſſes, ſhall be adiudged, deemed, and taken as Rogues and Vagabonds, and ſhall ſuffer the like paines and puniſhment in euery degree, as is appointed to be inflicted vpon Rogues, Vagabonds and ſturdie Beggers, by the intent and true meaning of the ſaide Statute, made Anno 39. Elizabethæ, and ſhall be ſet downe, limited, and appointed by this preſent Act, any thing in the ſaid Statute of 39. Elizab. to the contrarie thereof in anie wiſe notwithſtanding. And whereas by the ſaid Statute Anno 39. Elizab. it was further enacted, That if any of the ſaid Rogues ſhall appeare to bee daungerous to the inferiour ſort of the people, where they ſhall bee taken, or otherwiſe be ſuch as will not be reformed of theyr Roguiſh kind of life, that in euerie ſuch caſe it ſhall bee lawfull to the Juſtices of Peace of the ſame Limite, where anie ſuch Rogue ſhall be taken, to commit the Rogue to the Houſe of Correction, or to the Gaole of the Countie, there to remayne vntill the nert Quarter Seſſions to bee holden in the Countie: And then ſuch of the Rogues ſo committed, as by the Juſtices of the Peace then and there preſent, or the moſt part of them, ſhall be thought fit not to be delinered, ſhall or may lawfully by the ſame Juſtices, or the moſt part of them, be baniſhed out

Glaſſemen

Rogues

Puniſhmẽt

Daungerous Rogue

Juſtices

Baniſhed the Realme

of the Realme and all other the Dominions thereof, and at the charges of that County shall be conueyed into such parts beyond the seas, as shall bée at any time hereafter for that purpose assigned by the priuy Counsell vnto the sayd Quéene Elizabeth, her heyres and successours, or by any fiue or more of them, whereof the Lord Chauncellor, or Lord Keeper of the great Seale, or Lord Treasorer, for the time being, to be one, or otherwise bée adiudged perpetually to the Gallies of this Realme, as by the said Iustices or the more part of them shall be thought fitte or expedient. And if any such Rogue shall returne (being banished as aforesaid) againe into any part of this Realme or Dominion of Wales, without lawfull Licence or Warrant so to doe, That in euery such case, such offence shall be felonie, and the partie offending therein, suffer death as in case of felonie: The same felony to bée heard and determined in that Countie of this Realme or Wales, in which the offender shall be apprehended, as by the said Statute more at large appeareth: Which Braunch of the saide Statute is taken to be somewhat defectiue, for that the said Rogues hauing no marke vpon them to be knowne by, notwithstanding such Iudgement of Banishment, may retourne or retyre themselues into some other parties of this Realme where they are not knowen, and so escape the due punishment which the saide Statute did intend to inflict vpon them. For remedie whereof bée it ordayned and enacted, That such Rogues as shall after the end of two Moneths next after the end of this Session of Parliament, bée adiudged as aforesaid incorrigible or daungerous, shall also by the Iudgement of the same Iustices, or the more part of them then present, in their open Sessions of the Peace, be branded in the left shoulder with an hot burning yron, of the breadth of an English shilling, with a great Roman R vpon the yron, and the branding vpon the shoulder to be so throughly burned, and set on vpon the skinne and flesh, that the letter R be séene, and remayne for a perpetual marke vpon such Rogue during his or her life, and thereupon be sent by the same Iustices to the place of his dwelling if hée haue any, if not, then to the place where he last dwelt by the space of a yéere, if that can be knowne by his confession or otherwise: And if that can not be knowne, then to the place of his birth, there to be placed in labour as a true subiect ought to doe: And after such punishment of any such Rogue, as aforesaid, if any Rogue so punished shall offend againe, in begging or wandering contrary to the sayd Statute, or this present Act, That then in euery such case, the party so offending shall be iudged a felon, and shall suffer as in cases of felonie, without benefite of Clergie, the same felonie to be tried in the county where anie such Offender shall bée taken. And be it &c. That after two moneths next after the end of this present Session of Parliament, euerie person or persons, shall apprehend or cause to bée apprehended, such Rogues, Vagabonds, and sturdy beggers, as hée or they shall sée or know to resort to their houses, to beg, gather or receiue any almes, and him, her, or them, shal cary or cause to be caried to the nert Constable or Tithingman, vpon paine to forfeit for euery default tenne shillings, to be leuied and imployed in manner and forme, and vpon such like proofe and conuiction, as penalties and forfeitures are to be leuied and imployed by the said Statute of Anno 39. Elizabethæ. And in default of any such leuy, then to bée leuied and employed by the Lord of the Léete, or his Officer, where such offence shall be committed, in such manner as the persons authorized by the said Statute, might or should haue leuied and employed the same. And be it further enacted, That if such Constable or Tythingman doe not cause the sayde Rogues, Vagabonds or sturdy Beggers to be punished, according to the forme set downe in the said Act made Anno 39. Elizabethæ, and to bée conueyed, according to the purport of the sayde Act, That then the sayd Constable or Tythingman shall forfeit and lose the summe of twentie shillings, for euery default, to bée leuied and employed in manner and forme, as in the saide Statute is set forth and declared. And be it enacted &c. That the sayd Statute made Anno tricesimo nono Elizabethæ, with the alterations, explanations, and prouisions herein mentioned and contained, shall continue and and stand in force, so long as this present Act shall be and remayne in force and strength. Prouided also, that this present Act shall continue but vntill the end of the nert Parliament. Prouided further, that this Act, or any thing therein contayned, or any authoritie thereby giuen, shall not in any wise extend to disinherite, preiudice or hinder Iohn Dutton of Dutton, in the Countie of Chester Esquire, his heyres or assignes, for, touching, or concerning any Libertie, Priuiledge, Preheminence, and authoritie, Iurisdiction, or Inheritance, which the said Iohn Dutton now lawfully vseth, or hath, or lawfully may or ought to vse within the Countie Palantine of Chester, and the Countie of the Citie of Chester, or eyther of them, by reason of any auncient Charters of any Kings of this land, or by reason of any prescription, or lawfull vsage, or title whatsoeuer. Anno primo Iacobi capitulo septimo.

Gallies

Returne

Felony

Rogues

Incorrigible

Branded

R

Place of dwelling

Place of birth

2. Offence

Felon

Apprehend Rogues

Constable Fort.

Lord of Leete

Constable Tithingm.

Fort.

Io. Dutton

17 Be it enacted and established &c. That all Lawes and Statutes now in force, made for erecting and building of Houses of Correction, and for punishing of Rogues, Vagabonds, and other wandering and idle persons, shall be put in due execution. And be it further enacted and established &c. That before the feast of S. Michaell the Archangell, which shall be in the yéere of our Lord God, one thousand fiue hundred and eleuen, there shall bée erected, built, or otherwise prouided, within euerie Countie of this Realme of England and Wales where is not one House of Correction already built, purchased, prouided, or continued, one or more fit and conuenient house or houses of Correction, with conuenient backeside thereunto adioyning, together with Milles, Turnes, Cardes, and such like necessarie implements,

ments, to set the said Rogues, or such other idle persons on worke, The same houses to bee built, erected or prouided in some conuenient place or Towne in euerie County; which houses shall bee purchased, conueyed or assured vnto such person or persons, as by the Justices of Peace, or the more part of them, in their Quarter Sessions of the Peace, to bee holden within euerie Countie of this Realme of England and Wales, vpon trust, To the intent the same shall be vsed and imployed for the kéeping, correcting, and setting to worke of the said Rogues, Vagabonds, sturdie Beggers, and other idle and disorderly persons. And be it &c. that if the said house so to be erected, purchased, or prouided, shall not bee erected, built, or otherwise prouided, before the Feast of Saint Michael the Archangell, which shall bee in the yeare, one thousand fiue hundreth and eleuen, next ensuing the last day of this present Session of Parliament, that then euerie Justice of Peace within euerie Countie of this Realme of England and Wales, where such house and Backside shall not bée erected or prouided, shall forfeit for his said neglect, fiue pounds of lawfull English money, the one Moitie thereof to be vnto him or them that will sue for the same, by action of Debt, Bill, Plaint, or Information; In which suite, no protection, Essoine, or wager of Law shall be admitted: And the other moitie thereof to bée imployed and bestowed towards the erecting, building, procuring, or prouiding the said House and Backeside, and such necessarie implements, as aforesaid. And be it &c. That the Justices of Peace of euerie Countie within the Realme of England and Wales, at their Quarter Sessions of the Peace, to be holden for their seuerall Counties (next after the erecting prouiding or building of the said House or Houses, and so from time to time) or the most part of them, shall elect, nominate and appoint, at their will and pleasure, one or more honest fitt person or persons, to bée Gouernour or Master, of the said House or Houses to be so purchased, erected, built or prouided: which person and persons so chosen by vertue of this present act, shall haue power and authoritie, to set such Rogues, Vagabonds, idle & disorderly persons, as shall be brought or sent vnto the said house to worke and labour, (being able) from time to time, for such time, as they shall continue and bee remaining in the said House of correction, and to punish the saide Rogues, Vagabonds, idle and disorderly persons, by putting Fetters or Giues vpon them, and by moderate whipping of them, and that the said rogues, Vagabonds, and idle persons, during such time as they shall continue and remain in the said House of Correction, shal in no sort be chargeable to the Countrey for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but shall haue such and so much allowance, as they shall deserue by their owne labour and worke. And be it &c. that the saide Justices of Peace of euerie County within euerie of their seuerall Diuisions twice in euerie yeare at the least, and oftner if there be occasion, shall assemble and meete together, for the better execution of this Statute, and that some foure or fiue daies before their assembly and meeting, the said Justices or the more part of them shall by their warrant commaund the Constables and Tythingmen of euerie Hundred, towne, parish, Village and Hamlet within their said seuerall diuisions, which shall bée assisted with sufficient men of the same places, to make a generall priuy search in one night within their saide Hundreds, Townes, Villages and Hamlets, for the finding out and apprehending of the said Rogues, Vagabonds, wandring and idle persons, & that such rogues, vagabonds, wandring & idle persons as they shal then finde & apprehend in the saide search, shall by them be brought before the saide Justices, at their said assembly or méeting, there to be examined of their idle and wandring life, there to bée punished, or otherwise by their warrant to bée sent or conueyed vnto the said house or houses of Correction within the said Countie, appointed and prefired, there to be deliuered vnto the Master or Gouernour of the said house, or to his Deputy or Assignee, to be set to labour and worke, at which daies and times of assembly or méeting, so to be held by the saide Justices of Peace, the Constables and Tythingmen of euerie Hundred, Parish, Towne, Village and Hamlett, shall then appeare in euerie their seuerall Diuisions, before the said Justices of Peace, at the said assemblies or méetings, and there shall giue account and reckoning, vpon Oath in writing, and vnder the hand of the Minister of euery Parish, what Rogues, Vagabonds, and wandring and disorderly persons, they haue apprehended both in the same search, and also betweene euerie such assemblies and méetings, and how many haue béene by them punished, or otherwise sent vnto the Houses of correction: which if the said Constables or Tythingmen shall neglect to performe, as also, to conuey safely all such Rogues, with all other idle or disorderly persons at the charge of the Hundreth, as by the Justices of Peace warrants, shall bée sent vnto the houses of correction in the same County, that then they shall forfeit such further Fines, paines, and penalties, as by the Justices of Peace, or the most part of them, shall be thought fit and conuenient, not exceeding the summe of forty shillings for euerie offence. And for that it is conuenient, that the Masters or Gouernours of the saide Houses of Correction should haue some fitt allowance and maintenance, for their trauaile and care to bee had in the said seruice, as also for the relieuing of such as shall happen to be weake and sicke in their custody, and that the Subiects of this Realme should in no sort bée ouercharged, to raise vp money for Stockes, to set such on worke as shall bée committed to their Custody. Be it &c. That the Masters or Gouernours of the said houses of Correction, shall

haue

haue such summe of Money yearely, as shall be thought meet, by the most part of Justices of the Peace within the said County, at the quarter Sessions of the Peace, the same to be paide quarterly before hand by the Treasorers, appointed by one Act made in the three and fortieth yeare of the late Queene Elizabeth, intituled, An act for the release of the poore, during the time they the said Maisters or Gouernours shall be imployed in the said seruice (the said Maister or Gouernour giuing sufficient securitie, for the continuance and performance of the said seruice:) which if the said Treasorer shall neglect or refuse to performe, That then the said Maister or Gouernour of the house of Correction, shall haue authoritie by this present act, to leuy the same, or so much thereof as shall be vnpaid, vpon the said Treasurers account, in such maner and forme, as by the said Statute they the said Treasurers are appointed and authorised to leuy the weekely sum or payment, being to them vnpaide. And because great charge ariseth, vpon many places within this Realme, by reason of Bastardie, besides the great dishonour of Almighty God. Be it &c. that euerie lewde Woman, which after this present Session of Parliament, shall haue any Bastard which may be chargeable to the Parish, the Justices of Peace shall commit such lewde Woman vnto the house of Correction, there to be punished, and set on worke during the terme of one whole yeare: And if shee shall eftsones offend againe, That then to be committed to the said house of correction as aforesaid, and there to remaine vntil she can put in good sureties for her good behauiour, not to offend so again. And for that many wilfull people, finding that they hauing children haue some hope to haue releise from the Parish wherein they dwell, and being able to labour, and thereby to relieue themselues and their families, doe neuertheless runne away out of their Parishes, and leaue their families vpon the Parish; For remedie whereof, Be it &c. that all such persons so running away shall bee taken and deemed to be incorrigible Rogues, and endure the paines of incorrigible Rogues: And if either such man or Woman being able to worke and shall threaten to runne away, and leaue their families as aforesaide, the same being proued by two sufficient witnesses vpon Oath before two Justices of Peace in that Diuision, That then the said persons so threatning, shall by the said Justices of Peace be sent to the houses of Correction, (vnlesse hee or shee can put in sufficient sureties for the discharge of the Parish) there to be dealt with and detained as a Sturdy and wandring Rogue, and to bee deliuered at the saide assembly or meeting or at the quarter Sessions, and not otherwise. And because there shall be the more care taken by all such Maisters of the houses of Correction, that when the Country hath beene at trouble and charge, to bring all such disorderly persons, as aforesaid to their safe keeping, that then they shall performe their duties in that behalfe, Be it &c. That if they shall not euerie quarter Sessions, yeelde a true and lawfull account vnto the Justices of Peace, of all such persons as haue beene committed to their custody: Or if the said persons committed to their Custody, or any of them, shall be troublesome vnto the countrie, by going abroad, or otherwise shall escape away from the saide house of Correction, before they shall be from thence lawfully deliuered, that then the said Justices shall set down such Fines & Penalties vpon the said Maister and Gouernors, as the most part of them in their quarter Sessions shall thinke fit and conuenient, and all Fines and Penalties not herein before limited shall be paid vnto the Treasurer, and accounted for by the Treasurer aforesaid: This act to haue continuance for the space of seuen yeares, and from thence to the end of the next Session of Parliament after the said seuen yeres. Anno 7. Iacobi cap. 4. *

Vacations of Bishoprickes and Religious Houses.

ALl Patrons of Abbies which haue the kings Charters of England of Auowson, or haue olde tenure, or possession in the same, shall haue the custody of them when they fall void, as it hath beene accustomed, and as it is before declared. Mag. char. cap. 33. Patrons

2 Wee will and graunt for vs, and for our heires, that at all times from henceforth, when such voidances shall happen, that our Escheators, and the Escheators of our heires, which for the time shall bee, shall enter and bee to bee well kept the saide voydances, without doing waste or destruction in the Manours, Parkes, Ponds, or Woods. And that they sel no Vnderwoods, nor hunt in the Parkes or Warrens, nor fish in ponds, nor free fishings, nor shall take no fine of the tenants free nor bound: but shall keepe and saue as much as pertaineth to the said voidances without doing harme or any maner of oppression. Anno 14. Ed. 3. cap. 4. pro clero. Escheators Hunt Fish Oppression

3 If the Deane and Chapter of Churches Cathedrall, Priors, & Suppriors, Priorelles, and our supprioresses, and conents of Prelates, Abbies, or Priories, whose voidance pertaineth to vs and our heires, will render to vs and our heires the value of the said voidances, as other wil reasonably yeeld: then the Chauncelour and Treasurer shall haue power to let the said Deane and Chapter, prior or supprior, Priorelle or supprioresse, and conuent, the said voidances by good and sufficient surety, so that they shall haue the same before all other, yeelding to vs the value, according as shall bee found by remembrances of the Eschequer, or by inquest to be taken vpon the same, if néed be, without making fine. And in case they will not accord to yeeld the value, nor finde such surety: then the Chancelor and Treasorer shall doe to bee ordeined the good keeping of such voidances by Eschetors or other sufficient keepers, to answer the King of that to him pertaineth reasonably, without doing wast Deane Surety Value Chancelor Treasurer

or

or destruction, or other thing which may turne in disherison of the churches whereof such voidances shall happen. Anno 14.Ed.3.pro clero ca.4.

Chancellor Treasurer

4 We will and by these presents letters do grant full power to our said Chancelor and Treasorer, which taking to them out of our Councell such as to them shall seeme best to be taken, by good information of remembrances of the Escheq. and other informations as to them best shall séeme shall let the vacatiõs of Archbishopricks, bishopricks, abbies, Priories and other houses, whose voydances pertaineth vs, to the Deane and Chapter, Prior or Suppriour, Priorelle, or supprioresse, & couent, to yéeld a certain of euerie voidance by the yeare, quarter or month, during the vacations according as to them best shall seem, without making any fine. And that no Escheator nor other Minister in the time of Vacations, shall haue cause nor matter to enter, or therof to meddle, to do any thing which shall be in preiudice of the churches, whereof such voidance shall happen. Sauing to vs, and to our heires the Knights fées, aduowsons of Churches, Escheates, Wards, Mariages, relefes and seruices of the said fées. Anno 14.Ed.3.ca.5.pro clero.

Vacations

Escheator

Knights fee Aduowsons

Viandes.

ANno 37.Ed.3.cap.8. An act was made concerning diet for seruants, but it was repealed by Anno 38.Ed.3.cap.2.

View.

FOr view of land, it is ordeined and prouided, that from henceforth view shall not be granted, but in case where the view is necessarie, as if one lose land by default, and he that loseth, moueth a writ to demaund the same land. And in case where one by an exception dilatorie abateth a writ after the view, as by non-tenure, or misnaming of the town, or such like, if he purchase another writ in this case and in the case before mentioned, from henceforth the view shall not be graunted, if he had view in the first writs. In a writ of Dower, where the demaund is of land that the Husband alened to the Tenant or his auncestors, where the Tenant ought not to be ignorãt what land the husband did alien to him or his auncetters, though the husband dyed not seised, yet from henceforth view shall not be granted. In a writ of entrie also, that is abated because the demandant misnamed the entrie, if hée purchase another writ of entry, if the tenant had view in the first writ, hee shall not haue it in the second. In all writs also where lands be demaunded by reason of a lease made by the demandant or his ancestor, vnto the tenant and not to his auncetter, as that which hee leased to him, being within age, not whole of minde, being in prison, and such like, view shall not be graunted hereafter, but if the demise were made to his ancestor, the view shall lie as it hath done before. W.2.cap.48.

Non tenure Misname

Dower

Writs

View

Ward

Customs Aduowsons

2 View shall be granted in a writ of Ward, in a writ of Customes and seruices, in a writ of aduowson of a church, but in case when there be more churches then one in a Town, and all of one saint: In a writ of Dowry to be assigned, and in a writ of Nuper obijt. Statut. de visu terræ, et esloine de seruitio Dominini Regis.

Nuper obijt

Villenage.

THat notwithstanding adiournement made in Eyre, by writ of Libertate probanda purchased in fauour of villeines to delay the Lords of their actions of such villeins, the same Lords shal be receiued to alleage the execution of villenage against their villaines in all writs, whether that the said writs of Libertate probanda were purchased by deceit, or in other maner. And ỳ the Lords may seise the bodies of their villeines, as well as they might before that the writs of Libertate probanda, were ordained or purchased. An.25.Ed.3.cap.18. stat.

Execution

Libertate probanda

2 No writ be abated by exception of knowledge of villenage, if the demandant or plaintife will auer that he that alleadged the exceptiõ was frée the day of the writ purchased. Anno 37.E.3.cap.17.

Abate

3 At the grieuous complaint of the Lords and Commons of this Realme, as well men of holy Church as other, made in the Parliament, of that ỳ in many signiories, & parts of the realme of England, the villeines and land-tenants in villenage, which owe seruices and customes to their Lordes, haue now late withdrawen, and do daily withdraw their seruices and customes due to their said Lords, by comfort and procurement of other their Counsellers, mainteiners, abetters in the Countrey, which haue taken hire and profit of ỳ said villeins and land-tenants, and by colour of exemplificatiõs made out of the booke of Domesday of the manor & townes where they haue bene dwelling, & by vertue of the same exemplifications, and their euill interpretations of the same, they affirm thẽ to be quit and vtterly discharged of all maner of seruage, due aswell of their body as of their said tenures, & will not suffer any distresse or other iustice to bee made vpon them, but doe manace the Ministers of their Lords, of life and of member, and (which more is) gathered themselues together in great routs, and agrée, by such confederacy, that euerie one shall aide other to resist their lords with strong hand, & much other harme they doe in sundry maner to the great damnage of their said Lords, and euill example to the other to begin such riots, so that if due remedie bee not the rather prouided vpon the same rebels, great mischiefe (which God prohibit) may thereof spring through the realme: It is ordeined and established, that the Lords which sélen themselues grieued, shall haue speciall commissions vnder the great seale to the Justices of Peace, or to other sufficient persons, to enquire of all such rebells and of their offences and their Counsellers, procurers, mainteiners, and abetters, and to imprison all those that thereof shall be indicted before them, as well for the time past, as for the time to come, without deliuering them out of prison by mainprise baile, or otherwise, without assent of their Lords, till they thereof be attainted or acquited. And that the same Justices haue power to heare and determine as well at the kings suite as at the suite of the party

Lords

Cõmissions

Just of P.

Rebels

Imprison

Mainprise

party. Prouided alwaies, that if the said villeines or land-tenãts rebels, be therof attainted at the suit of the said Lords, they shall in no wise be deliuered till they haue made a fine to the king, and also they to haue the assent of their Lords aforesaid. And as to the said Counsellers, procurers, maintainers & abbetters, such processe and in like maner, shall bee made of them, which thereof shall be attainted, so that they be in no wise deliuered from prison, till they haue made fine to the king, and grée to the lord so grieued, according as their estate, & the quantity of their offence doth require, if the same Lords wil sue against them by writ, or by bill. Sauing alwaies as to the said fines the franchises and Liberties of Lords which haue fines and amerciaments of their Tenants. And as the said exemplificatiõs made and purchased as afore is saide, which were caused to come in the Parliament, and to be declared in the said Parliament, that the same may not nor ought to auaile or hold place to the said villeins or land-tenants, as to the franchise of their bodies, nor to change the condition of their tenure, and customes of old time due, nor to doe preiudice to the said Lords to haue their seruices and customes as they were wont of old time. And it is ordeined that vpon this declaration, the said Lords shall haue letters Patents vnder the great seale, as many & such as they shall néede, if they the same require. Anno 1.R.2.cap.6.

Fine
Franchises
Tenure
L. patents

4 Whereas diuers villeines and neifes, aswell of great Lords as of other people, aswell Spirituall as Temporall, doe flie within Cities, towns, and places infranchised, as the Citie of London, and other like, and faine diuers suits against their Lords, to the intent to make thẽ frée by the answers of their Lords: It is accorded and assented that the Lords, nor other shall not be forbarred of their villeines, because of their answere in law. Anno 9. R.2.cap.2.

Neifes
Cities
London
Suits

Vitaile and Vitailers.

FOr the common profit of the people, it is agréed that no minister in Citie, nor Borough, that by reason of his office ought to keepe assises of wines and vitailes, as long as he shall be attendant vpon his office, shall not buy nor sell wines nor vitailes neither in grosse nor by retaile. And if any do, and be thereof conuict, the merchandising whereof he is conuict, shal be forfeit to the king, and the third part therof shall be deliuered to the party that sued the offender, as the Kings gift, and in such case he that will sue for a thing so forfeited, shal be receiued. And the Chancelour, Treasurer, Barons of the Exchequ. Iustices of either Bench, and Iustices assigned to to take assises, shall admit such plaints by writs, & without writs, and shall determine them, and shall performe all things conteined in these articles, in forme aboue said, and neuertheless the King may assigne his Iustices to execute this thing in Cities and Boroughs, when and where it pleaseth him. Anno 12.Ed.2.cap.6.

Officer
Buy
Forf.
Third part
Chancelor
Treasurer
Iustices

2 Be it enacted, that Butchers, Fishmongers, Hostlers, Bruers, Bakers, poulters, and all other sellers of all maner vitaile shall be bound to sell the same vitaile for a reasonable price, hauing respect to the price that such vittailes be sold at, in places adioyning. So that the same sellers haue a moderate gaines, and not excessiue, reasonably to be required according to the distance of the place from whence the said vitailes be carryed. And if any sel such vitails in any other maner, and thereof to be conuict in ỳ maner and forme aforesaid (which see in Labourers 1.) he shall pay the double of the same that he so receiued to the party damnified, or in default of him, to any other that wil pursue in this behalfe: And the Maiors and Bailifes of Cities, Boroughs, Merchant townes, and of the ports of the Sea and other places, shall haue power to enquire of all and singuler which shall in any thing offend the same, and to leuy the said pain to the vse of them at whose suite such offenders shall be conuict. And in case that the same Maiors and Bailifes bee negligent in dooing execution of the premisses, & therof be conuict before our Iustices by vs to bee assigned: then the same Maiors and Bailifes shall be compelled by the same Iustices to pay the treble of the thing so sold, to the party damnified, or to any other in default of him, that wil pursue. And neuertheless towards vs they shall bee grieuously punished. Anno 23.Ed.3.cap.6.

Vitailes
Price
Forf.
Maior Bailifes
Enquire
Negligent
Punish

3 For the great and outragious dearth of Vittailes, which Hostlers, Herbergers, and other regrators of vitailes make thorough the realme to the great dammage of the people passing thorow the Realme: It is accorded and stablished, that the Iustices learned in the law, which be good & conuenient, shall be newly chosen to enquire of the déeds and outrages of such Hostlers, regrators, labourers, and all other comprised in the statute another time thereof made, and them to punish, and moreouer to do right to the king and his people, sauing alwaies to euerie Lord & other, their frãchises in all points. Anno 27.Ed.3.cap.3.

Dearth
Iustices
Regrators
Punish
Franchise

4 Euerie man that bringeth vitailes whatsoeuer they be, to the City (s. of London) by land or by water, may freely sell the same to whome shal please him without being interrupted or impeached by Fither, Butcher, Poulter or any other. And that the Maior and Aldermen of the citie, may rule and redresse the defaults of Fithers, Butchers, & Poulters, as they doe of those that sell bread, ale or wine, notwithstanding charters of franchises, & statuts, customes, or other priuiledges made or vsed to the contrarie. And that the said Maior & Aldermen do & put the same in execution, vpon the paine late ordeined touching the Citie of London, so that punishment of such be not made because of any singuler profit. Anno 31.Ed.3.cap.10.

Citie
Sell
Maior
London
London

5 All maner of Forreines and aliens, being of the amity of the King, and of his realme, and tomming within the said citie of London, and other cities, Boroughs and townes within the said realm, as well within liberties as without, with fish, and all maner of other vitailes, there tarrying, and going again to their own countries, shall from hencefoorth be vnder the safegard and the especiall protection of the King. And there it shall be lawfull to them

Forreins Aliens
London
K. protectiõ

them and euery of them, & by the ſtrength of theſe preſents, they may from henceforth cut their fiſhes & vitailes aforeſaid, without impeachment and denying of any man, or in peces, & in part, in all, at retaile, or in groſſe, as to them beſt ſhall ſeeme, to ſell and make their profit, any Charters, Statutes, Ordinances, priuiledges or Cuſtomes, made or had to the contrary notwithſtanding. Anno 6. R. 2. cap. 10. Note by Anno 7. R. 2. cap. 11. this laſt act was repealed. But it was after reuiued as hereafter appeareth 9. and 11.

Retaile

6 All the Vintners and Vitailers, aſwell fiſhers as other, comming with their vitailes to the citie of London, ſhall be from henceforth vnder the Gouernance and rule of the Maior and Aldermen of the ſaid Citie for the time being, as in times paſt it hath beene vſed. Anno 7. R. 2. cap. 12.

Vintners Vitailers
London
Maior

7 All the Statutes of Vitailers made as wel in the time of our Soueraigne Lord the King that now is, as in the time of his noble Grandfather not repealed, ſhall be firmely holden, kept, and duly executed. And that the ſaid Vitailers bee duely iuſtified by the Iuſtices of Peace, as well at the ſuite of the King, as of the party, according as the ſaid Statutes doe require. Anno 12. R. 2. cap. 3.

☞ Vitailers
Iuſt. of P.
*

8 As touching Vitailers, it is accorded ỹ they ſhall haue reaſonable gaines after the diſcretion & limitation of the ſaid Iuſtices (videlicet, the Iuſtices of Peace) and no more, vpon paine to be grieuouſly puniſhed after the diſcretion of the ſaid Iuſtices where no paine is limitted in certaine before this time vpon the ſaid vitailers. And that Sheriffs Stewards of Lords of Franchiſes, Maiors & Bailifes, and all other that haue authority to kéepe the aſſiſe of breade and Ale, and the correction of the ſame, ſhall take no amerciament nor fine for no default touching the aſſiſe, for the which a man or woman by the Law ought to haue bodily penance, according as it is heretofore ordeined by Statute, but they ſhal iudge them to the ſame bodily penance as the default requireth, and ſhall doe due execution thereof. And that Maiors, Bailifes, and Stewards of Franchiſe, and all other that haue the order and ſurueying of vitailes in Cities, Boroughes, Market Towns, and elſewhere, where vitailes be ſold in the Realme, ſhall put the Statute made the three and twentieth yeare of the raign of King Edward, grandfather to our Soueraigne Lord the king that now is, which beginneth: Becauſe a great part of the people, touching the eſtate of Vitailers and Hoſtlers, and other ſellers of Vitailes, (before 2.) in due execution. And that no Hoſtler make Horſebread in his hoſtry nor without, but Bakers ſhall make it, and the aſſiſe thereof ſhall be kept, and that the weight be reaſonable after the price of the Corne in the market, and that the ſame Hoſtlers ſhall ſell hey and Oates after a reaſonable price, ſo that they take not but one halfe peny ouer the common price in the Market, and that they take nothing for litter. Anno 13. Rich. 2. cap. 8. This article concerning Horſebread is ſomewhat altered. as appearth Horſebread 1. And ſee there in 10. more.

Iuſt. of P.
Iuſt. of P.
Sheriffes Stewards Maiors Bailifes
Hoſtler Horſebread
Hey Oates
*

9 The ſaid Statute (s Anno 6. Rich. 2. cap. 10 before 5.) bee firmely holden, kept, and duely executed after the forme and effect thereof, notwithſtanding the Letters Patents late graunted to the cõtrary to perſons of London, by the ſaid late king Richard vpon his laſt paſſage toward Ireland. An. 1. H. 4. cap. 17.

10 The Statute of vitailers and Hoſtlers, and other ſellers of vitailes, made the thirteenth yeare of the ſaid King Richard (before 8.) be holden & kept and put in due execution: and if any Hoſtler do the contrarie, and that duely prooued, the ſame Hoſtler ſhall from time to time incurre the paine of the treble value of the bread made by him in his houſe or elſewhere, contrarie to the ſaid Statute, and alſo the ſame Hoſtler ſhall incurre the quadruple value of that that he hath taken ouer an halfepeny of euerie Buſhell of Oates aboue the common price in the market, and that aſwell at the ſute of the king as of the party. Anno 4. Hen. 4. cap. 25. But ſee ſome alteration concerning Horſebread, in Horſebread. 1.

☞ Hoſtler
Forf.
*

11 The ſaid Statutes (s. Anno 6. Ric. 2. ca. 10. And anno 1. H. 4. cap. 17. before 5. and 9.) ſhall be firmely holden and kept, any other Statutes or Ordinances made to the contrarie notwithſtanding, Joyned to the ſame, that if any man diſturbe any forreine or alien to ſell their Fiſh in groſſe, or at retaile in part or in whole, contrarie to the ſaide ordinances, and of that be duely attainted at the ſuite of the King, or of the party, that then hee ſhall forfeit tenne pound. And he that will ſue for our Soueraigne Lord the King, or for himſelfe, ſhall haue the one halfe, and the King the other halfe. And ſuch ſuit ſhall be taken for any offence done in the Citie of London, againſt the ſaid ordinãce for him which will ſue for our Soueraigne Lord the King, or for himſelfe, in what County that pleaſeth him of the Counties of Middleſex, Hertford, Eſſex, Kent, Surrey, or in the Citie of London. Anno 14. H. 6. cap. 6.

Diſturbe Alien Retaile
Forf.
Moity
London

12 The Iuſtices of Peace through the Realm, ſhall two times euerie yeare doe openly to bee proclaimed in their Seſſions, all the Statutes of Hoſtlers and vitailers before this time made, and not reuoked. Anno 23. H. 6. cap. 13.

☞ Iuſt. of P.
Seſſions Proclaime
*

13 Whereas Maiors and other Gouernors of Cities and Townes of ſubſtance, haue in their Lётes there holden, the ſurueying of Vitailes, and correction of the ſame, and now of late diuers for their ſinguler gaine to oppreſſe Vitailers, and to infringe the foreſaid Liberties, haue obtained the Kings Letters Patents to be ſurueyors and correctors of ſuch matters, and thereby commit great extortions: For remedye thereof, be it &c. That all the Let. Patents graunted by him to any perſon or perſons of any office of ſearching or ſurueying of wine, ale, bére, or any other Vitaile, ſhall bé vtterly voide and of none effect. And that no perſon, other then ſuch Gouernours before rehearſed, or other intituled by point of Charter, from the feaſt of Caſter nert comming, by colour of ſuch Letters Patents ſo obteined, or afterward to be obteined, as before

L. patents Searches Wine

is

is ſaid, ſhall vſe or exerciſe any ſuch office, vpon paine of forfeiture for euerie default tenne pound. The one halfe thereof to our Soueraigne Lord the King, to be imployed onely to the vſe of his houſe, the other halfe to him that in this behalfe will ſue for the ſame by action of Debt, wherein like proces, rule and demeanour ſhall be had, as is commonly vſed in other actions of debt at the Common lawe. And that the defendant in any ſuch action ſhall not be receiued nor admitted to his law: nor that any protection or eſſoine of the Kings ſeruice be to him in any wiſe allowed. Anno 12.Edw.4.cap.8.

Poitie

Vitaile Officer

14 Whenſoeuer, and as often as any Vitailer is choſen to beare any office within any Citie, Borough, or Towne corporate, which for the time that he ſhall ſtand and be in ſuch office, ſhould haue the aſſelling and correction for ſelling of Vitailes, that then two diſcréet & honeſt perſons of the ſame Citie, Borough or Towne corporate, not being vitailers, ne any of them being a Vitailer, ſhall bée choſen by the comminaltie of the ſame Citie, borough or Towne corporate, in like forme as the ſaid Officer ſhall be choſen, which two perſons, with the ſaid Officer, ſhall be ſworne, truely to ſeſſe and ſet the prices and aſſiſes of vitaile there, for the time that any ſuch vitailer ſhall abide in the ſaid office. And that then it ſhall be lawfull to all and euerie of the ſaid Officers, after the ſame vitailes be ſet and aſſelled by the ſame Officer, and the ſaide two perſons, or one of the ſame two perſons, the other being abſent, to Merchant and ſell wines, and all other vitaile in groſſe, and at retaile, during the time that hee ſhall be in any ſuch office, without any thing therefore to forfeit: the ſaid Statute, Act or ordinance, or any other Statute to the contrarie made in any wiſe notwithſtanding. Prouided alwaie, that this Act or any thing therein conteined, extend not to diſcharge any Miniſter of the Cities of London, Yorke, and Couentrie, nor none of them, for any wine or vitaile to be ſold by any retaile, within any of the ſaide Cities of London, Yorke and Couentrie. Anno 3.H.8.cap.8.

Oath

London Yorke Couentry Retaile

Prices

Chancellor

Treaſorer

K. Councell

Juſtices

Taxe

15 Vpon euerie complaint made of any inhancing of prices of ſuch Vitailes, without ground or cauſe reaſonable in any part of this Realme, or in any other the kings Dominions, the Lord Chancelour of England, the Lord Treaſorer, the Lord Preſident of the Kings moſt Honourable Councell, the Lord Priuie Seale, the Lord Steward, the Lord Chamberlain, and all other Lords of the Kings Councell, the Treaſurer and Controller of the Kings moſt Honourable houſe, the Chancellor of the Duchie of Lancaſter, the kings Juſtices of either Bench, the Chancellor, Chamberlaines, vnder Treaſorer, and the Barons of the Kings Exchequer or ſeuen of them at the leaſt, whereof the Lord Chauncellour, Lord Treaſurer, the Lord Preſident of the Kings Councell, or the Lord Priuie Seale, to bee one, ſhall haue power and authoritie from time to time, as the caſe ſhall require, to ſet and tare reaſonable prices of all ſuch kindes of vitailes aboue ſpecified, how they ſhall be ſold in groſſe or by retaile, for reliefe of the Kings ſubiects, And that after ſuch prices ſet and tared in forme aforeſaid, Proclamation ſhall be made in the kings name, vnder the Great Seale of the ſaid prices in ſuch parts of this Realme, as ſhall bée conuenient for the ſame. And bee it &c. that all Farmers, Owners, Broggers, and all other Vitailers whatſoeuer, hauing or keeping any of the kindes of Vitailes beſore rehearſed, to the intent to ſell, ſhall ſell the ſame to ſuch the kings Subiects as will buy them, at ſuch prices as ſhalbe ſet & tared by the ſaide Proclamation, vpon the paines to bee expreſſed and limited in the ſaid proclamation, to be loſt, forfeited and leuied to the kings vſe in ſuch wiſe as by the ſame Proclamation ſhall be declared. Prouided alway, that this act or any thing therein conteined, ſhall not be hurtfull to Maiors, Sheriffes, Bailifs or other Officers of Cities, Boroughes or townes corporate, nor to any perſon or perſons, or bodies politike, hauing authoritie to ſet prices of ſuch Vitailes, or of any of them, but that they and euerie of them may ſet prices thereof, as if this act had neuer béene had nor made. And bée it &c. That no perſon nor perſons, vnleſſe it bée by licence vnder the Kings great Seale, from henceforth ſhall carrie or conuey, or cauſe to be carried or conueyed, any Corne, Beeues, Muttons, Veales, Porkes, or any of the aboueſaid Vitailes, to any the parts beyond the Sea, except onely for the vitailing of the Towne of Calleis, Guiſnes, Hammes, and the Marches of the ſame. And except for the vitailing of Maſters, Mariners, and Merchants of Ships, paſſing the Seas, and alſo except barrelled Butter, and meale to be carryed to the parts of Ireland, as hath béene accuſtomed, vpon paine of forfeiting of the value of the thing conueyed and carried into the parts of beyond the Sea, contrarie to this act, the one halfe thereof to the vſe of our Soueraigne Lord, and the other halfe to the party that will ſue for the ſame by bill, plaint, writ, or information in any of the k. Courts: In which ſutes the Defendant ſhall not wage his law, nor any protection or eſſoine for him ſhal be allowed. Anno 25. H.8.cap.2.

Proclamation

Vitailers

Maiors Sheriffes Bailifs

Licence

Conuey Vitaile

Calleis

Ships

Ireland

Forf.

Poitie

16 Whereas ſundrie good Statutes haue bin heretofore made, againſt tranſporting and conueying out of this Realme beyond the Seas any maner of Vitaile, vpon great forfeitures, and neuertheles ſundrie couetous perſons ſeeking their own gaine doe ſtill tranſport innumerable quantities both of Corne & other vitaile, and of wood, whereby they be growen to exceſſiue prices, and wonderfull dearth: For remedie thereof be it &c. That no maner of perſon or perſons after the twentieth day of Januarie next comming, ſhall carrie & tranſport out of this Realme, by any Ship, Crayer, or other Veſſell whatſoeuer, into any place in the parts beyond the ſeas, or in the Realm of Scotland, any Wheate, Rye, Barley, or other corne or grain growing within this Realme, or any Malt made within the ſame, or any Béere, Butter, Cheeſe, Herring or wood (except onely to and for the vitailing and furniture of the Towne of Calleis, Hammes

Corne

Vitaile

and

and Guiſnes, and the Town of Guiſnes, and the towne of Barwicke, & the Marches of the ſame) without ſufficient and lawfull authority ſo to doe, vpon the paines and penalties hereafter enſuing, that is to ſay, the owner and owners of the ſaide ſhips & other veſſels, to forfeit the ſaid ſhips, crayers and other veſſels with all their apparels to thē & euerie of them belonging, wherein the ſaid corn, butter, cheeſe herring, vitaile or Wood, ſhall be ſo tranſported and carried, & the owners and owner of the ſaid corne, butter, cheeſe, herring, and wood, to forfeit the double value of the ſame, ſo carryed & conueyed, and the Maſter and Mariners of euerie of the ſaid Ships, Craiers and veſſels, for euerie ſuch offence to forfeit all their goods, and to be impriſoned by the ſpace of one whole yeare without baile or mainepriſe. And be it &c. that if any perſon or perſons, after the ſaid twentieth day of Januarie, doe carrie and conuey away by boate, Craier, or other veſſell, or otherwiſe, any Wheate, Rye, Barley, Malt, or other corne or graine, or any Beere, Butter, Cheeſe, Herring or Wood, to any Ship or veſſell being on the Seas, or in any Hauen, Creeke, or other place of the border of this Realme to be tranſported, carryed and conueyed into any place in the parties beyond the Seas, or into the Realme of Scotland, without ſufficient authority ſo to doe: that then euerie owner of the ſaid vitailes, corne, and other things aboueſaid, ſo tranſported or carried, and the owner and owners of euerie ſuch boate or veſſel, and the boatmen and Mariners of the ſame ſhall loſe, forfeit and ſuffer all ſuch forfeitures, paines and penalties as is aboue rehearſed: the one moity of all & euerie which forfeiture or forfeitures to be to the King & Quiens Highnes, their heires and ſucceſſors, and the other moitie to him or thē that will ſue for the ſame, by bill, information, or action of debt, or otherwiſe, in any of the King and Queenes highnes Courts of Record, in which action, bill, or ſuite, the defendant ſhall not wage his law, nor haue any eſſoine, or protection to him allowed. And be it &c. ỳ if any perſon or perſons ſhall obtaine of the King and Queenes Maieſties, their heires and ſucceſſors, or of any of them, any licence to carry and tranſport any corne, vitaile or wood into any partes beyond the Seas, that if he or they to whome any ſuch licence ſhal be granted, or any other to whom ſuch perſon or perſons hauing ſuch licence, ſhall giue, graunt, or ſell his or their ſaid licence vnto, ſhall carry & conuey, and cauſe to bee carried and conueied any more corn, vitaile or wood, then ſhal be conteined in his or their ſaid licence, ſhal forfeit the treble value of the ſaid corne, vitails or wood, ſo carried and tranſported, without ſufficient authority, and ſhall ſuffer impriſonment for one whole yeare in the common Gaole, where he ſhall bee apprehended, there to remain without bail or mainprize. And be it &c. that no maner of perſon or perſons, after the ſaid 1st. day of Jan. that ſhal obteine, or haue any ſuch licence for träſporting & carrying any corne, vitaile or wood into any parts beyond the ſeas, ſhal ſhip, lade & fraught the ſame, or any part thereof, at ſundry places within this Realm, but at one place certaine, vpon paine of forfeiture of the ſaid corne, vitaile, and wood, & all his goods and cattels, the one moity therof to the K. and M. Maieſties, their heires and ſucceſſors, & the other moity to him or them that will ſue for the ſame by action of debt, bil, plaint, informatiō, or otherwiſe, wherein no wager of law, eſſoin, or protection ſhal be to him allowed. And for the better execution of this act: be it &c. that all and ſinguler Juſt. of P. as well within the liberties as without, within their ſeuerall authorities & cōmiſſions at any time within three yeres next after ſuch offences cōmitted, ſhall haue ful power & authority to enquire aſwel by the othes of xij. lawful men, as alſo to heare and examine the maſter, maſters and Mariners, of the ſaid ſhips, craiers, and other veſſels, and al & euerie other perſon and perſons of all and ſinguler the offenders againſt this preſent act, to heare and determine the ſame offences, as they may & ought to heare & determin any other treſpaſſes and offences. Prouided alwaies, and be it &c. ỳ at all time & times hereafter, when the common price of corns within this Realme, is, that wheat ſhal not exceed the price of vi.s. viij.d. the quarter, & Rye iij.s. the quarter, & barley iij.s. the quarter, it ſhall bee lawfull to euerie perſon and perſons to carry & tranſport ouer the ſea to any place beyond the ſeas, at their pleaſure, any of the ſaid kindes of corne, ſo that it be not to the Kings and Quēnes enemies. Prouided alwaies, and be it &c. that this act or any thing therein conteined, ſhall not extend to any perſon or perſons for the neceſſarie vitailing of any ſhip, ſhips, or other veſſels, but that they and euery of them, may vitaile the ſaid ſhips and veſſels as they might haue done before the making of this preſent act: this act or any thing therein conteined to ỳ cōtrary not withſtāding. Prouided alwaies, & be it &c. that this act or any thing therein conteined, ſhall not be preiudiciall or hurtfull to the lord great Admiral of England for the time being, or to the King and quēnes Maieſties iuriſdiction of the admiralty, but that the ſaid L. Admirall or his deputy or deputies may and ſhall exerciſe, vſe, & execute all kinde of iuriſdiction belonging to the Sea, according to his or their cōmiſſions, as they might lawfully haue done heretofore. This act or any thing therein conteined to the contrary notwithſtanding. An. 1. & 2. P. & M. cap. 5. See ſhips 13. ſome owners of ſhips excuſed from the penalty of this ſtatute. And alſo, ſee in ſhips 13. & 14. libertie giuen to the Queenes ſubiects concerning träſporting of graine. And ſee Corne 8. their libertie further enlarged in a ſpeciall maner to be vſed.

Plate Fort. Wolly Juſt. of P. Three yeres Enquire Examine Mariners Dieres &c. Rye Tranſport Vitails Admirall

Vnion and ſeuering of Church.

A Vnion or conſolidation of two Churches in one, or of a Church and Chappell in one, that one of them not being aboue the yearely value of fiue pounds, as it is rated and valued at to the kings Highneſſe, in his Court of the firſt Fruites and Tenthes, and not diſtant from the other aboue one mile in any place or places, within this Realme of England, may be from henceforth had or made by the aſſent of the

Church Five pound One mile

Ordinary

Incumbent

Patrons

Ordinarie or ordinaries of the Diocesse, where such Churches and Chappels standen, and by the assents of the incumbents of them, and of all such as haue iust right, title, and interest, to the patronages of the same Churches & Chappels being then of full age, and that all such Unions & consolidations, had or made of two Churches in one, or of a Church and chappell in one, as is aforesaid, shall be good, sufficient, lawfull, firme, stable, and auaileable in the law, to remaine, endure and continue for euer united and knit in one, in such maner and forme as by writing or writings vnder the seale of such ordinaries, incumbents and Patrons it shall bee declared and set forth. And be it &c. That all unions and consolidations of all Churches and Chappels which haue heretofore beene united or knit together in one, by the assent of the ordinaries, incumbents, and true and lawfull Patrons in fee simple of them as is aforesaid, shall also remaine and bee from henceforth adiudged and deemed in the law to endure and continue for euer united and knit in one, without any dissolution, vndoing, vnknitting, or repeale of them, or of any of them, by any maner of meane or way: Sauing to the Kings Maiestie, his heires and successors all the tenthes and first fruits of all such Churches & Chappels, as be heretofore vnited or consolidated in one, or that hereafter shall bee united and consolidated in one, according to the same, or such like rates, and valuations as the same churches and Chappels, or any of them now are rated or valued at, to the Kings said Maiestie, in his said Highnesse Court of the first fruits and Tenthes. Prouided alway, that all Unions and consolidations, and euerie of them hereafter to be had or made of any Church or Chappell within any Citie or Towne Corporate, within this Realme of England, without the assent of the Maiors, Sherifes, and communaltie of the Citie where such Churches, Church, or Chappell bee or shall be: Or without the assent of such bodies Corporate of other Townes corporate, where such Churches, Church or Chappell be or shall be, by the names of their corporations in writing vnder their Common seale, shall bee clearely voide and of no force ne effect, any thing before expressed, or any ordinance, lawe, Custome or Statute to the contrarie thereof in any wise notwithstanding. Prouided also, that where the inhabitants of any such poore Parish, or the more part of them, within one yere next after the Union or consolidation of the same Parish, by their writing sufficient in the law, shall assure the incumbent of the said parish for the yearely paiment of so much money, as with the summe that the said Parish is rated and valued at in the Kings Highnesse said Court of first Fruites and Tenthes, shall amount to the full sum of eight pound sterling, to be leuied and paide yearely by the said inhabitants, to the said incumbent and his successors, that then all such Unions or consolidations hereafter to be had or made of any such poore parish as is aforesaid, shall be voide

Tenthes
First fruits

Citie
Maiors
Sherifes

Assent

Common
Seale

Incumbent

and of none effect, any thing, Statute or Ordinance, to the contrary hereof in any wise notwithstanding. Prouided alwaies that this said prouiso shall not extend to any union or consolidation of any Church or Chappell had or made before the making of this statute, any thing in the said prouiso mentioned to the contrarie thereof notwithstanding. Anno 37. H. 8. cap. 21.

2 In Anno 1. Edw. 6. was an act made (not printed) for uniting the Parish Churches of Dunger and Grenstede in Essex. But by Anno 1. M. 2. Parliamento cap. 10. that Statute was repealed. And by this statute of Anno 1. M. these two churches were seuered as they were before. And diuers things at large be in this statute of An. 1. M. concerning these matters.

3 In An. 1. Ed. 6. ca. 9. was an act made for uniting of certaine Parish Churches in Yorke with diuers Articles concerning that matter. And after An. 1. M. 1. parl. ca. 14. an act was made for the reedifying of the Parish Church of Saint Ellins in Stangate in Yorke, which was put downe by the former Statute.

Yorke

Vniuersities.

FRom henceforth no manner of Purueyour, taker, badger, loader, or other minister, may or shall take or bargaine for any kindes of vituall or graine, in any of the said markets or Town of Cambridge & ye citie of Oxford, nor shall take or bargaine for any vituall within the compasse of fiue mile thereto adioyning, without the consent, agreement, or good will of the owner or owners, neither shall attempt to carry, take away, or bargaine for any manner of graine or other vituall bought or prouided within the saide space of fiue miles, by any common Minister of any Colledge Hostell or Hall, to be spent within any of the saide Colledges, Hostels, or Halles, vpon paine of the forfeiture of the quadruple value of any such maner graines or vituall so taken or bargained for, in any of the said Marches, or within ye said space of fiue miles, against the wil of the owners, as is aboue said, or attempted to be taken, carried away or bargained for, being prouided as is aboue saide, for to be spent in any the Colledges, Hostelles, or Hals: And further shall suffer imprisonment for the space of three months without baile or mainprise: & that the Chancello or vicechancello or his Commissary for the time being in either of the said vniuersities, with two Iust. of P. of the Comity, wherein the said vniuersities be set, shall haue full power by authoritie of this act, to enquire by the oathes of iurates, of & vpon the defaults & offences committed contrarie to the tenor thereof, & to giue due punishment & reformation therof in forme aforesaid, from time to time: the one halfe of which forfeitures to be to the common treasure of either the said Vniuersities respectiuely to the vse committed against this their priuiledge, the other halfe to the party ye will sue for the same by action of debt, bil, plaint, or otherwise in any court of record or before the foresaid Chācel or his Vicechancello or Commissary for the time being, & ye Iustices of

Vniuersities

Purueyor
Badger
Vituall

Cambridge
Oxford

v. miles

Corne

Fors.

Imprison

Mainprise
Chancelor
Vicechancel
lour

Iust. of P.

Punish

Paine

peace

peace, as is before is expreſſed. Prouided that this act ſhall not be put in execution at any time or times whenſoeuer your Maieſtie or the heires and ſucceſſours of your Maieſty our Soueraigne Lady ſhall pleaſe to come to any of both the ſaid Vniuerſities, or within ſeuen miles of either of them, but ſhall bee in ſuſpence during that time onely and no longer. Prouided alwaies and be it &c. That this Act or any thing therein conteined, ſhall not in any wiſe bee preiudiciall or hurtfull to the Maiors, Bailifes and Comminaltie of this Citie of Oxford, nor to the Maior and Comminalty of the town of Cambridge, or to their ſucceſſours, for and concerning any of their liberties or priuiledges, but that they and euerie of them, and their ſucceſſors, reſpectiuely may haue and vſe the ſame, in ſuch maner and forme, as they or any of them might or ought to haue done before the making of this act, any thing in this act conteined to the contrarie notwithſtanding. Anno 2. and 3. Philip. and Marie capit. 15.

✱ ☞ 2 Be it enacted & ordained by the authoritie of this preſent parliament, that from henceforth no maner of Purueyor, Taker, Badger, Loader, Poulter, or other Miniſter, for the Queenes Maieſtie her Heires or Succeſſors, nor any other common Poulter ſhall, or may take or bargaine for any kinde of victuall or graine in any of the ſaid Marches or Townes of Cambridge, and the Citie of Oxford, or either of them, nor ſhall take or bargaine for any victuall or graine within the compaſſe of the foreſaide fiue miles thereunto adioyning, without the conſent agreement, good will and licence of either of the ſaide Chauncellors, Vicechancellors for the time being, in writing had and obtained vnder the ſeale or ſeales of the office of the ſaide Chauncellour or Vicechancellour of either of the ſaid Vniuerſities, and in no other forme then in the ſaid licence in writing ſhall bee conteined and expreſſed, ſo as the ſame giue not to any of the foreſaid Purueyors, Takers, Badgers, Loaders, Poulters, or others, any further authority and power, then they haue or may lawfully vſe in other parts of the ſame Countrey, being without the ſaid limits of fiue miles, neither ſhall attempt to carie, take away, or bargaine for any maner of graine, and other victuall bought and prouided within the ſaid ſpace of fiue miles, by any common Miniſter of any Colledge, Hoſtell or Hall, to be ſpent within any of the ſaid Colledges, Hoſtels or Halles, without like licence and aſſent, and in no other forme then is next aforeſaid mentioned, vpon like paines, forfeitures and impriſonments, and to like vſes as are limited and ordeined by the ſaide former Statute (viz. 2. & 3. Philip. & Mar. before 1.) And that the ſaide Chauncellours or Vicechauncellors for ỹ time being of either of the ſaid Vniuerſities, with two Juſtices of Peace of the ſaid Vniuerſities, Citie, Towne or County, wherein the ſaid Vniuerſities be ſet, ſhall haue like power & authority by this act, to enquire vpon the defaults and offences contrarie to the tenour hereof, and to ſee due puniſhment and reformation thereof in forme aforeſaid, as was to them limited and appointed by the ſaid former act. And bee it futher by the authoritie aforeſaid enacted and ordained, that if any perſon or perſons within the ſaid precinct of fiue miles, ſhall refuſe reaſonably to ſerue the neceſſarie prouiſion of the ſaid Vniuerſities, according to the true meaning of this preſent act: that then it ſhall be lawfull to any of the Queenes Maieſties Takers or Purueyors, to prouide any corne or victuall of any ſuch perſon or perſons within any part of the precinct aforeſaid, for the vſe of the Queenes Maieſtie, as ſhall be declared and notified to the ſaid Purueyors or Takers, to be perſons not worthie of the ſaid priuiledge, for not reaſonable ſeruing the neceſſities of the ſaid Vniuerſities, by the Chancellor or Vicechancellour for the time being, of either of the ſaide Vniuerſities, with the aſſent and conſent of two Juſtices of Peace reſiant within either of the ſaid Vniuerſities, Citie, Towne, or Countie, vnder the hands and ſeales of the ſaid Chauncellour or Vicechancellor, and the ſaid two Juſtices of Peace as the ſaid Purueyors or Takers, lawfully may in any other place, without the ſaide precinct of fiue miles, and not otherwiſe: The ſaid former act, or any thing therein conteined, or any other clauſe article, ſentence or matter whatſoeuer to the contrarie notwithſtanding. Prouided that this act ſhall not bee put in execution any time or times whenſoeuer the Queenes Maieſtie, her heires or ſucceſſors ſhall come to any of both the ſaid Vniuerſities, or within ſeuen miles of eyther of them, but ſhall be in ſuſpence during that time only and no longer. Prouided alwaies and be it enacted by the authoritie aforeſaid, that this act or any thing therein conteined, ſhall not in any wiſe be preiudiciall or hurtful to the Maior, Bailifes and Comminaltie of this Citie of Oxford, nor to the Maior or Comminaltie of the Towns of Cambridge, or to their ſucceſſors, for and concerning any of their Liberties or Priuiledges: but that they and euery of them, and their ſucceſſors, reſpectiuely may haue and vſe the ſame in ſuch maner and forme, as they or any of them might or ought to haue done before the making of this Act, any thing in this Act conteined to the contrarie notwithſtanding. Prouided alwaies, that this Act ſhall continue vntill the laſt day of the nert Parliament. ✱ Anno 13. Elizabeth cap. 21. And Anno 27. Elizab. cap. 11. This act was continued vntill the end of the next Parliament. And Anno 28. Elizab. cap. 5. it is continued vntill the end of the next Parliament. And anno 31. Eliz. cap. 10. it is continued to the end of the next Parliament. And anno 35. Elizab. cap. 7. it is continued to the end of the Parliament next enſuing. And anno 39. Elizab. cap. 18. This act of 13. Elizabeth was continued vntill the end of the next Parliament. And anno 43. Elizab. cap. 9. this act was continued vntill the end of the firſt Seſſion of the next Parliament. And Anno 1. Iacob capit. 25. the ſaide Acte of 13. Elizabeth, is continued vntill the ende of the firſt Seſſion of the next Parliament.

Queene

Maior Bailife

Purueyor Badger

Maile

Licence Chancellor

Corne

Vicechancellor & Iuſt. of P.

Enquire

5. miles Reiuſe

Purueyors

Iuſt. of P.

Queene

Suſpence

Maior Bailifes

3 For the bettter maintenance of learning, and the better relefe of Scholliers in the Vniuerſities of Cambridge and Oxford, and the Colledges of Winchester, and Eaton: Be it enacted &c. That no Maſter, Provoſt, Preſident, Warden, Deane, Gouernour, Rector, or chiefe Ruler of any Colledge, Cathedrall church, Hall or Houſe of learning, in any of the Vniuerſities aforeſaid, nor no Provoſt Warden, or other head Officer of the ſaid Colledges of Winchester or Eaton, nor the corporation of any of the ſame, by what title, ſtile, or name ſoeuer they now bee, ſhall, or may be called, after the end of this preſent Seſſion of Parliament, ſhall make any leaſe for life, liues, or yeares, of any their Landes, Tenements, or other hereditaments, to the which any Tythes, arable land, meadowe, or Paſture doth or ſhall appertaine, except that the one third part at the leaſt of the old rent bee reſerued and paid in Corne for the ſaide Colledges, Cathedrall Churches, Halles and Houſes, that is to ſay, in good Wheate, after fiue ſhillings eight pence the quarter or vnder, and good Malt after fiue ſhillings the quarter or vnder, to be deliuered yearely vpon daies preſixed at the ſaid Colledges, Cathedrall Church, Halles or Houſes, and for default thereof to pay to the ſaide Colledges, Cathedrall Church, Hals or Houſes in ready money, at the election of the ſaid leaſees, or their Executors & Adminiſtrators and aſſignes, after the rate, as the beſt Wheat and Malt in the Market of Cambridge, for the rents that are to be paid to the vſe of the Houſe or Houſes there, and in the market of Oxford, for the rents that are to be paide to the vſe of the Houſe or houſes there, and in the market of Winchester, for the rents that are to be paid to the vſe of the houſe or houſes there, and in the market of Windſor, for the rents that are to be paide to the vſe of the houſe or houſes at Eaton, is or ſhal be ſolde the next Market day before the ſaid rent ſhall be due without fraud or deceipt: and that all leaſes otherwiſe hereafter to be made, and all collaterall bonds or aſſurance to the contrarie by any of the ſaid corporations, ſhall be void in law to all intents and purpoſes. The ſame Wheate, Malt, or the money comming of the ſame, to be expended to the vſe of the reliefe of the commons and dyet of the ſaid Colledges, Cathedrall Church, Halles, and houſes onely, and by no fraud nor colour, let nor ſolde away from the profit of the ſaid Colledges, Cathedrall Church, Halles and houſes, and the Fellowes and Scholliers in the ſame, and the vſe aforeſaid, vpon paine of depriuation to the gouernor & chiefe rulers of the ſaid Colledges, Cathedrall Church, Halles, and houſes, and all other thereunto conſenting. Prouided alwaies that this act, or any thing therein conteined, ſhal not extend or be in any wiſe preiudicial to any leaſe to be made of a Barne called Bouncken barne, with a certain portion of Tythes, riſing, growing, & being in the pariſh of Southwerk in the County of Suſſex, being parcell of the poſſeſſions of Magdalen college in Oxford, ſo ỳ the terme demiſed in and by the ſaid leaſe exceede not the number of tenne yeares from and after the Feaſt of Saint Michaell the Archangell next comming, any thing therein ſpecified to the contrarie notwithſtanding. Prouided alſo, that this act ſhall not extend to any leaſe to be made by the Preſident and Scholliers of the Colledge of Saint Johm Baptiſt in Oxford, to any Heire male of Sir Thomas White, late Knight and Aldermã of London, founder of the ſaide Colledge, which leaſe ſhall be made according to the meaning of the foundation and Statutes of the ſaid Colledge of the manor of Fifeld, and no other hereditaments. Anno 18. Eliz. cap. 6.

Maſter

Head officer

Leaſe

Rent Corne

Leaſe

Bonds

Void

Depriue

Sir Thomas White

Voucher.

IT is prouided, that none being vouched to warranty before our Juſticers, in plea of land or tenement, ſhall be amerced frõ henceforth, becauſe he was not preſent when he was vouched to warranty, except the firſt day of the comming of the Juſticers. But if the party vouched be within the ſhire, then the Sherife ſhall bee commanded to cauſe him to come within the third or fourth day, according to the diſtance of the place, as it was wont to bee done in the circuit of the Juſticers. And if he dwell without the Shire, then hee ſhall haue reaſonable ſummons of fiftcene daies at the leaſt, after the diſcretion of the Juſticers, and the common Law. Marl. cap. 26. Anno 52. H. 3.

Warranty

Amerced

Sherife

2 For aſmuch as many people are delaied of their right by falſe vouching to warrantie: It is prouided, that in writs of poſſeſſion, firſt of all in a writ of Mortdanceſtour, of coſinage, of aiel, Nuper obijt, of intruſion, and other like writs, whereby lands or tenements are demanded which ought to deſcend, reuert, remain or eſchete by the death of any auncеſtour, or otherwiſe, if the Tenant vouch to warrantie, and the demandant counterpleadeth him, and will auerre by aſſiſe, and by the countrey, or otherwiſe, as the Court will award, that the Tenant or his anceſtor (whoſe heire he is) was the firſt ỳ entred after the death of him of whoſe ſeiſin he demandeth: The auerment of the demaundant ſhall be receiued, if the Tenant will abide thereupon, and if not, he ſhall bee further compelled to another anſwere, if hee haue not his warrantour preſent, that will warrant him freely, and incontinent enter into the warranty. Hauing vnto the demandant his exceptiõs againſt him, if he wil vouch further, as he had before againſt the firſt tenant. From henceforth in all maner of writs of entrie, which make mention of degrees, none ſhall vouch out of the line, or in other writs of entrie, where no mention is made of degrees, which writs ſhall not bee mainteined but in caſes where the other writtes of degrees cannot lie nor hold place. And in a writ of right it is prouided, that if the tenant vouch to warrantie, and the demandant wil counterpleade him, and be ready to auer by the countrey, that he that is vouched, nor his auncеſtors, had neuer ſeiſin of the land or tenement demanded, fee or ſeruice, by the hand of the Tenant or his auncеſtours, ſince the time of him, on whoſe ſeiſin the demaundant declareth

Summons Mortdanceſter Coſinage Aiel Nuper obijt Intruſion

Auerment

Line

Right

clareth, vntill the time that the writ was purchased, and the plea moued, whereby he might haue infeoffed the Tenant or his auncestours: Then let the auerrement of the Demaundant be receiued, if the Tenant will ioyne thereupon, and if not, the Tenant shall bee further compelled vnto another aunswere, if hee bee not present that will warrant him freely, and not incontinent enter in aunswere. Sauing vnto the Exception Demaundant his exceptions against him, as hee had afore against the first Tenant. And the said exception shall haue place in a writ of Mortdancester, and in other writs before named, as well as in Writtes that concerne right. And if perase the Tenant haue a deed that compriseth warrantie of another man, which is bound in any of these cases before mentioned to the Warrantie of his elder degree, his recouerie by a writte of warranty of Charters out of the King Chancerie shall be saued to him, at what time soeuer hee will purchase it, howbeit the plea shall not be delayed therefore. Westminst. 1. capitulo 39. Anno 3. Edw. 1.

3 If a man be impleaded for land in the same Citie, and doth vouch a Forreine to warranty, City Forreine Chancerie Summon hee shall come into the Chauncerie, and haue a writte to summon his warrantor at a certaine day before the Iustices of the Bench, and another writ to the Maior and Bailifes, that they shal surcease in the matter that is before them by writ, vntil the cause of the warranty be determined before the Iustices of the Bench, then shall hee that Maior Bailifes is vouched be commanded to goe to London, to aunswere vnto the chiefe plea. And a writ shall bee awarded for the Demaundant by the Iusticers vnto the Maior and Bailifes, that they shall proceed in plea. And if the Demaundant recouer against the Tenant, the Tenant shall come before the Iusticers of the Bench, which shall direct a writ to the Maior and Bailifes, that if the Tenant haue lost his land, they shall cause the land to be extended, and valued, and shall returne the extent at a certaine day into the Bench, and after Sherife it shall be commanded to the Sherife of the Shire (where the warrantie was summoned,) that hee shall cause the party that doth vouch, to haue as much of the land of the warrantor in value as he lost. Glouc. cap. 12. Anno 6. Ed. 1.

4 When any demaundeth land against another, and the party that is impleaded, voucheth Warranty to warranty, and the warrantour denieth his warranty, and the plea hangeth long betweene the Tenant and the warrantour: And at length when it is tried, that the vouchee is bound to warrantie by the Law and Custome of this Realme hitherto vsed, there was none other punishment assigned for the vouchee, that denyed his warrantie, but onely that hee should warrantise, and should be amerced, because hee did not warrant before, which was preiudiciall vnto the demandant, because he suffered oftentimes great delaies by collusion betweene the Tenant and the warrantour: Wherefore our Soueraigne Lord the King hath ordeined, that like as the Tenant should lose the land being in demand in case where he vouched, and the vouchee could discharge himselfe of the warrantie, in the same wise shall the warrantour lose, in case where he denieth his war- Deny ranty, and it be found and tried against him that he is bounden to warrantise: And if an enquest be de- Enquest pending betweene the Tenant and warrantour, the Demandant will require a writ for to cause the Iurie to come, it shall be graunted him. West. 2. capit. 4. Anno 13. E. 1.

5 Whereas the Tenant in a plea of Land heretofore had vouched one to warrantie, and thereupon the demandant would auerre, that he, nor none of his auncestors (since the time that the auncestor of the demaundant was seised) was in possession of the said lands, neither in demeane nor in seruice if the party vouched were present, and would warrantise the land freely vnto the Tenant, such auerment of the demaundant hath not beene vsed to bee admitted, except the party vouched had bin absent, & y by reason of a certain statute of the kings lately made amongst other statutes at Westminst. 1. capit. 39. Wherefore our Soueraigne Lord the King, considering the fraud, deceit, and malice, and also his owne damage and disherison of his Crowne, that in the said case hath many times happened in his Court, and daily doth, whereas some holding of the King in chiefe by an whole Barony, in a plea hanging before the Iustices of the Bench vpon their demaund to vouch particularly kinges vnknown Chiefe Knaues and strangers, (which they will bring forth) of Strangers whome neither they nor their auncestors had neuer any thing in the lands, that they warranted, nor in any other lands or tenements within this Realme, neither in demeane, nor in seruice, as hath beene testified by diuers of the kings faithfull subiects, so that by such cautell, fraude and malice, the same Tenants holding by an entire Barony, doe defraud the king of the amerciament that they should incurre, if the demaundant should recouer against them, and likewise when such persons haue warranted, that is to wit, euerie one for his portion that he ought to warrant, he may defend himselfe by the bodie of his seruant, procured and hyred by them that holde Baronies, and so vpon one writte, and one demaund, there were two or three wages of battels, the which was a right hard and perillous example for poore men, in time comming, that shall bee demandants against great and rich men, which will defend themselues by y malice aforesaid: And the demandant cannot haue his auerment against such warrantors, when they be vouched in forme aforesaid, because they be present and will warrantise freely: by his common counsell hath ordeined, and from henceforth, that is to say, from the feast of Saint Hillarie, the twentieth yeare of his reigne, hee hath streightly commanded, that whatsoeuer Tenant do vouch, and the demandant will auerre in forme be- Auerre fore rehearsed, his auerment shal be admitted, whether the partie vouched bee absent or present, without any respect had thereunto. Anno 20. Ed. 1. statut of Vouchers.

6 In deeds also where is contained Dedi & Dero-

Warranty

concessi tale tenementū without homage, or without a clause that conteineth warranty, and to bee holden of the giuers and their heires by a certaine seruice: It is agreed that the giuers and their heirs shall be bounden to warrantie. And where is conteined Dedi & concessi &c. to bee holden of the chiefe Lords of the fee, or of other, and not of the feoffors or of their heires or reserving no seruice without homage, or without the foresaide clause, their heires shall not be bounden to warrantie, notwithstanding the feoffor during his owne life, by force of his owne gift, shal be bouden to warrant. Statut. bigami. Anno 4. Edw. 1. cap. 6.

Feoffour

London Forreine Mayor Bailifes Adiourne

7 If one being impleaded in the Citie of London, do vouch a forreine to warrantie, the Maior and the Bailifes shall adiourne the parties before the Iusticers of the Bench at a certaine day, and shall send their record thither. And the Iusticers shal cause the warrantour to be summoned before them, and shall trie the warranty. And the Maior and the Bailifes in the meane time shall surcease in the matter that dependeth afore them by writ, vntill such time as the warrantie be determined before the Iustices of the Bench. And when the matter shall bee determined, commandement shall be giuen to the Vouchee to depart into the city and to answer vnto the first plea. And the demandant at his suite shall haue a writ from the Iustices of the Bench, vnto the Maior and Bailifes, that they shall proceede in the plea. And if the demaundant recouer, the Tenant shall come to the Iusticers of the Bench, and haue a Writ to the Maior and Bailifes, that in case the Tenant haue lost his land, they shall cause it to be extended, and returne the same extent vnto the Bench, at a certaine day, and after it shall be commanded to the Sherife of the shire where the warrantie was summoned, that he shall cause the tenant to haue of the lands of the warrantour to like value. And if it fortune that the tenāt make default at the day that is alligned him in the Bench, then shall there goe forth a writ from the Iusticers of the Bench to the Maior and Bailifes, to seise the land demaunded, into the Kings hand by a Petie cape, and to summon the tenant that he be at the hoystings at a certaine day, whereat the Iustices shall be aduised to giue iudgement vpon the same default, if he cannot saue it: & in case hee can saue it, then the Iusticers shall be certified thereof by their Record, and by the same record they shall pleade the warrantie. Anno 9. E. 1.

Writ

Sherife

Value

Seise

Pety cape Hoistings

8 From henceforth if the Tenant vouch to warrantie a dead man, and the demandants will auerre that the vouchee is dead, or that there is none such, their auerrement shall be receiued without more delay. Anno 14. Ed. 3. cap. 18.

Deadman Auerre

Vpholsters.

Faires Markets Fetherbeds

NO person ne persons shall make, or deine, vtter, ne put to sale in Faires nor in markets within this his said Realme, any Fetherbeds, bolsters, or pillowes, except they be stuffed with one maner stuffe, that is to say, with drie pulled fethers, or else with cleane Downe alone, and with no scalded fethers nor fendowne, nor none other vnlawfull and corrupt stuffe as is afore rehearsed (s. horse hernites haire, deere haire, Goates Hayre which is wrought in Lime fattes, but vtterly to be damned for euer, except if any person or persons for their owne proper vse in their houses, make or doe to be made, any of the aforesaid corrupt and vnlawfull stuffe and wares, so they bee not offered to be solde in Faires, and Markets vpon paine of forfeiture.) And also in like wise quilts, Matresses, & cushions be stuffed with one maner of stuff, that is to say, with cleane woll, or with cleane flockes alone, and with none such vnlawfull stuffe afore rehearsed, vpon paine of losse and forfeiture of al such vnlawfull wares and merchandises. Anno 11. H. 7. cap. 19.

Forf. Quilts Matresses Cushions

Forf.

2 No person or persons whatsoeuer, shal make to the intent to sell, or offer to be solde, any Fetherbed, Bolster, or Pillow, except the same be stuffed with drie pulled fethers or cleane Downe onely, without mingling of scalded Fethers, Fendowne, Thistle downe, sand, Lime, grauell, vnlawfull or corrupt stuffe, hayre or any other, vpon paine of forfeiture of all such Fetherbeds, Bolsters, and pillowes, and euerie of them so offered to be solde, or the value thereof. And be it &c. That from and after the said day no person or persons shall make to the intent to sell, or offer, or put to sale any Quilt, Mattresse, or Cushions, which shal be stuffed with any other stuffe, then fethers, wool or flockes alone, vpon paine of forfeiture of al and euerie such quilts, Mattresses or Cushiōs so sold, or stuffed to be sold, or the value thereof. The moitie whereof &c. to the King, &c. the other moitie &c. to such &c. as will sue &c. wherein &c. Anno 5. Ed. 6. cap. 23.

Fetherbed

Forf.

Quilt Mattresse Cushions

Forf.

Moitie

Vses.

ANno 4. H. 4. cap. 7. It was enacted for disseisees to haue their actiōs vpon disseisin against the pernour of the profits during their liues. And other actions of pleas of land to be brought against the pernour of the profits within the yeare after the action accrued. See of this matter Feoffements 1.

Pernour of profits

2 Anno 11. H. 6. cap. 3. That all actions grounded vpon Nouel disseisin should bee maintainable against the pernour of the profits.

Nouel disseisin

3 Anno 1. R. 3. cap. 5. It is enacted, ỳ where he was seised iointly with other to the vse of any person, that his interest should vest in his other cofeoffees: And where he was sole seised to the vse of any, that his interest should vest in him that had the vse.

4 Euerie estate, feoffement, gift, release, graunt, leases, & confirmations of lands, tenements, rents, seruices, or other hereditaments, made or had, or hereafter to bee made or had by any person or persons being of full age, of whole memorie, at large, & not in duresse to any person or persons, & al recoueries & execution had or made, shalbe good & effectual to him to whōe it is made, had, or giuen, & to all other to his vse, against the seller, feoffor, donor, or grantor of the same, & against the sellers, feoffors, Donors, Grantors, and his and their heires clay-

Feoffement Release. Graunt Leale

ming

ming the ſame, onely as heire or heires to the ſame ſellers, feoffors, donors and grauntors, and euery of them: and againſt all other hauing or clayming any title or intereſt in the ſame, onely to the vſe of the ſame ſeller, feoffor, donor or grauntor, or ſellers, feoffors, donors or grauntors, or his or their ſame heires at the time of the bargaine, ſale, couenant, gift or graunt made: Sauing to euery perſon and perſons ſuch right, title, action or intereſt by reaſon of any gift in taile thereof made as they ought to haue, if this Act had not bin made. Anno 1.R.3.cap.1.

5 Anno 1.H.7.cap.2. Formedon was giuen againſt the pernour of the profites, and he and his heyres to haue voucher, ayde prier, age and aduantage, as tenant in poſſeſſion: And Recoueries againſt the pernour of the profites to be as good as though he were tenant in poſſeſſion.

6 All deeds of gift of goods and cattels, made, or to be made of truſt to the vſe of the perſon or perſons that made the ſame deed of gift, be voide and of none effect. Anno 3.H.7.ca.4.

7 Anno 19.H.7.capit.15. an Act was made, that execution for Debts, and Recogniſances, and Statutes ſhould be ſued of lands in vſe. And that the lords of whom the lands were holden in ſocage, ſhould after the death of him that had the vſe, haue reliefe and herriot, and other ſeruices. And the lord of the villeine that purchaſed lands in vſe, might enter into the land.

8 Anno 1.H.8.ca.15. it is enacted, that thoſe to whoſe vſe Empſon or Dudley were ſeized of lands &c. might enter and make eſtates thereof to other to their vſes, notwithſtanding the attainders of Empſon and Dudley. And that their feoffees to other vſes to be ſeized to the former vſes of the whole, notwithſtanding the ſayd attainders, with one exception to the lord Fitzwater &c.

9 Where by the Common Lawes of this Realme, Lands, Tenements, and Hereditaments, be not deuiſeable by Teſtament nor ought to be transferred from one to an other, but by ſolemne liuerie and ſeiſin, matter of Record, writing ſufficient made bona fide, without couine or fraud: yet neuertheles diuers and ſundry imaginations, ſubtill inuentions, and practiſes haue bin vſed, whereby the Hereditaments of the Realme haue bin conueyed from one to an other by fraudulent Feoffements, Fines, Recoueries, and other Aſſurances craftily made to ſecret vſes, intents, and truſts, and alſo by Wills and Teſtaments ſomtime made by nude parolx and words, ſomtime by ſignes and tokens, and ſometime by writing, and for the moſt part, made by ſuch perſons as be viſited with ſickneſſe, in their extreame agonies and paines, or at ſuch time as they haue had ſcantly any good memorie or remembrance, at which time they being prouoked by greedy and couetous perſons lying in await about them, doe many times diſpoſe indiſcretely and vnaduiſedly their Lands and Inheritances: By reaſon whereof, and by occaſion of which fraudulent feoffements, fines, recoueries, and other like aſſurances to vſes, confidences and truſts, diuers and many heyres haue beene iniuſtly at ſundrie times diſherited, the Lords haue loſt their wards, mariages, reliefes, herriots, eſcheats, aides pur faire fits Chiualer, and pur file marrier, and ſcantly anie perſon can be certainely aſſured of anie lands by them purchaſed, nor knowen ſurely againſt whom they ſhall vſe their Actions or Executions for their rights, titles, and dueties. Alſo men married haue loſt their tenures by the curteſie, women their dowers, manifeſt periurie by triall of ſuch ſecret wils and vſes haue bin committed; The Kings Highneſſe hath loſt the profites and aduantages of the lands of perſons attainted, and of the lands craftily put in Feoffement to the vſes of Aliens borne, and alſo the profites of waſte for a yeare and a day of lands of Felons attainted, and the Lords their Eſcheates thereof, and many other inconueniences haue happened, and daily doe increaſe among the Kings Subiects, to their great trouble and vnquietneſſe, and to the vtter ſubuerſion of the ancient common Lawes of this realme: For the extirping and extinguiſhment of all ſuch ſubtill practiſed feoffements, fines, recoueries, abuſes, and errours heretofore vſed and accuſtomed in this Realme, to the ſubuerſion of the good and ancient Lawes of the ſame, and to the intent that the Kings Highneſſe, or any other his Subiects of this Realme, ſhall not in any wiſe hereafter by any meanes or inuention, be deceiued, damaged or hurted by reaſon of ſuch truſts, vſes, or confidences: It may pleaſe the Kings moſt Royall Maieſty, that it may be enacted &c. in maner and forme following, that is to ſay, That where anie perſon or perſons ſtand or be ſeized, or at any time hereafter ſhall happen to be ſeized, of, and in any honors, caſtles, manors, lands, tenements, rents, ſeruices, reuerſions, remainders, or other hereditaments to the vſe, confidence, or truſt of any other perſon or perſons, or of any body politique, by reaſon of any bargaine, ſale, feoffements, fine, recouerie, couenant, contract, agreement, will, or otherwiſe by any manner meanes whatſoeuer it be, that in euery ſuch caſe, all and euerie ſuch perſon and perſons, and bodies politique, that haue, or hereafter ſhall haue any ſuch vſe, confidence, or truſt in fee ſimple, fee taile, for terme of life, or of yeares, or otherwiſe, or any vſe, confidence or truſt, in remainder, or reuerter, ſhall from henceforth ſtand, be ſeized, deemed and adiudged in lawfull ſeiſin, eſtate and poſſeſſion, of, and in the ſame honors, caſtles, manors, lands, tenements, rents, ſeruices, reuerſions, remaynders, and hereditaments with their appurtenances, to all intents, conſtructions and purpoſes in the Lawe, of, and in ſuch like eſtates as they had or ſhall haue in vſe, truſt or confidence, of, or in the ſame. And that the eſtate, title, right, and poſſeſſion, that was in ſuch perſon or perſons, that were, and hereafter ſhal be ſeized of any lands, tenements, or hereditaments, to the vſe, confidence or truſt of any ſuch perſon or perſons, or of any bodie politique, be from henceforth cleerely deemed and adiudged to be in him or them that haue, or hereafter ſhall haue ſuch vſe, confidence or truſt, after ſuch qualitie, maner, forme and conditions, as they had before, in, or to the vſe, confidence or truſt

Truſt

Adiudged

Eſtate

Vſe

Truſt truſt that was in them. And be it &c. That where diuers and many perſons be, or hereafter ſhall happen to be ioyntly ſeiſed, of, and in any lands, tenements, rents, reuerſions, remaynders, or other hereditaments to the vſe, confidence or truſt of any of thē, that be ſo ioyntly ſeiſed: that in euery ſuch caſe, that thoſe perſon or perſons, which haue, or hereafter ſhall haue anie ſuch vſe, confidence or truſt in anie ſuch Lands, Tenements, Rents, Reuerſions, Remainders, or Hereditaments, ſhall from henceforth haue and be deēmed and adiudged to haue only to him or them, that haue, or hereafter ſhall haue ſuch vſe, confidence or truſt, ſuch eſtate, poſſeſſion and ſeiſin, of, and in the ſame lands, tenements, rents, reuerſions, remaynders, or other hereditaments in like nature, manner and forme, conditions and courſe, as hee or they had before in the vſe, confidence or truſt of the ſame Lands, tenements, or hereditaments, ſauing and reſeruing to all and ſinguler perſons and bodies politique, their heires and ſucceſſors, other then thoſe perſon or perſons, which be ſeiſed, or hereafter ſhall be ſeiſed of anie Lands, Tenements, or Hereditaments, to any vſe, confidence or truſt, all ſuch right, title, entrie, intereſt, poſſeſſion, rents and action, as they or anie of them had before the making of this Act. And alſo ſauing to all and ſinguler thoſe perſons, and to their heyres, which be or hereafter ſhall be ſeiſed to any vſe, all ſuch former rights, title, intereſt, poſſeſſion, rents, cuſtomes, ſeruices, & actions, as they or any of them might haue had to his or their owne proper vſe, in, or to any manors, lands, tenements, rents or hereditaments, whereof they be, or hereafter ſhall be ſeiſed to any other vſe, as if this preſent Act had neuer beēn had ne made, anie thing contayned in this Act to the contrarie notwithſtanding. And where alſo diuerſe perſons ſtand and be ſeiſed, of, and in anie Lands, Tenements, or Hereditaments, in fee ſimple, or otherwiſe, to the vſe or intent, that ſome other perſon or perſons ſhall haue and receiue yearely to them, and to his or their heyres, one annuall rent of tenne pounds or more, or leſſe, out of the ſame lands, and Tenements, and ſome other perſon one other annuall rent to him and his aſſignes for terme of life, or yeares, or for ſome other ſpeciall time, according to ſuch intent and vſe, as hath beēne heretofore declared, limited and made thereof: Be it &c. that in euery ſuch caſe the ſame perſons, their heyres and aſſignes that haue ſuch vſe and intereſt to haue and receiue anie ſuch annuall Rents, out of anie Lands, Tenements, or Hereditaments, that they and euery of them, their heyres and aſſignes be adiudged and deēmed to be in poſſeſſion and ſeiſin of the ſame rent, of, and in ſuch like eſtate as they had in the title, intereſt or vſe of the ſaid rent or profit, and as if a ſufficient graunt or other lawfull conueyaunce had beēne made and executed to them by ſuch as were or ſhall be ſeized to the vſe or intent of any ſuch rent to be had, made or payed, according to the very truſt and intent thereof. And that all and euerie ſuch perſon and perſons, as haue, or hereafter ſhall haue any title, vſe, and intereſt, in, or to any ſuch Rent or Profite, ſhall lawfully diſtraine for non-payment of the ſaid Rent; and in their owne names make Anowries, or by their Baylifes or Seruants make Conuſances and Iuſtifications, and haue all other ſuites, entries and remedies for ſuch Rents, as if the ſame Rents had beēne actually and really graunted to them with ſufficient clauſes of Diſtreſſe, reentrie, or otherwiſe according to ſuch conditions, paines, or other thing limited and appoynted vpon the truſt and intent for payment or ſuretie of ſuch Rent. And be it &c. That whereas diuers perſons haue purchaſed, or haue eſtate made and conueyed, of, and in diuers landes, tenements, and hereditaments vnto them, and to their wiues and the heires of the huſband, or to the huſband and to the wife, and to the heires of their two bodies begotten, or to the heyres of one of their bodies begotten, or to the huſband and to the wife for terme of their liues, or for terme of life of the ſaid wife: or where any ſuch eſtate or purchaſe of any Landes, Tenements, or Hereditaments hath beēne, or hereafter ſhalbe made to any huſband and to his wife, in maner and forme aboue erpreſſed, or to any other perſon or perſons, and to their heyres and aſſignes, to the vſe and behoofe of the ſaid huſband and wife, or to the vſe of the wife, as is before rehearſed, for the Joynter of the wife: That then in euery ſuch caſe, euery woman married, hauing ſuch Jointer made, or hereafter to be, ſhall not clayme nor haue title to haue any dower of the reſidue of the Lands, Tenements, or Hereditaments, that at any time were her ſaid huſbāds, by whom ſhee hath any ſuch Jointer, nor ſhall demaund nor claime her dower, of, and againſt them that haue the Lands and Inheritances of her ſaid huſband. But if ſhee haue no ſuch Joynter, then ſhee ſhall be admitted and inabled to purſue, haue, and demaund her dower by Writ of Dower, after the due courſe and order of the Common Lawes of this Realme, this Act or any Law or Prouiſion made to the contrary thereof notwithſtanding. Prouided alwaies, that if anie ſuch Woman bee lawfully erpulſed or euicted from her ſayd Joynter, or from any part thereof, without any fraud or couine by lawfull entry, action, or by diſcontinuaunce of her huſband: Then euery ſuch Woman ſhall be endowed of as much of the reſidue of hir huſbands Tenements or Hereditaments whereof ſhee was before dowable, as the ſame Lands and Tenements ſo euicted and erpulſed ſhall amount or extend vnto. Prouided alſo, that this Act nor any thing therein contayned, or erpreſſed, extend or be in any wiſe hurtfull or preiudiciall to any woman or women heretofore being maried, of, for or concerning ſuch right, title, vſe, intereſt or poſſeſſion, as they or any of them haue, clayme, or pretend to haue, for her or their ioynter or dower, of, in, or to any Manors, Lands, Tenements, or other Hereditaments of any of their late Huſbands being now dead or deceaſed, anie thing contayned in this Act to the contrarie notwithſtanding. Prouided alſo, that if anie Wife haue, or hereafter ſhall haue any Manors, Lands, Tenements or Hereditaments vnto her giuen or aſſured after marriage for terme of her life, or otherwiſe

Ioyntly

Truſt

Right Entry

Vſe Right

Rent

Poſſeſſion

Truſt

Diſtraine

Anowrie

Taile

Ioynter Woman

Dower

Euicted Ioynter

Dower

Woman

Ioynter Dower

Wife Lands

therwise in Joynter, except the same assurance be to her made by Act of Parliament, and the sayd wife after that fortune to ouerliue the same her husband, in whose time the sayd Joynter was made or assured vnto her: that then the same wife so ouerliuing, shall and may at her liberty, after the death of her sayde husband, refuse to haue and take the Lands, and Tenements so to her giuen, appoynted, or assured, during the couerture for terme of her life, or otherwise in Joynnter, except the same assurance bee to her made by Act of Parliament, as is aforesayd, and thereupon to haue, aske, demaund and take her dower by Writ of Dower, or otherwise, according to the common lawe, of, and in all such lands, Tenements, and Hereditaments as her husband was and stood seised of any estate of inheritance, at any time during the couerture, any thing conteined in this Act to the contrary in any wise notwithstanding. Prouided also, that this present act, nor any thing therein contained extend nor be in any time hereafter interpreted, erpounded or taken to extinct, release, discharge or suspend any statute, recognisance or other bond by the execution of any statute, of, or in any lands, tenemets, or hereditaments, by the authority of this Act, to any person or persons, or bodies politike, any thing contained in this Act to the contrarie thereof notwithstanding. And forasmuch as great ambiguities and doubts may arise of the validitie and invaliditie of willes heretofore made of any lands, tenements, & hereditaments, to the great trouble of the Kings subiects: The Kings most royall Maiestie minding the tranquility and rest of his loving subiects, of his most excellent and accustomed goodnesse is pleased and contented, that it be &c. That all manner true and iust Willes and Testaments heretofore made by anie person or persons deceased, or that shal decease before the first day of May, that shall be in the yeare of our Lord God, 1536. of any lands, tenements, or other hereditaments, shalbe taken and accepted good and effectuall in the law after such fashion, manner and forme, as they were commonly taken and vsed at any time within forty yeres next afore the making of this Act, any thing contained in this Act, or in the preamble thereof, or any opinion of the Common lawe to the contrarie thereof notwithstanding. Prouided alwayes, that the Kings Highnesse shall not haue, demaund, or take any aduantage or profit, for, or by occasion of the executing of any estate, onely by authoritie of this Act, to any person or persons, or bodies politique, which now haue, or on this side the said first day of Maie, which shal be in the yeere of our Lord God, a thousand fiue hundred thirtie and fiue, shall haue any vse or vses, trusts or confidences in any manors, lands, tenements, or hereditaments holden of the Kings Highnelle, by reason of primer seisin, liuerie, Ouster le maine, fine for alienation, reliefe or herriot, but that fines for alienations, reliefes and herriots shall be payed to the Kings Highnelle. And also Liueries and Ouster le maines shall be sued for vses, trust and confidences to be made and executed in possession by authoritie of this Act, after, and from the saide first day of Maie, of Lands and Tenements, and other Hereditaments holden of the King, in such like manner and forme, to all intents, constructions, and purposes, as hath heretofore bene vsed or accustomed, by the order of the laws of this realm. Prouided also, that no other person or persons, or bodies politique, of whom any lands, tenements, or hereditaments, be, or hereafter shall be holden, mediate or immediate, shall in any wise demaund or take any fine, relefe, or herriot, for, or by occasion of the execution of any estate by the authority of this Act, to any person or persõs or bodies politike, before the said first day of Maie, which shal be in the yeere of our Lord God, one thousand fiue hundred thirty & fiue. And be it &c. that all and singuler person and persons, and bodies politique, which at anie time on this side the sayde first day of Maie, which shall be in the yeere of our Lord God, one thousand fiue hundred thirty and fiue, shall haue any estate vnto them executed, of, and in any lãds, tenements, or hereditaments, by the authority of this Act, shall, and may haue and take the same or like aduantage, benefite, voucher, aide prier, remedy, commodity or profite, by action, entry, condition, or otherwise, to al intents, constructions and purposes, as the person or persons seised to their vse, of, or in any such lands, tenements, or hereditaments, so executed, had, should, might or ought to haue had at the time of the execution of the estate thereof by the authority of this Act, against any other person or persons, of, or for any waste, disseisin, trespasse, condition broken, or any other offence, cause or thing concerning or touching the said lands or tenements, so executed by the authority of this Act. Prouided also, and be it &c. That Actions now depending against anie person or persons seised, of, or in any landes, tenements, or hereditaments, to any vse, trust or confidence, shal not abate ne bee discharged, for, or by reason of executing of any estate therof by authority of this Act, before the said first day of Maie, which shall be in the yeere of our Lord God, a thousand fiue hundred thirty and fiue, any thing contained in this Act to the contrary notwithanding. Prouided also, that this Act, nor any thing therein contained, shall not be preiudiciall to the Kings Highnesse for wardeships of Heyres now being within age, nor for Liueries, or for Ouster le maines to be sued by anie person or persons now being within age, or of full age, of any Lands or Tenements, vnto the same heire or heires now already disseised, any thing in this Act contained to the contrary notwithstanding. Prouided also, and be it &c. That all and singuler recognisances heretofore knowledged, taken or made to the Kings vse, for, or concerning any Recoueries of any lands, tenements, or hereditaments, heretofore vsed or had, by Writ or Writs of Entry vpon disseisin in le post, shall from henceforth be vtterly voyd & of none effect to all intents, constructions, and purposes. Prouided also, that this Act, nor any thing therein contayned, be in any wise preiudiciall or hurtfull to any person or persons borne in Wales, or the Marches of the same, which shall haue any estate to them executed by

Act of parliament
Refuse
Joynter
Dower
Statute Recogn.
Testaments
Pearces
Vse Trust
Primer seisin Liuery Ouster le maine Relefe Herior
Fine
Aduantage
Actions
Wardship Liuery Ouster le maine
Recogn.
Void

by authority of this Act, in any lands, tenements, or other hereditaments within this realme, whereof any other person or persons now stand or be seised to the vse of any such person or persons borne in Wales, or the Marches of the same, but that the same person or persons borne in Wales, or the Marches of the same, shall, or may lawfully haue, retayne, and keepe the same lands, tenements, or other hereditaments, whereof estate shall be so vnto them executed by the authority of this Act, according to the tenour of the same: Any thing in this Act contayned, or in anie other Act or Prouision heretofore had or made to the contrarie notwithstanding. Anno 27.H.8.cap.10.

Wales

Vsurie.

FRom henceforth the Vsurie shall not runne against any within age, tō the time of the death of his ancestor (whose heyre he is) vnto his lawfull age. So neuertheles that the payment of the principal debt with the vsurie that was before the death of his ancestor (whose heyre he is) shal not remaine vnpaied by reason of this. Merton ca.5. Anno 20. H.3.

Vnder age

2 None from henceforth shall lend any thing to Vsurie vpon lands, rents, or other thing. And that no vsury continue from Saint Edwards-tide last past forewards, but the couenants afore made shall stand, but the Vsurie shall cease. And that all those which owe debt to Iewes vpon gages mouable, redeeme them betweene this and Easter at the farthest, or else that they be forfeited. And if anie Iew lend for Vsury against this establishment, the King by himselfe, nor by none of his shall meddle to help him to his debt, but will punish him at his pleasure for the trespasse. And to the Christian wil do right to recouer him his gage. Statut de Iudaismo.

3 Anñ 3.H.7.ca.5. was an Act was made against Vsury: But it was after repealed. Anñ 11. H.7.ca.9. here 5.

4 What all vnlawfull cheuisances and Vsurie be damned, and none to be vsed vpon paine or forfeiture of the value of the money or goods so cheuised or lent, the said forfeiture to runne vpon the seller or lender thereof. And also forasmuch as diuers English and estrangers Brokers which beene named and assigned to occupy lawfull brocage, beene inducers and bargaine-makers of vnlawful cheuisance and vsurie, and in some part of vnlawfull exchanges, to the hurt of our said soueraigne Lord, and this his said Realme: Therefore it is &c. that all such Brokers dealing vnlawfully of any of the premisses be put apart, and neuer to occupie as Brokers within this realme, as they may be espied and found in Cities, Boroughs, and Townes, by Maiors, Baylifes, or any of them, or of their ministers where such bargaines be vsed. And that euerie Broker that is found defectiue in making of vnlawfull brocage, shall forfeit for euerie default twentie pounds, and haue imprisonment for halfe a yeare. And furthermore, to be punished by the Pillorie, or otherwise, to their open rebuke and shame: the King to haue the one halfe of euerie of the said forfeits, and the partie that will sue, the other halfe of the same, by Action of Debt in the common Law, and the Defendant in the same Action be not admitted to wage his Law, ne essoine, ne protection be for the same defendant allowed. Anno tertio Henrici septimi cap.6. See here 6. a repeale.

Cheuisance
Forf. Seller
Brokers
Forf. Imprison
Pillorie
Forf.

5 All maner of person or persons lending money to and for a time, taking for the same loane anie thing more, besides or aboue the money lent by way of contract or couenant at the time of the same loane, sauing lawfull penalties for non-payment of the same money lent, and that all maner of person and persons which hereafter sell any goods, cattels, or merchandizes to any person or persons, being in necessity, and the seller himselfe, or by his Broker or Factor in that behalfe, againe buy the same goodes, cattells, or merchandizes of the same person to whom they were sold being in necessitie, or his Broker or Factor in that behalfe, within three months after they beene sold, or a lesse summe of money then they were sold for, knowing the same goods so bought againe afore by the same buyer or buyers, to be solde after the forme aforesaid, and that euery person and persons lending or taking any mony to any person or persons, for a certaine time, and taketh lands, tenements, or anie hereditaments, or other bonds, for suretie, profits, and sure payment of his or their money lent at the time assigned without condition or aduenture, and also at the time of the same loane or taking of the sayd money, couenanteth, appoynteth, or contracteth, that he or they that so lend or taketh money, shall haue the reuenues and profits of the lands, tenements, or hereditaments, of him that so borroweth or taketh Money, by a certayne time, that then euery person hereafter vpon any of the premisses conuicted, forfeit the money, or the value in money of the said money, goodes, cattells, marchandizes, as is aboue sayd, so sold or lent after such value as they be sold or lent, for any forme aforesaid, whereof the King shall haue the one moitie of the same forfeiture, and the party that will sue, the other moity: And if no man will sue, then the King to haue the whole. And this suit for the saide penaltie and forfeiture to be as well to the Kings suite, as any other that will sue by information in any of the Kings Courts of Record, and such procelle to be had in the same, as is vsed in other Actions of debt at the common law in the same courts. Prouided alway, that in the Courts of Chauncery and Eschequer, they shall make such procelle as hath beene vsed afore time in Informations afore them commenced, wherein the Defendant shall not wage his law, nor protection, ne essoine de seruice le Roy, in the same allowable. And that the same Act and Ordinance made the said third yeare, (s. Anno 3.H.7.cap.5. before 3.) and all things therein contained, be from henceforth vtterly void and of none effect. Reseruing alwayes to the spirituall iurisdiction their lawfull punishments in euery cause of Vsurie. Añ 11.H.7.cap.9. But this is also repealed, as here followeth 6.

Forf.
Penalties
Sell
Buy
3. Months
Lands
Surtie
Forf.
Moitie
Procts
Spirituall iurisdiction

Where

Shifts

6. Where diuers Acts haue beene made for the anoyding and punishment of Vsurie, being a thing vnlawfull, and of other corrupt bargaines, shifts, and chenisances, which be so obscure in termes, and so many questions growen vpon the same, and of so little effect, that little punishment, but rather encouragement to offenders hath ensued thereby: For reformation thereof, be it &c. That all and euery acts, statutes, and lawes heretofore made, of, for, or concerning Vsury, shifts, corrupt bargains, chenisances, and euery of them, and all paines, forfeitures and penalties concerning the same, and euery part thereof, shall from henceforth be vtterly voyd, and of none effect to all intents, constructions and purposes: And be it &c. that no person or persons, of what estate, degree or condition soeuer he or they be, from &c. shall by himselfe, factor, attourny, seruant or deputie sell his marchandizes or wares to anie person or persons, and within three moneths next after by himselfe, factor, attorney, deputie, or by anie other person or persons to his vse and behoofe, buy the same marchandizes or wares, or any part or parcell thereof, vpon a lesser price, knowing them to be the same wares or marchandizes, that he before did so bargaine and sell, vpon the paines and forfeitures hereafter limited in this Statute. And be it &c. that no person or persons of what estate &c. by way or meane of any corrupt bargaine, loane, exchange, chenisance, shift, or interest of any wares, marchandizes, or other thing or things whatsoeuer, or by any other corrupt or deceiptfull way or meane, or by any couine, engine, or deceitfull way or conueyance, shall haue, receiue, accept, or take in lucre or gaines, for the forbearing or giuing day of payment of one whole yeare, of, and for his or their money or other thing, that shall be due for the same wares, marchandizes, or other thing or things aboue the summe of tenne pounds in the hundred, and so after that rate, and not aboue, of, and for a more or lesse summe, or for a longer or shorter time, and no more greater gaine or summe thereupon to be had, vpon the paines and forfeitures hereafter in this Act mentioned and contayned. And be it enacted &c. That if any person or persons, at any time after &c. doe bargaine and sell, or lay to morgage by anie way or meane, any mannors, lands, tenements, or hereditaments to any person or persons, vpon condition of paynient or non-payment of any summe or summes of money to be paid, payed, or made, at any day certayne, or before any such day by him that shall so bargaine, sell, or lay to morgage the same mannors, lands, tenements, or hereditaments, that the same person or persons, to whome anie such mannors, lands, tenements, or hereditaments shall be so bargained, solde, or layed to morgage, shall not by reason thereof, haue nor take in lucre or gaines of the issues, reuenues, and profites of the same mannors, lands, tenements, or hereditaments aboue the summe of tenne pounds in the hundred for one whole yeare, and so after the rate aboue sayd, for a more or lesse summe, or for a longer or shorter time, and no more, nor otherwise, vpon the paines, forfeitures, and penalties hereafter in this present Statute limited and oppressed. And be it enacted &c. That it shall not be lawfull for any person or persons whatsoeuer &c. shall doe any act or acts, thing or things, contrarie to the tenor, forme, and effect of this Statute, or of any clause, article or sentence contayned in the same, that then all and euery offender and offenders therein, or in any part thereof, shall forfeit and lose for euery such offence the treble value of the wares, marchandizes and other thing or things so bargained, sold, exchanged, or chiuised, and the treble value of the issues and profits of the said mannors, lands, tenements, and hereditaments so had, taken or receyued by reason of any such bargaine, sale, or morgage, and also shall take and suffer imprisonment of his body, and make fine and ransome vnto the King at his will and pleasure. The moitie of which forfeitures of the said treble value, shall be to the King: and the other moitie to him or them that will sue for the same in any the Kings Courts of record, by bylls, bill, plaint, or information &c. in which &c. no wager &c. Prouided alwayes, and be it &c. That this Act nor anything therein contayned, shall not hinder any bills obligatorie of any lawfull obligation made, and with a condition, nor to any statutes or recognisances made and to be made for the payment of a lesser summe, so that the same Obligation, Statute, or Recognisance be made vpon a iust, true, and perfect debt, or for the performance of anie other true couenants made or to be made, vpon a lawfull intent had betweene the parties, other then in cases of Vsury, interest, corrupt bargaines, shifts, or chenisance, nor shall extend to any pretorie, fine, feoffement, release, confirmation, or grant made or to be made vpon composition with a true intent, other then for the recouerie, fines, feoffements, releasing, confirmations, and grants, as shall be made vpon condition or couenaunt to giue, interest, or corrupt bargaines, shifts, or chenisance, any thing in this Statute contayned, or any Acte, Statute, or Ordinance heretofore had, vsed, or made to the contrarie notwithstanding. Anno tricesimo octauo Henrici octaui capitale nono. This Act was repealed by Edw. 6. capit. 20. here following: But it was reuiued againe at a time by 13 Eliz. capitulo 8. here following 8.

Repeale

Lloyd

Sell

3. Moneths

Buy

Lucre

Gaines

1 pound the hundred

Sell Morgage Lands

1 pound the hundred

Where in the seauen and thirtieth yeare of the reigne of King Henry the eight (as it is sayd) amongst other Acts and Statutes then made, it was enacted by authoritie of Parliament, That no person or persons of what estate degree or condition they were, should haue, receiue, accept or take in lucre or gaines, for the lone, forbearing, or giuing day of payment of any summe of money, for one whole yeare, aboue the summe of tenne pounds in the hundred, and so after that rate, and not aboue, of, and for a more or lesse summe, or for a longer or shorter time, vpon the paines and forfeitures in the said Act mentioned and contayned. The which Statute is not meant nor intended for the maintenance and allowing of Vsuries, as diuers persons, misled with false

Fork. 3. Maine

Impriſon

Moitie

Obligation

Statute

Act

dinate

dinate loue of themſelues, haue and yet doe miſtake the ſame, but rather was made and intended againſt all ſoꝛts and kinds of Vſury, as a thing vnlawfull, as by the title and preamble of the ſayd Act it doth plainely appeare. And yet neuertheleſſe the ſame was by the ſaid Act permitted, foꝛ the auoyding of a moꝛe euill, and inconuenience, that beꝛe that time was vſed and exerciſed. But foꝛaſmuch as Vſury is by the woꝛd of God vtterly pꝛohibited, as a vice moſt odious and deteſtable, as in diuers places of the holie Scꝛiptures it is euident to be ſeene, which thing by no godly teachings and perſwaſions can ſincke into the hearts of diuerſe greedie, vncharitable, and couetous perſons of this Realme, noꝛ yet by anie terrible threatnings of Gods wꝛath and vengeance, that iuſtly hangeth ouer this Realme, foꝛ the great and open Vſurie therein daily vſed and pꝛactiſed, they will foꝛſake ſuch filthie gaine and lucre, vnleſſe ſome temporall puniſhment be pꝛouided and oꝛdayned in that behalfe. Foꝛ reformation whereof be it enacted by the authoꝛitie of this pꝛeſent parliament, that from the firſt day of Maie, which ſhall be in the yeare of our Lord God, a thouſand fiue hundꝛed fiftie and two, the ſaid Act and Statute, concerning onely Vſurie, lucre, oꝛ gaine, of, oꝛ foꝛ the loane, foꝛbearing, oꝛ giuing vaies of any ſumme oꝛ ſummes of money, be vtterly abꝛogated, voyd, and repealed. And furthermoꝛe be it enacted by the authoꝛitie aforeſayd, that from and after the ſayd firſt day of Maie nexte comming, no perſon oꝛ perſons, of what eſtate, degree, qualitie, oꝛ condition ſoeuer he oꝛ they be, by any coꝛrupt, colourable, oꝛ deceitfull conueyance, ſlight oꝛ engine, oꝛ by any way oꝛ meane, ſhal lende, giue, ſet out, deliuer, oꝛ foꝛbeare anie ſumme oꝛ ſummes of money, to any perſon oꝛ perſons, oꝛ to any coꝛporation, oꝛ bodie politique, to oꝛ foꝛ any maner of Vſurie, increaſe, lucre, gaine, oꝛ intereſt to be paid, receiued, oꝛ hoped foꝛ, ouer and aboue the ſumme oꝛ ſummes ſo lent, giuen, ſet out, deliuered, oꝛ foꝛborne, vpon paine of foꝛfeiture of the value, as well of the ſumme oꝛ ſummes ſo lent, giuen, ſet out, deliuered, oꝛ foꝛborne, as alſo of the Vſurie, increaſe, lucre, gaine, oꝛ intereſt thereof, and alſo vpon paine of impriſonment of the bodie oꝛ bodies of euery ſuch offender oꝛ offenders, and alſo to make fine and raunſome at the Kings will and pleaſure. The moitie of which foꝛfeiture of the ſaid value, ſhall be to the King, and the other moitie to the partie that will ſue foꝛ the ſame in any of the K. courts of recoꝛd, by Action of debt, bill, plaint, oꝛ information, wherein no wager of Law, eſſoine, oꝛ pꝛotection ſhall be allowed oꝛ admitted. An. 5. & 6. Ed. 6. ca. 20. This act was repealed for a time by 13. Eli. ca. 8. as here followeth 8.

8 Where in 37. H. 8. (before 6.) a good Act was made foꝛ the reformation of Vſurie, whereby eſpecially the coꝛrupt cheuiſance and bargaining by way of ſale of waꝛes, and ſhifts of intereſt was well exprelled, which was repealed by another Act made 1. & 6. Edw. 6. (before 7.) againſt vſurie, which later Act hath not done the good that was hoped foꝛ, as well foꝛ that there was no pꝛouiſion againſt ſuch ſhifts of intereſt and ſale of waꝛes, as alſo foꝛ that there is no difference of foꝛfeiture, vpon greater oꝛ leſſer exactions, by reaſon of loanes vpon Vſurie: Be it enacted, That the Statute made in the firſt and firſt yeare of the reigne of King Edward the firſt, and euerie Braunch and Article of the ſame, from and after the fiue and twentieth day of June nexte comming, ſhall be vtterly abꝛogated, repealed, and made voyd: and that the ſaid Act made in the ſaide xxxvij. yeare of King Henrie the eight, from and after the ſaid fiue and twentieth day of June nexte comming, ſhall be reuiued, and ſtand in full foꝛce, ſtrength and effect. And be it further enacted, that all bonds, contracts and aſſurances collaterall, oꝛ other, to be made foꝛ payment of any pꝛincipall, oꝛ money to be lent, oꝛ couenant to be perfoꝛmed, vpon oꝛ foꝛ any Vſurie in lending oꝛ doing of any thing againſt the ſaid Act now reuiued, vpon oꝛ by which loane oꝛ doing, there ſhall be reſerued oꝛ taken aboue the rate of ten pounds foꝛ the hundꝛed foꝛ one yeere ſhall be vtterly voyd. 10. pound the hundꝛed

And be it further enacted, that all Bꝛokers, Sollicitoꝛs, and dꝛiuers of bargaines foꝛ contracts, oꝛ other doing againſt the ſaide Statute now reuiued, whereupon ſhall be reſerued oꝛ taken moꝛe then after the rate of tenne pounds, foꝛ the loane of an hundꝛed pounds foꝛ a yeare, ſhall be to all intents and purpoſes iudged, puniſhed, and vſed as Counſellers, Attornies, oꝛ Aduocates in anie caſe of Pꝛæmunire. And foꝛaſmuch as all Vſurie being foꝛbidden by the Law of God, is ſinne and deteſtable: Be it enacted, That all Vſurie, loane and foꝛbearing of Money, oꝛ giuing dayes foꝛ foꝛbearing of Money by way of loane, cheuiſaunce, ſhifts, ſale of waꝛes, contract, oꝛ other doings whatſoeuer foꝛ gaine, mentioned in the ſaide Statute, which is now reuiued, whereupon is not reſerued, oꝛ taken, oꝛ couenanted to be reſerued, payed oꝛ giuen to the lendeꝛ, contracter, ſhifter, foꝛbearer, oꝛ deliuerer, aboue the ſumme of tenne pounds foꝛ the loane oꝛ foꝛbearing of one hundꝛed pounds foꝛ one yeere, oꝛ after that rate foꝛ a moꝛe oꝛ leſſer ſumme oꝛ time, ſhall be from the fiue and twentieth day of June nexte comming, puniſhed in foꝛme following, that is to ſay: That euerie ſuch offender againſt this Bꝛaunch of this pꝛeſent Statute, ſhall foꝛfeit ſo much as ſhall be reſerued by way of Vſurie, aboue the pꝛincipall foꝛ anie mony ſo to be lent oꝛ foꝛborne: All ſuch foꝛfeitures to be recouered and imployed, as is limited foꝛ foꝛfeitures by the ſayd foꝛmer Statute now reuiued. And be it further enacted, That Iuſtices of Oier and Determiner, and Iuſtices of Aſſiſe in their circuites, Iuſtices of Peace in theyꝛ Seſſions, Maygoꝛs, Sheriffes, and Baylifes of Cities, ſhall alſo haue full power and authoꝛitie to enquire, heare, and determine of all and ſinguler offences committed againſt the ſayde Statute now reuiued. And be it further enacted, That the ſaid Statute now reuiued, ſhall be moſt largely and ſtrongly conſtrued foꝛ the repꝛeſſing of vſury, and againſt all perſons that ſhall offend againſt the true meaning of the ſaid Statute by any way oꝛ deuice, directly oꝛ indirectly. Pꝛouided alway, that this Statute doth not extend, noꝛ ſhall be expounded to

extend

Repealed

Land

Lucre

Foyl.

Moity

Pꝛæmunire

Foyl.

Iuſt. of Oier

Iuſt. of Aſſ.

Iuſt. of P.

Maygoꝛs Sheriffes Bailifs

extend vnto any allowances or payments for the finding of Orphanes, according to the auncient rates or customes of the City of London, or any other citie where like order is for the custodie of Orphanes, and their goods, as is in the sayde Citie of London. Prouided alwayes, and be it further enacted by the authoritie aforesayd, that if any person or persons, shall from and after the sayde fiue and twentieth day of June, offend contrarie to the sayd Statute reuiued by this present Act, made in the seauen and thirtieth yeare of the raigne of the sayd late king Henry the eight: That then all and euery such Offender or Offenders shall and may also be punished and corrected, according to the Ecclesiasticall Lawes heretofore made against Vsurie. And that all and euerie person and persons, offending in Vsurie, shiftes, or cheuisance against this present Act, and not taking or receiuing, but onely after the rate of tenne pound in the Hundred, or vnder, for a yeare, shall bee onely punished by the paynes and forfeitures prouided and appointed by this Act, against such as shall not take or receiue ouer and aboue the rate of tenne pound in the hundred for a yeare, and not otherwise. This Act to continue and endure for and during the space of fiue yeares next after the end of this present Parliament, and from thence vnto the end of the first session of the Parliament then next ensuing. And be it further enacted by the authoritie aforesayd, that if this present Act shall not bee continued in the first Session of the Parliament next ensuing the sayde terme of fiue yeares, and then in the same Session no other Statute or prouision made against Vsurie, or corrupt cheuisance: That then all and euerie the Lawes and Statutes repealed by this Act, shal remaine and bee of such like force and effect, as if this present act had neuer beene had ne made. An 13. Eliz. cap. 8. And Anno 27. Eliz. cap. 11. This Act is continued vntill the end of the next Parliament. And An 28. Eliz. cap. 5. it is continued vntill the end of the next Parliament. And Anno 31. Eliz. cap. 10. it is continued to the end of the next Parliament. And Anno 35. Eliz. cap. 7. it is continued to the end of the Parliament next ensuing. And in Anno 39. Eliz. cap. 18. This Act of 13. Eliz. cap. 21. and euerie branch, clause and prouiso contayned in it was made to remaine, and to continue in force and effect for euer.

Orphanes

London

Vsurie

Wager of Law.

NO Baylife from henceforth shal put any man to his open Law, nor to an Oath vpon his owne bare saying, without faithful witnesses brought in for the same. Anno 9. Hen. 3. Magna charta ca. 28.

Bailife

Law

Witnesses

2 Whereas much people be grieued and attached by their bodie in the Citie of London, at the suit of the people of the same Citie, surmising to them that they bee debtors, and that will they proue by their papers, whereas they haue noe debt nor tayle: It is assented, that euerie man bee received to his Lawe by people sufficient of his condition against such papers, & the creansour shal take surety by another way if he wil, without putting the party to plead to the enquest, if he will not of his owne grie. An. 38. E. 3. cap. 5.

London

Papers

Surrety

Enquest

3 Anno 6. R. 2. Stat. 2. cap. 4. It was enacted, that in actions supposed to bee done by any in the late insurrection, the Defendant with three or foure witnesses might wage his law.

Insurrection

Law

4 To eschew diuers mischiefes, which haue bin, and be from day to day as well within the Citie of London as within other Cities and other places within the Realme of England, of that that diuers feyned suites of debt haue been taken, as wel by the people of the said Cities, as of other places against diuers people, surmising them by their said suites, that they ought to haue accounted before auditors, assigned of diuers receipts, dueties, and contracts had betwixt them, and that they were found in arrerages vpon the same account in diuers great summes, surmising by the same suites sometime their apprentices, and sometime other of their seruants to be the auditors, where there was neuer receit nor duetie betwixt such parties, and where the sayde Apprentices and seruantes did nothing know of such account, to the intent to make them, against whom such suits were taken, to put them in request in the same suites, and to put them from the waging of their Lawe in such case: by reason whereof, by such fauourable inquests taken thereupon of the neighbourres of those that haue taken such suites, hath beene condemned in many great summes, to the great impouerishing and destruction of them: It is ordayned and established, that the Justices in the Kings court and other Judges, before whom such suites and actions shall bee sued and taken, in all such cases in cities, and boroughs, shall haue power to examine the Attournies and other whom please them, and thereupon to receiue the Defendants to their Lawe, or to try the same by Inquest after the discretion of the Justices and Iudges aforesayde. Anno 5. Hen. 4. capitulo 8. Where wager of Law is put out in any action, See in euery such title as any such Action is spoken of.

London

Suits

Justice

Attornies

Wales.

IN the second volume of the Booke of old statutes is a long Act made Anno 12. E. 1 entituled, Statuta Walliæ, wherein it appeareth that Wales was then incorporated and united vnto England, and there be many good Lawes concerning the diuision of Wales into Counties, and concerning triall, and concerning the diuisions of Actions, & in forme of many writs, and the proceeding therein, much like to the Lawes of England: which see there.

2 All the Lords of the Marches of Wales shal be perpetually attendants and annexed to the Crowne of England, as they and their auncestors haue beene at all times before this, and not to the principalitie of Wales, in whose hands soeuer the same principalitie bee, or hereafter shall come. Anno 28. E. 3. cap. 2.

Lords

Crowne

3 From henceforth no whole Welshman, borne in Wales, and having Father and Mother borne in Wales, shall purchase Lands and Tenements within the Towne of Chester, Salop, Bridgenorth, Ludlow, Leominster, Hereford, Glocester, Worcester, nor other Market Townes, ioyning to the Marches of Wales, nor in the Suburbes of the same, vpon payne of forfeiture of the same Landes and Tenements to the Lords of whom such Landes or Tenements bee holden in chiefe. And also that noe such Welshmen be from henceforth chosen or receiued to bee Citizen or Burgesse in any Citie, Borough, or Market Towne, and that such Welshmen which now be in any such citie, Borough, or franchised Towne, being Citizens or Burgesses, shall find sufficient suretie, and put a good caution of their good abearing, aswell towardes our Soueraigne Lord the King, and his heires of his Realme of England, as for to hold their Loyaltie to the gouernours of such Cities, boroughes, or Townes for the time being, in saluation of the same Cities, Boroughes, or Townes, if the same Welshman will dwell therein, so that none of them from hencefoorth be receiued nor accepted to no office of Mayor, Bailifes, Chamberlaine, Constable or keeper of the gates, or of the Gaole, nor to the Common Councell of such Cities, Boroughes, or Townes, nor that hee bee in noe wise made other occupier or officer in the same, nor that none of the said Welshmen from henceforth beare any manner armour within such city, borough, or Market Towne, vpon payn of forfeiture of the same armour, and imprisonment, till they haue made fine in this behalfe. Anno 2. H. 4. cap. 12.

Chester
Forf.
Citizen
Surety
Good abearing
Loyaltie
Office
Maior
Baylife
Constable
Armour
Forf.
Imprison

4 Vpon a grieuous complaint made to our Soueraigne Lord the K. by the commons in the Parliament, how the people of Wales, sometime by day, and sometime by night, come within the counties ioyning vpon the Marches of Wales, and do take diuers distresses of Horses, Oxen, Kine, Sheepe, Swine, and other their goods, to a great number, and the same do lead, driue, and carie away to the Seigniories where they bee resiant, and there withhold them, til agreement be made at their will, & that as wel of them that haue not offended, as of them that haue offended, & also the said people of Wales doe daily arrest the people of the sayde Counties comming with their Merchandises, or other their goods and cattels, and affirme plaints against them of debtes, couenants, trespasses, & other actions, whereto they bee neyther parties nor pledges, to the intent to griene them by diuers and outragious amerciaments, and costes, to the great impouerishing and vtter vndoing of the people of the sayde Counties: Our Soueraigne Lord the King considering the mischieues aforesayde, and willing thereupon to prouide remedie, by the assent and aduice of the said Lords, and at the request of the saide Commons, hath ordayned and established, that if any people of the sayde Counties bee arrested and grieued, as afore is sayde, forthwith Letters Testimonials shall bee made, reciting their grieuances directed to the gouernors or stewards, where such Offenders be resiant, or the goods and cattels receiued in Wales, vnder the Seales of the Shirifes of the sayde Counties, or of the Maiors and Bayliffes of the Cities and Boroughes, or Stewards of Franchises, where such people so grieued be dwelling, to the intent that the saide gouernours or Stewardes shall doe to bee delinered to them their distresses, goods and cattels so taken or arrested. And if they make not deliuerie of such distresses, goods and cattels so taken and arrested, within seauen dayes after request to them made, then it shalbe lawfull to the English people so grieued, to arrest al men that come with goods and cattels of them of the Seigniories of Wales, where such Offenders be inhabiting or resiant, and the same to retaine, till that full agreement bee made to the sayd parties grieued, with their misses, costes, and expences, together with their distresses, goods, and Cattels aforesayde. Anno 2. Henr. 4. cap. 16.

Distresse Goods
Arrest
Testimonialls
Shirifes
Steward
Deliuer
Arrest
Retaine

5 If any Welshmen from henceforth doe enter into the Counties ioyning to the same in the Realme of England, and in the same doe burn, kil, rauish, or commit any other Felonie, or Trespas, whereof hee is attainted within the Realme of England by the Lawes of the same Realme, by Outlagarie or Abiuration, and repaireth into Wales, & abideth there, that vpon ỳ certification and Recordes to bee made by the Iustices of our Soueraigne Lord the King in England, before whom they shall be so conuict, vnder their Seales to the Lords and ministers, where such felons shal be found in Wales, finall execution be made vpon the same felons, by the same Lordes or Ministers, and that vpon a grieuous paine. Anno 2. H. 4. cap. 17.

Felonie
Trespas
England

6 The Lordes of the Marches of Wales, shall ordain and set sufficient stuffing and ward in their Castles and Seigniories of Wales, to the intent that in time to come noe losse, Riot, nor dammage come to our Soueraigne Lord the King, or to his Realme, nor to none of his Liege people by their tenants, resiants, nor none other Welshmen in their default as hath come and be done for default of good gouernance in times past. Anno 2. H. 4. cap. 18.

L. Wardes

7 No whole Englishman by the yeres next following shall be connes at the suit of any Welshman within Wales, except it bee by the iudgement of English Iustices, by the iudgement of whole Englishmen Burgesses, or by Enquests of English Boroughes and Townes of the Seigniories where such Englishmen bee arrested. Anno 2. H. 4. cap. 19.

Englishmē Enquest

8 From henceforth no Welshman be receiued to purchase lands nor tenements within England, nor within the Boroughs, nor English Towns of Wales vpon payn to forfeit the same purchases to the Lordes of whom the said lands and tenements be holden, such estate as the sayd purchaser had in the same, nor that no Welshman be accepted burgesse, nor to haue any other liberty within ỳ realm, nor within the boroughs and Townes aforesaide. Anno 2. H. 4. cap. 20.

Purchas
Forf.
Burgesse

9 No

Englishmē

9 No Englishman liege to our soueraign Lord the King, bee conuict by any Welshman within franchise or without, in any County, Hundred, or Court within the land of Wales, of whatsoeuer thing, but by Englishmen and of the next venue, & by people of good fame, & not procured, nor that the English Burgesses which haue maried Welshwomen, haue franchises with the English Burgesses. An. 4. H. 4. cap. 26.

Burgesses

Vagabond

10 No waster, rimour, minstrell, nor vagabond be in any wise sustained in the Land of Wales, to make commotions nor gathering vpon the commō people there. An. 4. H. 4. cap. 27.

Congregatiō

11 No Congregations be made nor suffered to be made by the Welshmen in any place of Wales, for to make or to take any Councell, vnlesse it bee for an euident and necessarie cause, and by Licence of the chiefe Officers and Ministers of the same Seignioxie, where such thing shall bee done, and in the presence of the same Officers and Ministers, vpon payne of Imprisonment, and to make fine and ransome at the Kings will. Anno 4. H. 4. ca. 28.

Impris. fine

Armour

12 From henceforth no Welshmen be armed, nor beare defencible armour to Market Townes, Churches, nor congregation in the same, nor in the high wayes, in affray of the Countrey, or of the Kings Liege people, vpon payne of Imprisonment, and to make Fine and ransoms at the kings will, except those which bee lawfull Liege people to our Soueraigne Lord the King. Anno 4. H. 4. cap. 29.

Prelates

Impris. fine

Walle' Armour

13 No Englishman or Welshman of what estate or condition that he bee, send or bring by colour of Merchandizes or other way, any Victuall or Armour to any part of Wales, without the speciall Licence of our Soueraigne Lord the king, or of his Councell, vnlesse it bee for stuffing or enstoring of Castles and English Townes, vpon pain of forfeiture of the same Victuals and armor, and that in euerie part of the Marches of Wales and Townes of the Marches, there bee English Constables for to enquire, search and arrest all such Victualls and Armour, and the same Constables for their trauell shall haue the first part of such forfeitures so by them found. Anno 4. H. 4. cap. 30.

Fuel.

Constables

Castles

14 No Welshman shal haue Castle, Fortresse, nor house defensiue of his owne nor of other to keepe, otherwise then was vsed in the time of King Edward, Conquerour of Wales, (s. Ed. 1.) vpon payn of forfeiture of the same, except Bishops and other Temporall Lordes for their owne bodies. An. 4. H. 4. cap. 31.

Fork. Bishops Lords

Justice Chamberlaine

Officers

15 No Welshman be made Justice Chamberlaine, Chauncelor, Treasorer, Shirife, Steward, Constable of Castle, Receiuer, Escheater, Coroner, nor chiefe Forrester, nor other Officer, nor keeper of the Recordes, nor Lieutenant in any of the said offices in no part of Wales, nor of the Conncell of any English Lord, notwithstanding any patent made to the contracie with this clause, non obstante quod sit Wallicus natus, except Bishops in Wales. And of those and other whom the King our Soueraign Lord hath found his good and lawfull Liege people, he will to bee aduised by his Councell. Anno 4. H. 4. cap. 32.

Bishops

Garisons

16 The garisons of the Castles and walled Townes there, be prouided and stored sufficiently of valiant English persons, strangers to the Seignioxies where the sayd Castles be set, and not of any mirt man of the saide parties or Seignioxies in Wales, or the Marches of the same, till the sayd land of Wales be otherwise iustified & appeased for the time to come. An. 4. H. 4. cap. 33.

Castles

Englishmē

17 No Englishman maried to any Welshwoman of the amitie or aliance of Owen ap Glendourdy, traitor to our soueraign Lord, or to any other Welshwomā, after ỳ rebellio of ỳ said Owen, or ỳ in time to come marieth himself to any Welshwoman, be put in any office in Wales, or in ỳ marches of the same. An. 4. H. 4. c. 34.

Officer

Felons

18 Touching Felonies and Robberies done within any Seignioxies of Southwales, it is ordayned and stablished, that the people of the countrey where such Felons be born, receiued, or dwelling, shall take the same Felons and bring them to the gaole of the same Countrey, where they shal be taken, or else they shall be charged and make satisfaction of the Felonies and Robberies afore sayde to the parties, and that by the ordinance and award of the Lord of the same Seignioxies. Anno 9. H. 4. cap. 7.

Felons

19 No theef nor felon in Wales openly knowen, be not suffered to disclaim out of ỳ seignioxy where the felony was done, & that such manner of disclayming be vtterly eschewed and taken alway. And ỳ aswell ỳ said thœues openly knowen as other thœues be put to answere as priuie [illegible] Indictments or accusements in the same Seignioxies where the thœues be taken, without beeing deliuered by disclaiming, or by letters of mark in any maner. An. 9. H. 4. cap. 4.

20 Anno 1 H. 5. cap. 6. It was enacted vpon paines expressed in the statute, that no action, suit, or demaund should bee commenced by any Welshmen against any of the Kings Subiects for killing of any of the rebels that then late were in the rebellion in Wales.

Rebels

21 Forasmuch as sithence the Rebellion of the Welshmen now late reformed, many of the rebels of Wales, with other their adherents, with force & armes in the maner of war, sometimes by day, and sometimes by night, haue come in the Counties of Salop, Hereford, & Gloceſter, & in other places bordering vpon the same countries, & in diuers woods and other places there hid themselues & lodged, and haue traiterously & feloniously taken many of the K. faithfull liege people, some in riding about their merchandises & doing their other businesse & some in their houses, where they were abiding, doing their workes & their husbandry in Gods peace and the kinges, and those the kinges Liege people so taken, haue brought out of their Countrey to diuers partes of Wales, and them haue kept and withholden with them in the mountaines of those parts of Wales by halfe a yeare, sometime more & sometime lesse, till they haue ransomed some of the sayde

liege people to an hundred pound, and some more after that rate, in like manner as is vsed in time of warre, to the great dammage and mischiefe of the people of the sayd Counties and countries, and to an euill example, if it bee not the rather remedied, as the King by the grieuous complaint of the Commons hath perceiued: Our Soueraigne Lord the King, willing against all such Offenders to ordayne a due punishment, hath ordayned and stablished, that the Iustices of Peace, within the Counties of England assigned for the time, shall haue power to enquire, heare and determine all manner of such Treasons and Felonies aswell at the Kings suite as at the parties. So that in case that such Offenders will not appeare before the sayde Iustices to answere as the Lawe requireth in this behalfe, till they bee according to the custome of this Realme outlawed, then the same Iustices shall certifie by their Letters vnder their Seales to the Officers of the seignioryes, in which such oulawes be withdrawne, abiding or resiant, of the outlawry vpon them so pronounced. And that the same Officers vpon that certification, take the bodies of those outlaws, and doe execution vpon them in the same seigniory, as the Law demandeth, without fine or ransome in this behalfe to bee made. An. 2. H. 5. cap. 5.

Iust. of P.

Inquire Oier & ter. Treason Felonies

Execute

22 Whereas diuers dwelling in Wales and in the Marches being indicted and outlawed of treasons and Felonies, come into the Countie of Hereford, and there buy and sell and abide there three or foure dayes at their pleasure, and returne againe without any let or execution made of them by the Shirifes or other, and so they bee imboldened to commit any offence in the sayde Countie: Bee it &c. That if the Shirife, Vndershirife, or any Shirifes, Ministers, Mayor any Baylifes of Towns and Boroughes, or any other person conuersant within the sayd Countie, know and see any such person indicted or outlawed, in any place within the sayd Countie, that hee shall arrest, take and bring him to the Gaole within the saide countie, and there shall deliuer him to the Gaoler after the Lawe of the Realme. And if any such person indicted or outlawed, will disobey the arrest to bee made in the form aforesayd, that hee against whom such disobeisance is made, shall leuie hue and cry. And that euerie person that is conuersant within the sayd County that heareth the hue and cry, shal come and ayde him that leuyed the sayde hue and cry to take the sayd Offender, and shall doe their power that to doe. And if they cannot take him, they shall follow and pursue him out of the sayde Countie with hue and cry. And that the Shirife, Vndershirif, and their Ministers, Mayor and bailifes, the conuersants and hearers of such hue and cryes, shal make due execution of the said ordinãce, according to their power, vpon the paine, that is to say, the sayd Shirife, Vndershirife, and their Ministers, Maior and Baylifes to make fine and ransome to the King, and the said persons, conuersãts and hearers, that is to say, a Knight an hundred shillings, an Esquire fortie shillings, and all other inhabitants twenty shillings. And that the Iustices of Peace in the sayde Countie for the time being, shall haue power to enquire, heare and determine vpon the defaultes and negligences of the sayde Shirife, Vndershirife, and Ministers, Maior and Baylifes, conuersants, and hearers of the sayde Hues and Cryes. And moreouer the king will that the statute of Welt. 1. (which see in Robberie 1.) touching like matter, shall be put in execution. An. 23. H. 6. cap. 5.

Shirife Maior Baylife

Arrest

Disobey

Hue & cry

Execution

Fine

Knight Esquire

Iust. of P.

Enquire Oier & ter.

23 The King hath approued, ratified, and affirmed, all manner of Statutes made in any Parliament against Welshmen before this time not repealed. And moreouer hath ordayned by the authority aforesayd, that all graunts of Franchises, Markets, Faires, and other liberties, to buy, or to sell, to bake, or to brew, and to sell within the Townes of Northwales, made to any Welshman before this time, shall be voyd and of no value. And that all the villeines of our Soueraigne Lord the king within Northwales, shall be bound and constrayned to doe such labours and seruices as they of right haue vsed to doe of old time, notwithstanding any grant made to them, or any vsage vsed by thē of a later time to the contrarie. And ỹ such officers shall haue power to compell them to doe such Labours and Seruices, as they haue vsed to compell them before this time lawfully. Anno 25. H. 6. cap. 1.

Franchises Mark. to Faires

Void Villeines

Labour Seruice

24 Where for lacke of diligent and sure custodie of Iurors sworne for triall of Murderers and Felons, and their accessaries in Wales, & the marches of the same, the friends of such offenders haue resorted to the Iurors, and so corrupted them many times: Bee it &c. That forthwith vpon the charge giuen to any Inquest hereafter to bee taken and sworne before any Iustices, Steward, Lieutenant, or other officer within Wales, or the marches of the same, of, for, and vpon any trauerse against the King, or the tryall of any Recognisance broken, or any other forfeiture forfeited to the king, or of, for, or vpon the triall of any Murderer, felon, or accessarie of Felonie or murder, one officer or other person shall be deputed and sworne in the presence of the sayd Iusticiar, or other officer, for the true and diligent keeping of the same Iurors. And that the same Officer or other person so sworne, without the speciall commaundement of the saide Iusticiar, or other officer, shall not doe, or suffer to bee ministred to the same Iurors, any Bread, Drinke, or meate, fire, or light, nor shall suffer the same Iurors to speake to any person or persons, nor the same Officer, nor other persons sworne without the commaundement aforesayd, shall not speake to the said Iurors, but onely to demaund of them of their agreement vnto such time as the same Iurors shall haue giuen their verdict: any vsage or custome heretofore vsed to the contrarie notwithstanding. And if the same Officer, or other person so sworne in forme aforesayd, doe not execute and accomplish the premisses in the oath before rehearsed in euerie point and article, then the same Officer or other person sworne, shall bee punished and imprisoned, and make fine and ransome to the Kings Highnes, by the discretion of the said Iusticiar

Inquest

Trauers Triall

Officers Oath

Bread Drink Iurors

Officer

Imprisl. Fine

ciar, Steward, Lieutenant, or other Officer. And also be it &c. That if the same Iurors do acquite any such felon, murderer, or accessarie, vpon whose triall they shall be charged, or giue any vntrue verdict against the king vpon the trial of any trauers, recognisance, or other forfeiture, contrarie to good and pregnant euidence ministred to them by persons sworne before the said Justiciar, Steward, Lieutenant, or other Officers, or that the said Iurors, or any of them doe eate, drinke, or speake, to, or with any other person or persons, then to such as be sworne with them, or otherwise misdemeane themselues after they be sworne, and before they haue giuen their verdict: that then the Lord President, and other of the Councell of the Marches for the time being, vpon notice or complaint thereof to them made, shall not onely haue power and authoritie by this present Act, to call such Iurors before them, but also the same Justiciar, Steward, or other officers, afore whom any such acquittall, vntrue verdict, or misdemeanors shal happen to bee made, shall haue full power and authoritie to compell such Iurors, and euerie of them vpon payne of Imprisonment, to bee bounden by Recognisance in a certaine summe of money, by their discretions to bee limited, that the same Iurors, and euerie of them, shall personally appeare at a certain day, by the same Justiciar, Steward, or other officer to be limited before the Lord president, and other of the Councel aforesayd, for the time being, then and there to abide and stand in such direction and order, as the same councell shall make, ordayne, and decree, of, in, and vpon the same. And that the same councell shall thereupon haue authoritie and power by examination, or otherwise, to heare and determine all and euery such cause, and shall haue like authoritie to commit euerie of the same Iurors to Prison, or other punishment, as shall be thought most meete, by the discretion of the said Councell, or otherwise assesse or taxe euerie such Iuror to his fine and ransome by the same discretion, to be paied and leuied of their lands, goods, and cattels, to the vse of the kings highnes. An. 6. H. 8. cap. 4.

Acquite
Verdict
Hibernean
President
Recognisances
Councell
Determer.
Taxe

25 Forasmuch as the people of Wales and the Marches of the same, perseuering in the perpetration of manifold wickednesses, stand in neede of sharp correction: Be it &c. that all & singular person and persons, dwelling or resiant within Wales, or in the Lordships Marchers of the same, from time to time, and at all times hereafter, vpon such monition or warning for the Court to be kept in Wales, or in any of the Lordshippes Marchers aforesayd, as before this time hath been vsed, shall personally repaire, resort, and appeare before the Justice, Steward, Lieutenant, or other officer, at all and euerie Sessions, court and courts to bee holden before the same Justice, Steward, or other officers in any whatsoeuer Castle, fortresse, or other place within Wales, or within the precinct, limits, and iurisdictions of euerie the Lordshippes Marchers or Seigniories aforesayde, or the Marches of the same, as by the sayd Justice, Steward, or other officers shall bee appointed, and then or there shall giue his or their personall attendance, to doe, execute, and accomplish, all and euerie thing and things which to him or them shall afferre and appertayne, vpon payne of such fines, forfeitures, and amerciaments as shall bee afferred, assessed, and taxed by the Justice, Steward, or other officer to the kings vse, if it be within any of the kings Lordships Marchers. And if it bee within any other Lordshippes Marchers, then to the vse of the Lord of the said Lordship Marcher for the time being: The sayd forfeitures and amerciaments to be leuyed, perceiued, and taken by way of distresse of the goods and cattels of euerie person not appearing at the said court or courts, or not doing, executing, or accomplishing his duetie, as is abouesayd. And forasmuch as the officers in the lordships Marchers in Wales, haue oft and sundrie times heretofore vnlawfully exacted the kings subiects within suth Lordships, where they haue had rule or authoritie by many and sundry wayes and meanes, and also committed them to straight duresse and imprisonment for small and light feined causes, and extortiously compelled them thereby to pay vnto them fines for redemptions, contrarie to the law: Therefore be it &c. that if any Steward, Lieutenant, or any other officer of any Lordshippe Marcher, do saine, procure, or imagine any vntrue surmise against any person or persons that shall so giue their personall attendance before them at such court or courts, and vpon the same vntrue surmise commit them to any duresse or imprisonment contrarie to the Law, or contrarie to the true and laudable custome of that lordship, that then vpon sute made vnto the Kings Commissioners or Councel of the Marchers for time being, by any such person or persons so imprisoned, or by any their friends, that then the same commissioners or councell shall haue full power and authoritie to send for such Steward, lieutenant, or officer, and also for the person or persons so imprisoned. And if the same person or persons so imprisoned, can euidently prowe before the said Councell, by good and substantial witnesse, or otherwise, that his imprisonment was vpon any fayned surmise without cause reasonable or lawfull: That then the same Commissioners, shall haue full power and authoritie to assesse the sayde Officer to pay to the sayde person or persons wrongfully imprisoned fiue shillings eight pence for euerie day of their Imprisonment, or more, by the discretion of the sayde Commissioners, according to the hurtes and behauiour of the person or persons imprisoned. And that the same Commissioners shall set further Fine vpon the sayde Officer to bee payde to the kings vse, as by their discretions shall bee thought conuenient. And in case the same Officers doe refuse to appeare before the same Commissioners incontinent after any commaundement to them directed and deliuered, after any such complaint made to the same Commissioners: that then the same commissioners shal haue full power and authority vpon euery default made by any officer or officers, to assesse & set vpō euery such officer or officers making default, such fine or Fines to be leuied to the kings

Fees
Distresse
Officers
Stewards Lieutenant
Imprison
Commissioners
Surmise
Assesse
Commissioners
Fine
Refuse
Officer
Fine

Court
Appeare
Sessions
Justice Steward

vse, as by their discretions shall be thought conue-
nient. And that the same Commissioners shall
Compell haue full power and authoritie to compell the sayd
Officer or Officers by way of Imprisonment, as-
well to pay such fine as shall be set and tared vpon
them to the Kings vse, as to pay to euerie person
and persons so imprisoned, such summes of mo-
ney as they shall bee selled to pay for their wrong
imprisonment. And also bee it further enacted
&c. That no person or persons dwelling or resiant
within Wales or the Lordships Marchers of the
same, of what estate, degree, or condition soeuer
hee or they be of, comming, resorting or repayring
vnto any Sessions or Court to bee holden within
Wales, or any Lordships Marchers of the same,
shall bring or beare, or cause to be brought or borne
to the same Sessions or Court, or to any place
within the distance of two miles, from the same
Sessions or Court, nor to any Towne, Church,
Faire, Market or other Congregation, except it
bee vpon a Hue or Out-cry made of any Felonie
or Robberie done or perpetrated, nor in the high
wayes in affray of the Kings Peace or the Kings
Liege people, any Bill, Long-bow, Crosse-bow,
Hand-gun, Sword, Staffe, Dagger, Halbert,
Weapon Armor Forf. Morispike, Speare, or any other manner of wea-
pon, priuie Coate, or armour defensiue, vpon pain
of forfeiture of the same weapon, priuie Coate, or
Imprison armour, and to suffer imprisonment, and make
fine and ransome to the Kings Highnesse, by the
discretion of the Kings Commissioners of his
Marches for the time being, except it bee by the
commaundement, Licence, or assent of the sayde
Justices, Steward, or other Officer, or of the
Commissioners or Counsell of the Marches for
Licence the time being. And that noe person or persons
from henceforth without Licence of the sayd Com-
missioners in writing, shall within Wales or
Marches of the same, or in any Shires adioyning
to the same, require, procure, gather or leuie any
Commorth Bridall Commorth, Bridall, Tenants-Ale, or other Col-
lection or eraction of goods, cattels, money or any
other thing, vnder colour of Marying, or suffering
of their Children saying or singing of their first
Masses, or Gospels of any Priests or Clerkes, or
for redemption of any Murder or any other Felo-
nie, or for any other maner of cause by what name
or names soeuer they shall bee called, nor shal make
Games or procure to bee made any games of running,
wrestling, leaping, or any other games, the game
of shooting onely excepted and foreprised, vpon
Imprison payne of one whole yeares imprisonment of euery
person or persons as shall gather or procure to bee
gathered any such Collection or Eraction, or shall
make or procure to bee made any games aforesayd.
And further they and euery of them shal make such
Fine Commissioners fine, as by the discretion of the Kings Commissi-
oners of his Marches shal bee thought conuenient.
And further the sayd Commissioners by this pre-
sent Act, shall haue power and authoritie to
Diet & ter. heare and determine the sayd offences by their ex-
amination. And that noe person or persons shall
Court hereafter at any time cast any thing into any court
within Wales, or in any Lordships Marchers of
the same, by the meane or name of an Arthell, by
reason whereof the Court may be letted, disturbed,
or discontinued for that time, vpon payne of one
whole yeares imprisonment of any such person or
persons, as shall cast or cause to bee cast any such
Arthell into any Court or Courts, hereafter to be
holden within Wales or Lordships Marchers of
the same: any custome before this time vsed to the
contrarie notwithstanding. And that all Sessi-
ons and Courtes hereafter to bee holden within
Wales, or the Lordships Marchers of the same,
shall be kept within the most surest and peaceable
place within the same Lordshippe Marcher, where
the sayd Justice, Steward, or other officer shall ap-
point. And for the punishment and spedy tryall,
as well of the counterfeiters of any Coyne currant
within this Realme, washing, clipping, or minish-
ing of the same, as of all and singular Felonies,
Murders, wilfull burning of houses, manslaugh-
ters, robberies, burglaries, rapes, and accessaries
of the same, and other offences feloniously done,
perpetrated and cõmitted or hereafter to be done,
perpetrated and committed within any Lordships
Marcher of Wales: Be it &c. that the Justices of
the gaole deliuerie, and of the Peace, and euerie of
them for the time being, in the Shire or Shires of
England, where the Kings writ runneth, next ad-
ioyning to ỹ same lordship Marcher, or other place
in Wales, where such counterfeiting, washing,
clipping, or minishing of any Coine currant with-
in this Realme, or murder hath bene, or hereafter
shall be committed or done, or where any other fe-
lonies or accessaries, shall be hereafter committed,
perpetrated, or done, shall haue from henceforth ful
power and authoritie at their Sessions and Gaole
deliuery, to inquire by verdict of twelue men of the
same shire or shires next adioyning within Eng-
land where the kings writ runneth, there to cause
all such counterfeiters, washers, clippers of mony,
felons, murderers, and accessaries to the same, to be
indicted according to the lawes of this land, in like
manner and forme, as if the same pettie Treasons,
murders, felonies, and accessaries to the same, had
bẽn done, committed, or perpetrated within any of
the said shires within the said Realme, and also to
heare, determine, and iudge the same, according to
the Lawes of the Realme. And that all forreine
pleas pleaded by any of the saide malefactors and
offenders, shall bee tried and determined in the said
shire or shires, and that the acquitall or fine ma-
king for any of the causes aforesayd, in any of the
Lordships Marchers, shal be no barre for any per-
son or persons beeing indicted in the sayd Shire or
Shires, within two yeares next after any such
murder or felonie done. And further be it &c. That
the said Justices of peace and gaole delitery, and
euery of them, shal haue full power and authoritie
to award all maner of proces, as wel of outlawrie,
as otherwise, against all and euery such offender &
offenders, so indicted in maner and form, and accor-
ding to the customes and Lawes vsed and accusto-
med within this Realme of England. And that the
said Justices, or two of them, afore whom any such
offender shall happen to be outlawed or attainted
by

Arthell
Imprison
Sessions Courts
Place
Triall Counterfeiters Washing Clipping Felonies
Iust. of G. deliuerie Iust. of P.
Sessions Inquire
Indict Petrie Treason
Oyer & ter.
Forrein pleas
Barre
6. yeres
Iust. of P.
2. Iu. of P.

by vtlagarie, shall immediately vpon the same outlawrie or attainder, direct and send vnto the Kings Officers of his Lordships Marchers, or their Deputie, or vnto the Lord or Lords Marchers of the same Lordship Marcher, or to his or their Officer or Officers, or to their Deputies, wherein such offence, murder, or felonie shall happen to be done, or where any such offendor, murderer, or felon shall happen to be reliant, a Certificate vnder the Seals of them, or two of them, of any such outlawrie or attainder, commeunding them and euerie of them by the same, vnder paine of forfeiture of an hundred pounds to the King, to be leuied and perceiued, as well of the goods, cattels, lands, and tenements of the same Lord or Lords Marchers, as of goods and cattels, lands, and tenements of the Kings Officer there, to apprehend and attach, or cause to be apprehended and attached the bodie or bodies of the same offendor or offendors so outlawed or attainted, and safely to keepe, or cause to bee kept the same offendor or offendors, till such conuenient time before the next Sessions of the kings Iustices of his Gaole deliuerie of the Shire where such offendor or offendors shall happen to be outlawed or attainted, as to the Kings Officer of his Lordships Marchers, or to their Deputies, or vnto the Lord Marcher, or Lords Marchers of the same Lordship Marcher, or to his or their Officer or Officers, or their Deputies, where such offender or offenders shall be apprehended, attached, detained, and kept, shall be thought expedient for the conueyance and conducting of the same offender or offenders, in manner and forme following, to bee deliuered from the Kings Officers or their Deputies, or the Lord Marcher, or Lords Marchers, or his, or their Officer or Officers, to other persons assigned by this Act to receiue and conuey such offender or offenders by Indenture to bee made betweene the deliuerer or deliuerers, and the receiuer or receiuers, that is to say, that the Kings Officers of his Lordship Marcher or their Deputies, or the Lord or Lords Marchers of the Lordship Marcher, or his or their Officer or Officers, or their Deputies, where such offender or offenders shall be apprehended, attached, detained, and kept, shall safely and surely conduct and conuey, or cause to be conducted and conueyed, the same offender or offenders to the next Lordship Marcher toward the Shire where the same offender or offenders shall happen to be outlawed or attainted. And that the Kings Officers of the same Lordship marcher or their Deputies, or the Lord or Lords Marchers of the same Lordship Marcher, or his or their Officer or Officers, or their Deputies, shall receiue and safely and surely conduct and conney the same offendor or offenders to the next Lordship Marcher. And so the Kings Officers of euery Lordship marcher, or their Deputies, or the Lord or Lords marchers of the same Lordship, or his or their Officer or Officers, or their Deputies, to receiue, conduct, and conuey safely & surely euerie such offender or offenders, from one Lordship Marcher to another Lordship Marcher, by Indenture as is aforesayd, vnto the time that such offender or offenders shall be safely deliuered before the said Iustices of the gaole deliuerie, vpon paine of forfeiture by euerie of the Kings Officer or Lord Marcher, by whose default the same offender or offenders shall ne may not appeare before the same Iustices at their said Sessions, there to stand & abide the order of the K. Lawes, C.K. to be leuied and perceiued of the goods and cattels, lands & tenements of the same Officer or Lord to the Kings vse. And that all and euerie Officer and Officers, Lord & Lords, or other persons, to whom any Certificate shall be directed, as is abouesaid, shal at the nert Sessions and gaole deliuerie to be holden after the apprehensiō or attachment of such offender or offenders, returne the same Certificate in due forme, and what he or they haue done in that behalfe, vpon the paine aforesaid. Sauing alwaies to all and euery offender or offenders, all and singular trauerses, challenges, exceptions, aduantages, and all other pleas, to, of, & vpon the outlawrie pronounced or promulged against the same offender or offenders, in manner & forme as is and hath beene vsed and accustomed by the Lawes of this Realme, for any the Kings subiects dwelling within the same Realme. Prouided alwayes, and be it &c. That if any person or persons which shal happen hereafter to be indicted, outlawed, arraigned, conuicted or attainted by vertue of this Act, doe find such sufficient suretie before the Kings Iustices of his gaole deliuerie, as by their discretion shal be thought cōuenient, that the same person or persons shall not from thencefoorth commit or do any felony, murder, or felonious offence, nor be accessary to any felony, murder, or felonious offence, but at all times from thencefoorth shall bee of good behauiour against the King our Soueraign Lord, his heires & successors, his & their lawes and subiects: That then the same Iustices of gaole deliuerie for the time being, with and by the assent, consent, and agreement of the said President, and two of the Kings Commissioners or Councell of the Marches for the time being, or three of them at the least, whereof the Lord President, or one of the Councell to be one, shall and may by their discretiō for one time onely, admit any such offender to a certaine fine or summe of money on him by them to be assessed and tared, to bee surely payed to the Kings vse, and shall haue full power and authoritie by this present Act, to discharge any such offender or offenders, so arraigned, outlawed, conuicted, and attainted of all and euery such felony, murder, or felonious offence, & accessaries of the same, and of all exactions, and punishments of death which the same offender or offenders should suffer by the Common Lawes of this Realme, so the same offender or offenders stand not appealed of the sayd felonie, murder, or felonicus offence, or accessarie of the same offences at the time of his said discharge. And that euerie such offender so discharged as is abouesayd, shall bee for the same offence or offences done within any of the Kings Lordships Marchers, or any other Lordships Marchers, discharged as well against the Kings Highnesse, his Heires or Successours, as against all the Lords Marchers for one time onely. Prouided al-

Certificate
Forf.
Attach
Indenture
Officer
Conduct
Forf.
Sessions
Suertie
Iustices of Gaole deliuerie
Fine
Discharge
Appealed
Murder
Rape

alway, and bée it &c. That this present Act, nor any thing therein contained, shall not extend ne take place to abridge, depriue, or minorate any Liberties, Priuiledge, or authority of any Lord Marcher, heretofore granted to the same Lord, or lawfully vsed or accustomed by the said Lord, or any his auncestors, vnlesse the foresaid offenders happen to be indicted, outlawed, arraigned, conuicted, or attainted, by force of this Act, as is abouesayd, within two yeares next after such murder, or other felonious offence perpetrated, done or committed within the said Lordships Marchers, or any of them, Any thing in this present Act before rehearsed to the contrarie notwithstanding. And further bée it &c. That all murders, robberies, felonies, and accessaries of the same, which shall happen hereafter to bee done, perpetrated, or committed within the Shire of Mereoneth in Wales, shall and may be from henceforth enquired, heard and determined in the Counties of Carnaruan, or Angleſey, before the Kings Iustices of Northwales, or his Deputie for the time being, by verdict or inquest, to be taken by the inhabitants of the same Shires of Carnaruan and Angleſey, or otherwise as by the discretion of the Iustice there, or his Deputie, shall be thought conuenient. And that the same Iustice, or his Deputy for the time being, shall haue full power and authoritie by his discretion, by force of this present Act, to heare and determine all and euerie the foresayd murders, felonies, robberies, and accessaries in forme aforesaid. And where heretofore vpon diuers murders, robberies, and felonies perpetrated and done, as well within the Lordships Marchers of Wales, as in other places of Wales without the same Lordships, the offenders diuers times flie and escape from the same Lordship, or other place where such offence was committed, and haue repaired and resorted into another Lordship Marcher, and there by the aid, comfort, and fauour of the sayd Lord of the same Lordship, or his Officer or Officers, haue bene abiding and resiant, into which Lordships the same Lords Marchers haue and doe pretend a custome and priuiledge, that none of the Kings Ministers or subiects may enter to pursue, apprehend, and attach any such offender thereunto repaired, as is aforesayd, by reason whereof the same offenders went vnpunished, to the vranimation and incouraging of other euill disposed people: It is therefore &c. That euerie Officer and Officers and their Deputies, vpon commaundement giuen by the Commissioners or Councell of the Marches for the time being, shall bring, send, or deliuer euerie such offendor to the Officer of the Lordship Marcher, or other place where any such offence is or shall be committed or done vpon the metes and bounds of the said Lordships, or to the said Cõmissioners or Councell, according as the same officers by them shalbe cõmanded, vnder paine of xl. l. the same commandement or Commission to be directed to any such officer to be sent, conueyed, & deliuered by a Sergeant at Armes, or a Pursuiant, attendãt on the said Councell in the Marches for the time being. An. 26. H. 8. cap. 6. See after 32.

Priuiledge

Murders Felonies

Mereoneth

Iustice

Diſcretion.

Eſcape

Bounds

Forf.

Sergeant at Armes Pursuiant

26 An. 26. H. 8. cap. 11. An Act was made for punishing of Welshmen attempting assault or frayes vpon the inhabitants of Hereford, Gloucester, and Shropshire, to endure to the last day of the next Parliament. And after it was continued Anno 28. H. 8. cap. 6. & 31. H. 8. cap. 7. and 33. H. 8. cap. 17. to endure to the last day of the next Parliament, and then it expired.

27 Where diuers and many Forests bée in Wales, and the Marches of the same, as wel of the inheritance and possessions of our Soueraigne Lord the King, as of diuers others being Lords Marchers: Within which forests certaine vnreasonable customes and exactions haue bene of long time vnlawfully exacted and vsed, contrarie both to the Law of God and man, to the exprelle wrong and great impouerishing of diuers of the Kings true subiects: the effect of which said vnlawfull exactions and customes be hereafter declared, that is to wit: It hath bene there vnlawfully vsed, that if it fortune any of the Kings subiects to passe, goe, or ride through, or in any way or path of any of the sayd forests, not hauing vpon him or them that so shall fortune to passe, goe, or ride, a token deliuered to him or them by the chiefe Foresters, rulers, walkers, or farmers, the which token shall be well knowne amongst all them that are walkers and rulers vnder him or them, or that he or they that so shall fortune to passe, goe, or ride in or throughout any of the said forests, be not yearely tributors or chensers: Then he or they so going, riding, or trauelling in or throughout any of the sayd forests, hauing no token, nor being yearely tributors or chensers, as is aforesaid, haue vsed to pay by vnlawfull exaction vnto the said Foresters, rulers, walkers, and farmers of the said forests, a grieuous fine or reward. And if any person or persons not hauing such token or tokens, and not being a yearely tributor or chenser, as is aforesaid, should happen to be taken, found, or espied by any of the said Foresters, rulers, walkers, or farmers, or their assignes, by the space of foure and twentie foot out of the highway, then hee or they so being taken, found, or espied out of the highway, within any of the said forests, as is aforesaid, to forfeit and lose vnto the said Foresters, rulers, walkers, and farmers, all such money and gold as should by them be found vpon him or them so being taken in any of the said forests, out of the highway, as is aforesaid. And also the same person or persons so being taken or found out of the highway, to forfeit and lose a ioynt of one of his or their hands, or else to make fine therfore with the said Foresters, rulers, walkers, and farmers, at the will and pleasure of the said rulers, walkers, or farmers. And if also that it happen any beast or quicke cattell to come, goe, or escape into any of the sayd forests by stray, or théefe stollen, or otherwise, the said Foresters, rulers, walkers, or farmers, after knowledge to him or them giuen, haue likewise vnlawfully vsed to seise & take ỳ same beasts or cattel, as his or their owne, & marke them with the marke of their forest there vsed: and so seised, marked, taken, and them retaine as cattell forfeited vnto their owne vse,

Forests

Customes

Token

Tributs

Forf.

Forf.

by

by reaſon whereof the owner and owners of the ſame cattell haue béene cleere without remedie for the hauing againe of the ſame cattell, except onely by the way of redemption or buying againe of their owne cattell, contrarie to all equitie and conſcience: In conſideration wherof, it may pleaſe &c. to enact &c. That from the Feaſt of the Nativitie of Saint Iohn Baptiſt next comming, which ſhall bée in the yeare of our Lord God 1536. all the ſaid vnlawfull cuſtomes to be determined, voyd, and had for nought throughout all and euerie the ſayd Foreſts within Wales, and the Marches of the ſame. And that it ſhall be lawfull from thenceforth to all and euerie of the Kings true ſubiects, and all other perſon or perſons being in league and amitie with our Soueraigne Lord the King, his heires and ſucceſſors Kings of England, freely, quietly, and in peace to paſſe and repaſſe, trauell, and goe into and through the ſaid foreſts, and euerie of them, both on horſeback and on foot, as well following and driuing of cattell, as with carrying of wares or otherwiſe, about their lawfull buſineſſe and affairs, without any fine, forfeiture, toll, cuſtome, exaction, or other impoſition to be taken, exacted, or demaunded of them, or of any of them, by the ſaid Foreſters, rulers, walkers, farmers, or their aſſignes. And if it ſhall chaunce or happen any of the ſaid Foreſters, rulers, walkers, farmers, or their aſſignes, or any of them, at any time after the ſayd Feaſt of Saint Iohn Baptiſt, to take any perſon or perſons being the Kings true ſubiects, or otherwiſe in league and amitie with our ſaid Soueraigne Lord, his heires or ſucceſſors Kings of England, as is aforeſayd, and exact and take of them, or any of them, any of the ſayd forfeitures, fines, tolls, cuſtomes, or exactions, as is aboue mentioned, and be thereof lawfully conuicted: That then he or they ſo doing and offending contrarie to this Act, to incurre and ſtand in the daungers of the Eſtatute heretofore prouided for robberies by the Kings highway, and the ſame to be tried before the Iuſtices of Peace in the next Shire adioynant, according to the Lawes of this Realme of England. And further be it &c. That if any manner of beaſt or quicke cattell of any of the Kings true ſubiects, or other the Kings friends at any time after the ſaid Feaſt of the Nativitie of Saint Iohn Baptiſt, doe come into any of the ſaid foreſts by ſtrayes, thefe ſtollen, or otherwiſe, and there to be marked and ſeiſed by any of the ſaid foreſters, rulers, walkers, farmers, or their aſſignes, or any of them, or the owner or owners of the ſame cattell, within one yeare and a day then next enſuing, chaunce to find the ſayd cattell ſo taken, and lawfully proue the ſame to be his or their own proper cattell, that then the ſame cattell to be redeliuered to the owner or owners thereof, according to the auncient Law of this Realme of England, the ſayd owner or owners reaſonably paying for the keeping of ſuch cattell after the rate of the time that ſuch cattell ſhall haue béene in the cuſtodie and keeping of any ſuch Foreſters, Rulers, Walkers, and Farmers, or his or their Aſſignes, in ſuch manner and forme as heretofore hath béene in like caſe vſed to be done by the Law of this Realm of eſtrayed cattell, claimed, and proued by the owners within a yeare and a day next after the ſeiſing of the ſame cattell. And if any of the ſayd Foreſters, Rulers, Walkers, Farmers, their aſſignes, or any of them, doe denie the deliuerance of any ſuch cattell, by them or any of them ſo ſeiſed and marked within any of the ſaid foreſts, after the owner or owners of them ſhall haue duely and lawfully proued them to be his or their owne proper goods and cattels, as is aforeſayd, that then euerie ſuch Foreſter, Ruler, Walker, Farmer, or aſſignes, ſo doing and offending contrarie to this Act, to forfeit and pay vnto the partie grieued, the double value of all ſuch cattell, as ſhall be ſo taken and marked, and not deliuered to the owner or owners, as is aforeſayd. And that the partie grieued may haue his action of Detinue at the Common Law, of, and for the ſame cattell, againſt euerie ſuch offender or offenders, and the ſame to bée tried in the next Shire adioynant: In which action the defendant ſhall not be admitted to wage his Law, nor Eſſoine, nor Protection ſhall be allowed for them: and like Proces of Outlagarie to bée had and made in the ſaid action of Detinue in the next Shire adioynant againſt euery Foreſter, Ruler, walker, farmer, or their aſſignes, ſo offending contrarie to the tenor of this Act, as in an action of Treſpaſſe at the Common law of this Realme is vſed. An. 27. H. 8. cap. 7.

28 Albeit the Dominion, Principality, & Countie of Wales, iuſtly and rightly is, & euer hath bén incorporated, annexed, vnited, and ſubiect to and vnder the Imperiall Crowne of this Realme, as a verie member and ioynt of the ſame: Whereof the Kings moſt royall Maieſtie of méere droit and verie right, is verie head, King, Lord, and Ruler: yet notwithſtanding, becauſe that in the ſame countrey, principalitie, and dominion, diuers rights, vſages, and cuſtomes, be farre diſcrepant from the lawes and cuſtomes of this Realme, and alſo becauſe that the people of the ſame Dominion haue and doe daily vſe a ſpéech nothing like ne conſonant to the naturall mother tongue within this Realme, ſome rude and ignorant people haue made diſtinction and diuerſitie betwixt the Kings ſubiects of this Realme, and his ſubiects of the ſaid dominion and principalitie of Wales, whereby great diſcord, variance, debate, diuiſion, murmure, and ſedition hath growne betwéene his ſaid ſubiects: His Highneſſe therefore, of a ſingular zeale, loue, and fauour that hée beareth toward his Subiects of his ſayd Dominion of Wales, minding and intending to reduce them to the perfect order, notice, and knowledge of his Lawes of this his Realme, and vtterly to extirpe all and ſingular the ſiniſter vſages and cuſtomes, differing from the ſame, and to bring his ſayd Subiects of this Realme, and of his ſayd Dominion of Wales, to an amiable accord and vnitie, hath by the deliberate aduiſe &c. ordayned &c. That his ſayd Countrey or Dominion of Wales ſhall be, ſtand and continue for euer from henceforth incorporated, vnited, and annexed, to & with this

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this Realme of England. And that all and singular person and persons borne and to be borne in the said principalitie, countrey, or dominion of Wales shall haue, enioy, and inherite all and singular freedomes, liberties, right, priuiledges, & lawes within this Realme, and other the Kings Dominions, as other the kings subiects naturally borne within the same, haue and enioy, and inherite. And that all and singular person or persons inheritable to any manors, lands, tenements, rents, reuersions, seruices, or other hereditaments, which shall descend after the feast of All Saints nert comming, within the sayd principalitie, countrey, or dominion of Wales, or within any particular Lordship, part or parcell of the sayd countrey or dominion of Wales, shall for euer, from and after the sayd Feast of All Saints, be inheritable to the sayd manors, lands, tenements, rents, reuersions, and hereditamẽts, after the English tenure, without diuision or partition, and after the forme of the Lawes of this Realme of England, and not after the tenure, ne after the forme of any Welsh lawes or customes. And that the lawes, ordinances, and Statutes of this Realme of England for euer, and none other lawes, ordinances, ne Statutes, from and after the said Feast of All Saints next comming, shall be had, vsed, practised, and executed in the said countrey or dominion of Wales, and euerie part thereof, in like manner, forme, and order, as they haue bẽne and shall be had, vsed, practised, and executed in this Realme, and in such like maner and forme as hereafter by this Act shall be further established and ordained: Any Act, Statute, vsage, custome, president, libertie, priuiledge, or other thing had, made, vsed, graunted, or suffered, to the contrarie in any wise notwithstanding. And forasmuch as there be many and diuers Lordships Marchers, within the said countrey or dominion of Wales, lying betwẽne the Shires of England and the Shires of the said countrey or dominion of Wales, & being no parcell of any other Shires, where the laws and due correction is vsed and had, by reason whereof hath ensued, and hath bẽne practised, perpetrated, committed and done within and among the said Lordships and Countries to them adioyning, manifold and diuers detestable murders, burning of houses, robberies, thefts, trespasses, routs, riots, vnlawfull assemblies, embraceries, maintenances, receiuing of felons, oppressions, ruptures of the peace, and manifold other malefacts, contrarie to all lawes and iustice: And the said offenders thereupon making their refuge, from Lordship to Lordship, were and continued without punishment or correction: For due reformation whereof, and forasmuch as diuers and many of the said Lordships Marchers be now in the hands and possession of our Soueraigne Lord the King, and the smallest number of them in the possession of other Lords: It is therefore &c. That diuers of the said Lordships Marchers shall be vnited, annered, and ioyned to diuers of the Shires of England, and diuers of the said Lordships Marchers shal be vnited, annered, & ioyned to diuers of the Shires of the said countrey or dominion of Wales, in maner & forme hereafter following. And that all the residue of the said Lordships marchers within the said countrey or dominion of Wales, shall be seuered and diuided in certaine particular Counties or Shires, that is to say, the Countie or Shire of Monmouth, the Countie or Shire of Brecknock, the Countie or Shire of Radnor, the Countie or Shire of Mountgomerie, the Countie or Shire of Denbigh. And ỳ the Lordships, Townships, Parishes, Commotes & Cantredes of Monmouth, Chepstow, Marthern, Lanihangell, Hagor, Goldcliff, Newport, Wenlog, Lanwern, Carlion, Vske, Trelecke, Tintern, Skinfreth, Cronsmont, Whitcastle, Reglam, Calicote, Bilson, Abergauenny, Demose, Creneseld, Wag & Yocuilade in the said countrey of Wales, & all and singular honors, lordships, castles, manors, lands, tenements, & hereditaments, lying or being within the compasse or precinct of the said lordships, townships, hamlets, parishes, commotes, and cantreds, and euerie of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand be from and after the said Feasts of All Saints guildable, and shall be reputed, accepted, named and taken, as parts and members of the said Shire of Monmouth. And that the said towne of Monmouth shall be named, accepted, reputed, vsed, had, and taken head and Shire towne of the said countie or Shire of Monmouth. And that the Sherifes Countie, or Shire Court, of, and for the sayd Shire and Countie of Monmouth, shall be holden & kept one time at the sayd Towne of Monmouth, and the nert time at the towne of Newport in the same Countie or Shire, and so to be kept in the said two townes alternis vicibus, and according to the laws of this Realme of England for euer, and in none other place. And it is &c. That all actions reals, that hereafter shall bee contained, perpetrated, or sued for any lands, tenements, or hereditaments, or any other thing within the said Countie or shire of Monmouth, and all actions personals within the same Shire or Countie, of the summe of fortie shillings or aboue, and all actions mixt, shall be sued by originall Writ of the Kings high Court of Chancerie of England, & heard, determined & tried before the Kings Iustices of England, or by Assise of Nisi prius, within ỳ said Countie of Monmouth in such like maner, forme, & wise, as all other actions reals, personals, & actions mixt, sued, heard, determined & tried, in, or for any shire of this Realm of England. And that the K. Iust. of his Bench, or of his common Bench at Westminster, shall haue full power & authority to direct all maner proces to the Sherifes and all other officers of the said countie of Monmouth, and also to direct Writs of Venire facias, to the same Sherife, for the triall of euerie issue ioyned before them, and also to award Commissions of Nisi prius into the said Countie of Monmouth, for the triall of such issues ioyned before them, in like maner & forme as they doe into euerie Shire of this Realme of England. And all and euerie the Kings subiects & inhabitants within the sayd Countie of Monmouth, shall bee for euer from and after the said Feast of All Saints, obliged

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K. Iustice
Venire facias
Commissions
Marchers United
Shires

obliged and bounden to be obedient and attendant to the Lord Chauncellor of England, the Kings Iustices, & other of the Kings most Honourable Counsell, and vnto all lawes, customes, ordinances, and statutes of this Realme of England, in like maner, forme, and wise, as all other the Kings subiects within euerie Shire of this Realme of England be obliged and bounden: Any Act, Statute, vsage, custome, libertie, priuiledge, or any other thing to the contrarie in any wise notwithstanding. And that the Sherife of the Countie shall hold plee of Replegiari, and all other suites and plaints vnder fortie shillings, in his Countie or Shire Court, in like manner and forme as all other Sherifes do within this Realme of England. And that the Sherife, Escheators, and Corroners, that hereafter shall be within the sayd Countie or Shire of Monmouth, shall be obliged and bounden to execute the Kings Processes, and to make due returnes thereof, and to vse and exercise their offices according to the Lawes & Statutes of this Realme of England, in all and euerie thing as the Sherifs, Escheators, and Corroners, be obliged and bound to doe in all and euerie other Shire of this Realme of England. And that the Sherife and Escheators of the sayd Shire or Countie of Monmouth, that hereafter shal be appointed by our Soueraigne Lord the King, make their accounts of their said offices in the Kings Exchequer in England, in like manner and forme as other Sherifes and Escheators doe within this Realme of England, and vpon such like paine and penaltie as is vpon other Sherifs and Escheators in euery other Shire within this Realme of England. And it is &c. That the Lordships, Townships, Parishes, Commotes, and Cantreds of Brecknock, Trechowell, Tretowre, Penkelly, English Talgarth, Welsh Talgarth, Dinas, the Yate, Glinbough, Broyulles, Cantercely, Lando, Blaiullingby, Estrodue, Buelth and Langors, in the said countrey and dominion of Wales, and all and singular honors, lordships, castles, manors, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said lordships, parishes, commotes, and cantreds, or any of them, in whose possession soeuer they be or shall be, & euerie part thereof, shall stand and be for euer, from the said feast of All Saints, guildable, and shall be reputed, accepted, named and taken as parts and members of the sayd Countie or Shire of Brecknocke. And that the sayd Towne of Brecknocke shall bee named, accepted, reputed, vsed, had and taken head and Shire Towne of the said Countie or Shire of Brecknocke. And that the Shire Court or Countie of and for the said Shire or Countie of Brecknocke, shall be holden and kept in the said towne of Brecknock. And it is &c. That the lordships, townships, parishes, commotes, and cantreds of new Radnor, Elistherman, Elueles, Bonghred, Glaseberie, Glowdistre, Highels Church, Meleneth, Blewagh, Knighton, Norton, Preston, Comothuder, Raider, Guethronion and Stanage, in the said Countrey of Wales, and euerie of them, and all and singular honors, lordships castles, manors, lands, tenements, & hereditaments, lying or being within the compasse or precinct of the said lordships, townships, parishes, commotes & cantreds, or any of them, in whose possession soeuer they be or shall be, and euery part thereof, shall stand and be for euer from the said feast of All Saints, guildable, and shalbe reputed, accepted, named, & taken as part and members of the said Countie or Shire of Radnor. And that the said towne of New Radnor shal be named, accepted, reputed, vsed, had and taken, head & Shire towne of the said County or Shire of Radnor. And that the Shire Court, or Countie of and for the said Countie or Shire of Radnor shall be holden & kept one time at the said towne of new Radnor, and the nert time at the towne of Rother Gowy, in that same Countie or Shire, and so to be kept in the same townes alternis vicibus for euer, and in none other place. And it is &c. That the lordships, townships, parishes, commotes & cantreds of Mountgomerie, Kedewankery, Calwsland, Arnestle, Kenilyoke, Moythure, Powesland Clomes land, Balelie, Tempester and Alcester, in the said country of Wales, & euerie of them, and all & singular honors, lordships, castles, manors, lands, tenements, & hereditaments, lying or being within the compasse or precinct of the said lordships, parishes, townships, commotes & cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be for euer, from the said feast of All Saints, guildable, and shall bee reputed, accepted, named and taken as parts and members of the said Countie or Shire of Mountgomerie. And that the said towne of Mountgomerie shalbe named, accepted, reputed, vsed, had and taken head and Shire towne of the said Countie of Mountgometie. And that the Countie or Shire Court, of and for the said Countie or Shire of Mountgomerie, shall be holden and kept the first time at the said towne of Mountgomerie, and the nert time at the towne of Magbenleth in the same Shire or Countie, & so to be kept in the said towns alternis vicibus for euer, and in none other place. And also it is &c. That the Lordships, Townships, Parishes, Commotes and Cantreds of Denbigh land, Ruthin, S. Asse, Bilthowen, Brosfield, Pale, Chirke and Chirkeland, Milesdale and Hospesdale, in the sayd Countrey of Wales, and euerie of them, and all and singular Honors, Lordships, Castles, Manors, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said Lordships, Townships, Commotes and Cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be for euer, from the sayd Feast of All Saints, guildable, and shall be reputed, accepted, named and taken, as parts and members of the said Countie or Shire of Denbigh. And that the said town of Denbigh shalbe named, accepted, reputed, vsed, had & taken, head & Shire towne of the Countie or Shire of Denbigh. And that the Countie or Shire Court of & for the said County or Shire of Denbigh, shalbe holden and kept the first time at the said towne of Denbigh, & the nert time at the towne of Wirham in the sayd Shire or

Coun-

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Accounts

Brecknocke

Guildable

Countie Court

Denbigh

Guildable

Countie Court

Mountgomerie

Countie, and to be kept in the same two towns alternis vicibus for euer, and in none other place. And forasmuch as the Counties or Shires of Brecknocke, Radnor, Mountgomerie, and Denbigh, be farre distant from the Citie of London, where the Lawes of England be commonly vsed, ministred, exercised, and executed, and for that the inhabitants of the said Shires of Brecknocke and Radnor, Mountgomerie and Denbigh, be not of substance, power, and abilitie to trauell out of their countries to seeke the administration of iustice: It is therefore &c. That the King our Soueraigne Lord shall haue one Chauncerie and Exchequer at his Castle of Brecknocke, and one other at his towne and castle of Denbigh. And that the Sherifes, Escheators, and other Officers accomptants of the Counties of Brecknock & Radnor, Mountgomerie and Denbigh, from and after the said feast of All Saints, shall be yearely appointed by our Soueraigne Lord the King, for and within euerie of the said Shires of Brecknock, Radnor, Mountgomerie, and Denbigh. And that the Sherifes, Escheators, and other officers accomptants of the counties of Brecknock & Radnor, from & after the feast of All Saints, shall yearely make their account before the Kings Auditors and such Chamberlaine or Baron of the said Exchequer, as shal be thereupon appointed by our sayd Soueraigne Lord the King, in such like manner and forme as Sherifes, Escheators, and other officers accomptants doe yerely make their accounts in the Kings Exchequer at Westminster, within this Realme of England: And that the Sherifes, Escheators, and other officers accomptants of the Countie of Mountgomerie and Denbigh, from & after the said feast of All Saints, shall yearely make their account before the Kings Auditors, and such Chamberlaine or Baron of the said Exchequer, as shall be thereunto appointed by our said Soueraigne Lord the King, in such manner and forme as Sherifes, Escheators, and other officers accomptants doe yearely make their accounts in the Kings Eschequer at Westminster within this Realme of England. And that iustice shall be ministred, vsed, exercised, and executed vnto the Kings subiects and inhabitants in euerie of the said Shires of Brecknocke, Radnor, Mountgomerie, and Denbigh, according to the Lawes and Statutes of this Realme of England, and according to such other customes and lawes now vsed in Wales aforesaid, as the King our Soueraigne Lord, and his most honourable Counsell shall allow and thinke expedient, requisite, and necessarie, by such Iusticiar or Iusticers, as shall be thereunto appointed by our said Soueraigne Lord the King, and after such forme and fashion as iustice is vsed and ministred to the Kings subiects within the three Shires of Northwales. And also it is enacted, That the Lordships, Towns, Parishes, Cõmotes, Hundreds, and Cantreds of Dswester, Whetington, Maldroke, Knoking, Ellesmere, Dolwne, and Churburie Hundred, in ỹ Marches of Wales aforesayd, and euerie of them, and all and singular Honors, Lordships, castles, manors, Townes, Hamlets, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be for euer, from and after the said feast of All Saints, guildable, and shall be vnited, annexed, and adioyned to, and with the Countie of Salop, as a member, part, or parcell of the same, & that the said Lordships of Dswestre, Whetington, Maldroke, and Knoking, with their members, shall be taken, named and knowne by the name of the Hundred of Dswestre in the Countie of Salop, and the inhabitants thereof shal be attendant and do euery thing and things at euery Sessions, Assise, and Gaole deliuerie to be holden within the Countie of Salop, as the inhabitants of all other Hundreds doe within the said Countie of Salop, according to the Lawes of this Realme of England. And that the Lordship of Ellesmer, with the members of the same, shall bee vnited, ioyned, and knit to the Hundred of Pimhill in the Countie of Salop, and shall be taken, named, and knowne of the parcell of the same Hundred, and the inhabitants thereof shall bee attendant, and doe euerie thing and things with the inhabitants of the said Hundred of Pimhill, as the inhabitants of the same Hundred now doe and vse, according to the Lawes of this Realme of England. And that the Lordship of Dolwne, with the members, shall bee vnited, ioyned, and knit to the Hundred of Churburie in the Countie of Salop, and that the inhabitants of the sayd Hundred of Churburie, and Lordship of Dolwne, shall be attendant, and doe euerie thing and things at euerie Sessions, Assise, and Gaole deliuerie to be holden within the said Countie of Salop, as the inhabitants of all other Hundreds, doe within the said Countie of Salop, according to the Lawes of this Realme of England. And that the said Hundred of Churburie, after the feast of All Saints, nor the said Hundred of Dswester, nor yet the Lordship of Ellesmere shal be in no wise otherwise priuiledged, nor haue no other libertie or priuiledge, but as Hundreds vnited, annexed, and knit to the said Countie of Salop, as other Hundreds be within the said Countie. And that the Lordships, Townships, parishes, cõmotes, Hundreds, and Cantreds of Ewias Lacie, Ewias Harold, Clifford, Winsorton, Perdesley, Huntingtõ, Whitney, Wigmore, Logharneis, & Stepulton, in the said marches of Wales, and euerie of them, and all and singular honors, lordships, castles, manors, lands, tenements, & hereditaments, lying or being within the compasse or precinct of the sayd Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof shall stand and be for euer, from and after the sayd feast of All Saints, guildable, and shall be vnited, annexed, and adioyned to and with the Countie of Hereford, and as a member, part, or parcell of the same Countie of Hereford, & that the said lordships of Wigmore and Logharneis, with their

Chauncerie Exchequer

Sherifes Escheators

Account

Dswestre

Salop

Dundred Dswestre

Ellesmer

Guildable

Hereford

their members shall be taken, named and knowne by the name and the Hundred of Wigmore, and in the countie of Hereford aforesaid. And that the inhabitants thereof shall be attendant and doe euerie thing and things at euerie Sessions, Assise, & Gaole deliuerie to be holden within the said Countie of Hereford, as the inhabitants of all other Hundreds doe within the said Countie of Hereford, according to the Lawes of this Realme of England. And that the whole Lordship of Ewias Lacy, with the members, shall be taken, named & knowne by the name of the Hundred of Ewias Lacie within the sayd Countie of Hereford. And the inhabitants thereof shall be attendant, and doe euery thing and things at euerie Sessions, Assise, and Gaole deliuery to be holden within the said Countie of Hereford, as the inhabitants of all other Hundreds doe within the said Countie of Hereford, according to the Lawes of this Realme of England. And that the Lordship of Ewias Harold with the members, shall be united, ioyned, and knit to the Hundred of Webtrée in the said Countie of Hereford, and shall bee taken, named, and knowne to be parcell of the said Hundred of Webtrée, and the inhabitants thereof shall be attendant and doe euerie thing and things with the inhabitants of the same hundred of Webtrée, as the inhabitants of the same Hundred now doe, according to the lawes of this Realm of England. And that the Lordships of Clifford, Windsorton, Pereëlly, Whitney, and Huntington, with their members, shalbe taken, named, & knowne by the name of the Hundred of Huntington within the Countie of Hereford aforesaid: and that the inhabitants thereof shall be attendant, and doe euery thing and things at euerie Sessions, Assise, and gaole deliuerie to be holden within the said County of Hereford, as the inhabitants of all other Hundreds doe within the said Countie of Hereford, according to the Lawes of this Realme of England. And that the said Hundred of Wigmore, with the members, and the said Hundred of Ewias Lacie, and the said Hundred of Huntington, and the sayd Lordship of Ewias Harold annexed vnto the hundred of Webtrée, after the feast of All Saints, shal be in no wise otherwise priuiledged, nor haue no other libertie, franchise, ne priuiledge, but as Hundreds united and annexed to the said Countie of Hereford, & as other Hundreds bee within the said countie of Hereford. And that ẏ lordships, towns, and parishes of Wollaston, Tidnam, and Bechley in the said Marches of Wales, and all honours, lordships, castles, manors, lands, tenements, and hereditaments, lying or being betweene Chepstow bridge in the sayd Marches of Wales and Glouceſter Shire, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be guildable, from and after the feast of All Saints, and shall be united, annexed, and ioyned to & with the sayd Countie or Shire of Glouceſter, as a member, part, or parcell of the Same. And that the said Lordships, Townes, and Parishes, of Wollaston, Tidnam, and Bechley, and all Honours, Lordships, Castles, Manors, lands, tenements, and hereditaments, lying or being betwæn Chepstow bridge and the Shire of Glouceſter, as is aforesayd, shall be united, ioyned, and knit to the Hundred of Webstberie within the said Shire of Glouceſter, and shall bee taken, named, and knowne to bee part and parcell of the same Hundred, and the inhabitants thereof shall bee attendant, and doe euerie thing and things with the inhabitants of the sayd Hundred of Webstberie, as the inhabitants of the same Hundred now doe, according to the Lawes of this Realme of England. And that the sayd Lordships of Wollaston, Tidnam, and Bechley, after the sayd Feast of All Saints, shall bee in no wise priuiledged, nor haue no other Libertie, Franchise, ne Priuiledge, but as parcell of the sayd Hundred of Webstberie in the sayd Countie of Glouceſter. And that the Lordshippes, Townes, Parishes, Commotes, Hundreds, and Cantreds of Gowerkilney, Bishops Towne, Landaffe, Signith supra, Signith subtus, Hiskins, Ogmors, Glemcothnay, Tallagarn, Ruchien, Tallauan, Lanbethion, Lantwide, Tieriall, Auan, Neth, Landway, and the Clcies in the sayd Countrey of Wales, and euerie of them, and all Honours, Lordships, Castles, Manors, lands, tenements, and hereditaments, lying or being within the compaſſe or precincts of the sayd Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds, or any of them, in whose possession soeuer they bee or shall be, and euerie part thereof, shall stand and be guildable for euer, from and after the sayd feast of All Saints, and shall be united, annexed, and ioyned to and with the Countie of Glamorgan, as a member, part or parcell of the same. And that the said Shire of Glamorgan and Morgannocke, and all the former Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds, united and annexed to the sayd Countrey of Glamorgan, shall from and after the said feast of All Saints be reputed, named, accepted and knowne by the name of the Shire of Glamorgan onely, and by none other name. And that from and after the said feast of All Saints, iuſtice shall be miniſtred and executed to the kings subiects and inhabitants of the said countie of Glamorgan, according to the Lawes, customes, and Statutes of this Realm of England, and after no Welsh Lawes, and in such forme and fashion, as iuſtice is miniſtred and vsed to the Kings subiects within the three Shires of North-wales. And that the Lordships, townes, parishes, commotes, hundreds, and cantreds of Loremtheberie, Abermeles Bedwely, Eskenning, Corwolthon, Newcaſtle, Emlin, Abergoilly, in the sayd Countrey of Wales, and euerie of them, and all honours, lordships, caſtles, manors, lands, tenements, and hereditaments, lying or being within the compaſſe or precinct of ẏ said lordships, towns, parishes, commotes, hundreds, and cantreds, or any of them, in whose possession soeuer they be, or shall be, and euerie part thereof, shall stand and be guildable for euer, from and after the Feaſt of All Saints, and shall bee united, annexed, and ioyned to and with the Countie of Caermerthen, as a member, part or parcell of the same. And that from

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Glouceſter

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Glamorgan

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Caermerthen

and after the sayd feast of All Saints, iustice shall be ministred and executed to the Kings subiects & inhabitants of the said Countie of Caermerthen, according to the lawes, customes, and Statutes of this Realme of England, and after no Welsh lawes, and in such forme and fashion as iustice is ministred and vsed to the Kings subiects within the three Shires of Northwales. And that the Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds of Hauerford West, Kilgaram, Lasteffan, Langhuarn, otherwise called Tellangherne, Walwincastle, Dewesland, Lanneahdein, Laufrey, Herbert, Slebethe, Rosemarket, Castellan, and land of Lour, in the said Countrey of Wales, and euerie of them, and all Honors, Lordships, Castles, Manors, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said Lordships, Townes, Parishes Commotes, Hundreds, and Cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be guildable for euer from and after the feast of All Saints, and shall be vnited, annexed, and ioyned to and with the countie of Pembroke. And that from and after the said feast of All Saints, iustice shal be ministred and executed to the Kings subiects and inhabitants of the said Countie of Pembroke, according to the lawes, customes, and Statutes of this Realme of England, and after no Welsh lawes, and in such forme and fashion, as iustice is ministred & vsed to the Kings subiects within the three Shires of Northwales. And that the Lordships, Townes, Parishes, Commotes, Hundreds, and Cantreds of Tregarn, Generglin, Landwy, Areney, in the said countrey of Wales, and euerie of them, & all Honors, Lordships, Castles, Manors, lands, tenements, and hereditaments, lying or being within the cõpasse or precinct of the said Lordships, Townes, Parishes, Commotes, Hundreds and Cantreds, or any of them, in whose possession soeuer they be or shall be, and euerie part thereof, shall stand and be guildable for euer, from and after the said feast of All Saints, and shall be vnited, annexed, and ioyned to and with the Countie of Cardigan, as a member, part or parcell of the same. And that from & after the said feast of All Saints iustice shal be ministred and executed to the Kings subiects and inhabitants of the sayd Countie of Cardigan, according to the Lawes, customes, and Statutes of this Realme of England, and after no Welsh Lawes, and in such forme and fashion as iustice is ministred and vsed to the Kings subiects within the three Shires of Northwales. And that the Lordships, Townes, and Parishes of Mountway in the said countrey of Wales, in whose possession soeuer it be, and all lands, tenements, and hereditaments, now lying or being within the compasse or precinct of the said Lordship towne or parish of Mountway, or any of them, in whose possession soeuer they be or shall be, and euery part thereof, shal stand and be guildable for euer, from and after the said feast of All Saints, & shall be vnited, annexed, and adioyned to and with the Countie of Pereoneth in Northwales, as a commote, member, part or parcell of the same. And be it &c. That all Iustices, Commissioners, Sherifes, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of the Law, shall proclaime and keepe the Sessions, Courts, Hundreds, Leetes, Sherifes Courts, and all other Courts in the English tongue, and all other Offices, Iuries, and Enquests, and all other Affidauits, Verdicts, and Wagers of law, to be giuen and done in the English tongue. And also, that from henceforth no person or persons that vse the Welsh speech or language, shall haue or enioy any maner office or fees, within the realm of England, Wales, or other the Kings Dominion, vpon paine of forfeiting the same Office or fees, vnlesse he or they vse and exercise the speech or language of English. And it is &c. That it shall be lawfull to the Sherif of euerie of the foresaid Shires of Monmouth, Brecknocke, Radnor, Mountgomerie, and Denbigh, and euerie of them, to put euerie misruled and suspect persons within their Sherifewike, vnder common mainprise and surety of their personall apparance, as the Sherifes doe within euerie of the three Shires of Northwales. And that the recognisance of such common mainprise and suretie of apparance taken before any of the said Sherifes, shall be as good and effectuall, as if it were taken by any Iustice of Record. And that the Sherife of the Countie of Monmouth shall certifie such recognisances, common mainprise, or suretie of apparance at euerie Quarter Sessions, before the Iustices of Peace of the said Countie of Monmouth. And that euerie person and persons within the said Countie of Monmouth, put vnder common mainprise, and bound to his personal apparance, shall keepe their personall apparance at the Sessiõs holden within the said Shire at Monmouth, next after the cluse of Easter, and at the Sessions to be holden within the said Shire, next after the feast of Saint Michael the Archangell, vntill such time that they be thereof released after the forme of the Law. And that euerie of the Sherifes of the sayd Countie of Brecknocke, Radnor, Mountgomerie, and Denbigh, and euerie of them, shall certifie such recognisance, common mainprise or suretie, apparance by them taken before such Iustice as shall be appointed by our Soueraigne Lord the King within euerie of the said Shires at euerie such Sessions to be holden in any of the said Shires before the same Iustice. And that euerie person & persons within the said countie of Brecknock, Radnor, Mountgomerie, & Denbigh: and also within ye aboue named counties of Glamorgan, Carmarden, Pembroke, and Cardigan, or any of them, put vnder common mainprise, and bound to his or their personall apparance, as well by the aforesaid Sherifes, as by the Iustices of any of the said counties, shal keep their apparances before the said Iustices at euerie Sessions within the sayd Counties to be holden in such like maner & forme as is vsed in the three Shires of Northwales. And for that ye Lords marchers before this present parliament haue vsed to put their tenãts within their Lordships Marchers, vnder such common mainprise

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Pembroke

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Cardigan

Mereoneth

Courts

English

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Sherife

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prise and suretie of apparance, and haue had the forfeitures thereof: which for euer from and after the said Feast of All Saints shall vtterly cease and determine: Therefore be it &c. That after the sayd Feast of All Saints, euerie lay and temporall per-
L. Marcher Mottie son, now being a Lord Marcher, shall haue the moitie or halfe of euerie forfeiture of all and euerie common mainprise, recognisance for the peace or apparance, forfeited by any of their tenants inhabiting within any of their Lordshippes Marchers, and they to be payed the same moitie or
Sherife halfe by the hands of the Sherife of euerie of the sayd Counties, where such forfeitures shall be, if the Sherife can leuy the same: And the same Sherife to account to our Soueraigne Lord the King for the other halfe or moitie in such Exchequer as they bee bound to be accomptant. Be it further enacted, That immediately vpon the prorogation or dissolution of this present Parliament, the Lord
L. Chancellor Chauncellor of England shall direct the Kings Commissions vnder his Graces great Seale, to such persons as to him shal be thought conuenient, to enquire and view all the sayd Shires of Caermerdin, Pembroke, Cardigã, Monmouth, Brecknocke, Radnor, Mountgomerie, Glamorgan, and Denbigh, and euerie part and parcell of them: and vpon such view and search to diuide them and euerie of them into so many Hundreds as they shall thinke most meetest and conuenient. And the Hundreds so diuided shall returne and certifie with the said Commission into the high Court of Chancerie, before the said feast of All Saints, and the same to remaine of record, and to be of such force and effect as it were by Act of Parliament. And that the sayd Hundreds after the sayd certificate, shall be vsed and taken as other Hundreds bee in euerie other Shire within this Realm of England. Furthermore it is &c. That immediately after the prorogation or dissolution of this present Parliament, the Lord Chauncellor of England shall di-
Comission rect the Kings Commission vnder his Graces great Seale, to such persons as by him shall bee thought conuenient, to enquire, and search out by all wayes and meanes that they can, all and singular lawes, vsages, and customes vsed within the sayd Dominions and countrey of Wales, and the same shall returne and certifie to the Kings Highnesse and his said most Honourable Councell before the said feast of All Saints next comming, and that vpon deliberate aduise thereof had and taken, all such lawes, vsages, and customes as the Kings Highnesse and his said most Honourable Councell shall thinke expedient, requisite and necessarie to be had, vsed, and exercised in the before rehearsed Shires, or any of them, or in any other Shire, of the Dominions or Countrey of Wales, shall stand and be of full strength, vertue, and effect, and shall be for euer inuiolably obserued, had, vsed, and executed in the same Shires, as if this Act had neuer beene had ne made, Any thing in the same Act
Parliamẽt contained to the contrarie in any wise notwithstanding. And it is &c. That for this present Parliament, and all other Parliaments to bee holden
Knights and kept for this Realme, two Knights shall bee chosen and elected to the same Parliament for the Shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like manner, forme, and order, as Knights and Burgesses of the Parliament be elected and chosen in all other Shires of this Realm of England. And that ỳ same Knights and Burgesse shall haue like dignitie, prehemi-
nence, and priuiledge, and shalbe allowed such fees Fees as other Knights and Burgesses of the Parliamẽt haue beene allowed. And the Knights fees to bee leuied, perceiued, received, gathered, and payed, in such manner, forme, and order, as such fees be gathered, leuied, perceiued, receiued, and payed, in other Shires of this Realme of England: And the Burgesses fees to be leuied as well within the Bo- Burgesse
rough of Monmouth, as within all other auncient Boroughes within the sayd Shire of Mon- fees
mouth. And that for this present Parliament, and all other Parliaments to be holden and kept for this Realme, one Knight shall be chosen and elec- Knight
ted to the same Parliament for euery of the Shires of Brecknocke, Radnor, Mountgomerie, and Denbigh, and for euerie other Shire within the sayd Countrey or Dominion of Wales, and for euerie Borough being a Shire towne within the said Countrey or Dominion of Wales, except the Shire towne of the aforesaid Countie of Mereo-
neth, one Burgesse: And the election to be in like Election
manner, forme, and order, as Knights and Burgesses of the Parliament be elected and chosen in other Shires of this Realme: And that the Knight and Burgesse, and euerie of them, shall haue like dignitie, prehemінence, priuiledge, and shall be al-
lowed such fees as other Knights of the Parliament haue and bee allowed. And the Knights fees to be leuied and gathered of the Commons of the Shire that they be elected in. And the Burgesse fees to be leuied and gathered as wel of the Boroughes and Shire townes as they be Burgesses of, as of all other auncient Boroughes within the same Shire. And it is &c. That all and euerie lay and temporall person and persons, now being Lords Lords
Marchers, and hauing any Lordships Marchers, Marchers
or Lordships reals, shall from and after the sayd feast of All Saints, haue all such rises, and profits of their tenants, as they haue had or vsed to haue at the first entrie into their lands in times past. And also shall haue, hold, & kepe within the precinct of their Lordships, court barons, court leets, & Law- Courts
daies, & all & euery thing to the same courts belonging. And also shal haue within the precinct of their said Lordships or Lawday, waife, straife, Infangthefe, & Outfangthefe, Treasure troue, Deodãds, gods & cattels of felons, & of persons cõdemned or Felons
outlawed of felonie or murder, or put in Exigent goods
for felonie or murder, & also wreck de miere, wharfage, & custome of strangers, as they haue had in times past, and as though such priuiledges were granted vnto them by our Soueraign Lord the K. by point of charter: Any thing in this present Act to the contrarie notwithstanding. (See after 33.) Prouided alway, That this present Act, nor any thing therein contained, shall take away or derogate any lawes, vsages, or laudable customes now

vsed within the three Shires of Northwales, nor shall not depriue, nor take any the whole Liberties of the Duchie of Lancaster: but that the sayd Liberties shall continue and bee vsed in euerie Lordship parcell of the sayd Duchie within the Dominion or Countrey of Wales, as the Liberties of the sayd Duchie bee vsed in Shire ground, and Countie Palantine within the Realme of England. Prouided also, That this Act, nor any thing therein contained, doe not extend nor bee preiudiciall to any person or persons, to auoyd any Patent, Joynt patent, of any Office, fees, annuitie, or reuersion of any Office, fees, or annuities, to them graunted for terme of their life or liues, by our Soueraigne Lord the King, or by any other person or persons, for the vsing, exercising, or occupying of any manner Office, or otherwise, but that they shall haue and enioy their said fees, and all other Offices of Constablehips, Porterships, Stewardships of Leets, Lawdayes, Court Barons, and other Offices being not repugnant against this Act: And in case any such Offices bee repugnant against this Act, that then the grantees to haue and enioy their fees, during their life or liues: Any article or clause in this present Act to the contrarie in any wise notwithstanding. Prouided also, That this Act, nor any thing therein contained, bee not in any wise preiudiciall to the the right Honourable Henrie Earle of Worcester, for the exercising, vsing, and occupying of the Office of the Justice of the whole Countie of Glamorgan, Any thing in this present Act contained to the contrarie in any wise notwithstanding. Prouided also, That this Act, nor any thing therein contained, extend not to depriue, take away, or derogate any other Acts before this time made for the triall of Treason, Murder, or Felonies, or accessaries of the same, committed and done in any Lordship Marcher in Wales, or in the next Shires of England, adioyning to the sayd Lordship Marcher. Prouided alway, That lands, tenements, and hereditaments, lying in the sayd Countrey and Dominion of Wales, which haue beene vsed time out of mind, by the laudable customes of the sayd countrey, bee departed and departable among issues and heires males, shall still so continue and be vsed in like forme, fashion, and condition, as if this Act had neuer beene had nor made, Any thing in this Act to the contrarie notwithstanding. Prouided also, and bee it &c. That the Kings Highnesse, notwithstanding this Act, or any thing therein contained, shall haue power and authoritie for the terme of three yeares next after the end and dissolution of this present Parliament, to suspend for such time as shall please his Grace, or vtterly to repeale, reuoke, and abrogate this whole Act, or any part thereof from time to time, as shall stand with his most gracious pleasure: so that euerie such suspending, repeale, and reuocation from time to time, as often as any such case shall happen, shall be made in writing vnder the great Seale of England, and be annexed to the roll of this present Parliament wherein this Act shall bee enrolled, and Proclamation thereupon to bee made in euerie Shire within the sayd Countrey and Dominion of Wales. And that euerie such suspending, repeale, and reuocation so to be had and made by the Kings Highnesse, shal bee as good and effectuall to all intents and purposes, as if the same had beene done by authoritie of this present Parliament: This Act or any thing therein contained to the contrarie thereof notwithstanding. And where by this present Act there is appointed one Chauncerie and one Exchequer at Brecknocke, and another Chauncerie and Exchequer at Denbigh: It is &c. That the Kings Highnesse from time to time within the terme of fiue yeares, next after the end of this Parliament, for due ministration of iustice in the sayd Countrey of Wales, shall haue power and authoritie to erect, make and ordayne such Court or Courts, and so many Courts of Record, and such and so many Justices, Ministers, Officers, and Clerks, as by his Highnesse within the terme of fiue yeares next after the end of this present Parliament, shall bee thought sufficient and conuenient, as well for the due execution of this Act, or of any thing or things that shall bee had, done, or made by authoritie of the same, as for the good gouernance and rule of the sayd countrey of Wales. Prouided alway, That this Act, or any thing or things to bee done by authoritie thereof, shall not be preiudiciall to any person or persons which now haue by the Kings Letters Patents, any Office or Offices of Prothonotarie or Clerke of the Crowne in the sayd Countrey and Dominion of Wales, but that they and euerie of them shall and may still haue and vse their Offices, in as large and ample manner, forme, fashion, and condition, as this Act or any thing to bee done by authoritie thereof, had neuer beene had or made, Any thing in this Act to the contrarie thereof notwithstanding. Prouided alse, That this Act, or any thing therein contayned, extend not, or in any wise bee preiudiciall or hurtfull to Sir Walter Deuereux knight of the noble Order of the Garter, Lord Ferrers of Chartley, of, for, and concerning the Offices of chiefe Justice of Southwales, the Office of Chamberlaine of Southwales, and of the Counties of Carmerden and Cardigan in Southwales aforesayd: And of and for the Offices of the Stewardship of the Lordship of Wealth in the Marches of Southwales, and of and for the Office or Receiuorship of the said Lordship of Wealth, or of, for, or concerning any of the said Offices: but that the said Lord Ferrers may haue, vse, exercise, and enioy the said Offices and euerie of them, with all fees, wages, emoluments, commodities & profits to the same Offices, or to any of them in any wise belonging or appertaining, in as large & ample maner, forme, & condition, as if this Act had neuer bin had nor made. An. 27. H. 8. ca. 26.

Dimision

King

Repeale

Proclamation

Chancerie Exchequer

Courts

Offices

Officers

29 Because the allotment made in the Statute 27. H. 8. (before 28.) of diuers townes &c. to certain Shires there, by credible information is fallen out not to be indifferent, nor commodious for the subiects: Be it &c. That the Kings Highnesse (during the time of three yeres next after the end of this pre-

King

prelent Parliament) shall haue power and authoritie by writing vnder his great Seale to allot, appoint, assigne and limit to euery of the Shires named in the said Act, such and so many Lordships, Townes, Parishes, Hamlets, Hundreds, Commots, and Cantreds, as his Maiestie by his most high wisedome shall thinke most conuenient and agreeable for the ease and commoditie of his louing subiects the inhabitants of the said dominion and principality (s. of Wales.) And shall likewise haue power and authoritie to name and assigne the Shire townes in euery of the said Shires named in the said Act. And that euery such limitation, appointment, nomination & assignement to be made by the Kings highnesse in that behalfe, by authoritie of this Act, shall be as good and effectuall to all intents and purposes, as though it had been done & made plainely and particularly by authoritie of Parliament, any thing contayned in the said Act, made in the last Parliament, or any other thing or things to the contrary thereof notwithstanding. An. 28. H. 8. cap. 3. The King during the said three yeares did nothing concerning the accomplishment of the said Act, wherefore Anno 31. Henric. 8. capitul. 11. it was enacted as followeth.

Lordships

30 That his Maiestie during the space of other three yeares next after the first day of this present Parliament, shall haue like power and authoritie to doe, vse, execute and accomplish all and euery thing & things limitted and appointed to his Maiestie to bee done, vsed, and accomplished by the same Act made in the said xxviij. yeare of his Graces raigne (cap. 3. before 29.) in as large and ample maner in euery condition, as his Maiestie might haue done, vsed and accomplished within the said time of three yeares, limitted by the same Act, as is aforesaid. And that euery such limitation, appointment, nomination and assignement to be made by the Kings Highnesse in that behalfe, by authoritie of this present Act, during the space of the said other three yeares next after the first day of this present parliament, shall be as good and effectuall to all intents and purposes, as though it had been done and made plainely and particularly by authoritie of Parliament. An. 31. H. 8. cap. 11. S. Office An. 32. H. 8. ca. 27. of grants of shirisewicks in Wales made void.

31 Where the Lordships, townes, and Hamlets of Hope and Asaph, haue of old time beene reputed, accepted and taken as part and parcel of the Countie of Flint, and so haue been continued, vntill now of late that by an Act of Parliement made in the 27. yeare of the raigne of our most dread souereigne Lord the Kings Maiestie that now is (cap. 26. before 28.) the same were assigned to the countie of Denbigh: And also, where parcell of the parish of Hawarden is at this day, and of old time hath beene accepted, taken and vsed as part of the said Countie of Flint, and the residue of the said Parish of Hawarden is, and alwaies haue beene without the precinct, limits and iurisdiction of the same Countie: Bee it &c. that as well the said Lordships, townes and hamlets of Hope, Asaph, and the said whole parish of Hawarden, together with the Lordship of the same, as also the lordships, townes and parishes of Moldesdale, Mereford and Osley, and all the lands, tenements, & hereditaments within the precinct & limits of the same, or any of them, shall from henceforth be reputed, accepted, taken, and adiudged to be within the said Countie of Flint, as a member, part and parcell of the same Countie of Flint, and not of, nor within any other Countie or Shire, any statute, ordinance, law or custome heretofore had or vsed, to the contrary thereof in any wise notwithstanding. Prouided alwaies, that the inhabitants and tenants of the said Lordships, townes, hamlets, and parishes of Hope, Asaph, Moldesdale, Mereford, and Hawarden shall pay their milles and tallages when and as oft as the same shall bee due, with the inhabitants of such Shire or Shires as before time hath bin accustomed. And that the said lordship of Hope, Moldesdale, Mereford, Osley, and Hawarden, with the whole and entire parish of Hawarden, and all the grounds, landes, tenements, and hereditaments, within the precinct and limits of the same, shall from henceforth bee called, taken and accepted the hundreds of Moldesdale in the Countie of Flint. And that the said Lordship of Asaph, with all the grounds, lands, tenements, and hereditaments within the precinct and limits of the same, shall be taken, accepted, and iudged, to be as part & parcell of the hundred of Rutland in the same Countie. Anno 33. H. 8. cap. 13.

Lordships

Tallage

Hundreds

32 Our Soueraigne Lord the Kings Maiesty, of his tender zeale and affection that he beareth towards his louing and obedient subiects of his Dominion, Principalitie and Countrey of Wales, for good rule and order to bee from henceforth kept and maintained within the same, whereby his said subiects may grow and rise to more wealth & prosperity, hath deuised and made diuers, sundry, good and necessary ordinances, which his Maiestie of his most aboundant goodnesse, at the humble suite & petition of his said Subiects of Wales, is pleased and contented to bee enacted, &c. in maner and forme as hereafter ensueth. First that his graces said Dominion, Principalitie, and Countrey of Wales, bee from henceforth diuided into twelue Shires, of the which eight haue been Shires of long and auncient time, that is to say: the Shires of Glamorgan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Anglesey, and Mereoneth. And foure of the said twelue Shires bee newly made and ordained to bee Shires by an Act made at the Parliament, holden at Westminster, in the xxvii. yere of our said Soueraigne Lord his most noble raigne (cap. 26. before 28.) that is to say, the Shires of Radnor, Brecknock, Mountgomery, and Denbigh ouer and besides the Shire of Monmouth, and diuers other Dominions, Lordshippes, and Manors in the Marches of Wales, vnited and annexed to the Shires of Salop, Hereford and Glocester, as by the said late Act more plainly appeareth. Item, that the limitations of the Hundreds of late made within the said

Shires

Shires by vertue of his Graces Commission, directed out of his high Court of Chauncerie, and againe returned into the same, shall stand in full strength, force, and effect, according to the said limitation. Except such of the same as sith that time haue beene altered or changed by vertue of any Act or Acts of Parliament already made, or that shall be altered or changed, by any Act or Acts in this present Session to be made. Item, that there shall be and remaine a President and Councell in the said Dominion and Principalitie of Wales, and the Marches of the same, with all Officers, Clerks and incidents to the same, in maner and forme as hath beene heretofore vsed and accustomed. Which President and Councell shall haue power and authoritie to heare and determine by their discretions, such causes and matters as bee or hereafter shall bee assigned to them by the Kings Maiestie, as heretofore hath beene accustomed and vsed. Item, that there shall bee holden and kept Sessions twice in euerie yeare, in euerie of the said Shires in the said Dominion and Principalitie of Wales. That is to say, in the Shires of Glamorgan, Brecknocke, Radnor, Carmerthin, Pembroke, Cardigan, Mountgomerie, Denbigh, Flint, Carnaruan, Mereoneth, and Anglesey, the which Sessions shall bee called the Kings great Sessions in Wales. Item, that the Justice of Chester for the time being, shall hold and keepe Sessions twice in euerie yeare in the Shires of Denbigh, Flint, and Mountgomerie, and haue nothing but his old fee of an hundred pounds yearely for the same. Item, that the Justices of Northwales shall in like wise hold and keepe Sessions twice euerie yeare, in euerie of the said Shires of Carnaruan, Mereoneth, and Anglesey, and shall haue yearely of the Kings Maiestie a yearely fee of fiftie pounds for the same. Item, that one person learned in the Lawes of this Realme of England by the Kings Maiestie to be named and appointed, shalbe Justice of the Shires of Radnor, Brecknocke, and Glamorgan, and shall in like wise hold and keepe Sessions twice in euerie yeare in euerie of the same Shires, and shall haue yearely of the Kings Maiestie fiftie pounds for his fee. Item, that one other person learned in the lawes of this Realme, to be appointed as is aforesaid, shall bee Justice of the Shires of Caermerthen, Pembroke, and Cardigan, and shall in like wise hold and keepe Sessions twice in euerie yere in euerie of the same Shires, and shall also haue yearely of the Kings Maiestie fiftie pounds for his fee. Item, the said persons or Justices and euery of them now being, or that hereafter shall be, shall haue: euerall letters Patents and Commissions for their offices vnder the Kings great Seale of England, to bee exercised by themselues, or their sufficient Deputies, according to their purposes and intents, in their ordinances specified. Prouided alwayes, that their Commissions to them already granted vnder the said great Seale, shall stand in force and effect according to the tenor of the same: vnlesse it shall please the Kings Maiestie hereafter to alter or change them or any of them, this present article last before expressed, in any wise notwithstanding. Item, that euerie of the said Justices within the limits of their Commissions and authorities to them appointed as is aforesaid, shall hold all manner of pleas of the Crowne at and in the said Sessions, Pleas in as large and ample manner as the Kings chiefe Justice of England, and other the Kings Justices of the Kings Bench there, or any of them may doe in their places elsewhere within the Realme of England: And also to hold pleas of Assises, and Assits all other pleas and actions reall, personal, and mixt, in as large and ample manner as the Kings chiefe Justice of the Common place in England, and other Justices of the same place, or any of them may doe in the Realme of England. Item, that euerie of the said Justices of Wales shall haue power and authoritie to enquire of all treasons, murders, Enquire felonies, riots, routs, vnlawfull assemblies, extortions, imbraceries, maintenances, retainers, conueaunces, contempts, and all other offences and misdeeds, of what natures, names, or qualities soeuer they be, done, committed, or perpetrated, within the limits of their Commissions and authorities, against the forme of the Common Law of the Realme of England, or of any Statutes of the same, and to heare and determine the premisses Diuerse ter. and euerie of them, & generally to minister common iustice to all and singular the Kings subiects, within the limits of their Commissions and authorities, according the Lawes, Statutes, and customes of the Realme of England, and according to this present ordinance. Item, that euerie of the said Sessions shall be kept and continued by the space of six dayes in euerie of the said Shires, at either of the said times, as is and hath beene vsed within the said three Shires of Northwales. And that the said Justices shall cause open Proclamations to be made in y Shire townes, Proclamation what time and place they purpose to keepe their said Sessions, fifteene daies at the least before they keepe the same, to the intent the Kings subiects may haue knowledge thereof. Item, the dayes Dayes shall be giuen in all pleas, plaints, processes, and adiournements from day to day, and Sessions to Sessions, by the discretions of the said Justices within the limits of their authorities, for the good and speedie ministration of iustice, to all and singular the Kings subiects, as is or hath beene vsed in Northwales. Item, that one originall Seale Seale deuised by the Kings Highnesse, for iustice to bee ministred in the said three Shires of Northwales: That is to say, the Shires of Mereoneth, Carnaruan, and Anglesey, shall be and remaine in the charges, keeping, and custodie of the Chamberlaine of Northwales. And that one other originall Seale deuised by the Kings Maiestie, for ministration of iustice to be vsed in the said Shires of Carmaerthen, Pembroke, and Cardigan, shall be and remaine in the charges and keeping of the Chamberlaine of Southwales. And that likewise one other originall Seale deuised by the Kings Maiestie for the ministration of iustice to be vsed in the said iij. Shires of Brecknocke, Radnor, & Glamorgan, shall be & remaine in the charge and custodie of the

Steward

Stewards and Chamberlaine of Brecknock. And that also one other originall Seale deuised by the Kings Maiestie for ministration of iustice to be ministred within the sayd Shires of Denbigh and Mountgomery, shall bee and remaine in the charge, keping, and custodie of the Stewards and Chamberlaine of Denbigh. And that the originall Seale of Chester, shall bee and stand for the originall Seale of Flint, for iustice to be ministred in the sayde shire of Flint, and shall bee and remaine in the charge, keping and custodie of the Chamberlaine of Chester. Item, that the sayde Stewardes and Chamberlaines shall seale with the sayd seales, that is to say, euerie one of them shall seale with the Seale to his charge committed, all manner of originall writs and procelle returnable before the sayd Iustices at the Sessions to be holden in euerie of the sayde Shires, in manner and forme as is aforesayd, and shall truely accompt and answer the Kings Maiestie, for the profites of the same Seale: And that none of the saide Stewardes, Chamberlaines or Chancelours, hauing the charge and keping of the sayde Seales, shall by occasion thereof, or by colour of any of their offices, compell or cause any person or persons, inhabiting within any of the sayde twelue Shires, to appeare before themselues or their Deputies, ne shall haue power or authoritie to heare or determin any pleas of the Crowne nor other causes or matters of iustice, otherwise then in this Ordinance is limited and expressed: But shall haue the charge and keping of the sayde Seales to seale, all such originall writs and procelle as shall be returnable before the sayd Iustices in their sayde Sessions as is before specified, and as hereafter shall bee declared, which writs and procelle shall bee vsed, made, sealed and returned in manner and forme as hath beene vsed before the Iustices in Northwales. Item, that all such persons as now be or hereafter shall bee the Kings Highnesse Stewardes, Chamberlaines or Chauncellours, within any of the sayde twelue Shires, which by reason of their sayd offices, haue charge for the receipt, collection or accompt of and for the Kings rents, reuenues, farmes, or profits, to bee due to his Maiestie, within the sayd Dominions of Wales, may direct Procelle vnder the seale being in their charge and custodie within the limits of their authorities onely against Baylifes, reues, farmors, and other ministers accomptant, to appeare before themselues to answer to and for any the Kings reuenues, farmes, rents, or profits, and for none other causes, nor against any other person or persons, in like manner and forme as they haue beene accustomed in that case to doe. Item, that all Stewardes of any Lordshippes or Manors in Wales, shall and may keepe and hold such Leetes, Lawdayes and Court Barons as appertayneth and belongeth to the Lordshippes and Manors whereof they bee Stewardes. And to hold pleas by plaint vnder the summe of fourtie shillings in euerie such Court Baron, and haue and enioy all other authorities, commodities and profits as Stewardes of Leetes, Lawdayes and Court Barons in England commonly haue and beene vsed to haue by reason of the sayd offices, and none other: any Lawe, vsage or custome in the sayde Dominion of Wales, heretofore had to the contrarie hereof notwithstanding. Item, prouided alwayes, and be it enacted, that the sayde Stewardes or any of them, nor the Shiriffe of the sayd Counties in Wales, shall haue any power or authoritie to enquire of any manner of Felonie in any such Leete or Lawday or turne within the said Dominion to be holden. And that from henceforth, noe Leete nor Lawday be kept by the Steward or other Officer of any Lordshippe, Manor or the said Dominion of Wales, within such Lordshippes and places, where it was accustomed to be kept before the making of the Act of Parliament concerning Wales, made in the first twentieth yeare of our sayde Soueraigne Lorde raign, (capitul 6. before 25.) so alwayes the place where such Court shall bee kept, be meet and conuenient for the purpose. Item, that all Maiors, Baylifes, and head Officers of Corporate Townes in Wales, may hold pleas, and determine Actions, and vse euerie other thing concerning common Iustice, according to their lawfull graunts, and lawdable customes of such Townes, so alwayes they follow the course, trade, and fashion of the Realme of England, and not of any Welsh lawes or customes. And that in euerie of the said townes they may trie all issues ioyned in any action personall by fiue men, according as heretofore in diuers places of the sayd Countie it hath beene vsed, any thing contayned in this Act to the contrarie notwithstanding. Prouided alwayes, and be it &c. That forasmuch as there bee diuers and many small Boroughes and Townes Corporate within the sayde Dominion of Wales, whereof many haue their commencement by grants made from the Marches, and some by other meanes, our sayd Soueraigne Lord shall from henceforth by vertue of this Act, haue full power and authoritie by his Letters Patents, to bee inrolled in his Graces high Court of Chauncerie at any time within seuen yeare hereafter next ensuing, to the end of this present Parliament, to repeale, annihilate, and dissolue such and as many of the sayde Boroughes and Townes Corporate, and all Liberties and customes of the same, as to his Highnesse shall be thought expedient, to the intent his Maiestie at his graces pleasure, may newly erect, ordayne, and make such and as many other Boroughes and Townes Corporate within the sayd Dominion, being more apt and conuenient for that purpose, and endue them with such liberties and franchises, as to his most excellent wisdome shall be thought necessarie for the wealth of the said Countrie. Item, the Kings Maiestie is pleased and contented of his most gracious goodnes, that such as haue Patents of any office of Stewardships, chamberlainships, chauncellorships, or Justiceships, within the sayde Dominion of Wales, for terme of their liues, shall haue and enioy their certaine ordinarie and annuall fees of money vsed and accustomed to be payde and borne by the Kings Highnes, by vertue of any their letters Patents du-

accompt

Receiuors

Procelle

Steward

Courts

Enquire. Felonie

Blank

Townes

Officers

Fees

during their interest therein, but in no wise to take or claime any casual fees claimed by colour of their Offices, contrarie to this present ordinance: Any custome in Wales, or any thing in this Act to the contrarie notwithstanding. Item, ouer and beside the originall Seale, there shall bee foure iudiciall Seales deuised by the Kings Maiestie, whereof one shall remaine with the Justice of Chester, which is appointed by this Act, to bee Justice of the Shires of Flint, Denbigh, and Mountgomery, to bee vsed within the sayd Shires, to seale all iudiciall Processe and Billes, that shall bee sued before the sayd Justice, in the Sessions to be holden within the same Shires. And that one other of the said iudiciall seales shall likewise remain and be in the charge and custodie of the sayd Justice of Northwales. And that the third of the said seales shall be and remaine in the custody and charge of the Justice of the 5. Shires of Glamorgan, Brecknocke, and Radnor. And the fourth of the sayde Seales shall remaine in the charge and custodie of the Justice of the sayd three Shires of Pembroke, Carmarthen, and Cardigan. And the said Justices shall seale with the sayd iudiciall Seales, that is to say, euerie of them with the Seale committed to his charge and custodie, as well all billes as all other iudiciall processe that shalbee sued before them in the said session, vpon any originall bils or writs, and all other processe that shall be awarded from any of the sayde Justices, shall bee sealed with the sayd iudiciall Seale. Item, that euerie of the sayd Justices shall accompt and answere to the Kings Maiestie for the profits of the said Seales, being in his charge and custodie, in manner, and forme as hereafter shall be declared. Item, that the Teste of euery bill and iudiciall processe that shall passe vnder the said iudiciall seale, shall be vnder the name of such of the sayd Justices from whom such Bill or iudiciall processe shall passe, in like manner and forme, as is vsed in the Common place in England. Item, that all actions real and mixt, attaints, conspiracies, assises, and Quare impedit, appeales of murder and felonie, and all actions grounded vpon any statutes, shall bee sued by originall writs, to bee obtayned and sealed with the said originall seale, returnable before the sayde Justices at their Sessions, within the limits of their authorities, in maner and forme as is afore mentioned. Item, that all maner of personal actions, as debt, detinue, trespasse, accompt, and such like amounting to the sum of fortie shillings or aboue, shall be sued by writs originall, to be obtayned and sealed as is aforesayd, or by Billes at the pleasure of the partie suing the same before the sayd Justices, within the limits of their authorities, as is vsed in Northwales. And that all personall actions vnder the summe of fortie shillings, that is to say, debt, trespasse, detinue, accompt, and such like, shall and may bee sued before any of the sayd Justices, in the saide Sessions, by bill, as is vsed in Northwales, And that euery originall Bill concerning actions personals, shall bee sealed with the kings iudiciall Seale, being in the custodie of the said Justice, before whom such personall actions by bill shall be brought and commenced. And that such fees shall be payd for the writing and sealing of such originall writs and bils, as hereafter shall be expressed, that is to say, for the sealing of euerie originall writ to be sued in and vpon the causes aforesayd, and for euerie bill to be sued in actions personall, whereof the debt, and dammages amounteth to the summe of fortie shillings or aboue, the parties pursuing the same shall pay for the seale of euerie such writ or Bill fiue pence. And for euerie iudicial processe to be sued vpon any such originall writ, or bill, the parties pursuing such iudiciall processe, shall pay for the sealing thereof vij. pence, whereof the Kings Maiestie shall haue fiue pence, and the Justice sealing such iudiciall processe, shall haue one penie. Item, that euery Bill in personall action, whereof the debt, duetie, or damage amounteth not to fortie shillings, and all maner iudiciall processe to be sued vpon the same, shall also bee sealed with the Kings said iudiciall Seale, and the parties pursuing the same, shall pay for the seale of euerie such Bill, and iudiciall processe thereupon to be sued, three pence, whereof the Kings Maiestie to haue two pence, and the Justice sealing such proces to haue a penie. Item, that all Writs of Scire facias, and Writs of good abearing, or for the Peace, or Writs of Supersedeas vpon the same, and all other proces to be sued from the sayd Justices vpon any Record or suggestion admitted by any of the sayd Justices, within the limits of their authorities, shall also bee sealed with the said iudiciall Seale. And that the parties pursuing for the same, shall pay for the seale of euerie such Writs and Processe seuen pence, whereof the kings Highnes shall haue fiue pence, and the Justice by whom such Processe shalbe sealed, a penie. And that euerie Exemplification vpon any Record, before any of the said Justices, shal bee sealed with the Kings sayde Judiciall Seale, and the partie pursuing the same, shall pay for the Seale thereof twentie pence, whereof the Kings Highnesse shall haue sixteene pence, and the Justices sealing the same, foure pence. Item, that recoueries & fines, concords and warrants of atturney for the same, shall and may be taken before euery of the sayd Justices, of Landes, Tenements, and hereditaments within his authoritie, by force of his generall Commission, without any writ of Dedimus potestatem, to bee sued for the same, in like maner and forme as is vsed to bee taken before the Kings chiefe Justice of his Common place in England. Item, that all fines hereafter to be leuyed before any of the said Justices with proclamation made the same sessions that the sayd fine shall be engrossed, and in two other great sessions then next to be holden within the same Countrey, shall be of the same force and strength to all purposes, as Fines leuyed before the Justices of the Common place in England. Item, that euerie person suing writs of entrie in the Post, or writs of couenant, or any other writs for any recouery to be had by assent of parties, or otherwise, or for fine to be leuyed, shall pay such fines to the Kings vse for the same, as well fines Pro licencia concordandi, as all other manner of fines, as is vsed in the Kings

Seales

Justices Accompt

Teste

Actions.

Billes

Fees

Writtes

Fines

Dedimus potestatem

Writ

Chan-

Chauncery, or elsewhere in any of the kings courts of England, which fines shall be paid to such persons as shall sealo the original writs for that purpose: And that they shall accompt for the same in like forme as they shall doe for the profits of the said original seale, as is aforesaid. Item, that the Kings fines vpon euerie fine to be leuyed, shall be paid as is vsed in the common places in England, that is to say, two shillings, which fines shall be payd to the Justice, afore whom such fine shall be leuyed. Whereof the Kings Highnesse shall haue twentie pence, and the prenotarie entring the same shall haue two pence, and the Justice afore whom such fine shall bee leuyed, other two pence. And that the same Justices shal accompt for the Kings part thereof, like as he shall for the profits of the Kings iudiciall Seals, committed to his charge in manner and forme as is aforesaid. Item, there shall be foure prenotaries for the making of all iudiciall procesle, and for the entring of all Pleas, Procesle, and matters of Record in the Sessions to be holden before the sayde Justices, whereof one of the sayd prenotaries shall attend vpon the sayd Justice appointed for the three Shires of Northwales. And one other shall attend vpon the Justice assigned for the three shires of Flint, Denbigh, and Mountgomery. And the third shall attend vpon the Justice assigned for the Shires of Carmarthin, Cardigan, and Penbroke. And the fourth of the said prenotaries shall attend vpō the Justice assigned for the three shires of Glamorgan, Brecknocke, and Radnor. And these foure Prenotaries, as often as their said offices shall be voyd, shall be named and appointed by the Kings Highnesse, by his Maiesties Letters Patents vnder his great Seale of England. And where one John Arnold Gentleman hath the office of the Prenotarie and Clerkshippe of the Crowne by the Kings Highnesse Letters Patents within the sayde three Shires of Northwales: And that one John Breakenhed hath the office of the Prenotarie and Clerkshippe of the Crowne by the Kings Letters Patents within the sayd Shire of Flint: And that likewise one John Leonard hath the office of the Prenotarie and Clerkshippe of the Crowne by the Kings Letters Patents within all the residue of the said Dominion of Wales: The Kings Maiestie is pleased and contented, that the sayd three Prenotaries shall haue, vse, and enioy their said offices, according to the effect of the sayde Letters Patents to them thereof made, doing their dueties and attendance by themselues or their sufficient Deputies, at euerie of the sayde Sessions to bee kept within the Shires, whereunto they be so appointed. Item, there shall bee a Marshall and a Cryer in euerie of the circuites and limits allotted to the sayd Justices, which shall bee named by the sayd Justices, within the limits of their authoritie and Commission, in like maner and forme as Justices of Assise doe in England, and the sayde Officers shall attend vpon the sayd Justices in their circuites, in their owne proper persons, and not by their Deputies. And that the Marshall shall haue vpon euerie iudgement, and euerie fine, foure pence, and the Cryer a penie. And vpon the acquitalls of Felonies, and of them that shall bee deliuered by Proclamation, or deliuered out of common mayn-prise, before any of the sayde Justices, the Marshall shall haue foure pence, and the Cryer a peny. Item, that euerie of the sayd Prenotaries within the limits of their offices shall take such Fees, as hereafter shall be expressed: That is to say, for the writing of pleas, and ingrolling of writs of entrie in the Post, writs of right, Quod ei deforceat, or any other writs, pursued by the assent of the parties, fiue shillings. And if it be a double voucher, then six shillings and eight pence, and for the exemplification thereof two shillings. And for the ingrossing of fines, to haue for euerie fine three shillings and foure pence. And if it be with Proclamations, then foure shillings. Item, for euery bill of Debt, Detinue, Tresspasse, and all other actions personals, sued before the sayde Justices in their circuits, vnder the summe of fortie shillings, the Prenotaries shal haue for the first Bill foure pence, for the second Bill foure pence, and for the their Bill foure pence. And for the entrie of euerie declaration, plea in barre, replication, and reioynder in and vpon euerie such actions, so that hee doe inroll the same in parchment, foure pence. And for euerie Venire facias, Tales, Habeas corpora & Distring. in the same actions foure pence, and for the iudgement foure pence. And for euery Writ of execution, in euerie such action, fiue pence. And for euerie warrant of atturney in euerie such action, aswel for the Plaintifes as for the defendants, foure pence. Item in all actions of detinue, tresspasse, and all other actions personall, wherein the duetie, debt, or damage amounteth to the summe of fourtie shillings or aboue, which shall bee sued by billes before the sayd Justices, the Prenotarie shal haue for the first Bil foure pence, for the second bill foure pence, for the third bill foure pence. And for euery the declarations, the answere, replication, and reioynder, if it be inrolled in parchment, eight pence. And for the Venire facias, Tales, Habeas corpora, and Distring. for euerie of them six pence, and for the iudgement 8.d. and for the warrant of atturney foure pence, and for euerie writ of execution vpon the iudgements in such billes, fiue pence. Item in original writs, sued vpon euerie action personall, returnable before the sayde Justices, the Prenotaries, shal haue for euerie Iterum summoneas, fiue pence, for euery distresse in Tresspasse, six pence, and for the declaration viij. pence, for the answere, replication, and reioynder, for euerie of them, if they be inrolled and ingrolled as is aforesayd, twelue pence. For the Venire facias, Tales, Habeas corpora, and Distring. for euery of them fiue pence, and the Prenotaries to haue for the entrie of the iudgemēts in euerie action twelue pence. And for euerie writ of execution sued vpon the same, fiue pence. For the exemplification of euerie record in any of the saide actions, two shillings. For euery warrant of atturney foure pence. In all actions reals, and mixt, assises, Quare impedit, appeales of Felonie, maiheme, the Prenotarie

K. fines

Prenotaries

Letters P.

Marshall Cryer

Fees

tarie

ſarie to haue for the declaration or plaint, two shillings, and for the plea in barre, replication, reioinder, surreioynder, for euerie of thē, if they be inrolled as is aforesayd, twelue pence, and for the writing of euerie Venire facias, Tales, Habeas corpora, and Distring. vpon the same, for euery of them fiue pence, and for the entrie of the iudgement in euery of the sayde actions and appeales, two shillings. And for the writing of the writs of execution, made vpon euery of the said actions & appeals, and allises, xij.d. And for writs of grand Cape and petit Cape, and writs of view, writs of voucher, and all other writs in euery such actions, xij. pence. And for euery warrant of atturney, for the defendants, or for the demandants or plaintifes, in euery such action reall, allise, appeale, and Quare impedit, foure pence. And for the essoynes of euerie such action, foure pence. And for the baile of euery person of Felonie, twelue pence, and for the baile for trespasse fiue pence. And for the apparance and bayling of common mainprise, two pence. Item for writing of writs for the peace & good abearing, graunted by any of the said Iustices in their Sessions, fiue pence, and for the entring of euery recognisance to be had and taken before the said Iustices, for euery cause or causes, other then before is expressed twelue pence, and if it be with condition, then two shillings. And vpon euerie arquitall and deliuerance of Felons and murderers by verdict or by alloiuance of pardon, the prenotaries to haue two shillings. And if it be vpon indictments certified from the Iustices of the Peace afore the Clerk of P. Iustices of the great Sessions, the Clerke of the peace to haue also twelue pence. And vpon the deliuerie of any suspect of felony or murder by proclamation, the said Prenotaries to haue twelue pence. Item, that the Kings Maiestie shal haue all fines, issues, amerciaments, and all forfaitures of recognisances, lost or forfait before any of the said Iustices in the session aforesaid. And that the said prenotaries, within the limits of their offices, shall yerely extreat the same into ỹ Exchequer, appointed for that limit, to the intent that Processe from thence may be awarded to the shirifs to leuy ỹ same to the K. vse as appertaineth, which Shirifes shall yerely make their accompts before the K. auditors thereunto to be assigned and appointed. Item ouer and besides the said president, and counsel, and Iustices, there shalbe Iustices of peace and Quorum, and also one Custos rotulorum in euery of the sayd 12. shires. Item that the said Iustices of peace, Iustices of Quorum, and custos rotulorum, in the said shires shalbe named and appointed by the Chauncellor of England by commission vnder the Kings great seale of England, by the aduise of the president, Counsaile, & Iustices aforesaid, or 3. of them, of the which the said President to be one, from time to time as the case shall require. Item that there shall not exceed the number of 8. Iustices of the peace in any of the said shires, ouer and besides the President, Counsaile and Iustices aforesaide, and the K. Attourney and Solicitour, which President, Counsaile, Iustices and the Kinges Attourney and Solicitour, shall be put in euery commission of peace in euery of the said 12. shires. Item ỹ such persons as shall be named to be Iustices of peace, within euery of the said shires, shal be of good name and fame, and after they be assigned by commission, may vse and exercise the office of the Iustice of peace, albeit they may not dispend twenty pound, nor be learned in the Laws of the lād without any lolle, damage, or penalties, for insufficiencie of their lāds. And that euery of the said Iustices of peace, before they shal execute their commission, shall take their othes before the Chancellor of England, or else before the saide President, or one of the said Iustices in Wales, by vertue of the K. writ of Dedimus potestatem, or before any other person, to be limitted by the Lord Chauncelor of England for that purpose: The contents of which oth shalbe after the forme as Iustices of Peace in England vse to make. Item, that the said Iustices of Peace, or two of them at the least, whereof one to be of the Quorum, shal and may keepe their sessions within the limits of their Commissions foure times in the yere, and at other times vpon vrgent causes, as Iustices of Peace in England vse to do, and shall haue like power and authoritie in all things, and fees of the Kings Maiestie for the time of their sitting, as well for themselues, as for their Clerkes, and shall bee bound to vse and doe their offices, in like maner as is vsed in England. Item that noe Iustices of Peace, Clerke of the Peace, nor other Clerke of any Iustices of Peace in Wales, shall take for the writing of any warrant of the peace or good abearing, aboue vj. d. and for entring of pledges or borrowes to pay the Kings fine vpon any indictment, ix. d. And if it be with protestation, then to take twelue pence, and for a Supersedeas not aboue eight pence, and for a recognisance 12. pence. And that all the said Iustices of Peace shal certifie all recognisances taken before any of them for the Peace, or good abearing, into their sessions, next to be holden after the taking thereof. And recognisance taken before any of them, for suspicious of any maner of Felonie, shall bee certified before the Iustices in the great sessions, next to be holden after the taking thereof, without concealement, detayning, or imbeseling of the same, vpon such penalties and dangerrs, as bee there for ordayned and established. Item that all fines and amerciaments, before the sayd Iustices of Peace, lost and hereafter to bee lost, shall bee taxed and afferred by two Iustices of the Peace at the least, whereof one to be of the Quorum. And that al such fines & amerciaments, shall be set truely and duely, according to the quantitis of the offences, without partialitie or affection. Item, that the said fines and amerciaments, and also all issues lost before the said Iustices of peace, and all forfeitures, of recognisances and other forfeitures before the said Iustices, shall be yerely extreated by the Clerkes of the peace into the Exchequer appointed for that limit, to the intent that processe from thence may be awarded, for the leuying of the same forfeitures and summes of money to the kings vse, to the Shirife of euery Countie, as shall appertain, who shall make thereof their accountes, before such auditours as thereunto

Ring Fines

Extreate

Shirifes Accompt

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Iu of P.

Custos rotulorum

L. Chancellor

Kings Attourney Solicitour

Not xx.l.

Oathe

2. Iu. of P. One of the Quorum

Sessions 4. times

Fees

Iust. of P. Certifie

Fines

Taxe 2. Iu. of P. One of the Quorum

Extreats

Shirifs

Accompts

unto shall be assigned, so that the kinges maiestie may thereof be truely and duely answered and satisfied, which Auditours shall make due allowance to the same Shirifes, for the fées of the Justices and Clerkes of the peace, vpon their sayde accounts, as is vsed in the realm of England. Item, Shirifes that there shall bee Shirifes in euerie of the sayde Shires yearely appointed by the Kings Maiestie. And that none of the said Shirifes shall haue their office of shirifwike any longer then is vsed by the lawes and statutes of England. And for the yéerely nomination of the said Shirifes, the sayde Lord L. president Président, Councell and Justices of Wales, or three of them at the least, whereof the saide Président to be one, shall yerely nominate thrée substantiall persons, in euery of the said fiue shires, to be shirifes of the same, and shall certifie their names to Certifie the Lords of the Kings most honourable Counsell, attending vpon his Graces person, Crastino animarum, to the intent the Kinges Maiestie béeing thereof aduertised, may appoint one of them in euerie of the said shires, to be Shirife for the yeare, at his most gracious will and pleasure, like as his Highnesse doth for his Realme of England. And Patents thereupon the said Shirifes shal haue their patents and Commissions vnder the great Seale of England, as shirifes of England haue, and shall make Othes and take othes and knowledges of Recognisances before the Président and Justices or one of them, by vertue of the Kings writs of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their iust and true accompts before the Kings Auditor or Auditors assigned for Wales. Item that euery of the said Shirifes shall haue power and authoritie within the limits of their shirifewike, to doe and vse their offices as Shirifes in England, and shall accomplish Shirifes and execute without any fauour, dread, or corruption, all maner of writs, proces, iudgements, and executions, and al maner common Justice, appertayning to their offices of shirifes, and all lawfull commaundements and precepts of the said Président, Councell and Justices of Wales, and also of the Justices of the peace, Escheators, & Cozoners, and euerie of them, in all things appertayning to their offices and authoritie. Item, that the sayd shirifes shall doe and be bound to doe all and euery other thing and things for the ministration of Justice, and for the conseruation of the Kings peace, and the apprehension and repaire of traitors, murderers, théeues, felons, and other offenders, as shirifes of England doe vse and be bound to do with- Shirifes Account in the Realme of England. Item that the said Shirifes shall yéerely account before such the Kings auditor or auditors, as shalbe assigned and appointed by the Kings Maiestie for his said Dominion of Wales. And that euery of the said shirifes, shall haue yerely for his fée, fiue pound. Item that all Maiors, shirifes, stewards, baylifes, and other Ministers and Officers of Justice of euery county, lordship, towne and place, within the said dominions of Wales, and all and singuler the Kings subiects of the same, shalbe alwayes obedient, attendant, and assisting to the said Président, Councell, and Justices of Wales, and euery of them, and shall obey the kings commandements and procesle, from them or any of them directed, and all the lawfull and reasonable precepts of the said Président, Councel, and Justices, and euery of them. And also shalbe obedient to all the said Justices of peace, shirifes, and eschetors, within their limits of their said authoritie, as wel for commen administration and due execution of Justice, as in all other things appertayning to their dueties and offices. Item that Eschetours Escheators shall be named in euery of the said shires by the L. Treasurer of England, by the aduice of the sayde Président, Councel and Justices, or three of them at the least, whereof the saide Président to bee one, which Eschetors shall make and take their othes, Othe and knowledge their recognisances before the sayd Président, or one of the said Justices by vertue of the kings writ of Dedimus potestatem, to bee directed for the same, for the due execution of their offices, & for their true account to bee made before the Kings auditor or auditours to bee assigned for the same, which othe and recognisance shall bee agreeable to the othe and recognisance vsed before the eschetors in England, and the Eschetors shall yerely haue their patents and commissiõs vnder the great Patents seale of England, and shall haue power and authoritie to exercise their offices, in like manner and forme as Eschetors in England, and shalbe bound to all Lawes and Statutes of England. Item that all such persons as shall be appointed to the said offices, shal and may exercise their offices, if they may dispend yerely fiue pound of freehold, any statutes v.l. land of England, to the contrarie hereof notwithstanding. And that euery of the said eschetors shal make their account yerely before such auditor or auditors Account as shalbe assigned by the Kings Maiesty to heare & determine his highnesse account for his reuenues and profits of the said dominions of Wales. Item, there shalbe two Cozoners to be elected in euery of Cozoners the saide twelue Shires, as is vsed in England, by vertue of the Kings writ de coronatore eligendo, to bee awarded out of the K. Chauncery in Eng. And that the said Cozoners shall haue like power and authoritie to do and exercise their offices, and haue like fées, as is limited by the lawes & statutes of Eng. Prouided alwayes, that the writ de coronatore eligendo, to chuse Cozoners within the said County of Flint, shal be directed out of the Exchequer of Chester. Item that the said Iust. of P. or 2 Iu. of P. of them at the least, whereof one to be of the Quorũ, One of the Quorum appoint & name in euery hundred within the limits of their Commission, two substantial Gentlemen or Yeomen, to be the chiefe Constables of the hundred wherein they inhabit, which two Constables Constables of euery Hundred, shal haue especiall regard to the conseruation of the K. peace, and shal and may doe and vse their offices in all and singuler things as is vsed by the high Constables of the Hundreds in England. And shall be bound to all things as high Constables of the hundreds in England be bound to do. Item that euery of the said Shirifs shal haue Gaole gaole of prisoners within some cõuenient place for the Castles of the Shire Townes where he is shirife, or in such other conuenient place, as by the sayd

ſayd Preſident, Counſell, and Juſtices, or three of them, whereof the ſayd Preſident to be one, ſhall bee appointed: Any patent or graunt heretofore made to any perſon or perſons of the Conſtableſhippe, or keeping of any of the ſaid Caſtles, in any wiſe notwithſtanding. And that the Shirife ſhall make the Baylifes of the Hundreds, and they to attend vpō the Juſtices in euerie of their courts and Seſſions. Prouided alwayes, that the Conſtables of the Kings Caſtles within euerie of the ſayd ſhire Townes of Wales, ſhall not be charged with the Gaole, and of all the Priſoners that ſhall be committed to their ward, like as they haue heretofore beene, vnto ſuch time conuenient places for the purpoſe, be aſſigned by the ſaid Shirife. Item, the ſayd Shirifes ſhall keepe their Countie monthly, and their Hundred Courts for pleas vnder fortie ſhillings, as is vſed in England, and ſhall take for the entring of Plaints, Proceſſe, Pleas, and iudgements in the ſaide Shire Courts and Hundreds, ſuch ſmall Fees, as is vſed to bee taken in Shires and hundreds in England, and not aboue. Item that all manner of trials before them in their ſaid Courts, or before any Stewardes in Court Barons, ſhalbe by wager of Law, or verdict of fiue men at the pleaſure of the partie plaintife or defendant that pleaded the plea. And that euerie of the ſaid Shirifes ſhall keep and hold their turnes yerely after Eaſter and Michaelmas, as there haue bin vſed in England. Item the Kings Highneſſe ſhal haue all maner of fines, iſſues, amerciaments, and forfeitures loſt and forfeited in any of the ſaid coūties, Hundreds, Courts, and turnes to his owne vſe, and the Shirife to account for the ſame accordingly. Item that the extracts of the ſaid turnes, Counties, and Hundreds ſhall be viewed, and the fines, iſſues, and amerciaments, aſſerred by the ſayd Juſtices of Aſſiſes of that circuit, before the leuying of the ſame amerciaments, or other forfeitures. And that no Shirife or any of his Officers preſume to gather and leuie any ſuch amerciament or other forfeiture before the ſaid extreat be ſo aſſerred, vpon payne to forfeit to the Kings vſe fourtie ſhillings. And that the Shirife vpon euery iudgement had before him in his Countie or Hundred court, in any plaint vnder fourtie ſhillings, ſhall and may award a Capias ad ſatisfaciendum, to arreſt the partie condemned, or elſe a Fieri facias, at the libertie of the partie purſuant. Item, that all Billes ſued before the ſaid Juſtices, in perſonal actions, whereof the debt, duetie, or damage is vnder forty ſhillings, the Shirife ſhal haue for the returne of euery bill two pence. And for euery Venire facias, Tales, Habeas corpora, and diſtreſſes, two pence. And for writs of execution vpon the iudgement in any ſuch bill twelue pence. Item in bils ſued before the ſaid Juſtices, in actions perſonals, aboue the ſumme of fortie ſhillings, the Shirife ſhall haue for the returne of euery ſuch bil foure pence, and for the returne of euerie Venire facias, Habeas corpora, Diſtringas, & Tales, iiij. pence, and for euerie writ of execution, two ſhillings. And in all perſonall actions, ſued by originall writs, returnable before the ſaid Juſtices, the Shirife ſhall haue for euery Iterum ſum. Diſtring. & alias Diſtring. foure pence, and for euery Venire facias, Habeas corpora, Diſtring. and Tales, vj. d. And for euery writ of execution to be executed vpon the iudgement, in ſuch actions two ſhillings, for the ſeruing of euerie Writ of Elegit, ſixe ſhillings and eight pence. And that in all reall actions or mixt, purſued before the ſaid Juſtices by originall Writ, for returne of euery originall, 2. s. And for the returne of euery other Writ, and iudiciall proces depending vpon the ſame before iudgemēt, ij. s. And for euery writ of execution after iudgement vpon euery originall, in actions real or mixt, 2. s. And for ſeruing of euery writ of Habere facias ſeiſinam, vj. s. viij. d. Item for attachments vpon Capias, or other proces ſued before the ſaid Juſtices, by originall or iudiciall Writ, if hée returne Cepi corp⁹, ij. s. And for a Reddidit ſe, vpō an exigent of felonie, in appeale of murder or maime, or vpon an indictment of felonie or murder, two ſhillings. And vpon a Reddidit ſe, vpon an exigent of debt, treſpaſſe, detinue, and all other actions perſonals, vij. d. And for the making of Repleg. two & twenty pence. And Withernam vpon the ſame vij. d. For the returne of euery writ of appeale of murder, felony or maime, vij. d. And vpon all other proces, growne vpō the ſame, as Venire facias, Tales, Habeas corpora, & Diſtring. vij. d. And in euery action taken before the Shirifes by Iuſticies, for the ſūmons thereof 4. d. & for euery other proces therupō 4. d. and for euery priſoner deliuered by acquital or by proclamation, for any maner of felony 12. d.

Item, that euerie Shirife within the limits of his authoritie, may and ſhall put ſuch perſons vnder common mainprize, as they haue reaſonable cauſe of ſuſpect, according to the ſaid act made for Wales, s. Añ 26. Hen. 8. c. 6. binding ſuch as they ſhall ſo put to common mainprize, with 2. ſufficient ſureties with them by recogniſance, to appeare before the ſaid Juſtices, within the limits of their authorities, at the next great ſeſſions to bee holden next after the taking of ſuch bands, and ſhall certifie the names of them that be bound, before the ſaid Juſtices at the ſaid ſeſſions accordingly, without concealement thereof, at their pleaſure. Item, that euery perſon that the Shirife taketh to common mainepriſe, to appeare before the ſaid Juſtices, as is before ſaid, ſhall pay for his mainprize two pence and not aboue. And the ſaid Shirifs to put no man to common mainprize, but ſuch as be ſuſpect, & ſhal be returned by them before the ſaide Juſtices at their ſeſſions, as is aforeſaide. And alſo the ſayde Shirifes ſhall haue for the returne of a writ of falſe iudgement, out of baſe court, before the ſaid Juſtices, two ſhillings. And that the ſaid Shirife ſhall take no maner of fée for the return of any of the ſaid writs of execution afore expreſſed, vnles he return the ſame executed. Item, that in all and euery ſuch writs originall or iudiciall, or other proces, pleas, or writings, which bee not expreſſed in this ordinance, the fées thereof aſwell for the ſeales as writing, ſhalbe rated by the ſaid Preſident, Councell, and Juſt. or 3. of them, whereof the ſaid preſident to be one by their diſcretions, from time to time, as the

Bailifes

Countie Courts

Turnes

King Fines Iſſues Fork.

Shirife

Eſtreats

Fork. Shirifes

Mainpriſe Surety Recog.

L. preſident

the caſe ſhall require. And that they ſhall haue full power and authority from time to time to aſſeſſe and appoynt, what fées the ſaid Sherife, Eſcheators, and Coroners, and they⁊ Miniſters, Prenotaries, and they⁊ Clerkes, and other Miniſters of Juſtice in the ſaid ſhires, ſhal haue, take, and receiue of the Kings ſubiects, for any manner of Writs, Plaint, Pleas, Proceſſe, Returnes, or any other matter or thing, concerning or belonging to the execution of they⁊ Offices and Roomes, and to augment or diminiſh anie fée or fées aboue declared, as ſhall be thought by they⁊ diſcretions, to be conuenient and méet for the Commonwealth of the Kings ſubiects of thoſe parts of Wales, any thing contayned in this Act to the contrary therof notwithſtanding. Item, that from henceforth no manner of perſon or perſons, for murder or felony ſhalbe put to his fine, but ſuffer according to the Lawes of the Realme of England, except it pleaſe the Kings Maieſty to pardon him or them. And if the ſayd Juſtices ſée the cauſe of pittie or other conſideration, they may reprieue the priſoner, till they haue aduertiſed the Kings Maieſty of the matter. Item, that the Act made in the Parliament holden in the fire and twentieth yeare of the moſt royall raigne of the Kings Maieſtie, capitul. 6. (before 25.) concerning among other things, inquiſitions, and trialles of counterfaiting, waſhing, clipping, and miniſhing of the Kings coyne, murders, felonies, and acceſſaries, to the ſame perpetrated or done within Wales, to be had, made, and determined in the nert Shire or Countie, within England adioyning, where the Kings Writ runneth, and euerie Article therein contained, ſhall ſtand in his full ſtrength and force according to the tenour and effect of the ſame. Anie thing in this ſayd Ordinaunce, or any other Act, cauſes or matter, heretofore had or made to the contrary thereof notwithſtanding. And albeit the ſame Act, s. Anno 26.H.8.cap.6. as it was neuer put in execution, for any of the ſayd offences heretofore done or committed, within anie of the ſaid three ſhires of Northwales: that is to ſay, the counties of Angleſey, Carnaruan, and Merioneth: Be it now &c. that the ſaid Act, and euery Article therein contained, ſhall from henceforth take effect, and bée executed in all points, for, and concerning anie of the ſaide offences perpetrated or done, or that hereafter ſhall be perpetrated or done within the ſaid County of Merioneth, to be enquired of, heard, and determined within the Countie of Salop, in like manner and forme as commonly is, and hath béene vſed for any of the ſame or like offences, committed or done within anie other County or place of Southwales: Any matter or cauſe heretofore riſen or growen to the contrarie thereof notwithſtanding. Item, that the towne or hamlet of Abertannad, and all the ground and ſoyle within the ſame, which afore this time hath béene taken, reputed, and vſed as parcell of the ſaid county of Merioneth, ſhall from the feaſt of Eaſter next comming by vertue of this Act, be vnited, annexed and made parcel of the ſaid county of Salop, and ſo from thenceforth to be reputed, taken, and vſed for euer, and not to be of anie other Shire or Countie of Wales. And that the ſame Towne or Hamlet, and all the ground and ſoyle within the ſame Towne or Hamlet, be from and after the ſaid feaſt, accepted, and taken, as part and parcell of the Hundred of Oſweſtre, and that the Inhabitants thereof, from the ſaid feaſt, ſhall be attendant and doe euery thing and things, with the Inhabitants of the ſaid Hundred of Oſweſtre, as the ſame Inhabitants doe or béene bound to doe, any Lawes or Cuſtomes to the contrarie thereof notwithſtanding. Item, in caſe any foreine plea or voucher, bée hereafter pleaded or made before any of the ſaid Juſtices of Wales betwéene party and party, triable in any other ſhire within Wales then where the ſame plea is pleaded, or voucher made: that then the ſaid Juſtices afore whom the ſame plea or voucher is or ſhalbe pleaded or made, ſhall and may ſend the Kings Writ with a tranſcript of the Record, mentioning the ſame foreine matter of plea or voucher, vnder the Seale to him committed vnto the Juſtice of the County, where the ſame matter is or ſhall be triable, commaunding the ſaid Juſtice by vertue of the ſayd Writte, to proceéde to the triall thereof, according to the Kings Lawes and Statutes, which triall ſo before him had, bée ſhall remaund with the whole Record vnto the Juſtice, before whom the ſaid plea, or voucher was pleaded or made, who thereupon ſhall proceéde to Judgement, as the caſe ſhall require. Item, in caſe the ſame foreine plea, voucher, or other matter ſo pleaded, be triable within the Realme of England: that then in euery ſuch caſe, the Juſtice afore whom the ſame plea or voucher is or ſhall be pleaded, had, or made, ſhall and may proceéde to the triall thereof, as ſhall appertayne within the ſame Shire of Wales, where the ſame plea, voucher, or matter was pleaded, the ſaid foreine plea, voucher, or anie other thing or matter to the contrarie thereof notwithſtanding. Item, that no manner of perſon or perſons from henceforth without lawful authority, ſhall make any rumours, tumults, vnlawfull aſſemblies or outcries, at any of the ſayd Courts or Seſſions, nor any outcries, or vnlawfull Aſſemblies in great numbers, at anie other time or times, except it be for the apprehenſion or purſuing of murderers or felons, vpon payne of impriſonment and grieuous fine to bée taxed and ſet vpon them by the ſaid Preſident and Councell, or by the Juſtices or other Officers, before whom ſuch miſbehauiour ſhall happen to be committed. Item, that all mannors, lands, tenements, meſſuages, and other hereditaments, and all rights and titles to the ſame, in any of the ſhires of Wales, deſcended to any maner perſon or perſons, ſith the feaſt of the Natiuitie of Saint John Baptiſt, in the xxxiij. yeare of our ſouereigne Lords reigne, or that hereafter ſhall deſcend, be taken, enioyed, vſed, holden as Engliſh tenure to all intents, according to the common laws of this realm of England, and not to be partable amōg heires males, after the cuſtome of Gauelkind, as heretofore in diuers partes

Fees

Reprius

26.H.8.c.6

Counties

Foreine plea Voucher

Triall

Rumours Tumults

Impriſ.

Tenures

of Wales hath beene vſed and accuſtomed. And that the ſame Lawe, from and after the ſayd feaſt of Saint Iohn Baptiſt, in the ſayd three and thirtieth yeare, be vſed, taken, and exerciſed in the ſayd County of Monmouth, and in all ſuch Lordſhips, and other places, as by vertue of the ſaid Act, made in the ſaid ſeuen and twentieth yeare capitul. 26. or by any other Act or Acts made or to be made, were and ſhall be annexed, vnited, or knit to any of the ſhires of Salop, Hereford, Glouceſter, or other ſhire, any Lawes, Vſages, or Cuſtomes heretofore had or vſed to the contrary thereof notwithſtanding. Item, that no morgages of lands, tenements, or hereditaments, made or had after the feaſt of S. Iohn Baptiſt, which was in the ſayd three and thirtieth yeare of the raigne of our ſouereigne lord, or that hereafter ſhall be had or made, within anie of the ſayd ſhires or places, ſhall be hereafter allowed or admitted, or otherwiſe then after the courſe of the Common lawes and Statutes of the realme of England, any vſage or Cuſtome heretofore had to the contrary thereof notwithſtanding. Item, it ſhalbe lawfull to all perſons, to alien, ſell, or otherwiſe put away their lands, tenements, and hereditaments within the ſayd Countrey or Dominion of Wales, the County of Monmouth, and other places annexed to any of the Shires in England, from them and their heyres, to anie perſon or perſons in fée ſimple or fée tayle, for terme of life, or for terme of yeares after the maner, and according as is vſed by the Lawes of the Realme of England: Any Welch Law or Cuſtome, heretofore vſed in the ſaid Countrey or Dominion of Wales to the contrary hereof notwithſtanding. This article to take effect from and after the ſayd feaſt of the Nativity of Saint Iohn Baptiſt, which was in the ſaid three and thirtieth yeare of our ſaid ſouereigne Lords reigne. Item, if any perſon or perſons, hauing lands or tenements within the ſayde Dominion of Wales, béene, or hereafter ſhall be bound within the Realme of England by Obligation vpon the ſtatute of Staple, or by Recogniſance, and pay not the debt as ſhall appertayne, that then vpon Certificate thereof made into the Kings Chauncerie of England, by the Clerke of the Staple, or by any Iuſtice of Record, before whom ſuch Recogniſance ſhalbe knowledged, proceſſe ſhall be made to the ſheriffes of Wales out of the Chauncery of England, after the forme as is vſed to be made vpon ſtatutes and recogniſances, by the courſe of the Lawes of England, for due leuying and paying of the ſayd Debt. Prouided alwayes, and be it &c. That for ſuch Recogniſances as be, or hereafter ſhall be taken and knowledged before the Kings Iuſtices of his Highneſſe Bench or Common place of England, Procéſſe ſhall be had and purſued immediately out from the ſayd Iuſtices, as is vſed vpon Recogniſances taken before the ſayd Iuſtices by common courſe of the Lawes of England. Item, that all ſuch writs, bils, plaints, pleas, proceſſe, challenges, and trialls, ſhall be vſed throughout all the ſhires afore ſaid, before the ſaid Iuſtices in their Seſſions, as is vſed in Northwales, or as ſhalbe deuiſed by the ſaid Preſident, Councel and Iuſtices, or three of them, whereof the ſaid Preſident to be one, for the good miniſtration of Iuſtice to be had in cueris of the ſayd ſhires. Item, where the lordſhip of Hope, with diuers other lordſhips, pariſhes, townes and Hamlets, were by an Act of parliament made in the 34. yeare of the reigne of our ſaid ſouereigne Lord (s. ca. 13. before 31.) appointed and tranſlated from the ſaid county of Denbigh to the county of Flint, and by the ſame Act, were made part, parcell, and members of the ſame county of Flint, afore which appointment or tranſlation, diuers Indictments, and Preſentments, as well felony, as other offences, were had and taken for the Kings Highneſſe, before the Iuſtice of the ſaid County of Denbigh in the great Seſſion there, and ſome before the Iuſtices of the Peace, within the ſame County for offences ſuppoſed to be done within diuers of the ſaid Lordſhips, ſo tranſlated, and alſo diuerſe Iudgements giuen at ſuite of parties before the ſaid Iuſtices, and ſome before the Sheriſe of the ſaid county of Denbigh, for matters riſen and growen within the precinct of the ſaid Lordſhips, or other places before the tranſlation of the ſame: It is &c. that all the ſaid Indictments and Preſentments, ſhall be heard, tried, and determined within the ſaid county of Denbigh, by perſons as well of the ſaid Lordſhip or place, whereas the ſaid offences were done or committed, as of other place or places within the ſaid county of Denbigh, in manner and forme as though the ſaid tranſlation had neuer béene had ne made. And alſo, that the ſaid Iudgements as before giuen or had between party and parties, before any Iuſtice of record, or other Officer within the ſaid county of Denbigh, for any matter or cauſe appearing by the Record of the ſame to be growne and riſen within any of the ſaid Lordſhips, Pariſhes, Townes or Hamlets, ſo tranſlated, ſhall, and may be executed by the ſheriſe of the ſaid county of Denbigh, within any of the ſame Lordſhips, or other place ſo tranſlated, the ſaid tranſlations or any other cauſe or matter to the contrarie thereof notwithſtanding. Item, like law and order to be kept and miniſtred vpon all other like tranſlations of any other Lordſhips, Manors, Townes, Pariſhes, and other places within Wales, had, made, or done in this preſent Parliament, or anie other afore or after the ſame tranſlations, or anie other cauſe or matter to the contrarie thereof notwithſtanding. Item, where there ſhall be diuers and many ſuits taken before the ſaid Iuſtices in pleas perſonall, which (as it is thought) can not bée tryed before them in the ſayd great Seſſions, for breuity of time: Therefore, and for the ſpeedy triall of thoſe matters, the iſſues taken in the ſaid ſuits, ſhall and may be tried at a pety Seſſions before the deputy Iuſtices there, as it is and hath bin vſed in the ſaid three ſhires of Northwales. Except ſuch of the ſaid ſuits, as by the diſcretions of the ſayd Iuſt. ſhall be thought neceſſarie to be tryed before themſelues, within their limits. And that there ſhall no ſuite be taken before any of the ſaid Iuſt. by bil, vnder the

Mortgage

Sell

Stat. ſtaple

Proceſſe

Recogn.

Trials

County

Tranſlations

Pety Seſſions

Suite

der the summe of twentie shillings. Item, if anie murder, or felony hereafter be committed, or done within Wales, that then the party or parties to whom any such offence shall hap to be committed, shall in no wise take any end or agreement with the offenders in that behalfe, nor with any other in his name or behalfe, vnlesse the sayd party first make the sayd President and Councell, or one of the said Justices priuy vnto the same, vpon payne of imprisonment and grieuous fine to be set and adiudged, at the discretion of the sayd President, Councell, and Justices, or two of them, whereof the said President to be one. The same payne and penalty to extend as well, to, and against such as shall labour, moue, or procure any such end or agreement made, although the same labour, motion or procurement neuer take effect, to make any end or agreement, as against him or them, with whom such end or agreement shall be made, if the same happen to take effect. Item, where diuers Lordships, Marchers, as well in Wales, as in the borders of the same, now being by Act of Parliament annexed to diuerse Shires of England, be lately commen to the Kings hands, by suppression of houses, by purchase or attainders, and now be vnder the Surueyor of the court of Augmentations, or of the Kings generall Surueiors, the Liberties, franchises, and Customes of all which Lordships, bee lately reuiued by Act of Parliament, made in the two and thirtieth yeere of his most gracious reigne, (ca. 10. which is in Franchises 12.) Neuertheless his Maiestie willeth and commaundeth, That no other Liberties, Franchises, or customes shal from henceforth be vsed, claymed or exercised within the said Lordships, nor any other Lordships within Wales, or the Countie of Monmouth, whosoeuer be Lord or Owner of the same, but onely such Liberties, Franchises and Customes, as be giuen and commaunded to the Lordes of the same Lordships, by force and vertue of the sayd Act of Parliament made for Wales in the said seuen and twentieth yere of his Graces reigne, cap. 26. and not altered, ne taken away by his ordinaunce, the sayd Act made in the said two and thirtieth yeere, ca. 20. or any other Act, graunt, lawe, or custome to the contrary thereof notwithstanding. Item, that if any person or persons, their auncestors, or they whose estate the same person or persons haue, or hath, haue beene in peaceable possession of any lands or tenements in Wales, by the space of fiue yeares, without let, interruption or lawfull clayme: That then the same person or persons shall still continue their possession, vntill such time as it shall be lawfully recouered against them by the order of the K. Lawes, or by decree of the President and Councell there. Item, in actions personals, taken and pursued before the said Justices in Wales by originall writ or bill, if nine of the Iurie be sworne to trie the issue betwéen the party plaintife and the defendant, and the residue of the Iury make default, or be tried out, then the sheriffes shall and may immediately returne other names in the sayd Iurie, de circumstantibus, vnto such time there be twelue men sworne to trie the issue betweene them, as before the Justices of North-wales hath beene afore vsed and accustomed in such cases. Item, that if anie goods or cattels be stollen by any person or persons, and sold in any faire or market, within the said dominion of Wales, that no such sale shall change the propertie thereof from the Owner of the same, but that he may lawfully sease, take, and haue the same agayne, vpon proofe thereof made, the said sale notwithstanding. Item, that no person or persons bargaine or buy any maner of beast, or other quicke cattell, in any place within Wales, out of the market or faire, vnlesse he can bring forth sufficient and credible witnesse of the name of the person, what place and time he bought the same, vpon payne and daunger of such punishment and fine, as shall be set vpon him, by the said President and Councell, or any of the said Justices in his circuite, for the said offence, and as he will therefore aunswere at his farther perill. Item, if any goods or cattels be stollen within the limits of any of the said shires of Wales, that then vpon suite thereof had & made, the tract shalbe followed from towneship to towneship, or lordship to lordship, according to the lawes and customes in that behalfe heretofore vsed in Wales, vpon such penalty and danger as heretofore hath bin accustomed. Item, that euery person that hath any lands or tenements in fée simple or fée taile, or for terme of his life, or for terme of any other mans life, being freehold, shall, and may passe in all maner Iuries and Trialls, as well in case of Felonie or Murder, as in all Actions reall, personall and mixt whatsoeuer they be, Attaint only except: And also may be empanelled, and enquire of all concealements, forcible entries, and other causes of enquiry for the Kings maiestie, albeit he maye not dispend xl. s. by yere. Sauing to euery man his lawfull challenge for any other cause, according to the laws of the realme of England. Item, no Iuror shall passe in attaint, vnlesse he may dispend forty shillings by the yeare of estate of freehold. Item, the tenants and reuants in Wales, shall pay their tallage at the change of their Lords, in such places, & after such forme as hath bin heretofore accustomed in Wales. Item, that all the Kings subiects, and reuants in Wales, shall finde at all Parliaments hereafter to be holden in England, Knights for the Shires, and Citizens and Burgesses for Cities and Townes to be named and chosen by authoritie of the Kings Writ vnder the great Seale of England, according to the Act in that case prouided; and shall be charged and chargeable to all Subsidies and other charges to be graunted by the Commons of anie of the said Parliaments, and pay all other their Rents, Farmes, Customes, and Dueties to the Kings Highnesse, as they haue beene accustomed heretofore, fines for redemptions of Sessions onely excepted, which the Kings maiestie of his most gracious Goodnesse and Liberalitie, is contented and pleased to remit, at the humble suite of his said louing subiects of his sayd Dominion of Wales. Item, that the Towne of Hanerford West shall after the end of this present Parliament, for euer, finde one Burgesse for the sayd Towne, at

Murder Felonie

Compound

Imprison Fine

Procure

Customes

Possession 5. Yeares

Actions

Iury

Sheriffes Returns

Stollen goods Faire Market

Propertie

Buy Cattell

Punish

Stollen goods

Purlue

Iurors

Challenge

Iuror

Tallage

Parliament

Knights

Burgesses

Subsidies

Burgesse

euerie Parliament after that time to bée holden. And the charges of the same Burgesse to be alwais borne by the Maior, Burgesses, and Inhabitants of the sayd Towne, and none other. Item, that the Kings maiestie shal haue all felons goods, and goods of persons outlawed, weifes, strayes, and all other forfeitures and Escheats whatsoeuer they be, answered thereof by the hands of the sheriffes, saiuing alwayes the rights and interests of euerie of his Subiects hauing lawfull title to haue the same.

Ring Felons goods

Sheriffe

Item, that all errours and iudgements before anie of the sayde Iustices at any time of the great Sessions in Pleas realls or mixt, shall bée redressed by Writ of Errour, to be sued out of the Kings Chauncerie of England, returnable before the Kings Iustice of his Bench in England, as other Writtes of Errour bée in England. And that all Errours in pleas personall, shall bée reformed by Billes to be sued before the saide President and Councell of Wales, from time to time as the partie grieued will sue for the same. And if in case the Iudgement bée affirmed good in any of the said Writtes of Errour or Billes, then there to make Execution, and all other Processe thereupon, as is vsed in the Kings Bench in England. And that the Pursuants in euery such Writ of Errour or Bill, do pay like fées therefore as is vsed in England. Item, that no Execution of anie Iudgement giuen or to bée giuen, in anie base Court, bée stayed or deferred by reason of anie Writte of False Iudgement, but that Execution shall, and may bée had and made at all times before the reuersall of the sayd Iudgement, the pursuite of the sayd Writ notwithstanding. And in case the said Iudgement happen after to bée reuersed, then the partie pursuant to bée restored to all that hée hath lost by the sayde Iudgement, according to the Lawes of this Realme. Item, that all Processe for vrgent and weightie causes shall bée made and directed into Wales, by the speciall commaundement of the Chauncellour of England, for the time being, or any of the Kings Councell in England, as heretofore hath béene vsed, anie thing in this Act to the contrarie thereof notwithstanding. Item, that the Towne of Bewdley, which is within the Parish of Ribbesford, in the Countie of Wigorne, and all the ground and soyle of the same Towne, shall from henceforth be united, annexed and made parcell of the Countie of Wigorne, and to bée within the Hundred of Dodingtrée. And that all the Inhabitants of the sayde Towne and Parish, shall from henceforth bée attendant and doe euerie thing and things with the Inhabitants of the saide Hundred, as the same Inhabitants be now bound to doe, by the Lawes of this Realme of England: Saiuing alwayes to the Burgesses and Inhabitants of the saide towne of Bewdley, all such Liberties and Franchises as they lawfully had and exercised within the same Towne before the making of this Act, in like maner and forme, as though this Act had neuer béene had nor made. Item, that the Lordship of Lantissan, Ulcerloys, and Langham, and the members of the same, and all manners, lands, tenements, and other hereditaments, in the same Lordship, and the members of the same, bée from henceforth vnited, annexed, ioyned, named, accepted, and taken, as part and parcell of the Countie of Carmarthen, and reputed, ioyned, vnited, named, accepted, and taken, as part and parcell of the Hundred of Derles in the said Countie of Carmarthen. And that the Tenants and Inhabitants of the said Lordship, and members, be attendant, and doe euery thing and things with the Tenants and Inhabitants of the sayd Hundred of Derles, as the said Inhabitants now be bound to doe according to the Lawes there vsed. Item, that the Countie or shire court of the County of Radnor, shall from henceforth be holden one time at new Radnor, and one other time at Presteyn, alternis vicibus, and neuer from henceforth to be kept or holden at Rather Golwye: Anie former Act or other thing to the contrary thereof notwithstanding. Item it is &c. That the Kings most royall Maiestie, shall and may at all times hereafter from time to time chãge, adde, alter, order, minish, and reforme all maner of things afore rehearsed, as to his most excellent wisedome and discretion shall be thought conuenient. And also to make Lawes and Ordinances for the Common Wealth and good quiet of his said dominion of Wales, and his Subiects of the same from time to time, at his Maiesties pleasure: Anie thing contayned in this Act, or in the said Act made for the Shire ground of Wales, or any other Act or Acts, thing or things, to the contraris thereof heretofore made, in anie wise notwithstanding: And all such alterations of the premisses, or anie part thereof. And that all such Lawes and Ordinances, to bée hereafter made, deuised, and published by authoritie of this Act, by the Kings Maiestie in writing vnder his Highnesse great Seale, shall be of as good strength, vertue, and effect, as if they had béene had and made by authoritie of Parliament. Item, bée it &c. that where the Kings Maiestie that now is, by his Letters Patents, bearing date the first day of Maie, in the three and thirtieth yeare of his most prosperous reigne, demised and graunted to William Web, the Subsidie and Usage of all woollen Clothes, made, or to be made, in the County of Monmouth, and in twelue shires in Wales, that is to say, in the Countie of Brecknocke, Radnor, Mountgomeries, Carmarthin, Glamorgan, Pembroke, Cardigan, Anglesey, Flint, Denbigh, Carnaruan, and Merioneth, and in all and singuler Townes and other places, whatsoeuer they be, within the precinct and limits of the sayd Counties, and elsewhere within the sayd Dominion of Wales: to haue and to hold to the sayd William Webbe, and his Assignes, for certayne yéres yet enduring, the sayde William Webbe, his Deputies and Assignes, shall haue from henceforth full power and authoritie by force of this Act, to take for the sealing of euerie Woollen Cloth hereafter to bée made in the sayde twelue Shires, and elsewhere within the sayde Dominion of Wales, as hereafter is declared, and none otherwise, that is to say, for euerie whole péece of frize

Ordinaunces

Fees

Iudgement

Restore

Processe

L. Chancellor

Countie

Countie

Countie Court

King

Letters P.

Seale Woollen cloth

Fees

frize a peny, euery halfe peece of frize a halfe peny, euery peece of cotton and lyning, being foure and twenty yardes and vnder, a halfe peny. And for euerie peece of the same being aboue foure and twenty yards a peny. Of euery Broad cloth a peny. Of euery peece of kersey being eightene yards and aboue, a peny. Of euery peece of kersey being vnder eightene yards a halfe peny. Prouided alwayes, that this Act, ne nothing therein contayned, extend not to charge any manner of person or persons being, or that hereafter shall be inhabitant, in any of the sayd twelue shires, or elsewhere within the dominion of Wales, for any clothes, frizes, kerseys, or linings, made, or hereafter to be made and occupied, within theyr houses, and not put to sale to any person or persons, but to their seruants for theyr wearing. And further be it &c. That the said Aulnegeor in Wales by himselfe, or by his sufficient Deputie or Deputies, shall in all things to his Office appertayning, doe, and be bound to doe, and answere in euerie case, like, and according as all and euery other Aulnegeor in the realm of England doe or ought to doe, according to the Lawes and Statutes of the Realme of England. And for the contrarie doing or exercising of the said Office, shall in euerie case and degree suffer, as by the said Lawes and Statutes is ordained, established, or enacted for Aulnegeors vnder the Lord Treasorer of England for the time being. And furthermore the Kings maiesty is contented and pleased, notwithstanding the Statute made in the seuen & twentieth yeare of his most gracious reigne capitul. 26. that where there should be but twelue shires in Wales, that the Towne of Hauerford west, shall be a County in it selfe, as it hath bene before this time vsed, at the wil and pleasure of the Kings said Maiesty, and that it shall be separated from the County of Pembroke, at the Kings saide pleasure. And that the Kings high Iustice of the said County of Pembroke, shall be high Iustice of the said county and towne of Hauerford west, and shall haue like power and authority, to and for the ministration of Iustice, within the saide County and Towne of Hauerford west, as is limited and appoynted to the said Iustice, to, and for the administration of Iustice in the saide Countie of Pembroke. And that the Maior, sherife, baylife, and burgesses of the said Countie and Towne of Hauerford west, from time to time shal be as well attendant and obey all Precepts and Commaundements of the President and Counsell of our sayde souereigne L. the King in his Marches of Wales, as also shall be attendant to all Precepts, and processe awarded or directed by the sayde high Iustice, vnto the sherife of the sayd Countie and Towne of Hauerford west, and to make returne thereof. And the said sherife of the said County and Towne, shal serue all Precepts and Processe directed from the sayd high Iustice, in like maner and forme as the shirife of the said County of Pembroke is bound to doe, and according to the effect and purport of the Kings ordinaunces in that behalfe had, made, and prouided. And that it shall be lawfull vnto the sayd Mayor, sherife, baylifes, and burgesses of the said County and Towne of Hauerford west afore-saide, to vse and exercise all lawfull Liberties and Graunts by the Kings Maiesty, or his noble Progenitors to them graunted and confirmed, at the Kings Maiesties will and pleasure, according to the Lawes of the Realme of England, and not otherwise. And that the iudiciall Seale of the sayde shires of Pembroke, Carmarthin, and Cardigan, being in the custody and keeping of the Kings high Iustice there for the time being, shal be vsed in the said county and towne of Hauerford west, as the Originall and Judiciall Seale of the same Towne and Countie. And that the sayde Iustices of the sayd shires of Pembroke, Carmarden, and Cardigan, shall haue like power and authority by vertue of the Kings Letters to him made, as well to doe all and euerie thing and things, concerning common Iustice to be ministred within the sayde Towne and County of Hauerford west, as he hath in his sayd Letters Patents within any of the sayd shires of Pembroke, Carmarden, and Cardigan. Prouided alwayes, that this Article touching and concerning the County and Towne of Hauerford west, and all things therein contayned, shall stand and endure but onely at the Kings Maiesties will and pleasure, and none otherwise. Prouided alwayes, that this Act, or any thing therein contayned, shall not be preiudiciall nor hurtfull to anie person or persons, or bodies politique, for, or concerning anie landes, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but that they and euery of them, their heires, and successors, and assignes, and the heyres, successors, and assignes of euery of them, shall haue, hold and enioy theyr lands, tenements, rents, seruices, bondmen, and other theyr hereditaments, in such like manner, forme and condition, as they had the same before the making of this Act, and as if this Act had neuer bene had ne made. Prouided also, that this Act, nor anie thing therein contayned, shall be hurtful or preiudiciall to any person or persons, for, or concerning any Office or Offices, which they, or any of them haue, by vertue of any the Kings Letters Patents, being now in force, before the making of this Act, nor to the fees of money, vsed and accustomed to bee paied for the exercise of any such offices, but that euery person and persons, hauing such offices and fees, and theyr substitutes and deputies, shall and may haue and exercise their said offices as is limited by this Act, and as they mought haue done before the making of this Act. And shall also haue and perceiue all such fees, for the exercise of the said offices, in as large & ample manner, forme and condition, as they might afore the making of this Act, & as if this Act had neuer bene had nor made. Prouided alwayes, that all lands, tenements and hereditaments, within the sayd dominions of Wales, shall discend to the heyres, according to the course of the Common Laws of this Realme of England, according to the tenour and effect of this Act, and not to be vsed as Gauelkind: Anie thing contayned in these Prouisions, or any of them to the contrary thereof notwithstanding. Prouided alwayes, That this Act, ne any clause,

Maegeor

Shires

Vsed Iustice

Mayor Sherife Baylife

Returne Sherife

Mayor Sherife Baylife

Seals

Iustice

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Lands

Descend Heyres

article, or thing therein contained, be in any wise preiudiciall or hurtfull to George Blunt Esquire, sonne and heyre of sir John Blunt Knight deceased, for, or concerning the offices of Stewardships of the Kings Lordships or manors of Beudley, and Clebury, or any other Office or Offices, heretofore granted vnto the said George Blunt, by the kings Letters Patents sealed vnder the great Seale of England, for terme of life of the same George, or for, or concerning any fees, wages, rewards, annuities, profites, commodities, aduantages or emoluments appertayning or belonging vnto the said Offices, or any of them, but that the sayde George, his deputy and deputies, shall and may at all time and times, during the life of the same George, haue, hold, exercise and enioy the sayd offices, and euery of them, and also perceiue, leuie, and take the fees, wages, rewardes, and all other profites and commodities to the same Offices and euery of them, or to any of them belonging, or in wise appertayning, in as large and ample manner and forme and condition to all intents, constructions and purposes, as though this Act had neuer bin had or made: Any thing before in this Act contayned to the contrary notwithstanding. Prouided Liberties alwayes, that all liberties, franchises, and priuiledges of the Dutchy of Lancaster, or in anie wise Lancaster appertayning to the same, shalbe of the same force, plight, quality, godnesse and condition, and may be vsed in as large and ample manner, as they were before the making of this Act, and as if this Act had neuer bin had ne made: any thing in this Act to the contrary notwithstanding. An 34. H.8. c. 26.

33 Forasmuch as Bishops and other Ecclesiastical persons being lord Marchers, and the heires and successors of the Temporall Lord Marchers, were not prouided for by the Statute of 27. H.8. (ca. 26. before 28.) as the temporall Lord Marchers themselues were, which was against reason: Spirituall Be it &c. That as well your sayd Spirituall Ecclesiasticall subiects, lord Marchers now hauing lordships Marchers, or Lordships Royall in Wales aforesayd, and they, successors, and the successors of euery of them, as also the heires and successours of the Lords temporall Marchers, that then were, or now be, and the heyres and successours of euery of them, being, or which hereafter shalbe Lords Marchers within their Lordships Marchers, and lordships Royalls, in the dominion or principalitie of Wales, shall haue and enioy to them, and to their heyres and successors respectiuely and seuerally for euer, the moity and halfe of euery forfeiture of all and euery common mainepryse, recognisaunce for the peace or apparance forfeited by any the tenants inhabiting within any of theyr Lordships Marchers, or Lordships Royall, and they to be payed Moitie the same moity, or halfe, by the hands of the sheriffe of the county for the time being, after such forme & sort, as the sayd lay or temporall lords Marchers haue bene, or ought to haue bene paied the same by force of the said Statute (s. An. 27 H.8. cap. 26. before 28.) And further, shall haue all such mises and profites of theyr tenants, as the Lordes Marchers spirituall or temporall, respectiuely, or seuerally had or vsed to haue, at theyr first entrie into theyr lands in times past, before the making of the said act or statute. And also shall haue, hold, and keepe within the precinct of the said Lordships, all such courts Barons, court Leets, and Law days, Courts and all & euery thing and things to the same courts belonging, and also shall haue within the precinct of their said seuerall Lordships of Law dayes, all such waife, straife, infangthiefe, outfangthiefe, Waife and straife treasure troues, deodands, goodes and cattells of Felons, and of persons condemned or outlawed of Felonie or Murder, put in exigent for felony or murder, and also all such wrecke de mere, wharfage, and customes of strangers, as the Lordes Marchers Spirituall and Temporall respectiuely, and seuerally, had and vsed in times past before the making of the said Statute. Anno 1. & 2. Phil. & Mar. ca. 15.

34 Forasmuch as in the principality of Wales and county Palantine of Chester, many great and mighty matters be now determinable before one onely Iustice, which breedeth infinite trouble and great delay, and it hath beene doubted whether her Maiestie may by her Letters Patents constitute more, or associate any there: for playne explanation thereof, and for the more speedie administration of Iustice: Be it declared, explaned, enacted, and established by the Quenes most excellent maiesty, by the assent of the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that the Quenes Highnesse, her heyres and successors may and shal at her or their will and pleasure, haue full power, prerogatiue, and authoritie from time to time, to constitute, authorize, name, or appoint, two or more learned as aforesaid, in the Lawes of this Realme, to be Iustices of, and for the sayd Counties of Chester, Flint, Iustices Denbigh, and Mountgomery: and two or more learned, as aforesaide, to be Iustices of Northwales, viz. of, and for the sayd Shires of Anglesey, Carnaruan, and Merioneth: and likewise two or more learned as aforesayd, to be Iustices of and for the sayde circuite and Shires of Radnor, Glamorgan, and Brecknocke, and also two or more learned as aforesayde, to be Iustices of and for the said circuite and Shires of Cardigan, Carmarthen, and Pembroke, and the Towne and County of Hauerford west: Anie Law, vsage, Opinion, or Statute to the contrarie notwithstanding. And that her Maiestie, her heires and successours, may, and shall, at her and theyr good will and pleasure from time to time, associate, and graunt Commission and Commissions of as- Commissions sociation or associations, vnder the great Seale of England, to any person or persons learned, as aforesayde, to be associate, to or with euery, or anie such seuerall Iustice or Iustices for the time being, of the sayde seuerall circuites and Counties aforesaid, or in any of the saide Counties: and that all and euery such two Iustices, or more, within euery of the said seuerall circuites and Counties, and also that euery such Iustice or Iustices together with such person or persons associate, if any such association,

tion, or associations shal happen to be as aforesaid, during such associatiō, & after such associatiō ended or without such association, such Justice or Justices, shall haue the like full power, præeminence, authority, and Iurisdiction from henceforth, to all intents, constructions, purposes, and effects, as any one Justice within any of the said Circuits or Shires aforesaid, now hath, or at any time heretofore had or ought to haue: and also shall haue like power, authority, præeminence, and iurisdiction, to keepe and hold the seuerall Sessions aforesaide, twice in euery yeare in euery of the saide Shires, within their seuerall circuits aforesaid, & to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute all and singuler causes, matters, Pleas of Assises, Treasons, Murders, Felonies, Indictments, Appeales of murder, Felony, and maimes, actions realls, personals, and mixt suits, Plaints, informations, quarrels, attaints, conspiracies, Quare impedit, and all actions grounded vpon any Statute or Statutes, Writs, Processe, Returnes, Essoines, Verdicts, iudgements, fines, acknowledges, confessions, Warrants and executions, actions, and acts whatsoeuer, and to doe, perform, obserue, accomplish, & make all & euery other Act & acts, matter and matters, thing & things whatsoeuer, in like, and in as ample, beneficiall, and effectuall manner and forme, to all constructions, qualities, intents, and purposes, as any of the now seuerall Iustices, or any one of the now Iustice or Iustices, within the same seuerall circuit or circuits, and counties aforesaide, may, ought, hath or might lawfully doe by force of any law, vsage or statute heretofore had, made or vsed, before the making of this act: & that from henceforth all and singuler writs, Processe, returnes, essoines, verdicts, Iudgements, Fines, recoueries, recognisances, acknowledges, confessions, Act and Acts, thing and things, matter and matters, as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by or before any such two Iustices or more: or any such Iustice or Iustices, and associate or associates, as aforesaid, to be appointed nominated, authorised, or constituted, as aforesaid, shall be allowed, taken, construed, expounded, and adiudged as good, effectuall, and auaileable, to all intents, constructions, and purposes, as if the same had beene had, made, taken, done, returned, heard, determined, awarded, iudged, or executed by or before any such one Iustice, or one of the Iustices now, or late being Iustice or Iustices of the same circuit, or seuerall circuits aforesayd: any Lawe, vsage, statute, act, or ordinance or preseription to the contrary in any wise notwithstanding. Anno 18. Eliz. cap. 8.

Sessions

Diet & ter.

Writs

35 Whereas in the Parliament by prorogation holden at Westminster in the xvij. yeare of her Maiesties raigne that now is, one good & beneficiall statute was made & ordeined for ỳ appealing of suits, the auoiding of false practises, deceits, deuices, and misdemeanors, and for helping of negligences, and misprisions of Clerkes and officers dangerous to assurances of mens lands and hereditaments, entituled, An Act for the reformation of Errors in Fines and Recoueries: For as much as the saide Statute, or sundry good and necessarie clauses and parts thereof doth not extend to fines and recoueries leuied, had, and suffered in the twelue Shires of Wales, that is to say: Glamorgan, Brecknocke, Radnor, Carmarthen, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Carnaruan, Angleley, and Merioneth, the Towne and County of Hauerford west, and the Counties Palantines of Chester, Lancaster and Duresme: Be it therefore enacted &c. That euerie writ of couenant, and other writ whereupon any fine heretofore hath beene leuied or hereafter shall be leuied, the returne thereof, the writte of Dedimus potestatem made for the acknowledging of any of the same fines, and returne thereof, the concord, note, and foote of euerie such fine, the Proclamations made thereupon, and the Kings siluer, and also euerie originall Writ of Entre in the Post, or other writ, whereupon any common recouerie hath beene suffered or hereafter shall bee suffered or passed, the Writtes of Summons ad warrantizandum, the returnes of the said Originals, and writs of Summons ad warrantizandum, and euery warrant of Atturney, had, or to be had, aswell of euerie demandant and Tenant, as vouchee, extant, and remaining, or that shall be extant, and in being in the Courts of Assises, or great Sessions, within the twelue Shires of Wales, Town and County of Hauerford West, and Counties Palantines, or in the Custodie of the officers, to whome the charge of keping thereof doth appertaine, may vpon the request or election of any person or persons, be inrolled in rolles of Parchment, by such persons, & for such considerations as hereafter in this Act shall be mentioned. And that the inrolments of the same, or any part thereof, shal be of as good force & validity in lawe to all intents respects, and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by law to be. Be it further enacted by the authority aforesaid, that no fine, proclamations vpon fines, or common recouerie, heretofore had, leuied, suffered, or passed, or hereafter to be had leuied, suffered, or passed, in any of the said twelue shires of Wales, Towne and Countie of Hauerford west, or Counties Palantine, shall be reuersed or reuersable by any writ of Error, or false or incongrue Latine, rasure, interlining, misentring of any warrant of Atturney, or of any Proclamatiō, misreturning, or not returning of the theriffe, or other want of forme in words, and not in matter of substance. Prouided alwaies, that neither this act, nor any thing therein conteined, shall bar or exclude any person or persons from any writ of Error, which shall be had, taken, or pursued within fiue yeres next after the end of this session of this present Parliament, vpon any fine or recouerie, heretofore had or suffered in any of the Courts aforesaid: Nor from any writ of Error, which shall be had, taken, or pursued vpon any fine or recouery

Inrolments

Recoueries Fines

Error

Fiue yeares

hereto-

heretofore leuied, acknowledged or had, in any of the courts aforesaid, within any of the said twelue Shires of Wales, or Towne and County of Hauerford West, which fine or recouerie, or any part or parcell thereof, now is, or at any time before the first day of June, which shall be in the yeare of our Lord God 1585. shal be exemplified vnder the Iudiciall seale of the said Courts, at or by the suite of any person, that is or may be intituled to haue or sue any writ of Error vpon any the same fines or Recoueries so heretofore passed: Nor from any writ of Error, which shall be had, taken or pursued, vpon any fine or recouerie heretofore leuied, knowledged or had in any of the Courts aforesaid, within any of the said Counties Palantine, which fine or recouerie, or any part or parcell thereof, now is, or at any time before the saide first day of June, which shall be in the yere of our Lord God 1585. shall bee exemplified vnder the seale of the same Countie Palantine, where the same fine or recouerie shall be so leuied, knowledged, or had, at or by the suit of any person that is or may be intituled to haue or sue any writ of Error vpon the same fine or recouerie so heretofore passed: Nor to barre any Feme couert, or any person within the age of one and twentie yeares, or any person that is Non compos mentis, in prison, or beyond the seas, or from any writ of Error to be had, or prosecuted, for the reuersing of any fine or recouerie heretofore passed, leuied, or suffered, in any of the said twelue shires of Wales, Towne and Countie of Hauerford West, or Counties Palantine, so that such feme couert, or her heirs within seuen yeares next after he shall become sole, and such person within the age of one and twenty yeres, or his heires within seuen yeres next after he shall come and bee of full age of one and twenty yeares, and such person that is Non compos mentis, within seuen yeares next after hee shall become of sanæ memoriæ, and in default thereof, the heires of such person, that is Non compos mentis, within seuen yeares next after the death of any such person being Non compos mentis. And such person in prison or his heires, within seuen yeares next after the same person shall be at liberty, and such person beyond the seas or his heires, within seuen yeares next after the return of such person into this realm of England, or the death of the said person, if he shal before his returne die in any forreine Countrey, shall sue, take and prosecute their writs of Error, as their causes shall seuerally require for reuersing of any of the said fines or recoueries heretofore passed, leuied or suffered. Prouided alwaies, and be it further enacted by the authority aforesaid, that if any person or persons, shall within the time & yeres aforesaid commence or sue his or their writs of Error, for the reuersing of any the said fines or recoueries heretofore passed, which suite shal fortune to abate by the death of any of the parties to the same, that then it shall or may be lawful for his and their heires at any time within one yeare next after the said seuen yeares expired, to haue, sue and take their writ of Error for the reuersing of euery such fine and recouerie, and if such heire bee an Infant within the age of one and twenty yeares, then within one yeare next after the full age of such Infant, any thing in this present act conteined to the contrarie thereof in any wise notwithstanding. And be it further enacted &c. That euerie person that shall at any time hereafter take the knowledge of any fine or warrant of Atturney, of any Tenant or vouchee, for suffering any common recouerie to be leuied, knowledged, passed or had, within any of the said twelue shires of Wales, Towne and County of Hauerford West, or County Palantine, or shall certifie them or any of them, shall with the Certificate of the Concord or warrant of Atturney, certifie also the day and yeare wherein the same was acknowledged: And that no person that taketh any such knowledge of any fine or warrant for any recouerie, shall be bound or by any meanes enforced to certifie any such knowledge or warrant, except it be within one yeare next after the said knowledge taken. And that no Clerke or Officer in any of the saide twelue Shires of Wales, Towne & County of Hauerford West or Counties Palatine, shal receiue any writ of couenat, or writ of Entre, or any other writ, whereupon any fine or common recouery is hereafter to passe, vnlesse the day of the knowledge of the same fine and warrant shall appeare in or by such certificate, vpon paine that euerie Clerke that shall receiue any such writ, shall forfeit for euery time that hee shal so offend, the summe of forty shillings. And that no Atturnment in or vpon any such fine in any of the Courts aforesaid, be entred vpon record, except the party mentioned to atturne therein, first haue appeared in the Court in person, or by Atturney, warranted by the hands of one of the Iustices of the same Court, vpon a Writ of Quid Iuris clamat, quem reddidit reddit, or per quæ seruitia, as the cause requireth. And that euery entry of Atturnement hereafter to bee made in any of the Courts aforesaid, wherein there shall be no appearance as aforesaid, shall be vtterly void and of none effect, without any writ of Error, or other meanes to be vsed for auoiding thereof. And be it further enacted by the authority aforesaid, that there shall bee for euer an office for the Inrolements aforesaid in euery of the said twelue shires of Wales, Towne and Countrey of Hauerford West, and Counties Palantine, which shall bee and continue an Office for euer, called the Office of the Inrolements of fines and recoueries: & that the Iustices of the said twelue Shires of Wales, Towne and Countie of Hauerford West, and County Palantine for the time being, that is to wit euery of them within the limits and precincts of their seuerall authorities and commissions, shall haue and take the care and charge, of and for the Inrolements aforesaid, and shall haue and inioy the said office and the disposition thereof, and carefully see and looke to the execution therof, and in consideration of their charges, pain and trauaile therein, shall haue and take the summes of money hereafter following, and no more, that is to say, for the Inrolement and examination of euery

Feme couert
Age
7. yeares
Error
Recouery
Certificate
Officers
Writ of couenant
Fine.
Attornment
Inrolements
Iustices
Fees

of euery fine and the parts thereof fiue shillings, and for the Inrolement and examination of euerie recouerie, and the parts thereof fiue shillings, and for euery exemplification of the Inrolement of euerie fine and the parts thereof three shil. iiij. pence, and for euery exemplification of the Inrol. of euerie recouerie & the parts thereof iij. shillings foure pence, and for the search of the Rols for one yeare foure pence, and for the coppy of one sheet of paper, conteining fourtene lines, iiij. pence, and that the Iustices of the said Courts of Assises, or great sessions for the time being within the saide twelue Shires of Wales, Towne, and County of Hauerford West, and Countie Palantine, or any one of them, within their seuerall limits and precincts of their said seuerall Commissions, shal examine the Inrolement of euerie such fine and recouery, and of the parts thereof, and after such examination of the Inrolement of euery such fine and recouerie, and of the parts thereof, shall immediately write his name that so examineth with his owne hand, in the Roll thereof, vpon pain that the said Iustices shall forfeit to our Soueraigne Lady the Quéenes Maiestie, the summe of forty shillings, for euerie time that they or one of them shall make default of such examination or writing of his or their name as is aforesaide, that it shall and may be lawfull for the said Iustices, or any of them for the time being, to take order in all things, that shall bee conuenient and needfull for the Inrolements aforesaid, and vpon examination in the said Courts, to assesse such fine or amercement vpon any Clerke, Sheriffe, Deputy, Attourney, or other person for his or their misprision, contempt, and negligence, for not dooing, or wildoing in any thing, of, in, or concerning, the said fines or recoueries, or any part of them, or either of them, as by the said Iustices for the time being, or any one of them shall be thought meete and conuenient: The said fine and amerciament to bee estreated amongst other fines and amerciaments of that Court where such offence or misprision shall be committed. And be it further enacted by the authority aforesaid, that the exemplification of any such Inrolment, of any fine or recouery, or of any part thereof, within any of the saide xij. Shires of Wales, or the said Towne and Countie of Hauerford West, vnder the Iudiciall seale of the said Shire Towne or County where such fine or Recouery was leuied, had, or passed, and the exemplification of any such inrolement of any fine or recouerie, or of any part thereof, within any of the said Counties Palantine, vnder the seale of that County Palantine, where such fine or recouery was leuied, had, or passed, shall be of as good force and validity in the law to all intents, respects, and purposes, for such part, and so much of any of them as shall be so exemplified, as the very original record it selfe, being extant and remaining were, or ought by law to be. Prouided alwaies, & be it enacted by the authority aforesaid, that it shall be lawful for the Iustices Clerkes, authorized by their warrant in the said seuerall Offices and places where the same Records, or any of them doe or shall remain, to write out, or inroll the same Records and euerie part thereof, and that the said Records, nor any of them for the writing out or making the rols thereof by the Clerkes of the said Iustices, shall be brought or carried forth of the said offices or places. And be it further enacted by the authority aforesaid, that none of the said fines or recoueries aforesaid heretofore leuied, passed, or suffered, which shalbe exemplified vnder any Iudiciall seale of any of the said Shires of Wales, or Towne or County of Hauerford west, or vnder ỳ seale of any of the said Counties Palantine, according to the forme of this act, shall after such exemplification had, bee in any wise amended. Prouided alwaies, that this act, or any thing therein conteined, shall not in any wise extend to the preiudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his Heires or Assignes, Henry Vernon, or John Vernon Esquires, or their heires or Assignes, for or concerning any fine leuied, or recouerie suffered, by, or against the said Lord Powys, of any Baronies, honors, manors, lands, tenements, or hereditaments in the Countie of Mountgomery, or any exemplification thereof, or for or concerning any writ of Error brought, or to be brought for the reuersing of any such fine or recouerie, but that they and euerie of them, shal haue and inioy the same right, title, benefit, and aduantage, to all intents and purposes, as if this act had neuer beene had or made. And forasmuch as vpon great examinatiõ it appeareth, that diuers Fines and Recoueries haue ben heretofore leuied & suffered of diuers castles, manors, messuages, lands, tenements, and hereditaments, which sometime were the inheritance of George, sometime Earle of Kent, great Grandfather to Henry now Earle of Kent, in vse, possession, reuersion or remainder, whereunto the said now Earle of Kent, pretendeth title, in vse, possession, reuersion, or remainder, which if they be erroneous as is pretended, do much vary from the generall ende and mischiefe for which this Statute meaneth to prouide: Be it therefore enacted by the authority aforesaid, that neither this Statute, nor any thing therein conteined, shall extend to take away any writ of Error, whereunto any person or persons is now, or hereafter shall be lawfully entituled to haue for the reuersing of the said fines and recoueries, or any of them heretofore leuied or suffered of any of the said Castles, Manors, messuages, lands, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the said George sometime Earle of Kent, in vse, possession, reuersion, or remainder: any thing in this Statute conteined to the contrary thereof in any wise notwithstanding. Anno 27. Elizabeth. cap. 9.

Iustices

Fine

Estreates

Exemplification

Iustices Clerkes

Amendmẽt

Heires L. Powys

Earle of Kent

Error

Walsingham.

ANno 31. Hen. 8. cap. 13. An act was made whereby it was authorised, that the demesne lands in Walsingham belonging to the late Priorie there, might be let by copy, and be Copyholds.

Copyholds

Wapping

Wapping Marſh.

ANno 35.H.8. cap.9. An Act was made concerning the partition of Wapping Marſh.

Wardes.

IF the Heire of any ſuch (s. holding by Knights ſeruice) bee within age, his Lord ſhall not haue the Warde of him, nor of his Land, before that hee haue taken of him homage. And after that ſuch an Heire hath beene in Ward (when hee is come to age) that is to ſay, to the age of one and twentie yeares, hee ſhall haue his inheritance without reliefe and without Fine, ſo neuertheleſſe, that if ſuch an Heire being within age bee made Knight, yet his land ſhall remaine in the keeping of his Lord vnto the terme aforeſaid. Magna charta cap. 3. Anno 9.H.3.

Homage

Relefe

Knight.

2 Heires ſhall be married without diſparagement. Magna char.cap.6.Anno 9.H.3.

Diſparagement

3 If any doe holde of vs by fée ferme, or by Socage or Burgage, and hee holdeth lands of an other by Knights ſeruice, wee ſhall not haue the cuſtodie of his Heire, nor of his land, which is of the fée of another man, by reaſon of that fée Ferme, Socage, or Burgage, nor wee ſhall not haue the cuſtody of that fée Ferme, or Socage, or Burgage, except the ſame fée Ferme doe owe vnto vs Knights ſeruice, nor wee ſhall not haue the Cuſtody of the Heire, or of any land which he holdeth of any other by Knights ſeruice, by occaſion of any Petite Sergeanty that hee holdeth of vs by ſeruice to pay to vs Kniues, Arrowes, or otherlike. Magna charta cap.27. An. 9.H.3.

Fee ferme

Knights ſeruice

Petty Sergeanty

4 Of heires that be led away, withholden, or married by their Kinſfolks, or by other with force againſt our peace: Thus it is prouided, that whatſoeuer lay man be conuict thereof, that hee hath ſo withholden, led away, or married any Childe, he ſhall yeld to the loſer the value of the mariage. And for the offence, his body ſhall bee taken and impriſoned, vntill hee haue recompenced the loſer, if the Childe be married, and further, vntill he hath ſatiſfied the King for the Treſpaſſe. And this ſhall bee done of an Heire being within the age of fourteene yeares. But touching an Heire being xiiij. yeares old or aboue, vnto his full age, if he marry himſelfe without the licence of the Lord, to defraud him of the marriage, and his Lord offer him a reaſonable and conuenient mariage (without diſparagement) then his Lord ſhall hold his land beyond the Terme of his age, that is to ſay, of one and twenty yeares, ſo long that hee may receiue thereof ỳ double value of the marriage after the eſtimation of lawfull men, or after as it hath beene offered him for the ſaid marriage before without fraud and colluſion, and after as it may be proued in the Kings Court. Merton cap. 6. Anno 20.H.3.

Withholde

Impriſ.

14. yeares old

Mariage

5 As touching Lords, which marrie thoſe that they haue in Ward to Villaines or other, as Burgeſſes, where they be diſparaged, if ſuch an Heire be within the age of fourteene yeares, and of ſuch age that he cannot conſent to marriage: then if his Kinſfolke complaine thereof, the Lord ſhall loſe the Wardſhip, vnto the age of the Heire. And all the profit that thereof ſhall bee taken, ſhall be conuerted to the vſe of the Heire being within age, after the diſcretion and prouiſion of his Kinſfolke, for the ſhame done to him: But if he be fourteene yeares old and aboue, ſo that hee may conſent, and doe conſent to ſuch marriage, no paine ſhall follow. If an heire (of what age ſoeuer he bee) will not marry at the requeſt of his Lord, he ſhall not be compelled thereto. But when he commeth to full age, hee ſhall giue to his Lord, and pay him aſmuch, as any would haue giuen him for the marriage, before he receiue his land, & that whether he will marrie himſelf, or not, for that mariage of him that is within age, of meere right pertaineth to the Lord of the fée. Merton cap. 6. & 7.Anno 20.H.3.

Villaines

Foſt.

14.yeres old

Refuſe

6 As touching them that vſe to enfeoffe their eldeſt Sonnes and Heires being within age, of their heritage, for to defraud the Lords of the fée of their wardſhips: It is prouided and agréed, that by occaſion any ſuch feoffement no chiefe Lord ſhall loſe his ward. Moreouer touching them ỳ ſame falſe feoffements of their Lands, which they would deliuer out for terme of yeares, for to defraud the chiefe Lords of their Wards, wherein it is contained, that they are ſatiſfied of the whole ſeruice due vnto them, vntill a certaine terme, ſo that ſuch feoffées are bound at the ſaid Terme to pay a certaine ſum to the value of the ſame lands, or farre aboue, ſo that after ſuch Terme, the Land ſhall returne to them, or their Heires, becauſe no man will bée willing to keepe it vpon the priſe. It is prouided and agréed, that by ſuch fraud no chiefe Lord ſhall loſe his ward: Neuertheleſſe it ſhall not be lawfull to them to diſſeiſe ſuch feoffées without iudgement, but they ſhall haue a writ for to haue the wardſhip yelded vnto them, and by the witneſſes conteined in the deed of feoffement, with other frée and lawfull men of the Countrey, and by the quantity and value of the Land, and by the quantitie of the ſum payable after the terme, it ſhall bee tried whether ſuch feoffements were made in good faith, or by colluſion to defraude the chiefe Lords of the fée of their wardes. And if the chiefe Lords in ſuch caſes recouer their Wards by iudgement, the feoffées ſhall neuertheleſſe haue their action to recouer ſuch terme or fée (which they had therein) when the Heires come to their lawfull age. And if any chiefe Lords do malitiouſly implead ſuch feoffées, feining this caſe, namely where the feoffements were made lawfully, and in good faith, then the feoffées ſhall haue their damnages awarded, and their coſts which they haue ſuſteined by occaſion of the foreſaid plea, and the plaintifes ſhall be grieuouſly puniſhed by amerciament. Marlebridge cap. 6. An. 51.H.3.

Frofſment

Fraud

Writ

Damages

7 In the common plea for Wardſhippe, if the defendors come not at the great diſtreſſe, then the ſaide Writ ſhall bée renewed twiſe or thriſe at

Grand diſtreſſe

at ſuch termes as it may bee done within the halfe yeare following, ſo that euerie time the Writ bee read in theopen County (if the defendant or bee not found before) and there bee openly proclaimed that hee come at the day limitted: and if hee abſent himſelfe then, ſo that hee come not to anſwere within the ſaid halfe yeare, nor the Sherife can finde him, by which he cannot haue his body before our Iuſtices, to anſwere according to the Law and Cuſtome of the realm: then as a Rebell, and ſuch a one as will not bee iuſtified, hee ſhall leeſe the ſeiſing of the Ward: ſauing to him his action at another time, if perhaps hee haue any right to the ſame. But in ſuch caſes where Wardſhips belong to the Keepers of Wards being within age, and where keepers demaund a Wardſhip, which belongeth to the heire, or as appertaining to their inheritance, ſuch heires within age ſhall not leeſe their inheritance by the negligence or rebellion of their Keepers, as in the caſe afore rehearſed: But let the cõmon law runne in like maner as it hath beene accuſtomed to doe. Marleb.cap.7.Anno 52.H.3.

Rebell Foif.

8 It is prouided, ỳ if land holden in ſocage be in ỳ cuſtody of the kinſfolk of the heir becauſe ỳ heire is within age, the Keepers ſhall make no waſt, nor ſale, nor any deſtruction of the ſame inheritance, but faithfully ſhall keepe it to the vſe of the ſaide Heire, ſo that when hee commeth to his lawfull age, they ſhall anſwere to him for the iſſues of the ſaid inheritance by a lawfull accompt: ſauing to the ſame Keepers their reaſonable coſts. Neither ſhall the ſaid Keepers giue or ſell the marriage of ſuch an Heire, but to the aduantage of the foreſaid heire. But the next Kinſfolke which had the ward for all that time that writs of impleading do not lie) ſhall haue ſuch Wardſhip vnto the aduantage of the Heire, as is ſaid before, without waſte, ſale, or deſtruction making. Marleb.cap.17.Anno 52 H.3.

Socage

Waſt

Sell

Waſt

9 Concerning the lands of Heires being within age, which be in the Ward of their Lords: It is prouided, that the Wardens ſhall keepe and ſuſtaine the land without making deſtruction of any thing. And that of ſuch maner of Wards ſhall be done in all points, as is conteined in the great Charter of Liberties made in the time of K. Henry, father to the King that now is, and that it bee ſo vſed from henceforth. And in the ſame manner ſhall Archbiſhoprickes, Biſhoprickes, Abbathies, Churches, and all ſpirituall Dignities be kept in time of vacation, Weſtminſter 1.cap.21.

Archbiſhoprickes. Biſhoprickes Vacation

10 Of Heires marryed within age, without the conſent of their Keepers, afore that they bee paſt the age of foureteene yeares, it ſhall be done according as it is conteined in the Statute of Merton. And of them which ſhall bee maried without the conſent of their Keepers, after they be paſt the age of foureteene yeares, the keeper ſhall haue the double of their marriage, after the tenour of the ſame act. Moreouer, ſuch as haue withdrawen the marriage, ſhall pay the full value thereof vnto the Keeper for the Treſpaſſe: And nenertheleſſe the King ſhall haue his amends

Marry

Double value

Pay

according to the ſame act, of him that hath ſo withdrawen it. And of Heires Females after they haue accompliſhed the age of foureteen yeres, and the Lord (to whome the marriage belongeth) will not marrie them, but for couetouſneſſe of the Land will keepe them vnmarried: It is prouided, that the Lord ſhall not haue nor keepe by reaſon of marriage, the lands of ſuch Heires Females more then two yeares after the terme of the ſaid 14. yeres. And if the Lord within the ſaid two yeares doe not marrie them, then ſhall they haue an action to recouer their inheritance quite without giuing any thing for their Wardſhip, or their marriage. And if they of malice, or by ill counſell will not be married by their chiefe Lords (where they ſhall not bee diſparaged) then their Lords may hold their lands and inheritance, vntill they haue accompliſhed the age of an heire male, that is to wit, one and twenty yeares, and further, vntill they haue taken the value of the marriage. Weſt.1.cap.22.

Women

14. Yeares

11 In caſe where to one being within age, there deſcendeth inheritance of the fathers ſide that held of one Lord, and of the Mothers ſide, that held of another Lord, there hath beene hitherto great doubt for the marriage of ſuch an Heire, to which of them two Lords it ſhould be long: It is agreed, that the ſame Lord ſhall from henceforth haue the marriage, of whome the childs auncestour was firſt infeoffed, not hauing reſpect to the fere, nor to the quantity of the land, but onely to the more auncient feoffement by Knights ſeruice. Weſt.2.cap.16.

Ancient Feoffement

12 Concerning Children, males or females (whoſe marriage belongeth to another) taken and carryed away, if the rauiſhour haue no right in the marriage, though afterward hee reſtore the Childe vnmarried, or elſe pay for the marriage, he ſhal neuertheles be puniſhed for his offence by two yeres impriſonment: And if he do not reſtore, or doe marry the childe after the yeares of conſent, and be not able to ſatiſfie for the marriage, he ſhall abiure the Realme, or haue perpetuall impriſonment. And thereupon the Plaintife ſhall haue ſuch a Writte: Si A. fecerit te ſecurum de clamore ſuo &c. tunc pone per vadium &c. B. quod ſit coram Iuſticiarijs noſtris &c. oſtenſuros, quare talem heredem infra etatem exiſtentem, cuius maritagium ad ipſum A. pertinet, tali loco inuentũ, rapuit & abduxit, contra voluntatem ipſius A. & contra pacem noſtram &c. And if the heire be in the ſame Countie, then this clauſe muſt be thereto added: Et diligenter inquiras, vbi ille hæres ſit in balliua tua: Et ipſum (vbicunque inuentus fuerit) capias, & ſaluo & ſecurè cuſtodias, ita quod eum habeas coram ꝑfatis Iuſticiarijs noſtris ad præfatum terminum, ad reddendum cui prædictorum A. & B. reddi debeat. And ſuite ſhall bee made againſt the party, on whome complaint is made, vntill hee come in by diſtreſſe, if hee haue whereof he may be diſtreined, or elſe for his contumacy, in caſe he be not iuſtifiable, he ſhall be outlawed. And if percaſe the Heire be married or carried into an other County, then a writ ſhall be directed to the Sherife of the ſame

Rauiſh

Impriſon

Abiure

Diſtraint

Outlawed

Shire

Shire in this forme. Questus est nobis A. quod B. nuper talem heredem infra ætatem, & in custodia sua existentem, tali loco in comitatu tali rapuit, & ab comitatu illo ad talem locum in comitatu tuo abduxit, contra voluntatem ipsius A. & contra pacem &c. Et ideo tibi præcipimus, quod prædictum hęredem (vbicunq; eum in balliua tua inuenire poteris) capias, & saluo & secure eum custodias, ita quod eum habeas coram Iusticiarijs nostris &c. tali die, quam idem A. habet versus prædictum B. ad reddendum cui de iure reddi debeat. And if the Heire happen to die, (before he bee restored, or afore hee can be found) the plea shall passe betweene them neuertheless, vntill it bee tried who ought to haue had it, if hee had beene liuing: Neither shall the rauishour bee excused or eased of the punishment aforesaid, by the death of the heire whome hee did withholde by wrong during his life. And if the Plaintife die before the plea tried, if the right belong to him by reason of his proper fee, the plea shall be resummoned at the suit of the Heire of the Plaintife, and the plea shall passe in due order, but if the right belonged to him by another title, as by a title of gift sale, or other like, then the plea shall be resummoned at the suite of the executors of the Plaintife, & the plea shall passe, as before is said. In the same maner if the defendant die before the plea be tried, or the plea bee restored, the plea shall passe by resummons betweene the Plaintife, his heires, or Executors and the Executors of the defendant or his heires, if the Executors bee not sufficient to satisfie for the value of the marriage after as it is contained in other Statutes, but not as to the paine of imprisonment: for none ought to bee punished for the offence of another. In the same maner when a plea hangeth betweene parties for the ward of land, or of an heire, or of both, by the common writ, that beginneth, Præcipe tali &c. quod reddat &c. resummons shall be made betweene the Heires and Executors of the plaintife. And likewise the Heires or executors of the Defendant, if death preuent any of the parties afore the plea determined: And when they haue passed vnto the great distresse, a day shall be giuen, within which three Courts may bee holden at the least: in euerie of which, open Proclamation shall be made, that the defender shal come into the bench at the day conteined in the writ, to answere the Plaintife: at which day if hee come not, and the Proclamation be so returned once, twise, or thrise the iudgement shall passe for the plaintife: sauing the right of the defendant, if afterward hee will claime it. In the same maner it shall be done in a writ of Trespasse, when any complaineth himselfe to be ejected from such wardships. West. 2. ca. 35.

Die

Resummõs

Heires Executors

Day

13 Our Soueraigne Lord the King shall haue the ward of all the lands of such as holde of him in chiefe by Knights seruice, whereof the Tenants were seised in their demesne as of fee, at the day of their death (of whomesoeuer they holde else by like seruice, so that they held of auncient time any land of the Crowne) vntill the heirs come to his lawfull age, except the fees of the Archbishop of Canterburie, the Bishop of Durham, betweene Tine and Tese, fines of Earles and Barons in the Marches, where the Kings Writs doe not lye, & whereof the said Archbishops, Bishops, Earles and Barons, ought to haue such Wards, though they held of the King in some other place. Prærog. Regis capit. 1. 17. Ed. 2.

King

14 Also the King shall haue the marriage of an heire being within age, and in his Ward, whether the Lands of such heyres haue appertained to the Crowne of auncient continuance, or that it came by reason of Escheate, being in the Kings hands, or that hee had the marriage by reason of the Ward of the Lords of such heires, without any respect to the priority of feoffement, albeit they held of other. Prerogatiua regis capit. 2. Anno 17. Ed. 2.

Bishops

King Warriage

15 If any woman (before the death of her ancestor that held of the King in the chiefe) be married before she be marriageable, then the King shal haue the Ward of the body of the same woman, vntill she be of age to consent, and then shee may choose whether she will haue him to whome she was first married, or him that the king will offer her. Prærogatiua Regis cap. 6. Anno 17. Ed. 2.

Woman

Chuse

16 It is to wit, that where any relefe is giuen, there wardship is incident, and contrariwise. And such as hold by Sergeanty to go with the King in his hoast, there ward and relefe are incident. And such as hold by petit sergeanty, as to beare shield, or speare in ỳ kings hoast, to beate or to carry, there lyeth neither ward, marriage nor relefe. Also a free soke man shal not giue ward nor relefe, but he shal double his rent after the death of his auncestor according as he hath vsed to pay, & shal not be vnmeasurably grieued. Now somewhat is to bee said of the nature of hauing wards. There be two maner of writs to haue wards, one is where lands be holden in Knights seruice, the other is where lands be holden in socage. The ward of land that is holden in Knights seruice, belongeth to the chiefe Lord, and marriage, which ought to bee without disparagement, as the great Charter limiteth, vntill hee commeth to the age of one and twentie yeres. The ward of an Heire that holdeth in socage, if the inheritance descend of his mothers side, then it belongeth to the next friend of the fathers side, & contrariwise. And a writ to recouer Ward, may bee brought in three maners, one is when a man demãdeth Ward of the Land and of the Heire, and that is in case when a man holdeth land of another by Knights seruice, and the Tenant dyeth, then may the chiefe Lord (if he be forced) demaund the ward of his land and heire, & shal haue both Ward and marriage. Another maner is when a man is infeoffed of a rod of land by one man, and by another, of another rod, the second Lord may not bring a writ of Ward to recouer eyther the land or the heire, for the ward belongeth to the Lord, of whome he was first infeoffed. The third maner is, where a man hath land in his hand by reason of a ward, and hath not the heire, then he may bring a writ to demand the heire, and not the land. An. 28. Ed. 1. Stat. of Wards.

Relefe

Sergeanty

Socheman

Writs

17 After the death of euery person which holdeth

deth of the King in chiefe, that the Eschetors shall shall doe to bee seised into the Kings handes the Waste Lands, as pertaineth, without doing waste in houses, woodes, parkes, pondes, and other extortions, which may fall to the dammage of the heire. And hastily after the Diem clausit extremum delivered to him, to returne the same by a good & true extent in the Chauncerie: after which returne if it be found that the heire is within age, and the next Next friends friends of the heire to whom the inheritãce cannot descend, shall come and offer them to take the sayd Landes, yelding the value to the King, til the age of the heire, as farre forth as other will yeld without fraud by accord betwixt the Chauncellor and the Treasorer, they shal haue Commission to kéep the said Landes by good and sufficient suretie, till the age of the sayd heire, and to answere the King of the value. And it is not the Kings intent, that by this Statute hée be forclosed to haue an action of waste against such gardians and fermers, as hée and his ancestors haue had before this time: And that the heires when they come to their age, shall haue their action by writ of Waste against such Gardians and Fermers. Anno 14. Edw. 3. capitulo 13.

14. yeres old 18 Women being of the age of fouretéen yeres at the time of the death of their ancestors, without any question or difficulty shall haue delivered vnto them their lands and tenements to them descended, for the law of the land will, that they shall haue the same. Añ. 39. H. 6. cap. 2.

19 Añ 14. E. 4. cap. 1. It was enacted that they that then should go ouer with the K. in his warres, might make feoffements and alienations of their Feoffements Willes lands, and might make their wils, and the feoffées and executors to haue the Ward and Mariage of the heire, &c.

20 Anno 4. H. 7. ca. 17. The Statute of Marlebridge concerning collusion of Wardes is confirmed: and it is enacted that the Lord of cestui que use, no will declared &c. shall haue a writ of right of ward for the body and the Land: And the heire of cestui que use, béeing at full age at the death of the Writ Auncestour, shall pay reliefe, and the heire of cestui que use shall haue like action of Waste, as if the Auncestor had dyed seised: as if the Lord be barred Relefe Waste in his writ of ward, the defendant shall recouer damages. Damages

21 Anno 4. H. 7. ca. 4. It was enacted that they that were or should be in the Kings wages in Britaine, might make feoffements and willes, and the Feoffement Willes feoffées or executors to haue the ward and mariage of the heire &c.

22 Anno 7. Henr. 7. capitulo 2. It was enacted that they that then should goe ouer with the Feoffements Alienations King in his warres, might make feoffements and alienations of their Landes, and might make their Willes willes, & the Feoffées to receiue the profits of the Landes for a certaine time, sauing to the King Mariage the mariage of their heires, and that their heires should sue noe liuerie but haue a licence &c. And co- Serieants uenants of mariage to be good, and Serieantes at armes to lose their Fées that went not with the King.

23 Anno 3. H. 8. cap. 4. & Anno 14. H. 8. cap. 14. It was enacted that they that should goe with the King in his warres, might alien their Landes, Alien without paying fines for the alienation, and that their heires within age should be in ward to the feoffée or executors &c.

24 The King &c. ordayneth, maketh, establisheth and erecteth a certaine court, commonly to be called for euer the Court of the Kings wardes, Court which court by the authoritie aforesaid, continually and for euer shall be a court of Record, and shall haue one seale to be engrauen and made, after such Seale forme, fashion and maner, as shall be appointed by the Kings highnesse, and shall remaine and be ordered as hereafter shall be declared. And also be it &c. that there shall be one certaine person to be named and assigned by the kings highnesse, his heires and successours, which shall be Master of the same Court, and shall be chiefe and principall Officer of the same Court, and shall bee called Master of the Master Wards, and shall haue the kéeping of the said seale, to be assigned for the said court. And also be it &c. there shall be one person to be learned in the Laws of this land to be named and assigned by the Kings highnesse, which shall be called the Kings atturney K. Atturney of the sayd Court, and shall be the second officer of the same Court. Also be it &c. that there shal be one person to be named and assigned by the kings highnesse, which shall be called the Kings receiuer gene- K. Receiuer rall of the Landes of his Wardes, and shall be the third officer of the same Court. Also be it &c. that there shal be two persons to be named by the kings highnesse, which shall be called the Auditors of the Auditors Landes of his Graces Wards, and shall be called the fourth Officer of the same Court. Also be it &c. That there shall be two Clerkes to be named and Clerkes assigned by the Kings Highnesse to be Clerkes of the said Court, which shall make all indentures, bargaines and leases to be made and graunted of the Kings Wardes Lands, record al apparances, and make all ordinarie proces and entries, out and from the sayd Court. Also be it &c. that there shall bee one other person to bee named and assigned by the Kings highnesse, which shall be the messenger Messenger of the said Court, and one other person to be named and assigned by the Kings highnesse, which Vsher shall be called the vsher of the same Court, which messenger and vsher, and either of them, shal haue such like profits and aduantages as the messenger and vsher of the Kings duchy chamber at Westminster haue and perceiue. Also the said Master of the Kings wards which shall bee appointed by the Kings highnesse, shall take a corporall oath before Oath the Lord Chauncellor of England for the time béeing after the tenor insuing. Ye shal sweare, that ye well and truely shall serue the King in the office of the master of the Kings wards, and shal minister equal iustice to poore and rich, to the best of your cúning wit and power, and that yée shall diligently procure all things which may honestly and iustly be to the Kings aduauntage and profit, and to the augmentation of the rights and prerogatiues of his Crowne, and truely vse the Kings Seale appointed to your office, and also to endeuour your

selues to the vttermoſt of your power, to ſée the King truely and iuſtly anſwered yearely of all ſuch rents, reuenues, iſſues and profits, which ſhalbe may ariſe, grow, or be due to the King in your office, and from time to time deliuer with ſpéed ſuch as ſhall haue to doe afore you. And that yée ſhal not take nor receiue of any perſon any gift or reward in any caſe or matter depending before you, wherin the Kings Highneſſe ſhall be partie, whereof any prejudice, loſſe, hinderance, or diſheriſon ſhall grow or bee to the Kings Highneſſe, ſo helpe you God and all Saints: Alſo the ſaid Atturney ſhall take a corporall oath before the ſaid Maſter of the Wardes according to the tenour enſuing. Yée ſhall ſweare that yée well and truely ſhall ſerue the King as his Atturney, in all Courts, for and concerning any matter or cauſe that ſhall concerne or touch the poſſeſſions and hereditaments limited to the ſuruey and gouernance of this Court, and procure the Kings profits thereof, and that ye ſhal truely counſell the King and the Maſter of this court in all things concerning the ſame, to the beſt of your cunning, wit and power, and that with all ſpéed and diligence from time to time, at the calling of the ſayd maſter, yée ſhall endeuour your ſelfe for the hearing and determination indifferently of ſuch matters and cauſes as ſhall depend before the ſaid Maſter. And that yée ſhall not take any gift or reward in any matter or cauſe depending in the ſame Court or elſewhere, wherein the King ſhalbe partie, whereby the Kings Maieſtie ſhall bee hurted, hindred, or diſherited, and further yée ſhall do to your power, wit and cunning, all and euerie thing, that ſhall appertaine to your office, So help you God and all Saints. And the ſaid receiuer generall ſhall take a corporal oath before the ſaid maſter of the ſaid Court, according to the tenour inſuing. Ye ſhall ſweare that yée ſhall well and truely ſerue the King our Soueraigne Lord and his people in the office of the generall receiuer of his court. And ye ſhall reaſonably and honeſtly procure the Kings profit, and doe right to all manner of people, poore and rich, in thoſe things which touch your office. And the Kings receit of his money you ſhall truely keepe, diſpend, pay, and deliuer, and true declaration and account thereof ſhall make from time to time, without any concealement, according to this act made for the eſtabliſhment of this court: And further ſhall do euery thing that of right appertaineth to your office, So help you God and all Saints. Alſo the ſaid auditours ſhall take a corporall oth before the ſaid Maſter after the tenour inſuing. Yée ſhall ſweare that yée truely ſhall ſerue the King in your office, and true allowance make to euerie perſon, which ſhall be accountant before you, and you ſhall not take nor receiue of poore nor rich any gift or reward in any matter or cauſe depending or to be diſcuſſed in the ſame Court, but ſuch as ſhall bee ordinarie appertaining to your office, whereby the King ſhalbe hurted, hindred, or diſherited, and yée ſhall doe all and euerie thing, which ſhall bee appertaining to your office, ſo help you God and all Saints. Alſo all particuler Auditours, that ſhall belong and be appointed to the ſayd Court, ſhall take a like corporall oath before the ſayd Maſter of the Wardes. Yée ſhall ſweare as is before in the next Article. Alſo all particuler receiuers appointed by the ſayd Maſter, Atturney, receiuer generall, and Auditours, or three or two of them, whereof the maſter to be one, to receiue any reuenues and profits within the ſuruey of the ſame Court, ſhall take a corporall oath before the ſayd Maſter of the wards after the tenour inſuing. Yée ſhall ſweare that yée truely ſhall ſerue the King in your office, and nothing conceale, but true account make of all ſuch reuenues, rents, ſummes of money, and other profits wherewith yée ſhall be lawfully charged by reaſon of your office: Yée ſhall make noe petition nor aſke allowance but ſuch as ſhall be good, iuſt, true, and reaſonable, and alſo truely content and pay to the King all ſuch ſummes of money as ſhall come to your handes: and yée ſhall doe all and euerie thing and things, which yée ought to do by reaſon of your Office, according to the forme and effect of this Act, ſo helpe you God and all Saints. Alſo the ſayde Clerkes of the councell of the ſayd Court, and euerie of them ſhall take a Corporall oath before the ſayd Maſter after the tenour inſuing. Yée ſhall ſweare that yée ſhall well and truely ſerue the King in your offices of Clerkes of the councell of his Court, and truely doe and execute all and euerie thing and things which yée ought to doe by reaſon of your office, according to the forme and effect of this act, ſo helpe you God and all Saints. Alſo that all ſurueyors and feodaries that ſhall be appointed by the ſayd Maſter, Atturney, receiuer generall, and Auditours of the ſaid court, or three or two of them, whereof the Maſter to bee one, ſhall take a corporall oath before the ſaid Maſter. Yée ſhall ſweare &c. vt in proximo articulo precedente. Alſo be it &c. That all wardes which the Kings highneſſe now is, or hereafter ſhall bee intituled to haue, with their manors, landes, tenements, rents, remainders, reuerſions, ſeruices, and all other hereditaments whatſoeuer they bée, aſwell in poſſeſſion, as in reuerſion, and all reuenues, iſſues and profits of the ſame and euery part thereof, for the time the ſame ſhall be or ought to be in the Kings poſſeſſion, ſhalbe in the order, ſuruey, and gouernance of the ſaid Court, and the Miniſters of the ſame, in manner and forme as by this act is declared and limited. Alſo be it &c. That the ſaid maſter of the wardes, atturney, receiuer generall, and auditors, or three of them, whereof the ſaid maſter ſhalbe one, for the time being, ſhall haue authority to make ſale and grant of the kings wards, and of euery of them from time to time, and of ſuch part and portion of the landes in poſſeſſion and reuerſion or any of them, during the minority & nonage of the ſame ward that ſhalbe ſo ſold & granted, & as long as the ſame lands or reuerſion ſhal remain or be in the kings hands, as they ſhall thinke moſt conuenient. The ſame ſale and grant to paſſe by the kings bill aſſigned, which bill aſſigned ſhal be warrant ſufficient to the Chauncellor of England for the time béeing, to make forth the kings letters patents vnder the great ſeals of England, according

Atturney Oath

Receiuer Oath

Auditors Oath

Receiuers

Oath

Clerkes

Oath

Surueyors Feodaries

Oath

Sale

Warrant

to

to the tenor of the same Bil, paying for the same all and singuler like fees for sales and writings, as heretofore hath beene vsed and accustomed to bee payd for the same in the Chancerie, & to the signet and priuy seale, and to euerie of them. Also be it &c. that the said master of the Wardes for the time being, with the aduice of the said atturney, & receiuer generall, or one of them, shall haue authoritie without the Kings Bill assigned to make woodsales to the Kings vse, of al vnderwoods, vpon any of the K. wards lands, being lawfully in the Kings possession, and to take and appoint timber for the necessarie reparations of all the castles, manors, landes, tenements and parkes of the said wards, and shall haue also like power and authoritie in the Kings name, to make leases during the minoritie of the said wardes: And further as is aboue written, by their discretions, of all and singuler lordships, manors, lands and tenements remaining in the kings hands and possession, belonging to the said wardes and euerie parcell thereof, yelding to the K. highnesse, his heires and successours, such rents, as by the said Master of the Wardes, atturney, receiuer generall, and auditours, or three of them, whereof the said Master to be one, shal be thought conuenient by their discretions and suruey. And be it &c. that the said master of the wardes for the time being, shall haue authoritie by this act, to make and appoint all and singuler particuler receiuers, feodaries, and surueiers in euerie Shire, and also fees for the executing of the same vnder the seale of the same office, in such wise as the same officers may be alwayes remoueable at the discretion of the said court. Also be it &c. that the said master of the wards for the time being, shal haue authoritie by this act, to make allowance likewise of the costs of all commissioners, particuler receiuers, surueyers, auditors, councellers and feodaries, and euery of them, by his bill assigned, which bill shall be warrant sufficient to the auditours belonging to the same office, to make due allowance of the same. Also be it &c. that the said Master of the Wards in all places, and the said atturney, receiuer generall, and auditors, or two of them in the said Court, the said master being absent, shall haue power and authoritie to take obligations to the Kings vse of euery particular receiuer, which shall bee assigned to the sayde court, and of his sureties for sure paiment of his receits: And also to take obligations to the Kings vse as well of euerie farmer, bailifes, reeue, or other accountants, for the true payment of their receits, and of euerie person or persons which shall bee indebted to the Kings highnesse for any arrerages of his or their receits, farmes or charges, as of any other person or persons for any other cause or matter concerning the premisses, determinable within the same Court. And that all such obligations and writings obligatorie, of what summe soeuer they be, shall be of the same strength, vertue, force, qualitie, and effect, to all intents and purposes, as writings obligatorie heretofore made by any lay person by authoritie of the Statute of the Staple, bene or ought to bee. And that vpon Certificats hereafter to be made into the Kings Chauncerie of any such writing obligatorie to be taken for such payments, like processe and executions shall bee thereupon had or made, against any person spirituall or Temporall, as hath beene accustomed to be made against any Lay person, vpon Certificate of writings obligatorie of the sayd Statute of the Staple. Also that the sayd Master of the Wards for the time being, shall haue full power and authoritie to award vnder the Seale to bee appointed to the sayd Court in the Kings name such processe and precepts with reasonable paynes to bee therein limited, as bee now commonly vsed in the Court of the Kings Duchie Chamber of Lancaster, being at Westminster, against euerie person or persons whatsoeuer they be, for and concerning the interest, right and title of the Kings Maiestie, his heires and successours, of, in, or for any wardes Landes, Tenements, rents, account, receipt, seruices, or other cause in any wise touching or concerning any thing appointed to the order of the sayd Court, or any part thereof, for and on the behalfe of our sayde Soueraigne Lord the King, or of, or for any debt rising or growing by occasion of the same. Also be it &c. That the said Atturney, receiuer generall, and Auditours, shall diligently from time to time attend vpon the said master in the sayd Court, for the hearing and ordring of matters and causes in the same Court, for the time of foure termes of the yeare vsually kept for the Lawe at Westminster, and procure with all diligence, that all rentes, farmes, profits, casualties, improuements, and other emoluments of the Wardes, mariages, ideots, and of all manors, Landes, Tenements and Hereditaments, being in the surney & gouernance of the said Court, shall be truely and iustly payed and answered to the said receiuer generall of the said Court, to the vse of the kings highnesse, without concealing any part thereof. And also shall cause and procure processe to bee made against such as shall bee indebted to the kings highnesse, and their sureties, of and for any parte thereof from time to time, as the time and case shall require without any delay. And bee it &c. that the said Clerks, particular receiuers, auditors, surueiors, messengers and vsher, and euery of them, shal, vpon reasonable warning, giue at all times and places from time to time attendance vpon the said master for the time being, for the due execution and expedition of the premisses without delay, vpon such paines as shall be assessed by the kings Maiesty, vpon information thereof giuen by the said master to his highnes. Also be it &c. that if any of the said officers appointed for the same court doe conceale and withdraw willingly any rents, reuenues, casualties, or other profits, falling, growing or commiug to the king by the minoritie of any of his graces wards, or by reason of any other thing appointed by this act of the said court, ỳ then ỳ officers so offending, shal lose to the king our soueraigne Lord, ỳ double value of ỳ thing so concealed or withdrawē. Also be it &c. ỳ the auditors general of ỳ wards lands, & euery of them for ỳ time being, shall haue authority to examine the accounts of all particular accountants taken by any

Fees

Master

Woodsales Underwoods

Repaire

Leases

Master

Allowance

Warrant

Obligatiõs

Statute Staple

Process

Attorney Receiuer Auditor

Process

Officers

Attend

Officers Conceale

Double value Auditors

Examine accounts

particuler Auditour or auditors, vpon any part of the wards lands, ideots lands, and of other things appointed by this act to the order of the said court, and to allow and disallow all that shall be reasonable within the said accounts as largely as to the said Master of the Wards, Atturney, Receiuer Generall and Auditors, or three of them, whereof the said Master to be one, shall be thought expedient and necessarie. And that euery of the said particuler accomptants for the yere to be ended at the feast of Saint Michaell the Archangell yerely for euer, shall make and finish his account, and certifie the same into the said Court before the first day of Februarie next after the same feast ensuing, and within three monethes next after the said account, to make full payment to the Receiuer Generall of the said Court of all such summes of money, as shall appeare to be due to the King, by the said account. And be it &c. that the said Receiuer Generall for the time being, shall haue authority by this act to giue his acquittance of and for such money and Obligations as he shall receiue of them to the Kings vse, for the Wards lands, ideots Lands, and other things appointed to the saide Court. And that his said acquitance shall bee from henceforth sufficient acquitance and discharge, as well for the discharge of the parties against the Kings Highnesse, his Heires and successors for payment of so much money, as also to the Auditor for the time being, for making due allowance of the same. And be it &c. That the said Receiuer Generall, before the twenty day of March next after the feast of S. Michaell the Archangell, shall yearely declare truly his whole accompt to the said Master of the Wards, Atturney, and to one or both of the said Auditors Generall, of the Wards lands, which Master, Atturney, and one or both of the said Auditors, shall by this Act haue authority to make and determine the same account, before the last day of July next ensuing, vpon which determinatiõ of account, the said Receiuer Generall within one month next ensuing the determination of the same account, shall truely content and pay to the Kings vse all such summes of money as shall appeare to bee due to the Kings Highnesse, and vnpaid vpon the same account. And vpon such determination, the said Auditors shall ingrosse the same into Parchment, and the same so ingrossed shall returne into the office of the Wards, before the last day of Februarie next after the determination of the same account, there to remaine as the Kings Records. And be it &c. that the particuler auditors & other officers, Counsellers, & ministers of the same court for the time being, shall yearely perceiue and take by the hands of the saide Receiuer Generall, particuler receiuers, and all other Officers and Ministers accomptant, all and singuler such Diets, rewards, profits and commodities as well for their attendance vpon the said Master for the time being, and for making of books declarations and values, as for other matters, counsels and causes, of, for, and concerning the said Court, and also for expences, costs and charges of the said Auditors, and particuler Receiuers and euery of them, yerely riding their seuerall circuits & limitation, in as large and ample manner & forme, as to the said master of the wardes, Atturney, Receiuer generall, and Auditours, or three of them, (whereof the said Master to be one) shalbe thought conuenient to be appointed by their discretiõs. Also be it &c. that the said generall receiuer, from time to time vpon his account, shall be allowed aswel of such fees as shalbe limited vnto him for the exercise of his office, as of and for all such summes of money, as he shall pay to any patentee or patentees of any office, fee or annuitie, that shall be graunted or giuen vnder the seale of the said Court, and also of all such money as he shall pay to any other person or persons by vertue of the Kings warrant, or bill assigned, & also of al such sums of money as he shal be commaunded to pay by any bill assigned or subscribed by the hand of the saide master for the time being, vpon such consideration as shall be thought conuenient by his discretion, as wel for the finding and exhibition of the Kings wardes in his graces custodie, as of, or for any other cause, thing, or matter concerning the sayde Court of Wardes whatsoeuer it shall be. And that the said auditors, taking accounts of the said receiuers generall, and of the said particular receiuers, shall haue power & authoritie to allow to the sayde receiuer generall the premisses and euerie part of them: And also to allow to euerie particular receiuer and other accomptants as well their fees, wages, and all other such summes of money, as they or any of them shal pay, of for, in and about any buildings or reparations of the Wardes Landes, to be made vpon any warrant to be directed from the said Court, as all other honest petitions, and allowances, in as large & ample maner as the said master of ỹ wards, attorney & auditors, or 2. of them, whereof ỹ said master to be one, shall think most expedient. And that all maner of proces ỹ shalbe made out of the k. Exchequ to or against any person or persons for any farms, rẽts, issues, or profits concerning ỹ premisses, or any part therof, or any thing limited in this act, to be in the suruey, order & gouernãce of the said court, & the ministers therof, shalbe clerely void & of none effect to all intents & purposes. Also be it &c. that the mony & obligations takẽ for money by the said master for the sale of the R. wardes, & other things appointed by this act, to ỹ order of the said court, & also the mony & obligations taken for mony, by ỹ said receiuer generall for ỹ R. rents, & for widows fines for their licence to marry, & other casualties of the wardes lands, ideots lands, issues, profits & debts, yerely growing to the Kings highnesse, by reason of the premisses, shall be yerely payd and deliuered to the hands of the Treasurer of the Kings Chamber for the time being or elsewhere, to whom it shal please the Kings highnes, his heires or successors, to giue authority by Commission vnder his great Seale to receiue the same. And that a bil subscribed with the hand of the said commissioner, shalbe a sufficient acquittance and discharge to the master and receiuer vpon all and euerie payment by them to be made, and also to the auditours there for the allowance of the same. And that the same master and

Ideots

Accomptants

Acquitance

Receiuer

Account

Ingrosse

Officers

Diet Reward

Receiuer Allow

Auditors

Proceste

Void

Widowes Licence

Treasurer

Acquitance

Master

re-

receiuer generall, shall once in the yeare declare vnto the Kings Maiestie, the profits and estate of the said office. And be it &c. That the said Master and Officers of the said Court, shall take such and like fees for the Seales and writings to bee made and graunted out of the said Court at the suite of the parties, as they now vse to take, that is to say: For the fees of all processe at the suit of the parties vnder the priuie seale of the said court two shillings sixe pence. And for the fees of all Commissions directed out at the suite of the parties, two shillings sixe pence. And for recording of all apparances foure pence and no more. Also be it &c. That the said Master by the aduice of the said Atturney, Receiuor Generall, and Auditors, or three of them, whereof the said Master to bee one of them, shall haue authority by this act to survey all the Kings widowes, and to treate, commune, and conclude, aswell with all and euerie of the Kings widowes that now now bee, or hereafter shall bee, and that haue married themselues without the Kings licence, or that hereafter shall happen to marrie themselues without the K. licence, for their reasonable fines to be made to the Kings vse, and to tare and assesse the same by their discretion according to the Statute of Prærogatiua regis (capit. 4. which is in women 2.) the same fines to bee paied to the Receiuer Generall of the Wards lands, as the same may appeare yearely in his account. Also be it &c. That the said Master by the aduice of the said Atturney, Receiuer generall, and Auditors, or three of them, shall haue authority by this Act, to survey, gouerne, and order all and singuler ideots and naturall soles, now being in the Kings hands, or that hereafter shall come and be in the Kings hands. And also to survey and order all the manors, lands, tenements, and other hereditaments whatsoeuer, now being in the Kings hands, or in the hands of any other person or persons to their vses, or to the vse of any of them that hereafter shall come and be in the Kings hands, his heires and successors in the right of any of them by reason of his Graces prerogatiue royall. And also by the aduice of the said Atturney, receiuer Generall, and Auditors, or three or two of them, to let and set the manors, lands and tenements to the Kings vse, for the time of the Kings interest, for such rent and fines, as by their discretion shall bee thought conuenient. The finding and keeping of the said persons, their wines and Children, and the reparations of their houses and lands, alway to be considered in the doing thereof, the same rents and fines reserued to the Kings grace to be paied alway to the hands of the Receiuer generall of the wards lads for the time being, as the same may appeare in his accõpt, & bee recorded in the court of the wards Also be it &c. That the Master of the kings liueries shall passe no liuery with any person or persons, that bee, or that haue beene, or hereafter shall be the Kings Wards, vnto such time they shall receiue knowledge from the Court of the Kings Wards, what case the accomptantes, tenantes, and farmers of the Wards lands stand in with the Kings Highnesse, and what surety and order is taken therefore, and for the rates of the kings vse. And that euerie Ward hauing his liuery, shall within sixe months next after the liuery had, bring the same liuery to the Auditors of the Wards for the time being, or to one of them, to haue the same there inrolled for the discharge of the lands against the kings Highnesse, according to the tenor of the said liuery, and shall pay for the inrolement thereof such reasonable summe of money, as shall bee appointed by the said Master of the Wards, so that it exceed not the summe of ten shillings. Also be it &c. that all and euery person and persons to whom the Kings Highnesse shall graunt the custodie and Wardship of any of his Graces Wards, shall vpon his bil assigned therof sue forth his patent within foure months next after the assignement of the same bill, or else the same and the effect thereof to be vtterly void and of no force, And also be it &c. that the generall Receiuer and chiefe Auditors of the said Court for the time being, shall yearely receiue and take, as well by the hands of the generall Receiuer, as by the hands of all and singuler particuler receiuers, and al other Officers and Ministers accomptant within the survey of the said Court for the time being, all and singuler such summes of money for such like dyets, rewards, profits and commodities as wel for their attendance vpon the said Court, and for the making and writing of books, declarations, and values, as for other matter and causes of, for or concerning the said Court, and also for the expenses, costs and charges of the same generall receiuer, and auditour and auditors, and euery of them for the time being, yearely riding their seuerall circuits and limits, in as large and ample maner and forme, as shall bee appointed by the said Master of the Wards and Atturney of the said Court by their discretions. And that the said Auditors for the time being, shall haue power and authority yearely from time to time to allow the same. And also bee it &c. That as many accounts of the Kings Wards lands, ideots lands, fines for marriages of Widowes, and licences for the same, as beene clearely accounted and not returned into the Kings Exchequer, and also as many other accounts of the Wards lands, ideots lands, fines for marrying of Widowes, and licences for the same, as beene not yet fully accounted & ingrossed, shall bee ingrossed and returned within three yeares next comming, into the office of the Wards, there to remaine as the kings records. And that the Kings Highnesse, surveyors general of his Graces lands, and Auditors of his Graces Wards lands, and euerie of them shall bee thereof discharged against the Kings Maiestie, of and for the return of the same accounts, into his Graces Exchequer, any Act, Statute or ordinance heretofore made to the contrary in any wise notwithstanding. And it is &c. That the said Master of the Wards for the time being, shall haue authority by this act, with the aduice of the Atturney and Receiuer Generall of the same Court, or one of them, to call at all times before them into the Office of the Wardes by the Processe of the same Court, all and euerie person and persons, which

Fees

Master

Survey Widowes

Fine Tare

Master

Survey Ideots

Lease

Master Liuery

6. Months

4. Months

Holde

Diet Reward

Auditors

3. years

is or hath beene the Kings Ward, intruding or entring into or vpon his or their lands, or vpon any part thereof after his or their full age of one and twenty yeares, and before that hee or they haue sued and obteined liuerie or Ouster le maine for the same out of the Kings hands, vnder his great seale, as well to make answere for his or their intrusion vpon the Kings possession, as to make paiment to the Kings Receiuer generall of the same Office, as all such rents, issues or profits by him or them taken at any time after his or their saide full age of one and twenty yeares, and before liuery sued for the same out of the Kings hands in forme aforesaid. And be it &c. that if any person or persons, called by the kings processe of the same Court to appeare at Westminster in the same Court within the Terme at a certaine day to him prefixed in the Proces, to appeare and haue day giuen in Court to make answere to the matters against him obiected in the same Court on the Kings behalfe, depart the court before answere made, and atturney put into the Court with assent of the Court for the prosecuting the matter with effect, shall forfeit to the Kings grace, his Heires and successors, such fine as shall be set vpon him for his contempt and offence in that behalf, as the said Master, Atturney, and receiuer Generall, or two of them shall thinke conuenient by their discretions, to bee leuied of his lands and tenements, goods & cattels, to the Kings vse. Prouided alway, and be it enacted by the authority aforesaid, that John Perin, which by the Kings Letters Patents hath beene heretofore, and now is auditour to his Graces Wards lands, shall continue and bee one of the two auditours in this Act before mentioned, during the time of his naturall life: any thing conteined in this Act to the contrary in any wise notwithstanding. Anno 32. H. 8. cap. 46.

Liuery
Ouster le maine
Intrusion
Depart
Forf.

25 That Office of the Master or Masters of the liuerie, with the circumstances thereof, shalbe united, annexed, & knit vnto the said Court of the Kings Wards. And the authoritie and Office to compound for any liueries with the procedings therein, shall be from henceforth in the rule, power, and gouernance of the said Court, in maner and forme hereafter declared, any law, custome, Patent, grant, or vsage heretofore had or vsed to the contrary notwithstanding. And that the master of the Kings Wards for the time being, which is the chiefe and principal head officer of the same court, shall from henceforth for euer bee Master of the K. Wards, and of the liueries, and that all other Officers and Ministers appointed or hereafter to bee appointed in the same Court of the K. wards by authority of the statute made of the execution of the same Court (s. An. 32. H. 8. cap. 46. before 24.) shall be called officers and Ministers of the kings Courts of his Wards and liueries. And be it &c. That the Kings said Highnes, his heires and successors from time to time, shall make, name and appoint one officer and Minister of and in the said Court, which shall be called the surueyor of the K. liueries, and shall be the second person of the same Court. And that the Atturney of the Kings wards for the time being, which by the said former act of the said Court of the Kings wards, was appointed to be the second person of the said Court, shall from henceforth for euer stand and be the third person of the said Court of the Kings Wards and liueries. And all other Officers and Ministers of the saide court to be placed as is limitted in the same former act. And further be it &c. That the Kings highnes his heires and successors may from time to time make, name and appoint an apt person to be clerk of the same liueries, which shall make all Indentures, Scedules, Obligations, and writings of bargaines, hereafter to be made and granted for any liueries, and that one part of the said Indentures, and Scedules, or other writing indented, necessary for the same, shall remaine with the party or parties, and shall bee sealed with the seale of the said Master of the Wards and Liueries, and of the said surueyour of the said Liueries. And that the same Indentures, obligations, & the accounts to be made vpon the same, and euery of them, from henceforth shall be taken, ordered and vsed, and also be of the same force, strength and effect to all intents and purposes, as the Obligations, Indentures and accounts bee and ought to bee by the said former act. (s. anno 32. Hen. 8. cap. 46. before 24.) And that euerie person, which in forme aforesaide, shall be appointed to bee surueyor of the said liueries, shall take a corporall oath afore the said Master of the Kings Wards and liueries for the time being, after the tenor ensuing. Ye shall sweare that ye shall well and truely serue our Soueraigne Lord the King in the office of surueyor of his graces liueries, and shall minister equall Iustice to rich and poore to the best of your power, wit and knowledge, and that you shall diligently procure all things which may honestly and iustly be to the Kings aduantage and profit, and to the augmentation of the right and prerogatiue of his Graces Crowne, and from time to time deliuer with speed such as shall haue to doe afore you, and that you shall not take ne receiue of any person and persons, any gift or reward in any case or matter depending or to depend in the said court of the Kings Wards, wherein the Kings Highnesse shall bee party, by reason whereof any preiudice, losse, hinderance, or diherison, shall or may grow to the kings highnes, his heirs or successors, so help you God and all Saints. And be it &c. that the said Clerke of the said liueries, shall take a corporall oath afore the said master of the wards & liueries for the time being, after the tenor hereafter ensuing. Ye shall sweare that ye shall well and truely serue the king our soueraign lord in your office of the Clerke of the liueries, and truly do and execute without delay, fraud, or couin, all and euery thing & things, which you ought to do by reason of your said office, according to the form & effect of this present act, so help you God & al saints. And y all liueries, which hereafter shall be sued out of the Kings graces hands, his heirs and successors, & out of the hands of any of them, of any castles, honors, manors, lands, tenements, rents, reuersions, remainders,

Master of liuery
Master
Officers
Surueyors

Atturney
Third person
King
Clerke
Indenture
Surueyor
Clerke Oath
Liueries

ders, or other hereditaments whatsoeuer they be, shall be in the order, surney, and gouernaunce of the said Court of the Kings Wards and Liueries, and of the ministers of the same. And be it &c. That no person or persons, hauing lands and tenements aboue the yearely value of fiue pounds, shall haue or sue any Liuerie before Inquisition or Office found before Escheator or other Commissioner or Commissioners, by vertue of the Kings Writ or Commission to be directed out of the Kings Chauncery, or other Courts hauing authoritie to make such writs or commissions, for suing of liueries, which Writtes or Commissions shall not passe out of the Chauncery or any other Courts, but a warrant or bill to be assigned and subscribed with the hands and names of the said Master, Surueyor, Atturny, and Receiuer, or three, two, or one of them, to bee directed and deliuered to the Chauncellour of England, or to any other chancelor or officer hauing power to award such writs. And if the lands and tenements, whereof any inquisition is to be had by vertue of any such writ or commission, exceede the yearely value of fiue pounds, that then such as sueth for writs of Commissions, shall pay for the seale and writing thereof such fees as haue beene accustomed. And if the said lands and tenements, whereof any such inquisitions and offices are to be found by vertue of any such Writ or Commission, exceed not the said yeerely value of fiue pounds, then such as shall sue for such Writs or Commissions, shall pay for the Seale of euery of them fiue pence, and for the writing fiue pence, and not aboue. And it is also &c. That all inquisitions and Offices to bee found by vertue of any such writs of commissions, shall be returned by the Escheators or Commissioners, to whom such Writs or Commissions shall be directed into the said Chauncerie, or into such other Courts from whence such Writtes or Commissions were awarded, in such maner and forme, and vpon such paines as is limited by the Lawes and Statutes of the Realme in such cases. And that the Clerke of the pety Bagge shall receiue such Offices, and make a transcript thereof from time to time to the said Master of the Wards and Liueries, in like manner and forme, as they are bounden and haue bin accustomed to doe into the Kings Eschequer, and vpon such paines as be limited and appointed by the Laws and Statutes of this realm in such cases. And it is &c. that the said Master of the Wards and Liueries, and the Surueyour, Atturney, and generall Receiuer of the said Court, or two of them, whereof the said Master or Surueyor to be one, shall haue full power and authoritie by vertue of this present Act, after such offices and inquisitions found, as is aforesaid, to conenant and indent with euery person and persons for his and their liuerie of the Castles, Mannors, Lordships, Lands, Tenements, and Hereditaments, comprised or not comprised in such Offices, and to make and set the rate & price for the same, and to appoint and stall the dayes of payment thereof by obligation or obligations, to be taken for the same to the King our soueraigne Lord, which obligation or obligations so made, and euery of them shall be good and effectuall in the Lawe, and shall be of like authority and strength, as obligations to be taken by authoritie of the same court of the Kings wards be of, by vertue of the said former Act. And that all and singuler bills for any speciall or generall liuerie to be sued, assigned by the hands of the said Master, Surueyor, Atturney, Receiuer, or three of them, whereof the sayd Master or Surueyor to be one, shall be a good and sufficient Warrant, as well to the Chauncellor of England, as to the Chauncellour of the Dutchie of Lancaster, and to all other Chauncellors and Officers hauing power to passe Liueries vnder ane of the Kings Seales, for the making out, sealing, and deliuery of any Liueries, according to the tenour, purport, and effect of such Bills, with other clauses of cause necessarie for the same, any lawe or custome to the contrary hereof notwithstanding. Prouided alway, and be it &c. that the Lord Priuy Seale, the Lord great Chamberlaine, the Kings chiefe and principall Secretaries, the Master of the Rolles, and the Kings Clerkes of the Signet and Priuy seale, the Clerks of the petty Bagge, and all and euery other Officer and Officers, and Clerkes in the Chauncerie, or elsewhere in any other Courts where such liueries shall passe, shall haue and be payed all such theyr fees, as hath bin accustomed, all which fees shall be receiued and payed by the hands of the Clerkes of the petty Bagge, if the Liuerie be sued in the Chancery, or by other Clerkes, by whose hands Liueries shall be written in other Courts, any thing in this Act to the contrarie thereof notwithstanding. And it is &c. That euery person and persons from henceforth may sue at theyr pleasure a generall Liuerie for any manors, lands, tenements, rents, reuersions, remainders, or other hereditaments, whereof the cleere yearely value shall not exceede twenty pounds after office thereof or writ or commission found, returned, and certified as is aforesaid. Prouided alwayes, that no such Liuerie shal passe or be sued without a Bill or Warrant to bee first obtayned for the same, from the said Master of the Wardes and Liueries, and the said Surueior, Atturney, and generall Receiuer, or three of them, and signed and subscribed with the names and hands of the sayd Master, Surueyor, Atturney generall, Receiuer, or three of them, as is aforesaid. And it is &c. That if the manors, lands, tenements, or hereditaments, whereof a generall Liuerie may be sued by authoritie of this Act, exceede the cleere yearely value of fiue pounds, that then such as shall sue and haue such generall Liuerie of any manors, lands, tenements, or hereditaments, exceeding the cleere yearely value of fiue pounds, shall pay for the seale thereof twenty shillings and foure pence, and all other such fees, as heretofore in such cases hath beene accustomed, in, and vpon the suing of any generall Liueries. And if the lands, tenements, and hereditaments whereof any such generall Liueries shall be sued, exceede not the cleere value of fiue pounds, that then euery person and persons suing for any generall liuerie, for any lands, tenements, rents, reuersions, remainders, or other hereditaments, not exceeding the cleere yearely value of fiue pounds,

v.li. lands — Bills — Warrant — Chancellor — Officers — Fees — Writs Returne Escheator — Liuery — v.li. land — Liuery — Warrant — Master — v.li. land — Fees

Fees

pounds, shall pay such fees as hereafter followeth, and none other. That is to say, for the seale of euery such Liuery twelue pence. And to the Clerks of the pety Bagge for the writing and enrolling thereof twenty pence. And for respite of homage in the hanaper eight pence. And to the Lord great Chamberlaine twenty pence. And to the Clerk of the Liueries for warrant and enrolling of the Liuerie twenty pence. And be it &c. that no person or persons shal pay in the Kings Eschequer, or any other

Respite of homage

Courts for the respite of homage, or for anie manors, lands, tenements, or hereditaments, whereof the clere yearely value exceedeth not fiue pound aboue eight pence: And for the entring thereof and warrant of atturney, aboue foure pence. And that the value of such manors, lands, tenements, and hereditaments, not exceeding the yearely value of twenty pounds, shalbe taken as it is limited in the Offices founden thereof, except by the examination and certificate of the said Master of the Wards and Liueries, and the said Surueyour, Atturney, & generall Receiuer, or iij. of them, as is aforesaid, it shal otherwise appeare & be declared in any of the

Surueyor Clerke Conceale

Kings Courts. And it is &c. That if the said Surueyor of the Liueries, or the Clerke of the same, do willingly withdraw or conceale any record or profite, that should come or grow to the Kings Maiestie, his heyres or successors, by reason of the same,

Forf.

that then he or they so offending, shall lose to the King our soueraigne Lord, his heires and successors, the double value of the thing so concealed or withdrawne, the same to be leuied and recouered a-

2. Value

gainst such persons so offending, vpon an informa-

Informatiõ

tion thereof to be made by the party grieued, and the same duly proued in the same court of the wards & liueries. And also be it &c. that the said Master for

Master

the time being, shall haue power and authoritie to

Recogn.

take recognisances of all and euery person and persons, that shall be called into the court of Wardes and Liueries, to answer to any matter alledged against them in the said court, to make their daily apparance in the said court, to answer to such matter as to them then and there from time to time shall be alleadged: and that all such Recognisances of what summe soeuer theu be, shall be as good and effectuall in the Law to all intents and purposes, as recognisances taken in the Kings high court of Chauncerie, or elsewhere, before any Iudge of Record within this Realme. And that the sayd Master for the time being, with the aduice of the court or of such number of the same, as then shalbe present, so that they be two beside the Master, shall

Fines

haue full power and authority to moderate such recognisances, as be, or shall be there forfeited, and to set Fines for the same to the Kings vse, vnder the summes contayned in the sayd Recognisances.

Proceste

The same Fines to be leuied by like proceste of Scire facias, as by the Statute made in the seuen and twentieth yeare of our soueraigne Lord the Kings reigne, is giuen to the Chauncellor of the court of of Augmentations of the reuenues of his Graces Crowne. And that the said Master for the time

Master

being, with the aduice aforesaid, shall haue power

Imprison

and authority to commit to ward, any person or persons for his or their disobedience, contempt, or other offence made or to be made, triable within the Kings said Courts of Wardes and Liueries, and vpon the said matters ordered or decreed there, to deliuer them from prison, and to cancell and make voyd all Recognisances and Obligations taken, or hereafter to be taken in the same Court to the Kings vse, when, and as often as the sayd Master with the aduice of the said Court, or three of them, shall see and perceiue the matters and causes, for the which any such Recognisance or Obligation hath, or hereafter shall happen to be taken, to be finished and ended, and the Kings Grace, his heyres or successours, or the party thereupon satisfied without anie other Warrant for the same. And be it &c. That all and euery such heyre and heyres, which hereafter shall be in case to sue Liuery, where the lands and tenements of the sayd heyre or heyres exceede not the yearely value of fiue

v.li. land Liueris

pounds, that then euery such heyre shall lawfully sue forth his generall liuery, by Warrant to be made and had from the sayd Court of the Kings Wardes and Liueries, as aforesaid, though there be none other Inquisition or Inquisitions thereof then had, ne certified, and that this Act shall be

Warrant, Chauncelor

Warrant sufficient as well to the Chauncellour of England, Chauncellour of the Dutchy of Lancaster, and to all other Chauncellors and Officers of the Kings Courts, hauing power to passe Liueries vnder any the Kings Seales, for the making out, sealing, and deliuerie of anie Liueries, according to the tenour, purport, and effect of such Bills, with other clauses of course necessary for the

Fees

same, taking for the fees of euery such Liuery, as is before expressed for the fees of generall Liuery, not exceeding the yearely value of fiue pounds, as though the same Liuery were made and sued forth vpon an Office found by vertue of the Kings writ, any Law heretofore made, or other thing in this present Act to the contrary notwithstanding. And also be it &c. That all and euery person and persons, to whom the Kings Highnesse shall graunt any Liuery in forme aforesaid, to be sued vpon his Bill, assigned thereof with the Kings most gratious hand, or with the hands of the Officers of his Graces Court of the Wards and Liueries, as before is expressed, sue forth his Patent within three

3. Monethes

moneths next after the assignement of the said bill, or else the same bil, and the effect thereof to be vtterly voyd and of none effect. Prouided alwayes, and

Voyd Clerkes

be it &c. that the clerks of the pety Bag in the Chancery, shal not be compelled to certifie any transcript of any Office into the Kings Eschequer, but twice in the yeare, that is to say: They shall certifie the transcripts of all offices founden and returned into the Chancery, betweene Easter and Saint Michael the Archangell yearely in the terme of Saint Michael. And the transcripts of al offices founden and returned into the said Chancery, betweene Michaelmas and Easter, they shal certifie into the said

Certifie Eschequer

Eschequer yearely in the terme of Easter, and not otherwise, any thing contained in this statute, or in any other statute heretofore made to the contrary thereof notwithstanding. Prouided alwayes,

that

that this Act, nor any thing therein contained, shall in any wise extend to be prejudiciall or hurtfull to any royalties, liberties, or franchises, priuiledges, preeminences, and iurisdictions of the county Palantine and Dutchy of Lancaster, or of any of them, but that the same royalties, franchises, priuiledges, preeminences, & iurisdictions, and euery of them, shall still continue and remaine to the county Palantine, and Dutchy of Lancaster, as fully, plenarly, and as wholly as they did before the making of this Act, any thing in the same Act contayned to the contrary notwithstanding. An. 33. H. 8. ca. 22.

Lancaster

Wares.

BE it enacted, &c. That no person or persons whatsoeuer, from and after the feast of the Natiuitie of S. Iohn Baptist now next ensuing, shall bring, or cause to be brought into this Realme of England from the parts beyond the Seas, any girdles, harnesse for girdles, rapiers, daggers, kniues, hilts, pummels, lockets, chapes, daggers, blades, handles, scabberts, and sheaths for knives, saddles, horse-harnois, stirrops, bits, gloues, leather laces, or pinnes, being readie made or wrought in anie parts of beyond the Seas, to be sold, bartred, or exchanged within this realme of England or Wales, vpon paine to forfeit all such wares so to be brought contrary to the true meaning of this Act, in whose hands soeuer they, or any of them shall be found, or the very value therof, the one halfe of the forfeiture to be to our Soueraigne Lady the Queenes Highnesse, her heires and successors, and the other moity therof to him or them that will seise the same, or sue therefore in anie Court of Record of the Queenes Maiestie, her heires and successours, by action of debt, bill, plaint, information, or otherwise, where no wager of Law, essoine, or protection shall be to him or them allowed: This Act to continue and endure to the end of the next Parliament. Anno 5. Eliz. ca. 7. This statute was discontinued 8. Eliza. And Anno 13. Eli. ca. 25. reuiued and continued vnto the end of the next Parliament, with this prouiso here following.

Bring

Foreine wares

Fut.

Bottle

2 Prouided neuertheless, and be it enacted by the authority aforesaid, That the said Act concerning the auoyding of forreine wares made by handy-craftesmen beyond the Seas, or any clause, article, or meaning therein contained, shal not in any wise extend or be preiudicial to any entercourse, or treatise of any entercourse, now standing in force, had or made, betweene the Progenitors of the Queens Maiestie, or her Highnesse, or anie others: Anie thing heretofore, or now ordained, or enacted, to the contrary in any wise notwithstanding. Ann. 13. Eliz. ca. 25. This prouiso is repealed by 14. Eliz. ca. 11. Anno 29. Eliz. ca. 11. this Act of 5. Eliza. ca. 7. is continued vntill the end of the next Parliament, but yet with prouiso, that it shall and may be lawfull to all and euery the Queenes Maiesties subiects to bring into this Realme, all and all maner of Pinnes made beyond the Seas, any Act or Statute to the contrary notwithstanding. Anno 39. Eliza. ca. 5. This act of 5. Eliz and last prouiso were continued vntil the end of the next Parliament. And Anno 31. Eliz. cap. 10. the aforesaid Act of 5. Elizab. capitulo 7. and last prouiso were continued vnto the end of the next Parliament. And Anno 35. Elizab. capitulo 7. are continued to the end of the Parliament next ensuing. And Anno 39. Elizab. this Act of 5. Elizab. made for the auoiding of diuers forreine Wares made by handy-craftsmen was reuiued and continued to be in force to the end of the next Parliament. And Anno 43. Elizab. capitulo 9. this act was made to continue in force vntil the end of the first Session of the next Parliament. And Anno 1. Iac. cap. 25. the Act of 5. Eliza. for auoyding diuers forreine Wares made by handy craftesmen beyond the Seas, is continued vntill the end of the first Session of the next parliament.

Foreine wares

Warrantie.

IF a man alien the Land that hee holdeth by the Lawe of England, his sonne shall not be barred by the deed of his father, (from whom no heritage to him descended) to demaund and recouer by writ of Mortdancestor of the seisin of his mother, although it be mentioned in the deed, that his father did binde him and his heyres to warrantie. And if any heritage descend to him of his fathers side, then he shalbe barred for the value of the heritage, that is to him descended. And if in such case after the death of his father any inheritance descend to him by the same father, then shall the tenant recouer against him of the seisin of his mother, by a Iudiciall writ, that shall issue out of the Rolles to the Iusticers, before whom the plea was pleaded, to resummon his Warranty, as before hath beene done in like cases, where the heire of the Warranter commeth into the Court, saying that nought descended from him, vpon whose deede hee is vouched. And in like maner the issue of the sonne shall recouer by Writ of Cosinage, aiel and besail. Likewise, and in like maner, the heire of the wife shall not be barred after the death of his father and mother, for to demaund by Action the inheritance of his mother by Writ of Entry, which his father did alien in the time of his mother, whereof no fine is leuyed in the Kings Court. Gloucester cap. tertio Anno sexto Edwardi primi.

Alien

Barre

Mortdancestor

Barre

Recouer

Heire

Warre.

WHereas Commissions haue been awarded to certaine people of the shires, to prepare men of armes and to conuey them to the King into Scotland, or Gascoine, or elsewhere, at the charge of the shires: The King hath not before this time giuen no wages to the said preparers and conueyers, nor souldiers, whom they haue brought, wherby the Commons of the counties haue bin at great charge and much impouerished: The King will that it shall be so done no more. Anno primo Edwardi tertij cap. 7.

Commission

2 Men

2 Men of armes, hoblers, and archers chosen to goe in the Kings seruice out of England, shall be Wages at the Kings wages, from the day that they depart out of the Counties, where they were chosen, till their comming againe. Anno 18.E.3.cap.8.

3 No man shall be constrayned to find men of armes, hoblers, nor archers, other then those Seruice which hold by such seruices, if it be not by common assent and graunt made in the parliament. An.25. Ed.3.cap.8.

4 Raunsomes and forfeitures were set vpon certaine that were in battel against the King, and that did iniuries in a commotion time, and diuers matters concerning them that were with the K. Dictum de Kenelworth, An.51.E.3.

5 The Statute (s.Anno 1.Ed.3.c.5.& Anno 18.Ed.3.cap.8.& Anno 25.Ed.3.stat.5.cap.8.) shall be firmely holden and kept in all pointes, so that alwayes by force or colour of the sayd supplication, nor of any Statute thereupon to bee made, the Lords nor no other that haue lands and possessions, in the Countrey of Wales or in the marches thereof, shall in no wise be excused of their seruice and deuoires, due of their said lands, and possessiõs, nor of any other deuoires or things, whereto they or any of them be bound to our soueraigne Lord the King, how much that the same lords and other haue of other Landes and possessions within the Realme of England. Nor that the Lordes or other of what estate or condition that they bee, which hold by escuage, or other seruice due to the Ekuage King, any Landes or possessions within the sayde Realme, bee in no wise excused to doe the seruices and deuoires due of their sayd Landes or possessions: Nor that the Lords, Knights, Esquires, nor Lords other persons, of what estate or condition they be, which hold and haue of the graunt, or confirmation of our Soueraigne Lord the King, Lands, possessions, fees, annuities, pensions, or other yearely profits, be not excused to doe their seruices to our Soueraigne Lord the King, in such manner as they are bounden, because of their landes, possessions, fees, annuities, pensions or profits aforesayd. An.4.H.4.cap.13.

6 Anno 9.H.5.cap.3. An Act was made concerning them that went ouer the Sea with the King in his warres, or did dwell beyond the Sea Protections in his seruice, for Protections for them, and for suites and actions against them: and after Anno 4.H.6.cap.2. And Anno 8. Henr. 6. cap. 13. like Acts were made to indure for certaine yeares for them that went ouer in his warres, or did dwell beyond the Seas in his seruice. And after An. 14. Edw. 4. cap. 2. a like Act was made for a certaine time.

7 Anno 14.H.6.cap.7. an act mas made to endure for three yeres, & after, as long as should please the King, concerning the taking of enemies goods vpon the sea.

8 Anno 11.H.7.cap.18. an Act was made that they that had graunts or giftes, or offices, fees, or annuities of the King, and doe not giue their attendance vpon him when he should goe to warre in his person (except certaine persons there named) should forfeit and lose their offices, fees, and annuities. And Anno 19.H.7.cap.1. was a like Statute made against them that had landes, tenements or hereditaments of the Kings gift or grant, for their attendance on him in his wars. But these two statutes were made but for the time of King Henry the seuenth, as I thinke, therefore I haue not put them here at large. Forf.

Wast.

The Keper of the land, of such an heire being within age, shall not take of the landes of the heire, but reasonable issues, reasonable customes, and reasonable seruices, and that without destruction, and wast of his men and his goods. And if wee commit the custodie of any such land to the shirife, or to any other which is answerable vnto vs for the issues of the same land, and he make destruction or wast of those things that hee hath in custodie, wee shall take of him amends and recompence therefore, the Land shall bee committed to two lawfull and discreet men of that fee, which shal answere vnto vs for the issues of the same Land, or vnto him whom we shal assigne. And if wee giue or sell to any man the custodie of any such Land, and hee therein doe make destruction or wast, hee shall lose the same custodie: And it shall be assigned to Fork. two lawfull and discreet men of that fee as is aforesaid, which also in like maner shal be answerable to vs, as afore is said. Magna charta cap.4. Gardian Sheriffe Waste

2 The keeper, so long as he hath the custodis of Gardian the Land of such an heire, shal kep vp the houses, parkes, warrens, ponds, milles, and other things perteyning to the sayd Land, with the issues of the said Land, and he shall deliuer to the heire when he commeth to his full age, all his Land stored with ploughes and all other things, at the least as he receiued it. All these things shalbe obserued in the custodies of Archbishoprickes, Bishoprickes, Abbies, Archbishoprickes Priories, Churches, and dignities vacant, which appertaine to vs: Except this, that such keepings shall not be sold. Magna charta capitul. 5. Ann 9. Hen.3.

3 Fermers during their termes shall not make Fermers wast, sale, nor exile of houses, woods, and men, nor of any thing belonging to the tenements that they haue to ferme, without speciall licence had by writing of couenant, making mention that they may Licence doe it, which thing if they doe, and thereof bee conuict, they shall yeld full dammage, and shall be Dammage punished by amerciament grieuously. Marl.ca.23. Amerce An.52.H.3.

4 It is prouided also, that a man from hencefoorth shall haue a writ of wast in the Chauncerie Writ Chauncerie against him that holdeth by Lawe of England, or otherwise, for terme of life, or of yeares, or a wo- Woman man that holdeth by Dower. And who that is attainted of wast, shall lose the thing wasted, and moreouer shall recompence thrice so much as the 3. Times wast shall bee tared at. And for wast made in the time of wardship, it shall be done as is contained in the said great charter, that is to say, ỹ he which did wast, during the custodie, shall lose the wardship. Fork.

It

Dammages

It is agreed, that hee ſhall recompence the heire his dammages for the waſt, if ſo be that the wardſhip waſt doe not amount to the value of the dammages of the heire of the ſame ward. Gloceſt.cap. 5. Anno 6.E.1.

Gardians

Writ

5 Whereas for waſte done in the inheritance of any perſon, by gardeins, tenants in Dower, tenants by the curteſie, or otherwiſe for terme of life or yeers, a writ of prohibition of waſt hath been vſed to be graunted, by which writ many were deceiued, thinking that ſuch as had done the waſt ſhould not need to anſwere, but onely for waſt done after the prohibition to him directed: Our Soueraigne Lorde the King, to put this caſe out of doubt, from this time forth hath ordayned, that of al maner of waſt done to the dãmage of any perſon, there ſhal be from henceforth not onely a writ of prohibition, but alſo of ſummons, ſo that he of whom complaint is, ſhall anſwere for waſt done at any time. And if he come not after the ſummons, hee ſhall be attached, and after the attachement hee ſhalbe diſtrained, & if he come not after ỳ diſtreſſe, the Shirife ſhal be commanded, that in proper perſon hee ſhall take with him twelue &c. and ſhall goe to the place waſted, and ſhall enquire of the waſt done, and ſhall returne an inqueſt, and after the inqueſt returned, they ſhall paſſe vnto iudgement, like as it is conteined in the ſtatute of Gloceſt. cap. 5. Weſtminſter 2. capitul. 14.

Summons

Attach Diſtraine Shirife

Inqueſt

6 Whereas two or moe doe hold wood, turfeland, or fiſhing in common, wherein none knoweth his ſeuerall, and ſome of them doe waſt againſt the minds of the other, an action may lie by a writ of waſt. And when it is paſſed vnto ỳ iudgement, the defendant ſhall chuſe either to take his part in a place certaine by aſſignement of the Shirife, and by the view & oth of his neighbours ſworne & tried for the ſame intent, or elſe hee ſhall graunt to take nothing from henceforth in the ſame wood, turfeland, and ſuch other, but as his fellowes will. And if he doe chuſe to take his part in a place certaine, the place waſted ſhall be aſſigned for his part, after as it was before the waſt done. And there is ſuch a writ in this caſe, that is to ſay, Cum A. & B. teneant boſcum pro indiuiſo, B. fecit vaſtum &c. Weſtminſter 2. cap. 22.

Turfe land in common

Action

Aſſignment Viewe Oath

Place

7 William Butler, which is within age, and in ward of our Soueraigne Lord ỳ king, hath ſhewed vnto his Highneſſe, that where Gawin Butler his brother (whoſe heire he is) had impleaded one Walter de Hapeton by the Kings writ, for waſt and deſtruction made by him in certaine his lands and tenements which the ſame Walter helde for terme of his life, of the inheritance of the foreſaid Gawin in Wimme and Trike: And the aforeſaid Gawin before hee had obtayned iudgement, dyed: After whoſe death ỳ foreſaid William by like writ impleaded the foreſaid Walter, for the waſt and deſtructiõ made by him of long time: The ſame Walter before Gilbert Thornton & his companions, aſſigned to heare the kings Pleas, came in and ſaid that hee ought not to anſwere to the ſame William for the waſt and deſtruction made in the time of an other, before the right of the ſaid Inheritance deſcended vnto him, & thereupon demaunded iudgement. And foraſmuch as certaine Juſtices did not agree in giuing of the ſaid iudgement, becauſe it ſeemeth to ſome, that it ſhould not bee agreeable to the law, that any perſon ſhould obtaine aduantage and recompence by the foreſaid Writ, which is a Writ of treſpaſſe done to a perſon certaine, but onely the ſame perſon to whom & in whoſe time the treſpaſſe was done. Other Juſtices with the more part of the Kings Councell, were in the contrary opinion, alleadging by diuers reaſons, that ỳ ſaid William ought to bee heard and anſwered vnto, and all other whatſoeuer they be, in like caſes, or in like treſpaſſes. And for becauſe like matters haue remained not amended, & treſpaſſes vnpuniſhed, which was inconuenient: Our Soueraigne Lord the King in his full Parliament, holden the day after the feaſt of the Purification in the 11. yeare of his raigne, by a generall Councell hath ordeined, and from henceforth hath commaunded to be ſtraitly obſerued, that euery heire in whoſe ward ſoeuer he be, and as wel within age, as of ful age, ſhal haue his recouery by a writ of waſt in the foreſaid cauſe, & alſo in other where the ſame Writ ought to holde place, and it ſhall holde place as well for waſt and deſtruction made in lands & tenemẽts of his owne inheritance, and as well in the times of his anceſtors, as at any other time that the fee and enheritance deſcended vnto him, and ſhall bee anſwered vnto therefore: And that he ſhall recouer the lands waſted and dammages, as it is ordayned in the ſtatute of Weſtminſter of dammages to be recouered in a Writ of waſt, if the tenant bee conuict for the waſt. And it is commaunded by the king himſelfe vnto the ſame Gilbert Thornton and his companions, that they doe proceed in the foreſaid matter, and in other like from henceforth, & iudgement ſhal be giuẽ according as the matter is feũd. And likewiſe it is commaunded vnto the Juſtices that they ſhall cauſe all the foreſaid things to bee ſtraitly obſerued before them from henceforth. Stat. of Waſt. An. 20. Ed. 1.

Heire

Waſt

Recouer Damages

8 For redreſſe of waſts and deſtructions done by Eſchetors, or Subeſchetors in the lands of wards, as of houſes, woods, parks, warrens, and of all other things that fall into the kings handes: The King will that hee which hath ſuſtained dammage, ſhal haue a writ of Waſt out of the Chancerie, againſt the Eſcheator for his Act, and the Subeſcheator for his Act (if he haue whereof) and if hee haue not, his Maiſter ſhall bee anſwerable by like payne, concerning dammages, as is ordayned by the Statute for them that doe waſt in wardſhips. Articuli ſuper chartas capitulo cap. 18. Anno 28. Edw. 1.

Waſt Eſcheators

9 Item, becauſe that diuers people in times paſt haue let their Landes and Tenements to diuers perſons, that is to ſay, ſome for terme of life, or of another mans life, and ſome for terme of yeres, the ſayd Tenants haue oftentimes let and graunted their eſtate, which they had in the ſame Landes and Tenements to many perſons, to the intent that they in the reuerſion, that is to ſay, their leſſors, their heirs, or their aſſignes, ought not

not to haue any knowledge of their names, and afterward the ſayd firſt Tenants continually occupie the ſayd Landes and Tenements, and thereof take the profits to their proper vſe, and in the ſayd Landes and Tenements do waſt and deſtruction, to the diſheritance of them in the reuerſion: It is ordayned and eſtabliſhed, that they in the reuerſion in ſuch caſe may haue and maintaine a writ of waſt againſt the ſayd Tenants for terme of life, of another life, or for yeares, and ſo recouer againſt them the place waſted, and their treble dammages for the waſt ſo by them done, as they ought to haue done, for the waſt done by them before the ſayde graunt and leaſe of their eſtate. Prouided alwayes, that this Ordinance hold not place, but where the firſt Tenaunts before the Leaſe and graunt of their ſaid eſtates in the maner and forme aboueſayd, were puniſhable of waſt, and alſo where after the ſayde graunt and leaſe, the ſayde firſt Tenants of the ſayd Landes and Tenements take the profits at the time of the waſt done to their own proper vſe. And this ordinãce to extend aſwel to waſt by ſuch tenants done before this ordinance as after. Anno 11. H. 6. c. 5.

Waſt

3. dammages

Watches.

The watch to be made vpon the Sea coaſt thorow the Realme, ſhall be made by the number of the people in the places, and in maner and forme as they were wont to be made, and that in the ſame caſe the Statute of Winchelter be holden & kept, and that in the Commiſſions of the peace hereafter to be made, this article be put in, that the Juſtices of peace haue power thereof to make inquiſition in their Seſſions from time to time, and to puniſh thẽ which be found in default after the tenor of the ſaid Statute. Anno 5. H. 4. cap. 3.

☞ Sea coaſt

In. of P. Enquire

*

Wax.

Becauſe that Marchandlers haue vſed to deceiue ỹ cõmon people in ſelling their wrought ware after two ſhillings the pound, whereas the ware is but worth 6. d the pound: Be it &c. that no perſon ſell nor ſet forth to ſale any ſuch candles, images, figures, and other works of ware, at more higher price, but onely after the rate of the price of foure pence more in the weight of a pound, ouer that the common price of a pound of plaine war is, betweene Merchant and Merchant, at the time of ſuch ſale or ſetting forth to ſale, vpon paine to forfeit ſuch candles, images, figures, and other works of ware ſo ſet forth to ſale, and of the value of them that ſhall be ſold againſt the forme of this Statute, and to make a fine to the King, if they bee thereof duely attainted, or that it is found by examination or due ſearch by weights, or in other maner, that they haue ſold or ſet forth to ſale any ſuch candles, images, figures, or other workes of war againſt the forme of this Statute. And that the Juſtices of peace in euerie Countie where they bee Juſtices, ſhall haue power to enquire, heare and determine all things done againſt this Statute. And that as well euerie Juſtice of Peace, in the Countie where he is Juſtice, as Mayors and bayliffes within Cities, and Burgeſſes, Stewards of Lords within the Franchiſes of their Lords, ſhall haue power and authoritie to examine and ſearch aſwel by weights of ſuch candles, images, figures, and other workes of ware, as in other manner by their diſcretion, all them that any thing ſhall hereafter doe againſt this Statute, and to puniſh them that by ſuch examination and ſearch ſhall be found guiltie in the forme aboueſayde. Prouided that this Statute doe not extend to herſes to bee made for Nobles that doe die. Anno 11. Henr. 6. capitulo 12.

Waxe

Forf.

Fine

In. of P. Enquire Diuerſ ters.

Any Iuſt. of P. Maiſ Bailife Stewards

Search

Punish

2 Foraſmuch as a great part of the ware made and melted within this Realme, hath beene found to be of late very corrupt, by reaſon of the deceitfull mixture thereof, and the makers and ſellers of Honie alſo haue not onely vſed to put the ſaid Honie in caſke of deceitfull aſſiſe, but haue vſed alſo deceitfull mixtures of the ſame: Bee it therefore enacted by the authoritie of this preſent Parliament, that euerie perſon within this Realme, or the Dominions of the ſame, which ſhall after the Feaſt of Pentecoſt next inſuing, in the making and meting of Ware, by any way or meanes vſe or practiſe, or cauſe to be vſed and practiſed any maner deceit by mixture & mingling the ſame with roſen, tallow, turpẽtine, or any other deceitful thing, to the intẽt to ſel & vtter the ſame, or offer the ſame to bs ſold or vttered for war to any perſõ or perſõs whatſoeuer, ſhall forfeit and loſe the ſame mingled or corrupted ware. And if the ſame corrupted war ſhal happen to be ſold before ſuch fault and corruption ſhall be found, that then the ſaid melter, mingler or corrupter, cauſer or procurer thereof, ſhall forfeit for euerie pound two ſhillings. Whereof the one halfe to the Quẽnes Maieſtie, the other halfe to the partie deceiued, if he will ſue for it, or any other perſon or perſons that will ſue for the ſame, in any the Quẽnes Maieſties Courts of Record. And to the intent that the offenders in theſe kind of deceits, may be the better and ſoner knowne and found out: Bee it enacted by the authoritie aforeſayde, that euerie melter and maker vp of vnwrought ware, ſhall haue for himſelfe a ſtampe or marke of the breath of ſixpence, wherein two letters ſhall bee plainely grauen, ſignifying his name and ſurname, and with the ſame ſhall ſtampe euerie piece of Ware, to bee printed and ſtamped triangle, in three places vpon the outſide of the vpper part of euerie piece ſo melted, and caſt, vpon the payne to forfeit the value of euerie piece or cake ſold, or offered to be ſold, and not ſo ſtamped or marked. And bee it further enacted by the authorite aforeſayd, that noe manner of perſon ne perſons within this Realme or the dominions thereof, ſhall from the ſayde Feaſt of Pentecoſt, melt, mixe, worke or ſell any manner of wrought ware, ſtuffe or wares wrought with ware, as in lights, ſtaffetorches, red ware, or ſealing ware, booke candle, ſearing candle, ſearing of dead corps, links, greene ware, red ware, or any other worke or thing

Forf.

Melter

Marke

2. letters

Forf.

Mingle Wrought ware

Mixte Deceit Mingle

Forf.

Melt

thing whatſoeuer, to bee done or wrought with ware to be put to ſale, but with good, wholeſome, pure and conuenient ſtuffe, mete in ſuch wares or worke, in conuenient quantitie to be vſed. And that euerie perſon or perſons, that ſhall work or ſel ſuch ſtuffe, or wares of ware, haue a mark, ſtampe or ſeale, to ſet on his or their worke, by him or them wrought or ſold, to the intent that if any deceipt be vſed or done, it may be knowen who were the workers thereof, and ſuch perſon or perſons as ſhall be found or knowne to worke or ſell, or to ſale put any ſuch falſe ware, or wares wrought with ware to be put to ſale, ſhall forfeit and loſe the ſame corrupted or deceitfull ware and wares, the one halfe to be to the Quenes Maieſtie, his heires and ſucceſſors, and the other to the partie deceiued if hee ſhall ſue for the ſame, or otherwiſe to him or them that will ſue for the ſame by actiõ of debt, bil, plaint, or information, in any of the Quenes Maieſties Courts of Record, wherein no eſſoine, protection, or wager of Law ſhalbe allowed. And be it further enacted by the authoritie aforeſaid, that euery perſon and perſons whoſoeuer, which after the Feaſt of Pentecoſt aforeſaid, ſhall ſell or offer to be ſold, any corrupted or falſe mingled ware, ſhall loſe and forfeit the ſaid ware, the one Moitie thereof to be to the Quenes Maieſtie, and the other to the party deceiued, if he ſhal ſue for the ſame, or otherwiſe, to him or them that will ſue for the ſame, as is aforeſayd. And that all barrels, kilderkins and firkins filled with honie, by the maker and filler, ſhall be marked with two letters ſtanding for his name and ſurname, ech letter of an ynch and a halfe of length at the leaſt, burnt vpon the the head of the caſke, with a hot yron, vpon the paine to forfeit fiue ſhillings eight pence for euerie barrell, kilderkin, firkin or caſke ſold, or offered to be ſold, and not ſo marked, and that if any perſon or perſons doe, or ſhal after the foure & twentieth day of Auguſt next comming, after the end of this Seſſion of Parliament, ſell and ſell, or cauſe to be filled or ſold, or offered to be ſold any Barrell, kilderkin, or firkin with honie, for or in the name of a barrell, kilderkin, or firkin, contayning leſſe then thirty two wine gallons the barrell, fiftéene wine gallons the kilderkin, & 8. wine gallons the firkin: Euery perſon and perſons ſo offending, ſhall forfeit and loſe for euery halfgallon, ſo lacking, .ſhillings of Engliſh money: And euerie perſon and perſons that ſhall corrupt the hony ſold, or to bee ſold, with any deceitfull mixture, ſhal forfeit the barrell or veſſell, and hony therein contayned, the one moity whereof to be to our ſouereigne Lady the Quenes Maieſtie, and the other to him or them that will ſue for the ſame, as aforeſaid. Prouided alwayes, that this act as touching the marking of ware, ſhal not extẽd to any perſon or perſons, ſelling the ware of their owne Bées in open markets, in ſmall pieces, nor to any ſeruant or ſeruants, or other perſons mingling, or corrupting any ware, by commaundement of their maſter or other perſon hauing authority ouer them, ſo as they will confeſſe the ſame. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time hereafter counterfeit any the markes aboue mentioned, or ſhall ſet to the marke or marks of any other perſon or perſons without the conſent of the ſame perſon or perſons, whoſe names the ſaid marks ſhall ſignifie, that euerie ſuch offender in the premiſſes ſhal forfeit for euerie ſuch default fiue pound. The one moitie thereof to be to the Quenes Maieſtie, her heires and ſucceſſours, and the other Moitie to the partie decreed, if he will ſue for the ſame, or otherwiſe to any other perſon or perſons, that ſhall ſue for the ſame, by bill, action or information, in any the Quenes Maieſties courts of record, wherein no eſſoine, protection, or wager of Lawe ſhall bee admitted or allowed for the Defendant. And for non-ſufficiencie of payment therof to be ſet on the Pillorie in the next Market Towne to the place where ſuch offence ſhall bee committed, and to ſuffer three Monethes impriſonment without bayle or Mainprize for euerie offence committed contrarie to this Article of this preſent Act. Anno 23. Eliz. cap. 8.

Counterfeit marks

Fyne. Moitie

Pillorie

Mainprize

Weights and Meaſures.

One meaſure of Wine ſhal be throughout our realm, and one meaſure of Ale, and one meaſure of Corne, that is to ſay, according to the quarter of London, and one breadth of died cloth, ruſſets and haberiets, that is to ſay, two yards within the liſtes. And as it is of meaſures, ſo ſhall it bee of weights. Magna charta cap. 25.

Wine Corne

Cloth

2 When a quarter of wheat is ſold for twelue pence, then waſtell bread of a farthing ſhall weigh fiue pound and fiftéene ſhillings. Bread cocket of a farthing of the ſame corne, and bultel ſhall weigh more then waſtell by two ſhillings. Cocket bread made of corne, that is of leſſe price, ſhal weigh more then waſtel by fiue ſhillings. A ſimnel of a farthing ſhall weigh two ſhillings leſſe then the waſtell. Bread made of the whole wheat, ſhall weigh a cocket & a halfe, that is to ſay, ỹ cocket ỹ ſhal weigh more then a waſtell by fiue ſhillings. Bread of trete ſhall weigh two waſtels. Bread of common wheat ſhall weigh two great cockets. When a quarter of wheate is ſold for eightéene pence, a waſtell loafe of a farthing ſhall weigh 4. li. tenne ſhillings eight pence: when a quarter of wheat is ſold for two ſhillings, then a waſtell loafe of a farthing ſhall weigh 3. li. viij. s.

Bread

When it is ſold for ij. s. vj. d. liiij. s. iiij. d. ob. q.

when for iij. s.	xlviij. s.
when for iij. s. vj. d.	xlij. s.
when for iiij. s.	xxx. vj. s.
when for iiij. s. vj. d.	xxx. s.
when for v. s.	xxviij. s. vj. d. ob.
when for v. s. vj. d.	xxvij. s. vij. d. q.
when for vj. s.	xxij. s. viij. d.
when for vj. s. vj. d.	xix. s. xj d.
when for vij. s.	xix. s. j. d.
when for vij. s. vj. d.	xviij. s. fd. ob.
when for viij. s.	xviij. s.
when for viij. s. vj. d.	xvj. s.
when for ix. s.	xv. s. q.
when for ix. s. vj. d.	xiiij. s. vij. d. ob. q.

when for j.s. | viij.s.viij.d.ob.
when for j.s.viij.d. | vij.s.vj.d.ob.q.
when for vj.s. | vij.s.iiij.d.q.
when for vj.s.viij.d. | vj.s.x.d.
when for viij.s. | vj.s.iiij.d.

Gaine

And then a Baker of euery quarter of wheat (as it hath beene proued by the Kings Bakers) may gain foure pence and the branne, and two loaues for aduantage, for three seruantes one penie ob. for two lads ob. in salt ob. in yest ob. for candle q. for wood three pence, for his bultel ob. When a quarter of Wheat is sold for three shillings, or three shillings and foure pence: And a quarter of Barley at the price of twety pence or two shillings: And a quarter of Otes at sixteene pence: Then Brewers in Cities ought and may well afford and sell two gallons for one penie: And out of Cities they may sell three for j.d. And when in a borough there are 3. gallons sold for j.d. then without they shall sell iiij. and well they may. And this assise shall be holden through England. So when a quarter of barley is sold for y.s. then iiij. gallons of Ale in the countrey shal be sold for j.d. when for y.s. vj.d. then by. gallons for y.d. when for iij.s. and vj.d. then v. gallons for ij.d. when for iiij.s. then ij. gallons for j.d. and so further it shal grow or diminish by sixe pence. And if a Baker or Brewer be conuicted, that they haue not kept the foresayde Assises: The first, second and third time they shal be amerced, according to the quantity of their offence. And that as often as a Baker shall offend in the weight of a farthing loafe of bread, not aboue ij.s. weight, that then he be amerced as is aforesayd: But if hee exceed ij.s. then hee is to bee set vpon the Pillorie, without any redemption by money. In like maner shall it be done, if he offend oftentimes, and wil not amend, then he shal suffer the iudgement of the body, that is to say, the Pillorie, if hee offend in the weight of a farthing loafe, vnder ij.s. weight, as is aforesayd. Likewise the woman Brewer shall bee punished by the Tumbrell, Trebuchet or Cattigatorie, if she offend diuers times and will not amend. The Statute of assise of bread and ale, Anno 51.H.3. as it is commonly taken.

Brewers

The assise of bread

3 The assise of bread as it is contayned in the writing of the K. Marshalsey to them deliuered, be holden according to the sale of wheat, that is to say, of the best, second and third, as well the wastell as other breade of what kinde soeuer they be, bee weighed, as it hath beene sayde by the sale of the middle Corne. The assise or weight of bread shall not be changed, but by the increase or decrease of vj.d. in the sale of a quarter. A Baker if his bread of a farthing be found wating weight but ij.s.vj.d. or vnder, he shall bee amerced, and if it want more weight then that, he shall be set on the Pillory, and shall not redeeme it for gold nor siluer. And that euery Baker haue his proper marke for his bread. That there bee a Pillorie or Collistrige of a conuenient strength, so all Offenders may suffer the iudgement without perill of their bodies. Toll at the Mill shall bee taken according to the custome of the Countrey and strength of the course of the water, eyther the twentie graine or the foure and twenty graine: And that the measure by which the toll is to bee taken, be agreeing with the Kings measure: And that the Toll bee taken by stricke, and not by heape or Cantell: And if the Fermers doe finde vnto the Millers their necessaries, they shall take nothing besides their due toll, and if any doe otherwise, they shal be grieuously punished. The assise of Wine be kept according to the Kings Assise, viz. a gallon at twelue pence: And if Tauerners exceed that Assise, let their doores bee shut vp by the Maiors and Bailifes, and let them not sell wine, vntil they haue obteined the Kings licence. The assise of Ale shall be appointed, proclaimed and obserued according to the sale of the Corne, whereof the malt is made: And the Brewer shal not increase more in a gallon except the quarter of Malt increase by sixe pence. And if he breake the Assise, he shall be amerced the first, second and third time, but at the fourth time he shall bee set on the Pillorie without redemption. A Butcher that selleth Swines flesh measeled, or flesh dead of the murren, after hee shall bee conuict thereof, for the first time hee shall bee grieuously amerced, the second time he shall suffer iudgement of the Pillorie, and the third time hee shall be imprisoned and make fine, and the fourth time hee shall abiure the Towne: and in this manner be it done against all transgressors. The Standerd of bushell, Gallon and yard, signed with the Kings Iron Seale diligently, and bee safely kept vnder the pain of one hundreth pounds. And that no measure be made in any town, except, it agree with the kings measure, & be signed with the signe of the Comminalty of the Towne. If any buy or sell by measures net signed nor examined by the Maior or Bailifes, he shall be grieuously amerced: And that all the measures of euerie Towne both great and small be examined diligently, and seene twise in the yeare. And if they be conuicted of a double measure, viz. a greater to buy with, and a lesser to sell with, he shalbe as a falsifier imprisoned and grieuously punished. The standerd of the Bushell and yard shall be in the custody of the Maior, and Bailifes, and of sixe lawfull sworne men of the Towne before whome all measures shall be signed. No kinde of Corne shall bee sold by heape or Cantell except Dates, Malt, and Meale. And if any presume to sell the Meale of Dates falsified by any deceitful meane, for the first offence hee shall be grieuously punished, for the second he shall lose all his meale, the third time hee shall be set on the Pillory, and the fourth time he shall abiure the towne. (See also a clause of this statute concerning Forestallers, in Forestallers, 1.) All the premisses shalbe firmly kept on the part of the K. so as if any great or little, shall presume in any thing against the foresaid statutes, by word, counsel, help or fauor, he shalbe apprehended as a contemner of the K. comandements, & shalbe imprisoned, & not deliuered but by the K. expresse comandement and writ. And be this present schedule deliuered to the Maior and Bailifes, and sixe lawfull sworne men of the Towne with the standerds, Bushels, Gallons, yards, and stones to be obserued, that

The assise of Ale

Brewers

Gaine

Amerced

Pillorie Butcher

Standerd Signed

Measures

Signed

Seene

Standerd

Remaine

Corne Dates

Pillorie Abiure

Wastell

Middle Corne Weight Change

Amerced Want Weight Pillorie

Marke Pillorie

Toll

Strike Fermers

Wine

when

when néede shall bée, they may bee directed by the same schedule. The Statute of Bakers and Brewers, & other victailers made Añ 31. Ed. 1. as it seemeth by 14. E. 3. cap. 12. here 12.

4 First, sixe lawfull men shall be sworne truely to gather all the measures of the Towne, that is to wit, bushels, halfe a quarter bushels, gallons, pottels and quarts, as well of Tauernes as of other places, measures and weights, that is to wit, pounds, halfe pounds, and other little weights, wherewith bread of the Towne or of the Court is weighed, that is to say, one loafe of euerie sort of bread. And vpon any measure, yard, weight, and also vpon euerie loafe, the name of the owner shall be written. And likewise they shall gather the measures of Milles. After which thing done, twelue lawfull men shall be sworne to make true answere to all such things as shall be demaunded of them in the Kings behalf vpon the Articles here following, and such things as be secret, they shall vtter secretly. And the Baylife shal be commaunded to bring in all the Bakers and Brewers with their measures, and all things vnder written. First they shall be asked of the price of wheat, that is to wit, how a quarter of the best wheat was sold the last Market day, and how the second wheat, and how the third, and how a quarter of Barley and Otes. Afterward, how the Bakers bread doth agrée with the K. court, that is to wit, the wastel and the other bread of wheate of the best, or of the second, or of the third price. Also vpon how much increase or decrease in the price of wheat, the Baker ought to change the assise and weight of his bread. Also how much the wastell of a farthing ought to weigh, and all other maner of bread, after the price of the quarter of wheat which they present. Also for what default in the weight of the bread, a Baker ought to be amerced, or to be iudged vpon the Pillorie, according to the Law and custome of this Court. Also if any Steward or Baylife, for any bribe, hath released the punishment of the Pillory and Tumbrell, being already iudged, or to be iudged of right. Also if they haue in the town a Pillory of conuenient strength, as appertaineth to the liberty of their market, which they may vse (if need be) without bodily peril either of man or woman. Afterward they shal be asked of the assise and sale of Wine after the departure of the Iustices in Eyre, or of them that were last in the seruice of the market of the Town, that is to say, of the Wintners names, and how they haue sold the gallon of wine. And if any corrupted wine be in the towne, or such as is not wholsome for mans body. Also of the assise of Ale in the court of the town, how it is, and whether it be obserued, and if not, how many Brewers haue sold contrary to the assise, and they shall present their names distinctly and openly, and they shal be amerced for euery default, or be iudged to the Tumbrell, if they sell contrarie to the assise. Also if there be any that sell by one measure and buy by an other. Also if any doe vse false yardes, weights or measures. Also if any Butcher doe sell contagious flesh, or that dyed of the murren. Also if Cookes that seeth or bake flesh or fish in paste or water, or any otherwise, that is not wholesome for mans body, or after that they haue kept it so long that it leeseth his naturall wholesomenesse, and then heateth it again and sell it. Also of forestallers, that buy any thing afore the due and accustomed houre against the good state and weale of the Town and Market, or that passe out of the Towne to meete such thinges as come to the Market, being out of the towne, to the intent that they may sell the same in the Towne more deare vnto regrators that vtter it more deare then they would that brought it, in case they had come to the towne or market. Anno 51. H. 3. as it commonly noted, but as it seemeth not to bee any Statute, but certaine Articles of enquirie vpon the Statute of Victuallers, Bakers and Brewers, & Forestallers, 31. Ed. 1. (before 3.)

5 It is ordayned that three graines of barley drie and round do make an ynch, xij. inches make a foot, three feet make a yard, fiue yardes and a halfe make a pearch, and fortie pearches, and 4. in bredth make an acre.

The composition of yards pearches and acres.

6 When an acre of Land containeth 10. pearches in length, then it shall be in breadth 16. pearches, when it containeth 11. pearches in length, thē it shal be in bredth 14. dim. qr. one foot, whē it is 13. then 13. 5. foot, one ynch, when 14. then 11. 7. foot 1. ynch, when 15. then 10. and dim. two foote and dim. when 16. then 10. when 17. then 9. three foote, 3. ynches and dim. when 18. then 8. dim. sixe foote and dim. 5. ynches, when 19. then 8. 6. foote 4. ynches and dim. when 20. then 8. pearches, when 21. then 8. pearches and dim. 2. foot one ynch, when 22. then 7. 1. qr. 8. ynches and dim. when 23. then 6. and dim. 3. ynches, 6. foot and dim. when 24. then 6. and dim. 2. foot and dim. 3. ynches, when 25. then 6. and 1. qr. 2. foote and dim. ynch, when 26. then 5. and dim. 6. foote 2. ynches, when 27. then 5. and dim. 3. foote, when 28. then 5. 7. foot and dim. when 29. then 5. 6. foote and dim. when 30. then 5. sixe foote, when 31. then 5. two foote and dim. when 32. then 5. when 33. then 4. dim. 1. qr. 1. foot and dim. one ynch, when 34. then 4. and dim. 3. foot foure ynches, and dim. 1. qr. when 35. then 4. and dim. one foote 2. ynches and dim. when 36. then 4. one qr. 3. foot & 5. ynches and dim. whē 37. then 4. 1. qr. 3. foote & dim. when 38. then 4. 4. foot & dim. when 39. then 4. 1. foot and dim. 2 ynches and dim. when 40. then 4. when 41. then 3. 1. qr. 2. foote and dim. when 42. then 3. 1. qr. 2. foote, when 43. then 3. one foot and dim. when 44. then 3. and dim. foote and 5. ynches, whē 45. then 3. and dim. Añ 31. E. 1. Treatise of measuring land.

7 By the consent of the whole Realm of England, the Kings measure was made, viz. That an English penie, which is called the sterling, round without clipping, shall weigh two & thirty grains of wheat dry in the middest of the eare, and twenty ℔. make an ounce, and 12. ounces make a ℔. and eight ℔. make a gallon of wine, and eight gallons of wine, make a bushell of London, which is the 8. part of a quarter. The ordinance of measures, Añ 31. Ed. 1.

8 The load of lead doth consist of 30. formels,

Formell
Stone
Pound

and euery formell containeth 6. stone, except two pound: and euery stone doth consist of 12. pound, and euery pound consisteth of the weight of fiue & twentie shillings, whereby the sum in the formel is 70. li. But the summe of the stones in the load is 8. times 20 and 15. and it is proued by fiue times 30. which is nine times 20. But of euery formel there are abated 2. pound in the foresaid multiplication, which are 60. which make 5. stone. And so there are in the load 8. times 20. and 15. as is abouesayd. According to some other it consisteth of 12. weights, and this is after Troy weight. And the summe of stones in the load is eight times twenty and eight stone, and it is proued by twelue times fouretéene.

Weight
Woolt
Tallow
Cheese

There is a weight aswel of lead as of woll, tallow, and cheese, and weigheth fouretæn stone. And two weights of woll make a sacke, and twelue sackes

Herrings

make a Last. But a last of herrings contayneth ten thousand, & euery thousand containeth ten hũdred,

Leather

and euery hundred fiue score. A Last of Leather doth consist of 20. dicker, and euery dicker consisteth of 10. skins. And a dicker of gloues consisteth

Gloues

of 10. paire of gloues. Item a dicker of horseshoes doth consist of 10. shoes. Item a dozen of gloues, parchment, and vellam in their kinds contayn 12. skins, and 12. paire of gloues. Item a hundred of

Ware
Spice

ware, sugar, pepper, cynamum, nutmegs, and allum, contayneth 13. stone and a halfe, and euerie stone 8. pound. The sum of pounds in a hundred, 108. li. And the hundred is contayned of fiue times twenty, and euery poũd of fiue & twenty shillings.

Pound

Item it is to be knowne, that the pound of pence, spices, confections, as of electuaries, consisteth in weight of twenty shillings. But the pound of all other things, weigheth 25. s. Item of electuaries and

Ounce

confections, the pound contayneth twelue ounces, & one ounce herof is of the weight of twenty pence.

Canuas
Elles

Item a hundred of canuas and linnen cloth consisteth of one hundred elles, and euery hundred contayneth fiue score. But the hũdred of yron & shillings consisteth but of fiue score. The dozens of yron consisteth of fiue peeces. The seeme of glasse containeth

Seeme

24. stone, and euerie stone fiue pound. And so the seeme contayneth fiue score pound. A bind of Eeles

Bind
Eeles

consisteth of 10. strikes, and euery strike 25. eeles.

Skinnes

But the binne of skins consisteth of 33. skinnes. A timber of conie skins and Grayes consisteth of 40. skins. A chef of Fustian consisteth of 14. elles, a

Chef

Chef of Sindon contayneth tenne elles, a

Sindon
Garlike

hundred of Garlike consisteth of 15. ropes, & euerie rope containeth 15. heads: a hundred of hard fish is eight score. Compositio de ponderibus. The 9. & 11. number in the old print bee left out here as needeleslie, the same beeing contained in the two. And the 10. is placed here in the 5. place.

12 Whereit is contayned in the great Charter (before 1.) that one measure and one weight be throughout England, and also in a Statute made in the time of King Edward, Grandfather to the King that now is (before 3.) that none shall sel by the bushel, if it be not marked with the kings seale, and bee according to the Standerd: And that hee which shalbe attainted for hauing double measure, viz. one great to buy with, and a lesser to sel with, shal be imprisoned as a falsifier, and grieuously punished, which things haue not beene kept, to the great griefe of the people: It is accorded that from

Weight

henceforth one weight shalbe throughout the realm

Treasorer
Standerd

of England. And that the Treasorer doe to bee made certaine standerds of bushels, gallons, of weights of brasse, and sende the same into euerie Countie, where such standerds bee not sent before this time. And thereupon shalbe assigned two good and sufficient persons in euerie Countie, and more according as the Countie in greatnes requireth, to

Survey

survey as well within franchise as without, that the measures and the weights be according to the standerd. And that they haue power to enquire,

Diuerse
Punish

heare and determine, and to punish all those that

Shirifes

shall bee found thereof guiltie. And that the Shirifes at their commaundements receiue and retaine them in Prison til they haue made fine to the King. And euerie person that will complaine of such as doe offend in buying or selling, shall bee heard aswell for the King as for themselues. And

Estreats

that the sayd Assignes shall deliuer their Estreates euerie yeare in the morrow of Saint Michaell at

Exchequer

the Exchequer, and take for their expences the fourth part of that that they may leuy, and answere to the King of the three partes. And of that that may not bee leuyed before their profer, the 4. part shall bee allowed to them at the Exchequer, and the three parts leuyed to the Kings vse. And

Clerke of the market

it is not the Kings minde, but that the Clerke of the Market shall doe his office where hee will, according as he was wont do doe in times past. Nor the Lords of franchises shall not be out of their frãchises, by the occasion of this ordinance. Anñ 14. E. 3. cap. 12.

13 To auoid the deceit of the weight called auncell. Be it &c. That this weight called Auncell,

Auncell

betwirt buyers and sellers, shall be wholy taken away. And that euerie sale and buying bee by the

Ballance

ballance, so that the ballance be euen, and the wools and other Marchandises euenly weighed by right

Woolt
Stone

weight, so that the sacke of Woll weigh noe more but fiue and twentie stones, and euerie stone to weigh fouretéene pound. And that the beame of the ballance doe not bow more to the one part then to the other. And that the weight bee according to the standerd of the Exchequer. And if any buyer

Punish

do the contrarie, he shal be grieuously punished aswell at the suit of the party, as at the the kings suit. Anno 25. E. 3. cap. 9.

14 Whereas Magna Charta (before 1.) contayning that one measure should bee throughout the whole Realme, hath not beene well kept in that poynt: It is accorded, that all the measures, that

Bushell
Gallon

is to say, bushels, halfe bushels, pecke, gallon, pottell, and Quart throughout England, within Franchises and without, shall be according to the

Quarter

Kings standerd. And the quarter shall contayne eight bushels by the standerd, and no more. And euerie measure of Corne shall bee striked without heape, sauing the rents & fermes of Lords, which shall be measured by such measures as they were wont in times past. And the purueyors of the K.

Purueyors

of the Quéene, and all others shall make their pur-

ueyances

uelances by the same measures, striked in the same manner. And at all times that shall be needfull, our soueraigne Lord the King shal assigne certaine Justices in euerie Countie to inquire, heare and determine, vpon the points aforesayd, and vpon the same to doe punishment according to the Trespasse, as well at the parties suite, as at the kings. So alwayes that all manner of Franchises be saued to the Lords in all pointes without blemish to bee made in any manner. Anno 25. Edw. 3. cap. 10.

Justices Diers & ters.

15 Because that some Merchants doe buy by one weight, and doe sell by an other, and do vse deceitfull draughts vpon the weightes, and doe also vse false measures and yardes: Bee it enacted &c. That one weight, one measure, and one yard, bee through all the Land, as well out of the Staple as within. And that woolles, and all maner of goods of weight, be weighed by the Ballance, so that the tongue of the ballance bee euen without bowing to the one side or to the other, or without putting hand or sote, or other touching of the same. And that he that doth against this, to the damage of the seller, shall forfeit to vs the value of the Merchandize so weighed and measured, and the partie that will complaine of him, shall haue the quadruple of that that he shall be endamaged, and the trespasser shall haue one yeres imprisonment, and be ransomed at the kings wil, and thereupon Justices shal be assigned to enquire of such trespasses at all times that shall bee needfull, and to do right as well at our suit, as at the suite of other that thereof will complaine. Anno 27. Edw. 3. cap. 10. Statute of the Staple.

Ballance

Fork.

Imprisf. Fine Justices

16 The said Statute (viz. 27. E. 3. cap. 8. after, Wines 8.) shall bee holden and kept in all points. And moreouer if any sell Tunne or Pipe of Wine not gauged, that the sayd seller shal forfeit the same Wine, or the value to the King. Anñ 31. Ed. 3. cap. 9.

Wine Gauge Fork.

17 They which shall bee assigned to keepe the peace, shall haue power to enquire of measures, & also of weightes, according to the Statute thereof made the fiue and twentieth yere of the Raigne of our Soueraigne Lord the King that now is (cap. 9. & 10. before 13. & 14.) which things the King will that they shal be cryed in euerie County within franchise and without, betwixt this & the feast of Easter next comming, to the intēt that they be holden and kept in all points. And that the sayd keepers of the peace inquire and punish al those whom they shall find to haue done against the sayd statute after the sayd Proclamation made. And also the said proclamation shalbe made in cities, boroughs, and townes enfranchised, that the said articles bee holden and kept in all points, vpon the payns contayned in the statute made the 28. yere of the raign of our Soueraign Lord the King that now is, touching the Citie of London, and other Cities and Boroughes of the Realme. And if they keeps not the sayd Articles, the King in their default shall doe the same Statute (made of the same paynes) to bee put in execution against them. Anno 34. E. 3. cap. 6.

Inf. of p. Enquire

Proclamation

London

18 One measure and one weight be throughout all the Realmes of England, as in the great Charter, and all other good Statutes and Ordinances thereof made, is more plainely contayned. And euery man that shall be conuict that he hath or vseth any other measure or weight, shall haue imprisonment of halfe a yeare, & make grees to the party grieued, to the double of his losse, except it be in the countie of Lancaster, because that in that Countie it hath alwayes beene vsed to haue greater measure then in any other part of the Realme. Anno 13. R. 2. cap. 9.

Measure Imprit.

Lancaster

19 Whereas it is ordained by diuers statutes, that one measure of Corne, Wine, and Ale, should be throughout the Realme, and that eight bushels striked make the quarter of Corne: Neuertheless because that noe payne is thereupon ordayned in the said statutes, diuers people of diuers Cities, boroughes, townes, and markets, will not take, neither buy in the said cities, boroughes, townes, markets, ne in none other place, but after nine bushels for the quarter: And if they cannot buy in that maner, they arrest it as forfeit, to the great damages and oppression of all the people, and manifestly against the statutes aforesayd: It is ordained and assented, that the saide Statutes shall bee firmely kept and holden, aswel in the City of London, as in any other place throughout the Realme, and that as wel by water as by land, notwithstanding any vsage or custome in times past vsed to the contrarie. And that none seem henceforth do buy in the Citie of London, ne in any other place, noe maner corne nor malt, but after eight bushels the quarter, according to the purport of the saide Statutes, vpon payne of forfeiture of all the Corne or malt so bought, sauing to the K. the said forfeiture, except franchises royall, to whom the King of his especiall grace hath graunted the same forfeit, and that as wel the Maior and Shirifes of London, as the Maiors and Bailifes of other cities, boroughs, townes and Markets (if they doe not thereof full and due execution) shall incurre like payne as well at the suite of the King, as of the partie or any other person that will sue for the king. An. 15. R. 2. cap. 4.

Peasure

London

Quarter

Fork.

Mayors Sheriffes Baylifes.

20 All the weights & measures throughȳ realm, shalbe according to the standerd of the Exchequer, after the form of the statutes therof made. And also the K. wil, that the clerke of the market shal haue all his measures & weights ready, according toȳ standerd of the Exchequer, & signes, and markes of the signe of the Exchequer to that ordayned, & the same weights & measures so signed & marked, to cary and bring with him at all times that he shal make ȳ assay of weights & measures in any part within the realm, & that he nor none other of the K. liege people shall vse none other measure nor weight, vpon the pains contained in the statutes therof made before this time. An. 16. R. 2. cap. 3.

Standerd

Clerk of the market

21 Whereas in the time of the K. progenitors, it hath bin ordained, ȳ one measure of corne should be through all the realme, viz. eight bushels for ths quarter, and that euery bushell should containe 8. gallons: by force of which ordinances such measure

hath haue vsed, with one Bushell of the Purueyor heaped. And notwithstanding the said good ordinances and wages, the Purueyours of Corne for the Kings houshold haue taken nine bushels for the quarter, & that by measure not sealed nor striked, and without due price set vpon wage according to the law, against the sellers will, and also haue caused them to make cartage thereof without paying for it. Also the Citizens of London also do the like by a measure called the fate, and they also take money for bleaching, whereby the buyers of Corne, in the Countrey will haue the like measure, to the great destruction of the Communaltie: Wherefore &c. That all the said good ordinances be firmely holden and kept after the effect of the same. And that noe Purueyour of our Soueraigne Lord the king, nor none other, shall vse hereafter to buy or take any Corne by other measure, but eight bushels striked for the quarter, and that none be otherwise holden to deliuer for the quarter but eight bushels striked, as it is aforesayd, & also that the payment be made in hand for the cariage. And that if any Purueyor of our Soueraigne Lord the King or any other person, buy or take any corne otherwise, or by other measure but eight bushels striked for the quarter, as in the sayd ordinances is contayned, & therof be attainted, he shall haue one yeares imprisonment, and pay to the King an hundred shillings, and to the partie that feeleth himselfe grieued, an other hundred shillings, and that as often as any of them be attainted therof, and that the partie which shall sue, haue an action grounded vpon the case: and that the Justices of the peace haue power to inquire and hold plea of al these things aforesaid, and vpon that make punishments as aforesayde, aswel at the suit of the King, as of the partie, and that from henceforth nothing bee taken for the measuring of such Corne in any wise. Anno 1. Henr. 5. cap. 10.

Purueyor

Quarter

Measure

Imprison Fine

Action Ju. of P.

23 The King doe to be ordayned good and iust weight of noble, halfe noble, and farthing of gold, with the rates necessarie to the same, for euery Citie, Borough, and market Towne of the Realme, to be deliuered by the Chauncellour of England to them that will haue them, to the intent that they be not deceiued by false counterfeitors, and them that vse false weight in deceipt of the people. Anno 9. H. 5. cap. 7.

Weight Gold

Chancelor

24 Forasmuch as by craft and subtilty now of late, vessels of wine, Herring, Eeles and Salmon, be of much lesse measure then heretofore they haue been: Be it &c. ỳ no man, after ỳ end of 12. moneths of the feast of Easter next comming, shall bring into the Realme of England, of what countrey soeuer it be, nor make within the same Realme tunne of Wine, except it contayne of English measure 252. gallons, the pipe 126. gallons, and so after the rate, the tercian, & the hogshead of Gascoine wine, vpon paine of forf. of the same wine, nor barrell of Herring nor of Eeles, vnles they contayn 30. gallons fully packed, nor butte of Salmon, vnlesse it conteine 84. gallons fully packed, nor kilderkins, tercians and firkins of herring, nor of Eeles, nor of Salmon, but after the rate fully packed, after the feast of the Natiuitie of S. Iohn the Baptist next comming, vpon payne of forfeture of the said Herring, Eeles, and Salmon, so brought or made contrary to this ordinance, in what citie, borough, and town of the Realm, or in any part of England, that such defaults be found, to the lord of the same to him. And that he that will sue & proue the said defaultes, shal haue the fourth part of the same forfeiture. And the Justices of peace in all the Counties of England, and Maiors and Bailifs, hauing power to inquire of the peace, shall enquire, heare and determine all the same defaultes. And that this ordinance extend and haue strength, as well within the Countie of Chester, as elsewhere. Anno 2. H. 6. cap. 11.

Tunne Wine Measure

Forf. Fish

Forf.

Ju. of P. Maiors Bailifs Diet & ter.

25 The Justices of peace, Shirifs, Eschetors, and other persons to be assigned by the King, shall haue power by Commission to enquire of all falsifiers and counterfeiters of false weights, & to take and imprison them, & in prison to hold them without mainprise, till they be acquite or attainted: and if they be attainted their bodie shal abide imprison, til they haue made fines and ransomes after the discretion of the said Justices. And that the same Justices haue power thereof to inquire, heare & determine, as often as to them shall seeme necessary. Añ 9. H. 5. cap. 8. Parl. 2.

Ju. of P. Shirifs Eschetors

Imprison Mainprise

Enquire Diet & ter.

26 Whereas by the great Charter of the liberties of the Realme of England (before 1.) and by a Statute made the seuen and twentieth yeare of King Edward the third (before 15.) it was ordayned, and by a Statute made the thirteenth yeare of King Richard the second (before 19.) confirmed, that one weight & one measure should bee through all the Realm of England as wel out of the staple, as within. And in the same Statutes of the sayde Noble King Edward (before 13.) it is contayned, that the weight called Auncell, for the great pannage and subtill deceipts done by the same measure to the common people, shall be vtterly left and separate, and the woolles, and all other manner of Merchandise, and all other things lying in weight, bought or sold, shall be weighed by the ballance, so that the tongue of the ballance do not inclyne more to the one partie then to the other, with weightes sealed, and according to the Standerd of the Exchequer. And hee that doeth contrarie to the dammage of the seller, shall forfeit to the King the balour of the goods so weighed or measured: And that the partie complainant haue the quadruple damages. And by the said Statute of the said Noble K. Richard, it was added, that the Offender shall bee imprisoned by two yeares, and make fine and ransome at the Kings will: And that the Justices of Peace should haue power to enquire of the said defaults aswell at the Kings suit as the parties: (But note that the preamble reciteth these Statutes otherwise then we haue them.) Our Soueraigne Lord the King, by authoritie of this Parliament, hath ordayned and stablished, that the Statutes and Ordinances aforesayde, shall bee firmely kept and holden, and straitely executed. And moreouer, for to eschew diuers great mischieses which haue happened within the Realme of England, by

Measure

Auncell

Forf.

4. damages

Iust. of P.

by the said Auncell, and specially for to destroy the falsities of the Regratours of yarne, called Yarne choppers: It is ordained by our said Soueraigne Lord the King, by authoritie aforesaid, that in euerie Citie, Borough, and Towne of the Realme of England, common ballance shall be, with common weights sealed, and according to the Standerd of the Exchequer, vpon the common costs of the said Citie, Borough, or Towne, in the keeping of the Maior or Constable of the same, to which ballance and common weight all the inhabitants of the same Citie, Borough, or Towne, that haue not such weights, and other that haue, if they will, may freely weigh, without any thing paying, taking nevertheless of forreines for euerie draught within the weight of vi. pounds a farthing, and for euerie draught betwixt fortie pounds and an hundred, an halfe penie, and for euerie draught betwixt an hundred pounds and a thousand pounds, a penie at the most, whereof the weights shall be maintained, and the Officers lawfully weighing, rewarded by the discretion of the chiefe of the Citie, Borough, or Towne, according to his attendance to the said occupation, be it more or lesse. And that no man buy yarne of woll, called woollen yarne, vnlesse hee will make cloth thereof, nor vse weight nor measure, nor other thing in the place of weight or measure, that is not sealed according to the said Standerd, nor put any thing to the same by the way of hanging or couering, or in any other manner that may encrease the measure or weight, or let the ballance to haue his owne course, vpon the forfeiture and paine aforesaid. And that the Justices of peace, Maiors, Bailifes, and Stewards of Franchises, haue power by authoritie aforesaid to examine the trespassers in this case, and for to enquire in especiall of offenders against this ordinance, and to doe execution against them that be found defective, by enquests, or by examination to be made by the sayd Iudges or Officers in this case, in the manner as afore is said. And that this ordinance bee holden and obserued, from the feast of Easter next ensuing for euer. And that euerie Citie vpon paine of ten pounds, euerie Borough vpon paine of an hundred shillings, and euery Towne where a Constable is, vpon paine of xl. s. haue a common ballance, with weights according to the said Standerd, within two monethes after Proclamation made of this ordinance, which paine shalbe leried to the vse of our Soueraigne Lord the King, as often as they shall be defective against the said Proclamation. An. 8. H. 6. cap. 5.

Regratours

Ballance

Maior Constable

Fees

Yarne

Weight

Measure

Iust. of P.

Maior

Bailife

Steward

Enquests

Examination

Officers

Citie

Borough

Ballance

King

27 By force of the Statute made in the last Parliament (s. An. 8. H. 6. cap. 5. before 26.) of weights, according to the Standerd of the Exchequer to be had in euerie Citie, Borough, & Towne within the Realme, the Burgesses of the Borough of Dorcester shall not be disturbed of their right, to vse their weighing by xv. mile about the same Borough, vsing alwaies such weights as in the sayd Statute is exprelled. And that no right nor title of weighing grow to any by force of the same last statute in disturbance of ỹ right of the said Burgesses of the said borough of Dorcester. An 9. H. 6. c. 6

Dorcester

28 Whereas it hath beene of old time vsed in all Counties, that all the cheses which were to be sold by the weigh, were weighed by the Auncell, which now is taken away in the last Parliament (before 26.) and other touching weights there ordained: And now the poore people be deceiued, not knowing how many pounds the weigh of cheese doth containe by the said touching weights: Therefore be it ec. That the weight of a weigh of cheese shall containe xxv. cloues, that is to say, euery cloue by. l. by the said touching weights. An. 9. H. 6. cap. 8.

Weight cheese

29 Forasmuch as notwithstanding all the statutes made for weight & measure of corne, and the ordinance made An. 1. H. 5. (before 22.) as well Bakers, Marchants, & common buyers of corne, as also the Kings Purueyors, doe still take nine bushels for the quarter: Our Soueraigne Lord the King willeth, that as well the sayd Statutes, as the Statutes of weights and measures made at the Parliament of our Soueraigne Lord the King that now is, the eight yeare of his raigne, (before 26.) be proclaimed as well in the Citie of London, as in all other Cities, Boroughes, and Counties of England, and put in due execution, after the forme and effect of the same. Ioyning to the said Statute made the said eight yeare, that in euerie Citie, Borough, and Towne of the Realme, there shall bee a common bushell sealed, and according to the Standerd in the Exchequer in the same maner & forme, and vpon the same paine, as in the same Statute is specified of a common ballance to be in euerie such Citie, Borough, and Towne. And that the Maior of the Citie of London, and all other Maiors of all other Cities and Boroughes of England, where there is a Maior, and all Bailifes of Cities & Boroughes where there is no Maior, and all Iustices of peace in euerie County of England for the time being, shall haue full power to put all the Statutes and ordinances aforesaid in due execution, and heare and determine all the defaults, misprisions, offences and trespalles against the forme and effect of the sayd Statutes and ordinances, done or to be done or committed, as well at the suit of the King, as of the partie that in such a case feleth himselfe grieued, and of any other of the Kings liege people, which in this behalfe will sue for the King our Soueraigne Lord, and that as well by examination of the parties, or any of them, after the discretion of the said Maiors, Bailife, and Iustices of peace, as by issues to be tried by Inquisitions duely to be taken, and other pleas and proces of the law of the land, And that as well the partie grieued, as another liege man of our Soueraigne Lord the King, that will sue for the King, shall haue the suit in that case at his will. And that he that is so attainted of any default, misprision, offence, or trespasse done against the said Statute made the said first yeare, shall pay to him, at whose suit he is thereof attainted, an C. s. and his reasonable costs of the said suit, and to the King another C. s. And that as well the Maior of London for the time being, after he is chosen Maior, and swore within the sayd Citie at his first comming to the Exchequer before the Treasorer of England, and

Proclamation London

Cities

Bushell

Ballance

Maior

Bailifes

Iust. of P.

Diers & ten.

Examination

Fork.

Costs

Maior

Ba-

Barons of the Kings Exchequer, as euerie of the
Oath said other Maiors and Bailifes in their oaths to
be made for their said Offices, shall be charged and
sworne to doe, keepe and execute all the Statutes
aboue said. And that all the Maiors and Bailifes
Account of Cities and Boroughes of the Realme accomp-
table in the sayd Exchequer, doe yearely account in
said Exchequer, of the profits and forfeitures that
may or ought to appertaine to our Soueraigne
Lord the King, by the forme of the sayd Statutes.
Sauing alwayes to Lords, Cities, and Boroughs,
their Liberties and Franchises graunted to them
by our said Soueraigne Lord the King, or any his
progenitors, not reuoked, repealed, or annulled.
And sauing alwayes, that the said Statute made
the first yeare of King Henrie the fift, and all other
Statutes of Measures and Weights afore made,
stand in their force. An. 11. H. 6. cap. 8.

* 30 Forasmuch as all the Tunnes, Pipes, Mer-
Tunne cians, and Hogsheads of Wine, Oyle, and Honie,
Pipe vendible within the Realme of England, ought
Hogshead and were wont after the auncient assise of the same
Realme, to containe a certaine measure, that is to
say, euerie Tunne twelue score and twelue gal-
lons, euerie Pipe six score and six gallons, euerie
Mercian foure score and foure gallons, and euerie
Hogshead three score and three gallons. And by di-
uers Statutes it hath beene ordained, That the
Tunnes and Pipes of Wine should bee gauged:
But for the gauging of Tunnes and Pipes of oyle
and honie, or of Mercians and Hogsheads of wine,
no ordinances haue beene made in certaine before
this time, to the great dammage of the King and of
his people: The King willing against this dam-
mage to prouide a remedie in this behalfe, hath gran-
ted and ordained by authority aforesaid, That from
henceforth all maner of Tunnes, Pipes, Mercians
and Hogsheads, as well of wine as of oyle and ho-
nie, to be sold within the said Realme, shall be well
Gaugeor and lawfully ganged by the Kings Gaugeor, or by
his deputie before that they be sold, vpon paine to
Fork. forfeit to the King all the wine, oyle, and honie,
contrarie sold, or the value of the same. And in case
that any person of what countrey that he be, from
henceforth sell to any of the Kings liege people, for
any price in certaine, any Tunne, Pipe, Mercian,
Hogshead of wine, oyle, and honie, which wanteth
in any wise of the assise and measure aforesaid, that
Allow he allow and rebate of the same price to the buyer
of such wine, oyle, and honie, as much as such de-
Fork. fault after the rate shall amount, vpon paine to for-
feit to the King the value of all the wine, oyle, and
honie, contrarie sold: any priuie couenant made,
or to be made betwixt the seller and the buyer, con-
trarie to this ordinance notwithstanding. And e-
uerie person that espieth any of the forfeitures a-
foresaid, and therof informe the Treasurer of Eng-
land, or the Barons of the Exchequer, shall haue
Moitie the halfe of the same forfeitures for his labour.
Prouided alwayes, That the sayd Gaugeor take
and haue for his labour towards the gauging of e-
uerie Tunne and Pipe of oyle and honie, as he ta-
keth and hath of euerie Tunne and Pipe of wine,
and for euerie Mercian and Hogshead after the
rate. Anno 18. H. 6. capit. 17.

31 Vpon complaint of the defaults of Butts of
Marchant Malueste, and other vessels of wine and oyle: Be
it &c. That no maner Marchant nor other person,
from the Feast of Saint Michael the Archangell
next comming, shall bring, nor cause to be brought
Butt into this Realme, any Butt of Malueste to be sold,
vnlesse it doe containe in measure at the least one
hundred twentie and six gallons, nor no maner of
vessels with any manner of Wines, of whosoeuer
they be, or of what countrey they be, nor no man-
ner of vessels of oyle, vnlesse the same vessels of
wine or oyle doe containe and hold the measure
Tunne and assise following, that is to say: euerie Tunne
to containe twelue score gallons and twelue: And
Pipe euerie Pipe to containe six score and six gallons: e-
Tercian uerie Tercian to containe fourescore and foure gal-
lons: and euerie Hogshead to containe three score
Hogshead and three gallons: and euerie Barrell to containe
Barrell one and thirtie gallons and an halfe: and euerie
Rundlet to containe eighteen gallons and an halfe,
according to the old assise and measure of the same
vessels, vsed in this Realme. And that all the ves-
sels of wine and oyle, brought into this Realme af-
ter the said feast to be sold, shall not be put to sale
Gauged after the same feast, till they be well and truly gau-
ged by the Kings Gaugeor, or his sufficient depu-
Fork. tie, vpon paine to forfeit to the King all the sayd
wines and oyle sold contrarie to this present ordi-
nance, or else the value of the same. And in case
that any maner of person, of what countrey he be,
Sell from henceforth doe sell to any of the Kings liege
people, for any certaine price assigned, any Butt,
Tunne, Pipe, Mercian, Hogshead, Barrell, or
Rundlet, of any maner wine or oyle, lacking any
thing of the said assise or measure, that the seller
Allow shall allow or rebate at the same price to the buyer
of such wine or oyle, as much money as such lack-
ing after the rate shall amount to, vpon paine to
Fork. forfeit to our Soueraigne Lord the King the value
of all the wine and oyle so sold contrarie to this pre-
sent ordinance: any priuie couenant or contract
made, or to be made betweene the buyer and the sel-
ler, contrarie to this ordinance, in any maner not-
withstanding. An. 1. R. 3. cap. 13. This Act is con- *
firmed by 28. H. 8. ca. 14. here after 35.

32 Whereas by diuers Statutes it hath beene
ordained, That one Measure and one Weight
should bee throughout all the Realme, and that the
same should bee according to the Standerd of the
Exchequer, which as yet hath not beene duely ob-
serued, and the King considering the cause to bee,
for that the true measure of the sayd Standerd is
not to all men well knowne, hath at his owne
charge caused both weights and measures of brasse
to bee newly made according to the said Standerd:
Measures & Weights Be it &c. That the sayd Measures and Weights
of brasse bee delinered to the Citizens and Bur-
Citie Townes gesses of the chiefe Cities or Shire Townes, or
Boroughes of euerie Shire of this Realme in
this present Parliament now being, or to the
chiefe Officers of euerie such Cities, Shire
Townes, or Boroughes, where such like Citizens
and burgesses be, by Indentures therof to be made,
be-

betwixt the Treaſurer of England, or vnder Treaſurer for the time being, & the ſaid Citizens, Burgeſſes, and other chiefe Officers aforeſaid ſo them receiuing, ſafely to be conueyed to the citie, towne, or borough that they be of, at the coſt and charge of the ſaid city, towne, or borough, and to be deliuered to the Maior, Sheriffe, Bailife, or other chiefe Officer of the ſame, there to reſt as your treaſure, in the cuſtodie of the ſaid chiefe Officer of the ſaid citie, towne, or borough, for the time being, and of his ſucceſſors for euer, to the intent that as well all weights and meaſures within the ſaid citie, towne, or borough, as the meaſures and weights within the ſayd Shire may bee corrected, reformed, amended, and made according, and after the meaſure of the ſayd Standerd, before the feaſt of Saint Michael the Archangell nert comming. And that the ſayd chiefe Officer for the time being in euerie Citie, Towne, or Borough, haue for that cauſe a ſpeciall marke or Seale, to marke euerie ſuch weight and meaſure ſo made, to be reformed and brought vnto him without fault or delay. And that he take for his labour for ſealing of euerie buſhell one penie, of euerie other meaſure an halfe penie, of euerie hundred weight a penie, of euerie halfe hundred an halfe penie, and of euerie weight vnder a farthing, and not aboue, vpon paine to forfeit for euerie time that he refuſeth, or doth the contrarie, fortie ſhillings: The one halfe thereof to our Soueraigne Lord, and the other halfe to him that is grieued, and will ſue in that behalfe, by action of debt, to be recouered after the courſe of the Common Law. And the defendant in any ſuch action be not receiued to wage his law. And that the Iuſtices of Peace in euerie Shire in England, haue full authoritie and power to inquire, heare, and determine the ſayd defaults. And ouer that, that open proclamation bee made in euery Shire of this your ſayd Realme, that no man buy nor ſell after the ſayd Feaſt of Saint Michael, by any other weight or meaſure then is according to the ſaid Standerd, vpon ſuch paines and forfeitures, as is limited in the ſaid Statute. An. 7. H. 7. cap. 3.

Marke. Fee. Forf. Moitie. Iuſt. of P. Diet & ter. Proclamation. Standerd.

☞ 33 Foraſmuch as notwithſtanding all the former Statutes for one meaſure and one weight, to be vſed throughout all the Realme, and the ſeuerall paynes of all the ſayd Statutes, the ſame hath not yet beene duely obſerued: Be it &c. That vnto the Knights and Citizens of euerie Shire and City aſſembled in this preſent Parliament, Barons of the fiue Ports, and certaine Burgeſſes of borough Townes, yer they depart from this preſent Parliament, be deliuered one of euerie weight and meaſure which now our Soueraigne Lord hath cauſed to be made of braſſe, for the commonweale of all his ſubiects and lieges within this his Realme of England, according to the King our Soueraigne Lords Standerd of his Exchequer of weight and meaſure, as they haue beene in the Exchequer of our ſayd Soueraigne Lord, and that the ſayd Knights, Citizens, and Burgeſſes, to whom the ſaid weights & meaſures ſhall be deliuered, as is aforeſaid, ſurely conuey, or cauſe the ſame to be conueyed on this ſide the feaſt of Eaſter next comming, by the ſaid Citizens to their Cities, and by the ſayd Knights vnto ſuch Borough or Towne corporate, or Market towne within the Shire, for the which they beene elected, as is ſpecified and contained in a ſcedule vnto this preſent bill annexed, there to remaine for euer in the keeping of the Maior, Bailif, or other head Officer for the time being of the ſame Citie, Borough, or Town, as the kings Standerd of weight and meaſure. And that the inhabitants of all Cities, Boroughes, and Market Townes within euerie of the ſaid Shires, ſhall on this ſide the feaſt of the Natiuitie of Saint Iohn Baptiſt nert comming, make, or cauſe to be made common meaſures and weights, according to the weights and meaſures aboueſaid, to remain within the ſame Cities, Boroughes, & Market townes, and euerie of them. And the ſame weights and meaſures to be viewed, examined, printed, ſigned, and marked by the Maior, Bailife, or other head Officer, in whoſe poſſeſſion the foreſaid Standerd ſhall remaine. And that euerie of the aforeſaid Maior, Bailife, or other head Officer, hauing the ſayd weights and meaſures ſigned and printed, vnder the ſigne and print for the ſame, with a letter H. crowned to be printed, to aſſigne and print like weights and meaſures vnto euerie the Kings lieges and ſubiects duely requiring the ſame, taking for marking of euerie buſhell a penie. And from the ſayd Natiuitie of Saint Iohn Baptiſt, no Marchant ne other perſon ne perſons within any City, Borough, or Market towne, buy ne ſell with any weight or meaſure, except it be marked, ſigned, or printed, in maner and forme aforeſaid, ne any other perſon or perſons out of the ſaid Cities, Boroughes, and Market townes, except it be like and equall with the ſaid Standerd. And that euery perſon as wel without Cities, Boroughes, and Market townes, as within, buy and ſell with a buſhell ſealed, ſigned, or marked after the forme aforeſayd, and none otherwiſe. And that all the Maiors, Bailifes, and other head Officers of euerie Citie, Borough, or Market towne, ſhall cauſe twice in the yeare, or oftner as they ſhall thinke neceſſarie, all weights and meaſures within the ſaid Cities, Boroughes, and Market townes, to be brought afore them, to be viewed and examined, and ſuch as they ſhall vpon the ſaid examination find defectiue, immediatly to be broken and burnt, & the partie and parties which in that behalfe haue offended, and be found defectiue, ſhall forfeit for the firſt time vj. s. viij. d. The forfeiture thereof to be to the ſaid Maior, Bailife, or any other hauing iuriſdiction & correction in that behalfe: And at the ſecond time the ſame offender likewiſe to forfeit thirteene ſhillings foure pence. And at the third time likewiſe to forfeit twentie ſhillings, and for further puniſhment to be ſet vpon the pillorie, to the example of other. And that two Iuſtices of P. whereof one ſhall be of the Quorum, haue authoritie as well by examination, as by inquiry, to heare & determine the defaults of the ſaid Maiors, Bailifes, & all other head Officers in that behalfe. And alſo of all buyers and ſellers doing contrarie to this preſent Act and ordinances, & to ſet fine & amerciament vpon the offenders

Standerd. Maior Bailife. Common meaſures. Marke. Fee. Marchant. Buſhell. Search. Forf. Maior Bailife. Forf. Pillorie. 2. Iuſt. of P. Quorum. Diet & ter. Fine.

Discretion ders by their discrecion. And the said weights and measures so found defective, to bee forfeited and burnt. Be it also enacted, That there be but onely

Quarter eight bushels rased and stricken to the quarter of

Stone corne, and fourescore pounds to the stone of woll, and twenty six stone to the sack. Be it also &c. That

Iust. of P. the Iustices of Peace aboue said, haue authoritie to

Proces make like Proces against all persons founden as is aboue said defective, and such fines and amerciaments as vpon them shall be sessed, as if they were indicted afore them for breaking of the kings peace. And that where by other Statutes and ordinances afore limited, it is ordained that euerie Citie, Bo-

Constable rough, and Towne that hath a Constable, should haue common weights and measures sealed, vpon penaltie in the same limited, that those penalties in that behalfe extend not to any Towne which is no Citie, Borough, nor Market towne. Prouided alwayes, That this Act shall not extend nor be preiudiciall vnto any person selling or buying by wa-

Water measure ter measure, within the shipbord. And that it be &c. the premisses or any other ordinance afore made notwithstanding, that the said water measure within the shipbord shal onely containe fiue pecks after the said Standerd rased and stricken. Prouided also, That the examination of the faults aboue-said, and punishment of the offenders of euerie of-fence committed hereafter within any of the sayd

Fiue Ports fiue Ports, shall be had, done, and administred by

L. Warden the Lord Warden of the said fiue Ports, or by his Lieutenant of the same for the time being, and by none other, the premisses notwithstanding. Prouided alway, That this Act of Weights and Mea-sures extend not, nor be in any wise hurtfull or pre-

Cornewall iudiciall to the Prince within the Duchie of Corn-wall, or any weights appertaining and belonging

Tinne to the cunage of Tinne within the Counties of Cornewall and Deuonshire, but that all such weights be vsed, ordered, demeaned, and corrected as it hath beene vsed and accustomed before this time, the said Act and ordinance notwithstanding.

Townes The names of Townes limited for the safe custo-die of weights & measures, according to the Kings Standerd, for the Shires following, as particular-ly appeareth.

Westmerl. The towne of Apulby.
Northumb. The towne of Newcastle.
Cumberl. The citie of Carleol.
Lancast. The towne of Lancaster.
Eborum. The citie of Yorke.
Lincolne. The citie of Lincolne.
Derb. The towne of Derby.
Notting. The towne of Nottingham.
Leicest. The towne of Leicester.
Warw. The towne of Couentrie.
Rutl. The towne of Uppingham.
North. The towne of Northampton.
Bed. The towne of Bedford.
Buck. The towne of Buckingham.
Canteb. The towne of Cambr.
Hunt. The towne of Huntington.
Norff. The citie of Norwich.
Suff. The towne of Saint Edmundburie.
Esser. The towne of Chemef.
Hertf. The towne of Hertford.
Midd. In Westminster.
Kanc. The towne of Maidstone.
Surr. The towne of Guilford.
Sussex. The towne of Lewes.
Oxon. The towne of Oxonford.
Berk. The towne of Reding.
Salop. The towne of Shrewsburie.
Staff. The towne of Stafford.
Heref. The towne of Hereford.
Glouc. The towne of Gloucester.
Wigorn. The citie of Worcester.
Wiltsh. The citie of new Salisburie.
South. The citie of Winchester.
Somerf. The towne of Ilchester.
Dorf. The towne of Dorchester.
Deuon. The citie of Exceter.
Cornub. The towne of Lestudiell.
London. The same citie.
Bristol. The same towne.
Quinq. Port. The castle of Douer.
Ciuit. Couent. The same citie.
Southhampt. The same towne.
Ciuit. Chestr. The same citie.

Anno 11. H. 7. cap. 4.

34 Whereas the King for the commonweale of his people hath of late caused weights and mea-sures to be made of brasse, according to the old Standerds of his Treasurie, and in this last Par-liament, Anno 11. (before 33.) ordained that the same should be deliuered out to be conueyed to cer-taine Boroughes and Townes, which weights and measures vpon more diligent examination made, according to the old Lawes and Statutes be found defective, wherefore the King &c. ordaineth &c. That the measure of the bushell containe eight Bushell gallons of wheat, and euerie gallon containe eight Gallon pounds of wheat, of Troy weight, and euerie pound containe twelue ounces of Troy weight, Pound and euerie ounce containe twentie sterlings, and Ounce euerie sterling be of the weight of two and thirtie Sterling cornes of wheat that grew in the middest of the eare of the wheat, according to the old lawes of this land. And that it pleaseth the Kings Highnesse to make a Standerd of a bushell, and a gallon after the said assise, to remaine in his said Treasu-rie for euer. And from henceforth the said new bushels and gallons lately set forth, be not vsed nor occupied for no measures, but that they be sent a-gaine vnto the Kings receipt by the feast of Whit-sontide next comming, at the costs and charges of the said Cities, Boroughes, and Townes, hauing the said bushels and gallons in keeping, vpon pain of twentie pounds to be forfeited to the King, the Forf. same bushels and gallons so sent againe into the kings receipt, to be broken, and with the stuffe and mettall of the same bushels and gallons, other new bushels and gallons by the aduise of the Treasurer and vnder Treasurer of England for the time be-ing, before the feast of All Saints next comming, to be made and sealed according to the said bushell and gallon, which by this present Act is ordained to be new made, and to remaine in the said Treasu- Treasurie rie, at the costs and charges of the same Cities, Bo- Citie

roughes,

Towne

roughes, and Towne. And that euerie Citie, Borough, and Towne within this Realme, which now haue, or should haue had by reason of the said Act made in the said eleuenth yeare, any of the said new bushell or gallon, doe conuey and carrie before the said Feast of Saint Andrew next comming, into euerie of the same Cities, Boroughs, & Townes, a bushell and gallon newly to be made as is aforesaid, at the costs and charges of the same Citie, Borough, and Towne, there to remaine. And all other bushels, gallons, and measures which be to be made after the forme by this Act ordained, be marked and ordered after the forme and effect of the said Act, made in the said 11. yeare: And in the meane season to vse such bushels & gallons as haue beene vsed last afore the comming downe of the said new bushels and gallons before the making of the said Statute in the said eleuenth yeare. And that all penalties in the first Act expressed, be of none effect vnto the feast of Candelmas, which shall be in the yeare of our Lord God 1417. and after the same feast, the same Act made in the same eleuenth yere, to stand in full strength with his penalties vpon the said bushell and gallons new to be made, as it should haue done vpon the said new bushels and gallons made afore the making of this present Act, if this Act had not beene made. And that it be ordained by the said authoritie, That after the said new bushels and gallons be made according to this present Act, that all other bushels and gallons of brasse remaining as well in the said Treasurie, as in all other places of England, before the feast of Christmas next comming, be damned and broken, vpon paine of twentie pounds to be leuied vpon euerie Citie, Borough, and Towne, or any other

Measures

place hauing the keeping of the common measures, that keepe still any other bushell or gallon vnbroken, and not damned, of brasse, then is ordained to be made by this present Act. Anno 12. Hen. 7. cap. 5.

☞ 35 The King our Soueraigne Lord by the assent of his Lords and Commons in this present Parliament assembled, and by authoritie of the same, ordaineth, establisheth, and enacteth, That the before named Estatute made in the first yeare of King Richard the third (cap. 13. before 31.) and all other Estatutes heretofore made for the true

Gauging

gauging and measuring of wines, oyles, honie, or any other liquors, which Estatutes afore this time be not repealed, nor expired, shall stand in their strength and vertue, and be put in due execution, according to their tenors and effects in euerie behalfe. And ouer that be it &c. That euerie Gauger

Gauger

within this Realme shall truely & effectually within the limits of his office gauge all the said tunnes, butts, pipes, terces, puncheons, tercians, barrels, hogsheads, and rundels, and shall plainely & truly marke vpon the head of euery such vessell the

Fork.

content of the same, vpon paine to forfeit to the partie, to whose vse the wine, oyle, or other thing therein being, shall be sold, foure times the value of that that the vessell so marked shall lack of his lawfull content aboue written: The same forfeiture to be recouered ouer and besides the costs of the suit, by the Kings originall writ, or by bill, in any of the Kings Courts of his Common Lawes, or in any competent Court, hauing iurisdiction in the place where that offence shall be committed, by action or bill of debt, in which action or suit none Essoine, Protection, nor Wager of law shall be accepted, admitted, or allowed to the defendant or defendants. And that euerie Marchant or other person selling the said wine, oyle, or other thing contained in the

Allow

said vessell marked, shall allow of the price thereof to the buyer of the same, for euerie quantitie of wine, oyle, or other thing contained in the said marked vessell, the full value of the lacke thereof, being by reason of default of full gauge of the vessell marked, or of defaults of filling of the same vessell, or by reason of default of any of them, after the rate of the whole price of the wine, oyle, or other thing so being sold by that vessell marked, and that vpon paine of forfeiture to the same buyer the double value of y same vessel & wine, oyle, or other

Fork.

thing therein being so sold, the same forfeiture to be recouered together with the costs of the suit, in manner and forme as the forfeiture last before written is limited to be recouered. An. 28. H. 8. cap. 14.

Weares.

ALl Weares from henceforth shall be vtterly put downe by Thames and Medway, and

Thames Medway

through all England, but onely by the Sea coasts. Magna charta cap. 23.

2 All such mills, weares, fankes, stakes, and kedels, which be leuied and set vp in the time of King Edward the Kings grandfather, and after, whereby the same ships and boates bee disturbed, that they may not passe in such riuers as they were wont, shall be cut and pulled downe, without being releued: And thereupon writs shall be sent to the

Sheriffes Surueyr

Sheriffes of the places where need shall be, to survey and enquire, and to see thereof execution. And also the Iustices shall be thereupon assigned at all times that shall be needfull. An. 25. Ed. 3. cap. 4. Stat. de Pannis.

3 The said Statute (5. An. 25. Ed. 3. cap. 4.) in this point be holden and kept after the effect of the same: Joyning thereto, that if any such annoyan-

Annoyances

ces be done, it shall be pulled downe by due Processes contained in the said Statute. And he that shall releuie such annoyance, and therof be duely attainted, he shall incurre the paine of an hundred marks

Fork.

to the King, to be leuied by effreats to the Exchequer. And with law shall hold of the annoyance made by inhaunsing of such weares, mills, fankes, stakes, and kedels, as by the new leuying. An. 45. E. 3. cap. 2.

4 An. 27. R. 2. cap. 19. A like Statute to this that next followeth, was made, but the Parliament of Anno 21. R. 2. was repealed by 1. H. 4. cap. 3.

5 The sayd Statutes (5. Anno 25. Edw. 3. capitulo 4. and Anno 45. Ed. 3. capitulo 2. before 2. and 3.) bee in all their articles holden and strictly kept, and duely executed with all the paines, and after the effect of the same: Joyned thereto,

that

Commissions that Commissions be made in due forme to sufficient persons to be Justices in euery county of England, where neede shall be, to survey and keepe the
Noyance waters and great riuers there, and to correct and amend the defaults, and to make due execution of the sayd Statutes after the effect of the same, aswel by their survey, aduise, and discretion, as by inquest therof to be taken within franchises as without, so, and when neede shall be, and to heare and determine the things aforesayd. And moreouer, to survey the weares, milles, stankes, stakes, and kidels, in old time made and leuyed before the said time of King Edward, sonne of King Henry. And them that they find too much inhansed or streited, to correct, pull downe, and amend, in the manner and forme aforesayde: Saving alwayes a reasonable substance of weares, milles, stankes, stakes, and kidels aforesayd, so in old times made and leuied. And if any such noysances of weares, milles, stankes, stakes, and kidels, of passages and straitings, in old time made and leuied, bee iudged and
Pull downe awarded by the sayd Justices to be pulled downe and amended, he that hath the freehold of the same, shall make thereof execution at his owne costes, within halfe a yeare after notification to him ther-
Forf. of to be made, vpon payne of an hundred Markes, to be payed to the King by Estreates in the Exchequer, & he that doth them to be releuied or inhaunsed, or streited, against the sayde iudgement, and thereof be duely conuict, shall incurre the payne of
Forf. an hundred Markes, to bee payd to the King by Estreates in the Exchequer aforesayd. And in case that any feleth himselfe grieued by erection or other way in this behalfe against right and reason, he shall pursue and haue right and reason. Anno 1. H. 4. cap. 12.

Thames 6 Because that by weares, stakes, and kidels, being in the water of Thames, and of other great Riuers through the Realme, the common passage of ships and boates is disturbed, and much people
Fish perished, and also the yong frie of fish destroied, and against reason wasted and giuen to swine to eate, against the pleasure of God, and great dammage to the King and his people: The same our soueraigne Lord the King, minding to prouide a due remedie for the sayd mischieues, by the aduice and assent of the Lordes aforesayd, and at the prayer of the sayd Commons, will and grannteth, that the sayd Statutes thereof made, be holden and kept, and put in
Commissions due execution: Joyned to the same, that commission be made to certaine Justices and other in euery Countie of the Realme, where shall bee needefull, to enquire of all that that is contayned in the sayd Estatute, and to punish the offenders of the same statute by fine, according to their discretion: saued alwaies and reserued to the King our Soueraigne Lord, the paines comprised in especiall in the sayd statutes, and that the estreats of such fines be deliuered by the said Justices, to the Shirife of euerie
Indenture countie by Indenture. And that the said Shirife pay the issues & profits rising of the said estreats, to euerie of the sayde Justices for euerie day that he shall trauell to exercise the said Commission, foure shillings, and that the said shirifes haue thereof due allowance from time to time in the Exchequer. Anno 4. H. 4. cap. 11.

7 Anno 1. H. 5. cap. 2. It was enacted that all Statutes against weares &c. shall be kept and put in execution.

8 The said statute of the great Charter, & all other Statutes concerning the premisses shal be duly obserued and kept: Adioyned thereto, that if after the feast of Saint Michaell, which shall be in the yeare of our Lord God 1475. by award, rule, Commissions or iudgement of any of the sayd Commissioners assigned, according to the said Statute made in the said first yere of Henry the fourth it be found, that any such weares, fishgarthes, mils, mildams, milstankes, lockes, ebbing weares, stakes, kiddels, hecks, or floodgates, be made, leuyed, inhãsed, straited, or inlarged, against the same estatute, the offenders in this behalfe contrarie to the foresayd award, rule, and iudgement, being duely warned
Seire facias by the Shirife or Vnder shirife, by Scire facias directed to the Shirife or Shirifes of such County or Counties, where such weares, fishgarthes, milles, mildams, milstankes, and other noyances, disturbances, or impediments be. And within three Monethes next after the sayd garnishment made, they
Warning doe not duely and wholy amend, breake down, and auoid the sayd making, leuying, inhansing, streiting, or inlarging, being defective as afore is sayd in the said stat. made in the said first yere: that then he or they being defective in this behalfe, shall for-
Forf. feit to our Soueraigne Lord the King an hundred Markes, to bee payed by Estreates in the Exchequer, in manner and forme as in the same Statute more fully is contayned. Moreouer if the sayd offender, or his heire or heires, assigne or assignes, or any of them do deferre or cõtinue the same default, contrarie to the award, rule, and iudgement of the Commissioners aforesayd, that he or they so doing, deferring, or continuing the sayd default, being not corrected nor amended, shall forfeit an hundred
Forf. Markes: the one half thereof to our Soueraign L.
Party the King, and the other halfe to any of his liege people, which in this behalfe will sue for the same by action of debt, to be conceiued by originall writ, without fine to be made or taken for the same in the Chauncerie: In which action, like processe rule, iudgement, and execution shal be allowed, had, and made, as is vsed in other actions of debt pursued at the common law by writ, and that the Defendant in any such action be not admitted to doe, or wage his Lawe, nor that no protection or essoine in the Kings seruice be allowed for the Defendant in the same writ. Moreouer it is ordayned and established by the same authoritie, that if any person or persons, other the such against whom such award, rule, or iudgement were made and had, being heire or assigne to them, or any of them, do presume to occupie or continue any weares, fishgarthes, milles, mildams, milstanks, locks, ebbing weares, stakes, kidels, hecks, floodgates, or other disturbãces or impediments, as before is said, he or they so presuming to occupie or continue, shal forfeit at euerie default
Forf. for euerie Moneth, as is aforesayde, an hundred
Party Markes: The one halfe to our Soueraigne Lord the

the King, and the other halfe to him of the Kings liege people, that will in this behalfe ſue by action of debt, thereupon to bee conceiued, without paying any fine for the ſame, as is aforeſaid, in which action like proceſſe, rule, iudgement, and execution ſhall be vſed, and made, as in all other actions of debt, purſued at the commō law by writ. And that the Defendant in any ſuch action ſhall not bee admitted, nor in any wiſe receiued to wage or do his law, nor no maner protection nor eſſoine in the K. ſeruice be for ſuch defendant in any wiſe allowed. Anno 12.H.4.cap.7.

9 Be it &c. that the Weare and new Milleate, (ouerthwart the Riuer of Exe) and euerie part of the ſame, ſhall (alwayes from henceforth) ſtand, bee and remaine where now they are, without any remouing, let or diſturbance, or any ſuit or Action to bee brought by any perſon or perſons whatſoeuer. And that it ſhall and may be lawfull to and for the ſayd Mayor, Bayliffes, and Comminaltie, and their ſucceſſors, from time to time, and at all times for euer hereafter, to haue free entrie & paſſage, to and from the ſayd new Weare & Milleate, by, in, and through all places conuenient, for and with their Seruants, Workemen, Horſes, Cartes, Cariages, and other neceſſaries, for the repayring, preſeruing, and amending the ſame. And for ſatisfaction and recompence to be giuen to ſuch perſons, which now are, or hereafter ſhall or may be damnified by the erecting of the ſaid new Weare, or by occaſion of the reparation thereof, or by making the ſayd Milleate more, then in former times they haue bēene by the ſayd auncient Weare, Be it &c. That (in default of agreement & compoſition betweene the ſayd Mayor, Bayliffes, and Comminaltie, and the partie or parties, pretending to bee ſo damnified thereby, vpon complaint of any ſuch partie or parties, vnto the Iuſtices of Aſſiſe, for the Countie of Deuon for the time being, in that behalfe made, the ſayd Iuſtices, or ſuch ſubſtantiall and indifferent perſons, as by them in their diſcretions (calling the ſaid parties before them, and hearing their exceptions to the perſons to be ſo nominated) ſhalbe deputed and aſſigned, may eyther in the ſayd Countie, and Citie of Exeter, or in the Countie of Deuon, by Oth examine all and euerie ſuch witneſſe and witneſſes, as eyther on the part and behalfe of ſuch Landlord, Owner, Farmour or Tenant, or on the part and behalfe of the ſayd Mayor, Bayliffes and comminaltie, ſhall bee produced before them, for the proofe of any ſuch loſſe, hinderance or dammage, or for the diſproofe thereof: And thereupon (from time to time) ſhall or may order and award, to the partie or parties ſo grieued, (if any ſuch ſhall be) eyther by the yeare or otherwiſe, ſuch ſufficient recompence, with neceſſarie and reaſonable coſtes in that behalfe ſuſtained, to bee by the ſayd Mayor, Bayliffes, and Comminaltie, and their ſucceſſours payd to him or them in money, as in their wiſedomes and diſcretions, ſhall be thought fit and conuenient: And likewiſe be it &c. That for the ſumme or ſummes of money ſo to be awarded to bee payed, it may be lawfull, to and for the ſayd partie or parties ſo grieued, (vpon refuſall of payment) to diſtraine in any of the Lands and Tenements, belonging to the ſayd Mayor, Bayliffes, and Comminaltie: Or to ſue the ſayd Maior, Bayliffes, and Comminaltie, and their ſucceſſours for the ſame, by any Action or Actions of Debt, in any of the Courts of Recordes of your Highneſſe, your heires or ſucceſſours: In which noe Eſſoine ſhall bee admitted and allowed. Prouided alwayes, and be it &c. That if the ſayd old Weare haue of late within the ſpace of fiue yeares laſt paſt, beene raiſed higher then the ſame was in ancient times, by meanes of which heightening or raiſing, the ſayd grounds of ſuch Landlords, Owners, Farmours or Tenaunts, haue beene within the ſayd ſpace of fiue yeares laſt paſt, more ouerflowen, then vſually before ſuch raiſing or heightening, if any ſuch were, they were wont to be, That then the ſayd Iuſtices of Aſſiſe, or ſuch as ſhall be by them ſo appointed, ſhall by examination of witneſſes by Oath, as is aforeſaid, further inquire, what dammage or loſſe did grow by ſuch rayſing or heightening of the ſayd old Weare, vnto the ſayde Landlords, Owners, Farmours or Tenaunts, more then they ſuſtayned by the ſayd old Weare, before ſuch rayſing thereof: And whether any the like dammage doe ſtill continue, by the ſayd new erected Weare. And if it ſhall appeare or be ſo proued to them, then they ſhall further giue and allow ſuch recompence, for ſuch loſſe and dammage ſo cōtinuing by reaſon of ꝑ ſaid new weare, and in ſuch ſort, as is by this Act formerly exprеſſed. Anno 7.Iac.cap.19.

Weſtminſter.

ANno 27.Eli. An Act was made, but not printed, for the good gouernement of the Citie or Borough of Weſtminſter. Anno 28.Eliz.cap.5. this Act is continued vntill the end of the next Parliament. And Anno 31.Eliz.cap.10. this Act is continued to the end of the next Parliament. And Anno 35.Eliz ca.7. this Act is made to continue to the end of the Parliament next inſuing. And in Anno 39. Eliz. cap. 18. this Statute was continued vntill the end of the next Parliament. And in An.43.Eliz.cap.9. this act is continued to remaine in force vntill the end of the next Seſſion of the next Parliament. And Anno 1.Iac.cap.25. it is continued vntill the end of the firſt Seſſion of the next Parliament.

White Aſhes.

NO perſon or perſons, after the firſt day of April nexte comming, ſhall ſhip, lade, carie, or conuey any White Aſhes, towards the parts beyond the Seas, vpon pain of forfeiture ſix ſhillings eight pence for euery buſhell of ſuch Aſhes ſo to bee ſhipped or laden, to be caried or conueyed into the parts beyond the Seas: The Moytie of which forfeiture ſhall be to the King, and the other moytie

Shipping

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Moity

to him or them that will sue for the same, in any of the Kings Courts of Record, by Action, Bill, Plaint, or Information, in the which Action, Bill, plaint, or Information, no wager of Law, essoine, or protection shall be admitted or allowed. Anno 2. Ed. 6. cap. 26.

Whitegate.

Parish Church

ANno 33. H. 8. cap. 32. It is enacted, that the Church of Whitegate in the County of Chester, shall be a parish Church: and bee no parcell of the Parish of Ouer.

Wilde foule.

FRom the first day of March, which shall bee in the yeare of our Lord God 1534. vnto the last day of June then next insuing, and so yearely from henceforth, no manner of person or persons shall presume by day or by night willingly to withdraw, purloine, take, destroy, or conuey any manner of egges of any kind of Wilde foule, from, or in any nest, place or places, where they shall chāce to be laid by any kind of the same wilde foule, vpon payne of imprisonment for one whole yeare, and to lose and forfeit for euerie egge of any crane or bustard so destroyed, purloyned, withdrawn, conueyed, or taken from any nest or place twenty pence, and for euerie egge of euerie Bittour, Heron, or shouelard eight pence, and for euery egge of euerie mallard, teal, or other wilde foule a penie: The Moitie thereof to bee to the King our Soueraigne Lord, and the other halfe to him that will sue for the same, in forme aforesayd, wherein &c. And that all Justices of Peace within the limits of their Commissions, shall haue full power and authoritie, to inquire, heare, and determine the same, in forme before rehearsed. Prouided alwayes, that this act extend not, nor be hurtful at any time hereafter, to any person or persons that will destroy any crowes, choughes, rauens, and bussards, or their egges, or to any other foule, or their egges not comestible or vsed to be eaten, Anno 25. H. 8. cap. 11. And by this act it was enacted, that betweene May, and the last day of August, none should take any wild foule with nets or other engins. But this article is repealed by 3. E. 6. c. 7. & the foresayd article for the egges is confirmed.

Egges

Imprison

Fork.

Moity

In. of P.

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Willes.

Widowes Dower

FRom henceforth all widowes may bequeath ỹ the crop of their groūd, aswel of their dowers, as of other their lands and tenements. Sauing to the Lords of the fee all such seruices as are due for their dowers, and other tenements. Merton ca. 2. Anno 20. H. 3.

2 All and euerie person and persons, hauing, or which hereafter shall haue any Manors, Lands, tenements, or hereditaments holden in socage, or of the nature of socage tenure, and not hauing any manors, Lands, Tenements, or Hereditaments, holden of the King our Soueraigne Lord, by Knights seruice, or by socage tenure in chiefe, or of the nature of socage tenure in chiefe, nor of any other person or persons by Knights seruice, from the twentieth day of July in the yeare of our Lord God 1540. shall haue ful and free libertie, power, and authoritie to giue, dispose, will, and deuise, as well by his last will and Testament in writing, or otherwise by any act or acts lawfully executed in his life, all his sayd manors, Lands, Tenements, or hereditaments, or any of them, at his free will and pleasure: any Lawe, Statute, or other thing heretofore had, made, or vsed, to the contrarie notwithstanding. And that all and euerie person and persons, hauing manors, Lands, Tenements, or Hereditaments, holden of the King our soueraign Lord, his heires or successours in socage, or of the nature of socage tenure in chiefe, hauing any other manors, lands, tenemēts, or hereditamēts, holden of any other person or persons in socage, or of the nature of socage tenure, and not hauing any Manors, lands, tenements, or hereditaments, holden of the King our Soueraigne Lord by Knights seruice, nor of any other Lord or person by like seruice, from the twētieth day of July, in the said yere of our Lord God 1540. shall haue full and free libertie, power, and authoritie to giue, will, dispose, and deuise, as well by his last will or testament in writing, or otherwise, by any act or acts lawfully executed in his life, all his said Manours, Lands, tenements, and hereditaments, or any of them, at his free will and pleasure: any law, Statute, custome, or other thing heretofore had, made, or vsed to the contrarie notwithstanding. Sauing alwayes and reseruing to the King our soueraigne Lord, his heires and successors, all his right, title, & interest of primer seisin & reliefes, and also all other rights and duties for tenure in socage, or of the nature of socage tenure in chief, as heretofore hath bin vsed and accustomed, the same manors, Lands, tenements, or hereditaments to be taken, had, & sued out of, and from the handes of his highnesse, his heires and successors, by the person or persons, to whom any such manors, lands, tenements, or Hereditaments shall be disposed, willed, or deuised, in such and like manner and forme, as hath bēn vsed by any heire or heires before the making of this Estatute. And sauing and reseruing also fines for alienations of such manors, lands, tenements or hereditaments holden of the King our Soueraigne Lord, in socage, or of the nature of socage tenure in chiefe, whereof there shall be alteration of freehold or inheritance, made by will or otherwise, as is aforesaid. And it is &c. that all and singuler person & persons, hauing any manors, lands, tenements, or hereditaments, of estate of inheritaunce, holden of the Kings Highnesse in chiefe by Knights seruice, or of the nature of knights seruice in chiefe, from the said 11. day of July, shall haue full power and authoritie, by his last will, by writing, or otherwise, by any act or acts lawfully executed in his life, to giue, dispose, will, or assigne two parts of the same manors, Lands, Tenements, or hereditaments, in three parts to be diuided, or else as much

Socage

Last will

Lands

Socage in chiefe

Last will

Primer seisin Reliefe

Fines

Knights seruice

Last will

Two parts

of

of the said Manors, Lands, Tenements, or Hereditaments, as shall extend or amount to the yerely value of .. parts of the same in 3. parts to be diuided, in certaintie and by speciall diuisions, as it may be known in seueraltie, to and for the aduãcement of his wife, preferment of his children, and payment of his debts, or otherwise at his will and pleasure: and Lawe, Statute, custome, or other thing to the contrarie thereof notwithstanding. Sauing and reseruing to the King our Soueraign Lord, the custodie, wardship, and primer seisin of any of them, as the case shall require, of as much of the same Manors, Lands, Tenements, or Hereditaments, as shall amount and extend to the full and cleare yearely value of the third part thereof, without any diminution, dower, fraud, couin, charge, or abridgement of any of the same third part, or of the full profits thereof. Sauing also and reseruing to the King our sayd Soueraigne Lord, all fines for alienations of all such Manors, Lands, Tenements, and Hereditaments holden of the King by Knights seruice in chiefe, whereof there shall bee any alteration of freehold or inheritance, made by will or otherwise, as is abouesayd. And be it &c. That all and singuler person and persons, hauing manors, lands, tenements, or hereditaments of estate of inheritance holden of the king in chiefe by Knights seruice, & hauing other Manors, Lands, Tenements, or Hereditaments holden of the King, or of any other person or persons by Knights seruice, or otherwise, euery such person and persons from the sayd twentieth day of Julie, shal haue full power and authoritie, to giue, dispose, will, or assigne by his last will in writing, or otherwise, by any act or acts lawfully executed in his life, two parts of the same Manors, Lands, Tenements, and Hereditaments, in three parts to be diuided, or else as much of the same Manours, Lands, Tenements, and Hereditaments, as shall extend or amount to the yearely value of two parts of the same in three parts to be diuided in certainty, and by speciall diuisions, as it may be knowne in seueraltie, to, and for the aduauncement of his wife, preferment of his Children, and payment of his debtes, or otherwise, at his will and pleasure: any lawe, statute, custome, or other thing to the contrarie thereof notwithstanding. Sauing alway and reseruing to the King our Soueraigne Lord the custodie, wardship, and primer seisin, or any of them, as the case shall require, of as much of the same Manors, Lands, Tenements, or Hereditaments, as shall amount and extend to the full and cleare yearely value of the part thereof, without any manner of diminution, dower, fraud, couin, charge or subtraction of the same third part, or of the full profits thereof. Sauing also and reseruing to our sayde Soueraigne Lord the King all fines for alienation of any such Manors, Landes, Tenements or Hereditaments, holden of the king by Knights seruice in chiefe, whereof there shall be any alteration of freehold or inheritance, made by will or otherwise as is abouesayd. Be it &c. That if any person or persons hold any Manors, lands, Tenements, or Hereditaments onely of any other Lord or person then of the King our sayd Soueraigne Lord by Knights seruice, and other lands and Tenements in socage, or of the nature of socage tenure, that then euerie such person shall or may giue, dispose, or assure by his last wil, or otherwise by any act or acts lawfully executed in his life, two parts of the sayd Manors, Lands, and tenements, holden by Knights seruice, or of as much thereof as shall amount to the full yearely value of the parts, in manner and forme as is aboue declared: And also all the lands and tenements holden by socage, or of the nature of socage tenure at his will and pleasure, as is aboue written. Sauing and reseruing to the Lord of the Lands and Tenements holden by Knights seruice for his custodie and wardship, as much of the same Lands and tenements, as shall extend or amount to the full and cleare yearely value of the third part of the same Lands and tenements holden by Knights seruice, without any diminution, dower, fraud, couine, charge or subtraction of any portion of the third part, or of the cleare yearely value thereof in maner and forme aforesayd. And be it &c. That if any person or persons hold any Manours, Lands, Tenements or Hereditaments, onely of the King our Soueraigne Lord by Knights seruice, and not in chiefe, or hold any Manours, Landes, Tenements, or Hereditaments of our sayd Soueraigne Lord by Knights seruice, and not in chiefe, and also hold other Manors, Lands, Tenements, and Hereditaments of any other person or persons by Knights seruice, and also hold other Manours, Lands, Tenements or Hereditaments of any other person or persons in socage, or of the nature of socage tenure: That then all and euerie such person or persons shall and may giue, dispose, wil, deuise, & assure, by his last will, or otherwise, by any act or acts, lawfully done or executed in his life, two parts of the same manors, lands, tenements & hereditaments, holden of our said Soueraign Lord the king by Knights seruice, and two parts of the manors, landes, tenements and hereditaments, holden of any other person or persons by Knights seruice, or as much of eyther of them as shall amount to the full yearely value of two parts in manner and forme as is aboue declared: and also of all his lands and tenements, so holden in socage, or of the nature of socage tenure at his free will and pleasure. Sauing and reseruing to the Kings Highnesse the custodie and Wardship of as much of the same manors, lands, tenements, or other hereditaments, as shall extend and amount to the full and cleare yerely value of the third part of the said manors, lands, tenements, & hereditaments so holden of his highnes by knights seruice, without any diminution, dower, fraud, couin, charge, or subtraction of any portion of that third part, or of the full profits thereof. And also sauing and reseruing to the Lords, of whom any of the said manors, lands, tenements, or other Hereditaments bene holden by Knights seruice for custodie and Wardship, as much of the same manors, lands, Tenements, or Hereditaments holden of them or any of them by Knights seruice, as shall extend and amount to

Wife Children Debts

Wardship Primer seisin

Fines

Knights seruice

Last will

Two parts

Lands

Knights seruice Socage

Last will

Two parts

Socage

Lands Knights seruice

Last will

Two parts

Wardship

the cleare yerely value of the third part of the same, without any diminution, charge and fraud, couin, or subtraction of any portion of that third part, or of the cleare yearely value of the third part thereof, in manner and forme aboue declared. Prouided alway, and it is &c. That if that third part of the Manors, Landes, Tenements or Hereditaments, of any of the Kings Subiects, which in any of the cases abouesayd, shall hereafter come to the Kings Highnesse, his heires or successours, by vertue of this act, as is abouesayd, be not or doe not amount to the cleare yearely value of the full third part of the sayd Manors, Lands, Tenements, or other Hereditaments, whereof the sayde Kings Highnesse, is or shall be intituled to haue the custodie or primer seisin, as is abouesayd: that then our sayde Soueraigne Lord and his heires shall and may at his or their frée libertie and pleasure, take into his or their hands and possession, as much of the other two parts of the sayd Manors, Lands, Tenementes, or other Hereditaments, as with that of the same Manors, Lands, Tenements, or Hereditaments, holden or remaining in the kings hands, shall make vp the cleare yearely value of the full third part of the sayd Manors, Lands and Tements, so to be had of the Kings Highnesse, in title of Wardship and primer seisin, or any of them, as the case shall require, and like benefit and aduantage to be giuen to euerie Lord and lords, to whom any such Manors, Lands, Tenements, or Hereditaments béene or shall be holden by knights seruice, as is abouesayde, concerning onely his third part of or for title of Wardship. Prouided alway and be it &c. That euerie person and persons shall sue their liueries for possessions, reuersions, or remainders, and also pay reliefes and heriots after such manner and forme, as they should or ought to haue done before the making of this Act, and as if this act had neuer béene made. And that fines for alienations shall be payd in the Kings Chauncery for and vpon writs of Entrie in the post, to be obtayned in the same Court of Chauncerie, after the sayd twentieth day of July, for common recouries to be had or suffered of any Manors, Landes, Tenements, or Hereditaments, holden of the K. in chiefe, in like manner and forme as is vsed vpon alienations of such Manors, Lands, Tenements, or Hereditaments, so holden in chiefe by fine or feoffement. Prouided also, and be it &c. That in such cases, where fines for alienations shall be paid in the Kings Chauncerie for writs of entrie in the post, as is aforesayd, that then none other fine shall be payed in the same Court for any such Writs, any vsage or custome to the contrarie notwithstanding. And be it &c. That where two or more persons now hold or hereafter shal hold any Manors, Landes, Tenementes, or Hereditaments of the King our Soueraigne Lord by knights seruice, ioyntly to them and to the heires of one of them, & he that hath the inheritance thereof dieth, his heire being within age, that in euerie such case the king shal haue the ward and mariage of the body of such heire so being within age, the life of the freeholder or freeholders of the said Manors, Lands, tenements or Hereditaments, so holden by knights seruice notwithstanding. Sauing and reserning to all and euerie woman and women all and euerie such right, title, and interest of dower, as they or any of them ought to haue, and be or shall be iustly intituled to haue, claime, or demaund, of any Manors, Landes, Tenements, or Hereditaments, by the Lawes of this Realme, to be taken and assigned vnto them, or any of them, out of the two parts of the said Manors, Lands, Tenements, or Hereditaments, seuered and diuided from the third part, as is abouesaid, and not otherwise. And sauing also to the King our Soueraign Lord, his heires and successors, the reuersions of all such tenants in ioynt tenure and dower immediatly after the death of such Tenants, if they shall happen to die, during the minoritie of the Kings Wardes. Anno 32. H. 8. cap. 1.

Liuery
Reliefe Heriot
Fines Chauncerie Writs
Fines
Lands
Knights seruice Jointenãts
Ward Mariage
Dower
Reuersions

3 The meaning of the letter of the same Estatute (s. of 32. H. 8. cap. 1. before 2. Touchyng such matters hereafter rehearsed, may be by the authority of this present parliament enacted, taken, expoũded, iudged, declared and explaned in manner and forme following. First where it is contained in the same former Estatute within diuers Articles, and branches of the same, that all and singuler person & persons hauing any Manors, Lands, tenements, or hereditaments of the estate of inheritãce should haue full and frée libertie, power and authoritie to giue, will, dispose or assigne, as well by his last will and Testament in writing, or otherwise by any act or acts lawfully executed in his life, his Manours, Lands, Tenements or Hereditaments, or any of them, in such maner and forme, as in the same former act more at large it doth appeare, which words of estate of inheritance by the authority of this present parliamẽt, is & shalbe declared, expounded, taken, & iudged of estates in fée simple only. And also that all & singuler person & persons hauing a sole estate or interest in fée simple, or seised in fée simple in coparcenary, or in common in fée simple of & in any manors, lands, tenements, rents, or other hereditaments in possession, reuersiõ, or remainder, or of rents or seruices incident to any reuersion or remainder, & hauing no manors, lands, tenements or hereditaments holden of the king, his heires or successours, or of any other person or persons by knights seruice, shal haue ful & frée liberty, power & authority to giue, will, dispose or deuise to any person or persons (except bodies politique and corporate) by his last will and testament in writing, or otherwise by any act or acts lawfully executed in his life by himselfe soly, or by himselfe and other iointly, seuerally, or particularly, or by all those wayes or any of them, as much as in him of right is or shal be, all his said manors, lands, tenements and hereditaments, or any of them, or any rents, commõs, or other profits or commodities, out of or to be perceiued of the same, or out of any parcell thereof at his owne frée will and pleasure: any clause in the sayde former Act notwithstanding. And further bée it enacted &c. That all and singuler person and persons hauing a sole estate or interest in Fée simple, or seised in Fée simple in Coparcenarie

Lands
Last will
Estates
Bodies politique
Last will
Fee simple

rie, or in common in Fee simple, of or in any Manors, Landes, Tenements, Rents, or other Hereditaments in possession, reuersion or remainder, of and in any rents or services, incident in any reuersion or remainder holden of the King by Knights seruice in chiefe, or of the nature of Knights seruice in chiefe, hath, and by the authoritie of this present Parliament shall haue full and free libertie, power and authoritie to giue, dispose, will or deuise to any person or persons (except bodies politique and corporate) by his last will and Testament in writing, or otherwise, by any other lawe or Acte lawfully executed in his life by himselfe alone, or iointly, or generally, or particularly, or by all his whole wayes, or any of them, as much as to him of right is or shall be, two parts of the sayde Manours, Landes, tenements, rents, hereditaments, as of and in the same his other rents and hereditaments, or any of them, any rents, commons, or other profits or commodities of or to be perceiued of the same two parts, or out of any parcell thereof, in three parts to be diuided, or as much thereof as shall amount to the full and cleare yearely value of two partes thereof, in three partes to be diuided, of what person or persons soeuer they bee holden, at his free will and pleasure. And that by the authoritie aforesayde, the sayde will so declared shall be good and effectuall for two partes of the sayde Manors, Landes, Tenements, and Hereditaments, as though the Will so declared be made of the whole or of more then of two parts of the same. The same diuision to bee made and set forth by the deuiser or owner of the same Manors, Landes, Tenements, hereditaments, by his last Will in writing, or otherwise in writing. And in default thereof by a Commission to be graunted out of the K. Courts of Wardes and Liueries, vpon the inquiry of the true value thereof, by the othes of twelue men, and returne or Certificate thereof had in the same Court, of the sayd Manors, Lands, Tenements, and Hereditaments, diuision to bee made, by the Master of the Wardes and Liueries, if the master of the Wardes and Liueries for the time being, and the parties thereunto cannot otherwise agree vpon the same diuision. And that the issues and profits of the two parts of the same manors, lands, tenements and hereditaments, vpon euerie such diuision to be reserued to them that shal haue right or title to the same from the death of the owner or deuiser thereof. And further be it enacted &c. That all and singuler person and persons hauing a sole estate or interest in Fee simple, or seised in Fee simple in Coparcenarie, or in comon in fee simple, of and in any Manors, Landes, Tenementes, Rents, or other Heteditaments, in possession, Reuersion or Remainder, or of and in any Rents, or seruices incident to any Reuersion or Remainder, holden of the King, his heires or successors by Knights seruice, and not in chiefe, or holden of any other person or persons by Knights seruice, shall haue full and free libertie, power and authoritie to giue, dispose, will or deuise to any person or persons (except bodies politique and Corporate) by his last Will and Testament in writing or otherwise by any Act or Acts lawfully executed in his life by himselfe sole, or by himselfe and other ioynly, seuerally or particularly, or by all his whole wayes, or any of them, as much as to him of right is or shall be, two parts of the sayd Manours, Landes, Tenements, and Hereditaments, or any of them, so holden by Knights seruice, or any Rents, commons or other profits or commodities out of, or to bee perceiued of the same two partes, or out of any parcell thereof, in three parts to be diuided, or as much thereof as shall amount to the full cleare yeerely value of two partes thereof, in three partes to be diuided at his free will and pleasure. And that the sayd Will so declared by authoritie aforesayd, shall be good and effectuall for two partes of the said Manours, Landes, Tenements, or Hereditaments, although the Will so declared be or shall be made of the whole Landes and Tenements, so holden by knights seruice, or of more then of two parts of the same: And also for the whole of all other such Manours, Landes, Tenements, and Hereditaments, or any of them not holden of the King by knights seruice in chiefe, or otherwise by Knights seruice, nor of any other persons by Knights seruice. And of any Rents, Commons, or other profits or commodities, out of or to bee perceiued of the same, or out of any parcel thereof, at his free will and pleasure, the same diuision to bee made and set forth by the owner of the sayde Manours, Landes, Tenements, and Hereditaments by his last will and Testament in writing, or otherwise in writing. And in default thereof, for as much of the same manors, lands, tenements and Hereditaments, as shall concerne the K. interest, by Commission to bee directed out of the Kings Court of the Wardes and Liueries, in manner and forme as is aforesayd, if the Master of the Wardes and Liueries, for the same being, and the parties thereunto can not otherwise agree vpon the same diuision: And that restitution of the issues and profits of the two partes thereof, shall bee had and made, in manner and forme aboue sayde. And for such of the same manors, lands, tenements, and hereditamens, as shall concerne the interest of any Lord or Lords, by Commission to be graunted out of the Kings court of the Chancerie, to inquire thereof by the othes of twelue men, if the same Lord or Lords, and the partie thereunto cannot otherwise agree vpon the same diuision. And be it ee. That the sauings, reseruings, and prouisions, concerning saning of the custodie, wardship, reliefe, and primer seisin to the King, of such Manours, Lands, Tenements, and Hereditaments, or as much thereof as shall appertaine vnto him by vertue of the sayd former act, and by the declaration and exposition thereof declared by this present Act, during the Kings interest therein: And also of the custodie and wardshippe to other Lords of as much of such Manours, Landes, Tenements and Hereditaments holden of them, as shall amount and extend to the cleare yearely value of the third part thereof, ouer and aboue all charges, without any diminution or abridgement

Knights seruice

Last will

Two parts

Diuision

Last will

Commission Court of wards

Master of wards

Issues

Fee simple Coparceners

Knights seruice

Last will

Two parts

Diuisions

Master of the wards

Commission

Iurie

Wardship

of the third part, or of the full profits thereof comprised and mentioned in diuers articles in the said former act contayned by the authoritie aforesaid, be and shall bee intended, expounded, and taken, as hereafter ensueth: that is to say, that the King shal haue with take for his full third part, of all such manours, Lands, Tenements, and Hereditaments, whereunto he is or shall be entituled by the said former Act, and by this present Act, such manours, lands, and tenements, as shall by any meanes discent or come by diuisent, aswell of estate of inheritance in fee taile, as in fee simple, or in fee taile onely to the heire of any such person, that shall make any will, gift, disposition or deuice by his last will in writting, or by any Act or acts lawfully executed in his life, immediatly after the death of the same deuiser or owner thereof. And that the will, gift, and deuice of euerie such deuiser or owner, of and for the two parts of the said Manors, Landes, Tenements and hereditaments residue, shall by the authoritie aforesaid, bee and stand good and effectuall in the law, albeit the same will, gift, or deuice be had and made of all his fee simple lands, tenements and hereditaments, or of the more part thereof. And in case the same manors, lands, tenements, and hereditaments, which after the death of any such owner or deuiser (which shall make any such gift, disposition, or deuice by his last will in writting, or otherwise by any act or acts lawfully executed in his life, to his wife, children, or otherwise, as is aforesayd) which shall immediatly after his death, discend, reuert, remain, or come to his heire or heires, as well of estate of inheritance in fee taile, as of estate in fee simple or fee taile onely, bee not or shall not amount to extend to the full cleere yearely value of the full third part with the full profits thereof, the sayd manours, landes, tenements, or other hereditaments, of the said deuiser or owner, according to the true intent and meaning of the said former Act, and of this present Act: That then the King shall and may haue and take into his handes and possession to make vp his full third part, with the full profits thereof, according to his interest therin, as much of the other manours, lands, tenements, or hereditaments, willed, giuen, disposed or assigned by any such person, to his wife, children, or otherwise, as is aforesayd, as with such of the same manours, landes, tenements, and hereditaments, discended or by any meanes come vnto the heire, as heires of any such deuiser or owner, shall make vp the cleere yerely value of the said full third part with the full profits thereof, of all the said manors, lands, tenements, and hereditaments, of euerie such owner or deuiser so to be had to the King in title of wardship or primer seisin, as the case shall require. And the division thereof to be had & made, and with the restitution of the profits of the two parts of the said manors, lands, tenements and hereditaments in such maner and forme as is aboue rehearsed. And like benefit and aduauntage to be giuen, had and taken by the said authoritie, to euerie Lord and Lords of whom any such manours, lands, tenements, or hereditaments, bee or shalbe holden by Knights seruice, in manner and forme, as is aboue said, concerning only his or their third partes thereof, according to their said interest therin. And be it ec. That if it happen the same third part or any part thereof last willed, or assigned to the King or other Lord, at any time during their interest therein, to bee lawfully euicted or determined, that then the King and the other Lord shall haue as much of the two parts residue, as shal accomplish and make vp a full third part in cleere yearely value after the rate and portion of such manors, landes, tenements, and hereditaments, as shall then happen to remaine of the same third part, not euicted or determined. And of the other two partes of such manors, lands, tenements, and hereditaments, as the King or other Lord should or ought to haue had, by vertue of the said former act, and this present act, and the same to bee diuided in maner and forme aboue rehearsed, any clause in the said former Act notwithstanding. And be it ec. that the sauing and reserning for fines for alienation, by any such last will and Testament of such Manours, lands, tenements, or hereditaments, holden, of the King by Knights seruice in chiefe, or of the nature of Knights seruice in chiefe, or by socage in chiefe, or of the nature of socage tenure in chiefe, or for fines for alienation of such manors, landes, tenements, or hereditaments, whereof there shall be any alteration of freehold, or of inheritance, made by any such last will, comprised in diuers and sundry articles mentioned in the sayd former act, bee and shall bee intended, expounded, taken, pesned, and abridged by the authoritie aforesayd, that all such person or persons, to whom the said manors, lands, tenements, or hereditaments, or any of them, be or shall bee giuen, disposed, willed, or deuised by any such last will, shall be exonerated, acquited, and discharged for euer against the King, his heires and successours, for all such fines for alienations by any such last will or Testament, without licence, or suing forth of the kings pardon, for alienation out of the kings court of Chauncerie, paying to the King, his heires or successors, for the fine of euerie such alienation the third part of the yearely value of the same Manors, landes, tenements, or other hereditaments to him or them willed or deuised, and this act from time to time shall bee a sufficient warrant to the Lord Chancellor of England, or Keper of the great seale for the time being, for the graunting out of the said Pardon or Pardons, vnder the Kings great seale, as hereafter hath bin vsed for pardons and alienations, without any further suite to be made to the King for the same. And it is ec. That Willes or Testaments made of any manours, landes, tenements, or hereditaments, by any woman couert, or person within the age of one and twenty yeares, ideot, or by any person Denonsane memorie shall not be taken to be good or effectuall in Lawe. And be it ec. That if any person or persons hauing estate of inheritance of or in any manours, landes, tenements, or hereditaments, holden of the King by Knights seruice in chiefe, or otherwise of the King by Knights seruice, or of any other person or persons by Knights seruice, haue

King

Fee taile
Fee simple

2. part

King

Diuision

Lord

Chiefe

Fines

3. part

Warrant L. Chancellor

Woman couert
Within age
Ideot
Non sane memorie

K. seruice

haue giuen at any time before the twenty day of the ſaid moneth of July, or hereafter ſhall giue, will, deuiſe, or aſſigne by will, or other act executed in his life, his manors, landes, tenements, or hereditaments, or any of them, by fraude or couin to any other perſon or perſons for terme of yeares, life or liues, with one remainder ouer in fee, or with ouers remainders ouer for terme of yeares, life, or in taile, with remainder ouer in fee ſimple to any perſon or perſons, or to his or their right heires, or at any time ſith the ſaid twenty day of July, haue conueyed or made, or hereafter ſhall conuey or make by fraude or couin, contrarie to the true intent of this act, any eſtates, conditions, remainders, deuiſes or conueyances, to the intent to defraude or deceiue the King of his prerogatiue, primer ſeiſin, liuerie, reliefe, wardſhip, marriages or rights: or any other Lord of their wardſhips, reliefes, heriots, or other profits, which ſhould or ought to accrue, growe or come vnto them or any of them, by or after the death of his or their Tenaunt, by force and according to the former Statute, and of this preſent Act and declaration: and the ſaide eſtates and other conueyances being found by office to bee to made or continued by couin, fraude, or deceit, as is aboueſayd, contrarie to the true intent and meaning of the ſayd former act and of this act: That then the King ſhall haue as well the wardſhippe of the bodie, and cuſtodie of the landes, tenements, & hereditaments, as liuerie, primer ſeiſin, reliefe, and other profits, which ſhould or ought to appertaine to the King, according to the true intent and meaning of the ſaid former Act, and of this preſent Act, as though no ſuch eſtates or conueyances by couin haue neuer been had or made, vntill the ſayd office be lawfully vndone by trauerſe, or otherwiſe. And that the other Lord and Lords of whom any ſuch manours, landes, tenements, or hereditaments, ſhall be holden by Knights ſeruice, as is aforeſayd, ſhall haue their remedie in ſuch caſes for his or their wardſhippes or bodies, and landes, by writ of right of ward, and ſhall diſtraine and make anowrie or cogniſance by themſelues or their Bailifes for their reliefes, heriots, and other profits, which ſhould haue been to them due, by or after the death of their Tenant, as if no ſurrebate or conueyance had beene had or made. Sauing and reſeruing alwayes, by the authoritie aforeſaide, the right and title of the Queene, feoffees and deuiſes thereof, againſt the ſaid deuiſor and his heires, after the intereſt and title of the King or other Lord therein ended and determined. Prouided alwaies that this act, explanation and declaration, or any of them, or any thing in this ſayd act, explanation, or declaration contayned, ſhall not extend to the will or deuice of Sir Iohn Gainſord, late of Crowherſt, in the Countie of Surrey Knight deceaſed, nor to the will or deuice of Sir Peter Philpot knight, deceaſed: nor to the will or deuice of Richard Crekwell late of Watringley, in the Countie of Kent. Gentleman deceaſed: nor to the will or deuice of Thomas Anton, late of the Countie of Berk. Gentleman, deceaſed, ſonne of Sir Thomas Anton knight, alſo deceaſed: or ſhall be in any wiſe preiudiciall or hurtfull to any perſon or perſons, for or concerning any manours, landes, tenements, or hereditaments, contayned or ſpecified in the ſayd willes or deuiſes, or in any of them, but that the ſaid laſt wills and deuiſes, and euerie or any of them ſhall ſtand, abide, remaine, and be in the ſame caſe, force, and effect in the Lawe to all intents, purpoſes, and conſtructions, as the ſayde laſt willes and deuiſes, and euery of them, were before the making of this act, declaration, and explanation, and of none other effect or force, this act, declaration, and explanation, or any of them, or of any thing therein contayned to the contrarie thereof in any wiſe notwithſtanding. Prouided alway, and be it ꝛc. That all and euerie perſon and perſons, from whom the King, or other Lord or Lords ſhall take any manors, landes, tenements, or hereditaments, for his or their full third part, or to make vp his or their full third part, ſhal and may by authoritie of this preſent act, in any of the caſes aforeſaid, vpon his or their bill, exhibited in the Court of Chauncerie, againſt all and euerie ſuch perſon and perſons, which ſhall be intituled, by or vnder any ſuch will, gift, diſpoſition, or deuiſe to the other two parts, haue ſuch contribution, or recompence for the ſame, as by the Chanceller of Eng. or by the Keeper of the great ſeale of England for the time being, ſhall be thought good and conuenient. An 34. H. 8. cap. 5.

Fraud

Remainder

Defraud

Wardſhip

Liuery

Lords

Diſtreine

Willes

Chanceller

Windſore.

ANno 17. H. 8. cap. 18. is a ſtatute concerning the honour of Windſore.

Wines.

IT is prouided alſo, that the Maior, and bailifes before the comming of thoſe barons, ſhal inquire of wines ſold againſt the aſſiſe, and ſhall preſent it before them at their comming, and then ſhall be amerced, where they were wont to tarie vnto the comming of the Juſtices in Eire. Giuen at Glocester, the fourth day of October, in the firſt yeare of the Raigne of King Edward, the ſonne of King Henry, Glocester, capitulo 15. Anno 6. Edw. 1.

Mayors Bayliffs

2 The Aſſiſe of Wine ſhall bee obſerued after the Kinges Aſſiſe, that is to ſay, a ſeſterne at twelue pence. And if the Tauerners exceed that Aſſiſe, their doores ſhall bee ſhut vp by the Mayor and Bayliffes, and they ſhall not be ſuffered to ſell without the Kings Licence. Statde Piſtoribus 31. Edw. 1.

Aſſiſe

3 Acte ſhall be made, that none be ſo hardy to ſell wines, but at a reaſonable price, regarding the price that is at the Ports from whence the Wines came, and the expences, as in cariage of the ſame from the ſayd Ports to the places where they bee ſold. And that aſſay be made of ſuch Wines two times euerie yeare, once at Eaſter, and another time at Michaelmaſſe, and more often if need be, by

Price

Aſſay

the

Lord Maior Bailife

the Lords of the Townes and their Baylifes, and also by the Maior and Bailifes of the same townes. And all the wines that shall be found corrupt, shall be powred out, and the Vessels broken. And the

Chancellor Justices

Chancellor and Treasurer, Justices of the one Bench and the other, and Justices of Assise, shall have power to enquire upon the Mayors, Bailifs, and Ministers of the Townes, if they doe not according to this Statute: And besides that to punish as reason shall require. Anno 4. Edw. 3. Capitulo 12.

Engrosse

4 Defence and Proclamation shall bee made, that no English Merchant shall engrosse nor forestall Wines in Gascoine, nor take them by way of buying of noe Gascoine, nor of other, for to pay in England, for any greater summe then Wines be commonly sold in Gascoine, because of perill in

Price

perill of the Sea, or by any other colour, upon paine of life and member, and of forfeiture of the Wines

Felonie Fork.

and of all their other goods and cattels to the K. and forfeiture of all their Landes and Tenements to the chiefe Lordes. And the chiefe Lords shall have a Writ of Escheat in such case. Anno 27. Edw. 3. cap. 5.

Merchants

5 All Merchants Gascoines and other strangers, may safely bring their Wines into England,

Port

to what Port that shal please them, and to doe their

K. Butler

of their profits. So alwayes that the Kings butler may make purueyance of Wines of aliens when need shall be, making payment for the same wines within fortie dayes, in the manner as hath beene vsed in olde time. Anno 27. Edwardi tertij capitulo 6.

Merchant

6 No English Merchant, nor none of his servants, nor other for them, shall go into Gascoine, there to abide, nor shal haue none other there dwelling, to make bargaine or buying of Wines by a-

Vintage

ny colour, before the time of the Vintage, that is to say, before that common passage be made to fetch Wines there. And that none buy nor bargaine by himselfe, nor by other, any Wines, but onely in the Ports of Burdeaux and Bayon, vpon the paynes and forfeitures vnto aforesayd. And if any be there found doing against the same, he shalbe taken and arrested by the Steward of Gascoine, or

Arrest

the Constable of Burdeaux, and the bodie sent into

Steward

England to the Tower of London. And that the same Steward certifie the King in his Chancerie, of the names of such arrested, and of their Maisters and fellowes also, with all the deed. Anno 27. Ed. 3. cap. 7.

Wales Ireland Gauge

7 All Wines red and white, which shall come into the sayd Realm, and into the Land of Wales, and Ireland to sell, shall be well and lawfully gauged by the Kings Gaugers, or their deputies. And if any doe set disturbance or debate, and will not suffer the same to be gauged, he shal forfeit the same

Fork. Imptt.

Wines, and shall be punished by imprisonment, and ransomed at the Kings will. And if default be found in the Gauger, that he or his deputie bee not readie to do his office, when he shall be required, or that he do fraud or deceit in doing his office, to the damage of the buyer, or of the seller, he shall pay to the party

2. damages Office

grieued his treble damages, and lose his office, and be punished by imprisonment, and ransoment at the Kings will. And in case that lesse be found in the Tunne or Pipe, then ought to be of right, after the Assise of the Tunne, the paine of as much as shall

Allow

lacke of such Tunne or Pipe, be allowed and deducted in the payment. Anno 27. Edwardi tertij cap. 8.

8 The Statutes made of Wines the sayd 27. yeare be holden and kept in all pointes, except the punishment of Lands and Tenements, and of life and member, which punishment is repealed in this

Repealed

present Parliament, as well of time past as of time to come. Moreouer it is ordayned, that every yere it shall be sent to the Mayor and Constable of

Maior Constable

Burdeaux, to Rochell, and to all other Townes and Ports in Gascoine or elsewhere, which be of the legeance of our Soueraigne Lord the King, out of the which the Wines come into England, to be certified of the price of the Wines, in other coasts,

Price

and of the couchers English against the form of the Statute. And by this certification of the couchers against the Statute, they shal be put to answere, if the bodie be sent, as is contayned in the Statute.

Triall

And if he denie the certification, it shall be tryed by Merchantes liuing those partes, and other people which best haue thereof knowledge. And if the bodie be not sent, the certification shalbe sent into the kings bench, or before other Justices, according as shal need, and there procesle be made by Capias and

Procesle

Exigend, or tried by nisi, as afore is said. An. 37. E. 3. cap. 16.

9 As to the Merchantes of Wines and of those that passe the Seas to fetch Wines in Gascoine, for the diuersitie of opinions of diuers; It is assented, that the Statutes or ordinances thereupon made, shall stand in their force. An. 38. Ed. 3. cap. 10.

Denizens

10 All Merchants Denizens, that be not Artificers, shal passe into Gascoin, to fetch wines there, to the intent that by this generall licence, greater plenty may come, and greater market be of wines within the Realme. And that the Gascoines and

Aliens

other Aliens may come into the Realme with their Wines, and freely sell them without any disturbance or impeachment, alwayes saued to the king, that it may be lawfull to him, whensoeuer it is aduised to him or his councell, to ordayne of this Article, in manner as best shall seeme to him for the profit of him and his commons. Anno 38. Ed. 3. cap. 11.

11 It is assented and accorded, for the profit of the Realme, that no Englishman shall passe into Gascoine to fetch Wines there, but they shall be brought into England by the Gascoines and other aliens, and thereupon defence shalbe made thorow the realm. And that no Englishman put in any hands of the sayd Gascoines or Aliens, nor thither send gold nor siluer, nor other Merchandises, thereof to buy Wines to the vse of Englishmen, vpon forfeiture of the gold and siluer, or merchandises, so put in their hands or sent. And that all the ships of Eng-

Aliens

Fork.

Ships

and of Gascoine that come into Gascoine, shall bee

first

firſt fraighted to bring Wines into England before all other, and that no Engliſhman bargain nor buy ſuch Wines comming into England, before that they be put to Land, according to the forme of the ſayde Statutes thereof made. And this ordinance ſhall hold place from the feaſt of Auguſt next inſuing forward. And that noe warrant be made to any Engliſhman to the contrarie. Anno 42.Ed.3.cap.8.

Suretie

12 All Engliſhmen, Iriſhmen, and Welſhmen, that be not Artificers, may freely paſſe into Gaſcoine, to fetch Wine there, finding ſufficient ſuretie before his paſſage before the Maior, or bayliffes where no Mayor is, of the Towne or Port, where he ſhall paſſe, that he ſhall buy in Gaſcoine an hundred Tunnes of Wines, and not leſſe of his own proper goods and of other, and bring the ſame into England, Wales, or Ireland, and to no place elſewhere. And if it be otherwiſe done by any Engliſhman, Welſhman, or Iriſhman, the Wines, & Shippes bringing the ſame Wines ſhall be forfeit to the King, and everie of them ſhal haue one yeres impriſonment, and moreover be ranſomed at the Kings will. And if any Engliſhman paſſe into Gaſcoine, without finding ſuch ſuretie, he ſhall incurre the forfeiture of al his goods to the King. And the ſayd ſureties ſhall be certified and returned into the Kings Chauncerie, by the ſaid Mayor, and Bayliffes, or by the Bayliffes where no Maior is, two times by yeare, that is to ſay, at the Veas of Candlemaſſe, and at the feaſt of Auguſt. And if any Mayor or Bayliffe ſuffer any Engliſhman to paſſe till he hath found ſuch ſuretie, or they doe not certifie in the Chauncerie in the maner as is aforeſayd, they ſhall haue one yeares impriſonment of their body, and moreover be ranſomed at the kings will. And it is not the mind of the King, the great men, nor of the commons, that the ordinance made of the ſayd Wines, the ſaid two and fortie yeare be repealed and annulled, but ſhall abide in ſuſpence, till a man may ſée what profit or damage this preſent grant hereafter ſhal do in the Realme. And the King will that the Gaſcoines and their ſeruants, & all other, whenſoeuer pleaſe them may come with their Wines into England, Wales, and Ireland, as freely and in the maner as was ordained in the ſaid two and forty yere, or in any time before. Añ 43.E.3.cap.2.

Forf.

Impriſon

Maior Bailiffe

Impriſ.

13 An.5.R.2.c.4.& An.6.R.2.c.7. two Acts were made concerning Wines & the price thereof, but thoſe acts were repealed by 7.R.2.c.11. tamen quære & vide Stat.

Diſtraine Exchequer

Wine

14 Item that none of the Kings liege people be diſtreined from henceforth, impeached, moleſted, or grieued in the Exchequer, nor elſewhere for non-gauging of Wines of Rine, nor for any forfeiture of the ſame for that cauſe, otherwiſe then hath béen done of old time. Anno decimo quarto Rich. 2. cap.8.

Merchants

15 All the ſaid Merchants repayring to the ſaid parts of Gaſcoine and Guyon, may freely hereafter buy the wines there of the high Countrey, in all ſuch times and in all ſuch liberties, as they haue vſed to buy them twentie or thirtie yeares paſſed, without any other new impoſition or charge to be put vpon them. And that if any of the Kings Officers in the ſayde parts, or any other perſon diſturbe, vexe, or grieue, or do to be diſturbed, vexed, or grieued any of the ſaid merchants or liege people of our Soueraigne Lord the King, or do to be leuied of any of them any new impoſitions, contrarie to this ordinance: he to forfeit as often times as he offendeth, to the party grieued twentie pound ouer his treble damages to be paied to him, the one halfe of the ſame forfeiture of twenty pound to be paid to the vſe of our ſoueraign lord the king, and the other part to the party ſo grieued, or to him, which in his default and negligence will ſue for our Soueraigne Lord the King in this behalfe. Anno 23.Henrici.6. cap.18.

Forf.

3. Damages Party

16 From henceforth the Malueſeis that ſhall be brought into this your Realme of England, by any perſon, ſhall be of full gauge, containing fiue ſcore and fiue gallons at the leaſt in meaſure. And if it lacke of the ſayde gauge, that then the ſeller to abate ſo much of the price, after the rate of the ſayde content. And euerie Merchant ſtranger bringing ſuch Malneſeis into this Realme, ſhall pay to your Grace the cuſtome of eightéene ſhillings for a butte of Malueſey, ouer and aboue the cuſtome aforetime to your Grace vſed to be paied, likewiſe as they of Venice haue ſet in Candie vpō your aforeſaid ſubiects. And moreouer that it be &c. from henceforth, that noe butte or buttes of Malueſeis in veſſell or veſſels that ſhall bée brought into this your ſayde Realme, ſhall be ſolde aboue foure pound ſterling. Prouided alway, that this act extende not to any Engliſh man borne, touching the new cuſtome rehearſed of xxiij.s. And that this preſent act endure no longer then they of Venice ſhal ſet aſide the impoſition of the paiment of the 4. ducats aforeſaid. Añ 7.H.7.cap.7.

Gauge Abate

Cuſtome

17 Anno 7.H.8.cap.2. it is enacted that all licences made for bringing in of Gaſcoine Wine and Tholous woad, contrarie to the Statute of Anno 4.H.7.cap.10. (which is in Ships 8.) were voyd.

Licences

18 Anno 23.Hen.8.cap.7. an act was made to endure to the laſt day of the next Parliament concerning bringing in of Wines into England, and ſelling Wines by retaile, and of what prices, and who ſhould ſet the prices, and concerning the contents and gauging of Wines and other licours.

Retaile Prices

Gauging

19 That euerie Merchant and other perſon now hauing, or which hereafter ſhall haue Wines to be ſold, and refuſing to ſell or deliuer, or not ſelling any of the ſame Wines for ready mony therefore to bée payde, according to the price or prices thereof then béeing ſet, ſhall forfeit and loſe the value of the Wine, ſo required to be bought. And furthermore be it &c. That it ſhall be lawfull to all and ſinguler Iuſtices of Peace, Maiors, Bailifes, and other head Officers and gouernours in ſhires, Cities, Boroughs, and Townes, and in other places of this Realme, within the precincts and limits of their offices, from the laſt day of Aprill, in the yeare of our Lord God 1533. at the deſire

Merchants

Refuſe

Forf.

Iuſt. of P. Mayors Baylifes

and

and request of any of the Kings subiects, to whom any deniall of sale, or from whom any restraint of sale of any such Wines shall bee made, and full payment therefore without delay offered to bee made according to the prices which at the time of such deniall or restraint of sale, be or shall be set by the Lords and Justices, or hereafter to be set, according to the said Statute heretofore made, to enter into the houses and cellers, and other places, where any such Wines shall lie and bee, and to sell and deliuer the same Wine or Wines desired to be bought, to the person or persons requiring or desiring to buy the same: taking of the buyer of the same Wine or Wines so to be sold, to the vse of satisfaction of the forfeiture aforesayd, after the rate of the prices thereof now being set, or hereafter to be set, as is aforesayd. Prouided alwayes, that if at the time of any such sale of wine purposed to bee made, the Merchant, Vintener, or other owner or owners thereof, doe truely, fully, and manifestly declare and shewe to the sayde Justice of Peace, Mayor, Baylife, or other head officer, purposing to make the sayde sale by vertue of this act, what and how much quantitie and sorts of Wines he then shall haue, and affirme and depose vpon his bodily othe, to bee made and giuen by the discretion of the same Justice of the Peace, Maior, Baylife, or other head officer, that he keepeth & detaineth the same Wines, to the intent onely to draw and expend ỳ same in his own house by retayle, or otherwise, and not to sell the same Wines, nor any of them in grosse, that then the same Merchant, Vintener, or other owner, shall keepe and retaine the same Wines, without any sale thereof to be made, in forme aboue written, and without any forfeiture for refusall or restraint of sale thereof to bee made in grosse. And in case that after such othe so made, the same Merchant, Vintener, or other owner or owners, doe sell the same Wines, or any of them in grosse, that is to say, by the tun, but, tierce, pipe, hoghead, barrel, or rundlet, he shall forfeit and lose the double value of all such Wines soe sold in grosse. The one halfe thereof, and of the other forfeiture aboue written, to be to the King our Soueraigne Lord, and the other halfe to the partie or parties that shall sue &c. Prouided alwayes, that this act extend not to take effect in any Shire of this realme, other then in the citie of London, & within three miles compasse of the same before the last day of July, in the yeare of our Lord God aboue written, vnlesse that in the meane time this Statute be openly proclaimed in some open Faire or Market within the same Shire, where before the said last day of July it shall happen to be put in execution. Anno 24. H. 8. cap. 6.

Sell

Othe Iust. of P. Maior Baillife

Retaile

Vintener

Forf.

Poitv

London

20 No person or persons shall sel any Gascoin, Guion, or French Wines, aboue eight pence the gallon, that is to say, one penie the pint, two pence the quart, foure pence the pottell, and eight pence the gallon, vpon payne of forfeiture for euery pint to be sold aboue the said price foure pence, and for euerie quart sold aboue the said price eight pence, and for euery pottle so solde aboue the saide price, twelue pence, and for euerie gallon so solde aboue the sayd price afore limited two shillings. And that no Malueseis, Romneis, Secks, or other sweete Wines, shall be sold by retaile aboue twelue pence the gallon, sixe pence the pottle, iy. pence the quart, and three halfe pence the pinte, vpon payne to lose and forfeit three shillings foure pence for euery gallon, twentie pence for euerie pottle, twelue pence for euerie quart, and six pence for euerie pint, that shall be sold contrarie to this act. Prouided alway, that the Lord Chaunceller, Lord President of the Kings most honorable Councell, Lord priuy seale, and the two chiefe Iustices of eyther Bench, or fiue, foure or three of them shal haue power and authoritie by their discretions, to set the prices of all kind of Wines, that is to say, of the prices of the but, tun, pipe, hoghead, ponchion, tierce, barrel, or rundlet, when it shall be sold in grosse, so that they or any of them cause the prices by them set to bee written, and open Proclamation thereof to bee made in the Kings Court of Chauncerie openly in the Terme time, or else in the Citie, Borough, or Towne where any such Wines shall bee solde in grosse, any thing contayned in this Act to the contrarie hereof notwithstanding. And it is &c. That if any person or persons, after such prices bee set & put in writing by the sayd Lord Chaunceller, Lord Treasurer, Lord President of the Kings most honourable Councell, Lord Priuie Seale, and the two chiefe Iustices, or by fiue, foure, or three of them, and Proclamation thereof had (as is aforesayd) doe sell any Wines in grosse by any fraud or couin, contrarie to the sayd Prices so set and proclaimed: that then euerie Offender in that behalfe shall lose and forfeit for euerie vessell by them sold in grosse, contrarie to the sayd prices fortie shillings: the one halfe of all which forfeitures to be to the King our Soueraigne Lord, and the other halfe thereof, if it be within any Citie, borough or towne corporate, to be to the Maiors, Shirifes, Bailifes, or other head rulers of such Cities, Boroughs, or townes Corporate: And if it be without Citie, Borough, or towne Corporat, then to be to such of the Kings Subiects as will sue for the same. And that euerie such forf. shall bee recouered by originall Writ of Debt, Bill, Plaint, or Information: In which suit no wager of Law shall be admitted, nor any protection or essoine allowed. And it is &c. that the Iustices of Peace in euerie shire of this realm, and all Maiors, Shirifes, Baylifes, and other head officers in Cities, Boroughs, and Townes Corporate, that is to say, euerie of them within the limits of their commissions and authorities, aswel within franchises as without, shal haue power and authoritie to examine, heare, enquire and determin the defaultes of such as shall attempt to sell any Wines in grosse, or by retaile, contrarie to this Act, and to punish the Offenders by Imprisonment, or otherwise by their discretion. Anno 28. Henrici octaui capitulo decimo quarto. See here 21.23.

Diuers Wines Retaile Prices

Forf.

L. Chiefes

Prices in grosse

Sell

Forf.

Poitv

Maiors Maiors Baylifes

Recouerie

Iust. of P.

Enquire Diet &c.

Imprison

21 Such Lords as by the said former act (s Anno 28. H. 8. cap. 14. before 20.) haue authoritie and power to set prices of Wine in grosse, shal by vertue and force of this act, haue the same authoritie to mitigate

Price Retaile

mitigate and enhance the price of Wines hereafter to be sold by retaile, as often as time and occasion shall require, any thing in the sayd former act contayned to the contrarie thereof notwithstanding. And their sayd prices, and ordinances, after Proclamation thereof made, to bee obserued and kept, vpon payne and penaltie in the same Proclamation contayned. The Moitie of al which penalties to bee to the King our Soueraigne Lord, and the other Moitie to the partie that will sue for the same in any of the Kings Courts of Record, by Bil, Plaint, or Information, in the which no wager of Law, Essoine, or Protection shall be allowed. This Act to indure to the end of the next Parliament. Anno 34. Henric. 8. capitulo 7. See heere 22. & 23.

Moity

22 Anno 37. H. 8. cap. 23. this last act of Anno 34. H. 8. cap. 7. is continued to indure to the end of the next Parliament. And it is further enacted, that the said Lord Chanceller, Lord Treasurer, L. President, Lord Priuie Seale, and the two chiefe Iustices, or fiue, foure, or three of them, shal yearely set the prices of all kindes of the sayde Wines mentioned in the said former act, betweene the 20. day of Nouember, and the last day of December, and at no other time or times, and that all and euerie person selling in grosse or by retaile, any of the sayd Wines mentioned in the same act, shall not sell any of the same Wines aboue the prices so by them set, vpon such payn and forfeiture as be made and prouided in the same Statute made at Westminster, the eight and twentieth yere of the raigne of our most dread Soueraigne Lord the King (before 20.) And be it &c. that if any person or persons, that now haue or hereafter shall haue any Wines to sell in grosse, within any Citie, Borough, or Towne Corporate, or any other hauen, Corporat Towne, or Townes within this Realm, or within any the Kings Dominions, or territories of the same, and do at any time hereafter refuse to sell any kind of the same Wines, according to the price, as now, or at any time hereafter shall bee limited and appointed by the sayd Lord Chancellour, Lord Treasurer, Lord President, Lord Priuie Seale, and other the sayd chiefe Iustices, or by any fiue, foure, or three of them: that then it shall be lawfull to the Mayor of the Citie of London, Recorder of the same City, and two of the ancient Aldermen of the same Citie, beeing no Vintners, for the time being, and to the Mayor, Baylifes, Aldermen, and other the head officers, or to any two of them, whereof the Maior, or chiefe Aldermen, or Baylife to be one within all and euerie Citie, Borough, and Port Town, within this Realme, wherein any Wines now be or hereafter shal be to sell, to enter into the houses, cellers, and places, of all and euerie such owner and owners of the same Wines in any of the sayd Cities, Boroughs, and Port Towne, and the same Wines lawfully to sell to the vse of the owners of the same Wines to any person or persons willing to buy the same, according to such prices and rate as by the sayd Lord Chancellor, Lord Treasurer, Lord President, Lord Priuie Seale, and the sayd two chiefe Iustices, or by any 5. 4. or three of them, is or hereafter shall be set, limited, and assigned, according to the tenour of the sayd act made in the sayd eight and twentieth yeare of the Kings Maiesties Raigne. Anno 37. Henric. 8. cap. 23. And after Anno 5. Edw. 6. cap. 17. that foresayd Act of Anno 34. Henric. 8. cap. 7. And the Articles aforesaid in Anno 37. Henric. 8. cap. 23. be continued vnto the last day of the next Parliament, and so discontinued.

23 For auoyding of many inconueniences, much euill rule, and resort of disordered persons to many Tauernes newly set vp in very great number in backe lanes and suspitious places within London and other where: Be it &c. That no person or persons whatsoeuer inhabiting within any of the Kings Maiesties Dominions of England and Wales, shall after the Feast of Saint Michaell the Archangell next comming, vtter by retaile by small measure, that is to say, by gallon or any other measure of greater or lesse quantitie, any wines called Gascoine, Guion, or French wines, but after the rate of eight pence the gallon at the most by any manner of meanes, colour, engin or craft, nor any Rochell Wines, at greater prices, or valuation, then after the rates of foure pence the gallon at the most, nor any other Wine or Wines, at greater price or valuation then after the rate of twelue pence the gallon at the most, vpon payne that euerie person doing the contrarie, shall forfeit for euerie such offence fiue pound of lawfull money of England. (But see this clause altered to the forme of the Statutes of 28. H. 8. cap. 14. & 34. H. 8. cap. 7. (before 20. and 21.) which see here in Ships 13.) And be it &c. That it shall not be lawfull to any person or persons within any the Dominions aforesayde, except hee or they shall and may dispend in Lands, Tenements, Hereditaments, or other yearely profits certaine, the summe of one hundred Markes of lawfull money of England, or else bee worth of his owne proper goods and cattels one thousand Markes, or shal be the sonne of a Duke, Marques, Earle, Viscount, or Baron of this Realme, to haue or kepe after the sayd Feast of Saint Michaell the Archangel, in his house or custodie any pice or vessell of any of the sayd Wines of Gascoine, Guion, French or Rochell Wines, containing aboue the quantitie of tenne gallons, to the intent to spend or drinke the same in his or their house or houses by any colour or meanes, vpon payne to forfeit for euerie such offence, tenne pound of lawfull money of England. And also be it &c. That it shall not be lawfull to any person or persons within any of the sayd Dominions, after the sayd Feast of Saint Michaell, to kepe any Tauerne, or to sell or vtter by retaile, by the gallon, or lesse or greater measure in any place, any of the sayd Wine or Wines within any of the sayd Dominions, except it bee in Cities, Townes Corporate, Boroughs, Port Townes, or Market Townes or in the Townes of Gravesend, Sittingborne, Murford and Bagshot, vpon payne that euerie person or persons that shall so offend, contrarie to the

L. Chancel.

Prices

Refuse

Maior Recorder Aldermen London

Sell

Retaile

Price

Fork.

100. make land Goods

Fork.

Tauerns Sell

Cities Townes

Forf. 6. pounds

the forme of this Act, shall lose and forfeit for euerie day so offending, the summe of tenne pounds of lawfull mony of England. Nor that it shalbe lawfull to any person or persons, after the sayd feast of Saint Michaell, to keep any Tauern, or sel, or vtter by retaile by the gallon, or lesse or greater measure, in any Citie, Borough, or Towne Corporat, any maner of Wines, but onely such person & persons as shall be thereunto nominated, appointed, and assigned by the head officers, and the most part of the Common Councell, Aldermen, Burgesses, Jurates or communaltie for the time being, of such Citie, Borough, or Towne Corporate, where such person or persons shall tauerne, sell, or vtter Wine by retaile as is aforesayd: the said nomination and assignement to be made by writing, vnder the common seale of such Citie, Borough, or Towne Corporate, as is aforesaid, and the said nomination, appointment and assignement, shall continue in their force, or be chãged at the election and pleasure of the head Officer or Officers, and the most part of the Common Counsell, Aldermen, Burgesses, Jurates or Communaltie for the time being, of such Citie, Borough or Towne Corporate, by writing, and vnder such Common Seale as is aforesaid. Nor that it shall be lawfull to any person or persons, to kepe any Tauerne, or to sell or vtter any Wine by retaile, as is aforesaid, in any Citie, Borough, Port Town or Market Town not Corporate, within the Realme of England or Wales, or in the said Townes of Gravesend, Sittingborne, or Bagshot, but onely such person or persons as thereunto shall be assigned, nominated, and appointed by all or the most part of the Justites of peace for the time being, of such Shire or Countie where such Tauernes, or selling of wine by retaile shall be had or allowed, as shal be present at the generall Sessions for the time being to be holden within euerie of the sayd Shires or Counties, the sayd assignement, nomination and appointment to bee had and made in full Sessions by writing vnder the seuerall Seale of euerie of the sayd Justices, and to bee continued, altered or changed in like forme, and by like authoritie as is aforesaid, vpon payne that euery person that shall after the sayd Feast, sell or retaile any Wine, being not thereunto licenced and authorised, as is aforesayd, shall forfeit and lose for euerie day that hee shall so offend, 5. pound of lawful mony of England. Nor that any person or persons hauing authoritie by this present Act, to nominate, assigne or appoint what persons shal Tauerne, vtter or sell Wine by retaile, as is aforesaid, shal nominate, assigne or appoint by his or their writing any moe, or greater number of Tauernes or Wine cellers by retayle, to sell or vtter Wine, or kep or continue any Tauerne at one time in any one Citie, Borough, Towne Corporate, Port Towne, or Market Towne, or in Gravesend, Sittingborne, or Bagshot, (all and euerie such Citie and Towne hereafter expresly named onely except) then two Wine cellers or Tauernes. And that it shall not be lawfull to any person or persons hauing authoritie to nominate, assigne or appoint Tauernes or Cellers of Wines by retayle, by this Act, to nominate, assigne or appoint by writing any moe, or greater number of Tauernes or Wine cellers in the Citie of London, to sell or vtter Wine by retayle at any time, above the number of fortie Tauernes or Wine Cellers. And in Yorke eight, in Norwich foure, in Westminster and in Bristoll fiue, in Lincolne three, in Kingston vpon Hull foure, Shrewesburie three, in Exeter foure, in Salisburie three, in Glocester foure, in Westchester foure, in Herford East three, in Worcester three, in South-hampton three, in Canterburie foure, in Ipswich three, in Winchester three, in Orford three, in Cambridge foure, in Colchester three, in Newcastle vpon Tine foure Tauernes or Wine Cellers, vpon payne that euerie person authorised by this Act, to nominate, assigne or appoint Tauernes or Wine Cellers, to forfeit for euerie nomination, assignement or appointment by him made, contrarie to the forme of this Act fiue pound. And beit &c. That no person or persons whatsoeuer, from and after the sayd feast of Saint Michaell, shall vtter or sell by retayle, any kind of Wine or Wines to be drunke or spent in his or their mansion house or houses, or other place in his or their tenure or occupation, by any colour, craft, engine or meane, vpon payne to forfeit for euerie such offence tenne pounds of lawfull mony of England, the one halfe of which forfeitures shall bee to the King our Soueraigne Lord and the other halfe to him or them that will sue for the same, by action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, in which &c. Prouided alwayes, that it shall be lawfull to all and euerie Merchant and Merchants aduenturing for the same at his or their owne costes and charges, to haue and kepe to spend in his or their house or houses, such Wine or Wines, as he shal transport or cause to bee transported into this Realme or any part thereof, not taking any mony or other recompence for the same that shalbe so spent in his or their houses. And that it shalbe lawfull to euerie high Shirife of euerie County, Maior, Baylife and Shirife of euerie Citie and towne Corporate within this Realme of England, and other the sayd Dominions for the time being, during his or their office or charge, and to euerie other person inhabiting or dwelling in any of the K. Maisties forts or towns fortified & kept for the wars, during his or their dwellings in any such Fort or Towne of war, to haue wine in their houses by the vessel, to spend the same in his or their houses, without taking any mony or other recompence for the same so spent in his or their house or other place in their tenure or occupation: This act or any thing therein contained to the contrarie in any wise notwithstanding. And it is &c. That the Justices of Peace of euerie Shire or Countie, Citie and Towne Corporate in their seuerall Sessions, and the Steward in euerie Leet, and the Shirife in his turne, and euerie Escheto, shall haue full power and authoritie by this present act, to inquire by the othes of twelue lawful men, of all and euerie offence & offences perpetrated or done con-

Retaile

Licenced

Tauerne Retaile

Just. of P.

Sessions

Forf. 5. pound

2. Tauerns

London xl. Tau.

Forf.

Retaile

Forf.

Poore

Merchan.

Sheriffe Maior Baillife

Warres

Just. of P.

Steward

Sheriffe

contrarie to the forme of this Act. And that euerie inquirie and preſentment taken and had by the othes of twelue lawfull men, as is aforeſaid, ſhalbe of ſuch force and effect, as if the ſame were taken or had before the King in his Maieſties Bench. And that euerie of the paynes, penalties and forfeitures aforeſaid, to bee doe by force of this Act for any offence ſo cõmitted or done by any perſon or perſons, contrarie to the forme of this preſent Act, as ſhalbee found by preſentment before the ſaid Iuſtices of Peace, Eſcheators, Shirife or Steward, or by verdict of twelue men, as is aforeſaid, and no Bil, Plaint, Action, or Information thereof commenced in any of the Kings Courts of Record, ſhall be diuided equally into two parts, whereof the one ſhall be to the King our Soueraigne Lord, his heires and ſucceſſours, and the other to bee to the poore people of the towne or place where ſuch preſentment ſhall be found. Prouided alway and bee it &c. That this act or any thing therein contayned, ſhall not extend to charge any perſon or perſons with any penalty or forfeiture, for and concerning any offence to bee done contrarie to the tenour of this Act, vnleſſe he or they ſo offending, be ſued, indicted or preſented for the ſame within one yeare next after the ſame offence to be done and committed as is aforeſaid, any thing in this act contayned to the contrarie notwithſtanding. Prouided alway, that this Act or any thing therein contayned, ſhall not in any wiſe be preiudiciall or hurtfull to any of the inhabitants of Orford and Cambridge, or to the Chauncellers or Schollers of the ſame, or their ſucceſſours or any of them, to impaire or take away any of the liberties, priuiledges, franchiſes, iuriſdictions, powers or authorities to them or any of them appertaining or belonging, but that they and euerie of them, and their ſucceſſors may haue, hold, vſe and inioy all their liberties, priuiledges, franchiſes, iuriſdictions, powers, and authorities, in ſuch large and ample wiſe, as though this act had neuer beene had ne made, ſo allwayes that there bee not any more or greater number of Tauerns kept or maintained within any of the ſaid Townes of Orford or Cambridge, then may be lawfully kept and maintained by the prouiſion, true meaning, & intent of this Statute, any thing in this prouiſo mentioned to the contrarie notwithſtanning. An. 7. E. 6. cap. 5. So much of this act as doth concerne the ſelling of Wine at certaine prices, or forbidding or reſtraining the hauing of Wine in mens houſes, is Anno 1. Iac. cap. 25. repealed and made void.

Enquire

One yere

Orford Cambridge

Witneſſe.

When a deed, releaſe, acquittance, or other writing is denied in the Kings Court, wherein witneſſes be named, proceſſe ſhalbe awarded for to cauſe ſuch witneſſes to appeare, as before hath beene vſed, ſo that if none of them came in at the great diſtreſſe returned, or if it be returned, that they haue nothing, or that they cannot bee found, yet the taking of the inqueſt ſhall not bee deferred by the abſence of ſuch witneſſes. And if the witneſſes do come in at the great diſtreſſe, and the inqueſt for ſome cauſe remaineth vntaken, the witneſſes that come in, ſhall haue like day giuen them, as is aſſigned for the taking of the inqueſt, at which day, if the witneſſes do not appeare, the iſſues that were firſt returned vpon them ſhal be forfeit. And the taking of the inqueſt ſhall not bee deferred becauſe of their abſence. And for abſence of witneſſes dwelling within franchiſes where the Kings writ originall doth not lie, the taking of an inqueſt ſhall not be deferred. Anno 12. Edw. 2. cap. 2. Statute of Yorke.

Proceſſe

Iſſues

Wood.

Euerie man that hath any wood within the Forreſt may take houſebote and heybote within his ſayd Wood without being attached for the ſame by any Miniſters of the Forreſt, ſo that he doth the ſame by vertue of Forreſters. Anno 1. Ed. 3. ca. 2. ſtat. 2.

Forreſt Houſebote Heybote

2 If any of his Subiects, hauing Woods of his owne, growing in his owne ground within any Forreſt, chace or purliew of the ſame, within this Realme of England, from the firſt day of this parliament, ſhall cut or cauſe to be cut the ſame Wood or part therof by licence of the King or of his heires in his Forreſts, chaces or purliewes, or without licence in the forreſt, chace or purliew of any other perſon, or make any ſale of the ſame wood: It ſhall be lawfull to the ſame Subiects owners of the ſame ground whereupon the Wood ſo cut did grow, and to other ſuch perſons, to whom ſuch Wood ſhall happen to be ſold, immediatly after the Wood ſo cut, to cut and encloſe the ſame ground with ſufficient hedges, able to keepe out all maner beaſtes & cattell out of the ſame ground, for the preſeruing of their young ſpring. And the ſame hedges ſo made, the ſayd ſubiects may keep them continually by the ſpace of ſeuen yeres next after the ſame incloſing, and repaire and ſuſtaine the ſame as often as ſhall need within the ſame ſeuen yeres, without ſuing of any other licence of him or of his heires, or other perſons, or any of their officers of the ſame Forreſts, chaces and purliews. Anno 22. Ed. 4. c. 7.

Cut downe

Licence

Encloſe

7. yeares

3 In and vpon all and ſinguler Woodes, commonly called Coppies, Woodes or Underwoodes, which from and after the Feaſt of Saint Michaell the Archangell, which ſhall bee in the yeare of our Lord God 1544. ſhalbe felled at the foureteen yeres growing or vnder, there ſhall be left ſtanding and vnfelled, for euerie Acre of Wood that ſhall be felled within the ſayd Coppies, twelue Standils or ſtorers of Oake: If there be not ſo many ſtandils or ſtorers of Oke, that then there ſhalbe left ſo many of other kind, that is to ſay, of Elme, Aſh, Aſpe, or beech, as ſhal make vp the ſaid number of twelue ſtandils or ſtorers likely to proue and to bee Timber Trees, the ſame Standils or ſtorers to bee of ſuch ſtandils or ſtorers as haue bin left there ſtanding at any the felling of the ſame coppies, woods, or vnderwoods in times paſt. And in caſe there be no ſuch Standils or ſtorers there ſtanding which were there left of the laſt felling of the ſame Coppies

Coppies Woods

14. yeres old

Standils 12. Okes

pies, or vnderwoods, that then the same standils, or stowers there to be left, shall be left at this now next felling of the sayd coppies, woods, or vnderwoods of such most likeliest Okes. And if there be not sufficient of Okes, then of the most likeliest Elmes, Ashe, Aspe, or Beech to prove and to bee Timber Trees, as shall growe within any such severall Woods, Coppies or Underwoods, and that the same Standils or Stowers so left, shall bee preserued and not felled or cut downe, till they and everie of them shall be of tenne inches square within three foot of the ground, vpon payne that everie owner of everie such standils and stowers, having an estate of inheritaunce, or an estate for terme of life of freehold or by coppie of Court Rolle, or for yeares in the ground or soyle, where the same standils or stowers shall grow, causing or commaunding any such Coppies, Woods, or Underwoodes to be felled or cut downe, and not leauing the said standils or stowers there standing in forme aforesayd, to lose and forfeit for everie standil and stower, so not left standing in the said coppies, Woods or Underwoods, three shillings foure pence. And vpon paine that everie owner, as is aforesayd, of any such coppies, Woodes or vnderwoods, causing or commanding any of the said standils or stowers so left, as is aboue said to be cut downe, contrarie to the forme of this Act, to forfeit and lose for everie of the sayde standils or stowers which shall bee so cut downe three shillings foure pence, the one halfe of which sayd forfeitures to bee to the King our soueraigne Lord, and the other halfe to be to the partie that will sue &c. in which action &c. And be it &c. That all and singuler coppies, and Underwoods, which after the sayd Feast of Saint Michaell the Archangell, shall happen to be felled or cut downe, at the age of foureteene yeares, the twentieth day of April, next after the felling thereof, during the terme of foure yeares then next insuing, shall bee sufficiētly inclosed, or the springs therof otherwise saued and preserued from destruction by any manner of cattel or beastes by him or them which then shall haue lawfull interest and possession in the said Woods, Coppies, vnderwods, as is before sayd, vpon paine of everie person or persons, so bounden to inclose, fence, saue or preserue the sayd coppies or Underwodes, to forfeit and lose for everie rodde thereof so not inclosed, fenced, saued, or preserued, during the said foure yeares, three shillings foure pence for euery moneth that the same coppies or vnderwods shal happen to lie or to be vnclosed, & not fenced, saued or preserued as is aforesaid. And that all and singuler Coppies or Underwodes, which after the feast of Saint Michael the Archangell shall happen to be so felled or cut downe, being aboue the age of foureteene yeares growth, and not aboue the age of 24. yeares growth, from the twentieth day of April, next after the felling or cutting downe thereof, during the terme of fiue yeares next insuing the same twentieth day of April, shall be sufficiently enclosed, or the springs therof otherwise saued and preserued from destruction therof by any manner of cattell or beastes, by and at the costes of such which then shall haue lawfull interest and possession in the sayd Woods, or Coppies, as is before sayd, vpon pain of everie person or persons so bounden to inclose, fence, saue or preserue the sayd coppies, or vnderwods, to forfeit and lose for everie rod thereof so not inclosed, fenced, saued, or preserued, during the said fiue yeares, three shillings foure pence for euerie moneth that the same coppies or vnderwods shall happen to lie or be vnclosed and not fenced, saued or preserued as is aforesaid. And be it &c. That no person or persons after the sayd feast of Saint Michaell the Archangell, shall conuert or turne into pasture or tillage, any such coppies or Underwods, containing in quantitie two acres or aboue, which now bee Wood or Underwood, & put or reserued to the vse of increase of Wood or vnderwood, and being two furlong distant from the house of the owner thereof, or from the house whereunto the said wood doth lie, appertaine or belong, vpon paine to forfeit and lose for everie acre of wood so to be cōuerted or turned from Wood into pasture or tillage, forty shillings. Prouided alway that this Act shall not extende to any Coppies, Woods or vnderwods destroyed, or turned into tillage or pasture, within twentie yeares last past, although the more part, or any part there be now ouergrown with bushes or vnderwood, and be it &c. That all and euerie person and persons, bodies politique and corporate, which haue or hereafter shall haue any seuerall woods or coppies growing or set with great Trees, being aboue the age of twentie foure yeares growth, shall at the felling or weeding thereof, leaue standing within the precinct of the sayde Wood and coppies, for euerie acre so felled twelue Trees of Oake of the same such great Trees, if there be so many trees of oake there to bee left, and for lack of okes, thē to leaue for euery acre so felled, as many other trees of elme, ashe, beech, or aspe, as shall make the full number of xx. of such as shalbe then growing, the same trees there so left to stand, continue and to be preserued by such owner or owners as is aboue sayd during the space of xx. yeres next after the felling of the same woods. And also from the xx. day of April, next after the felling thereof, during the terme of 7. yeares then next following, sufficiently inclose thē, or the springs thereof otherwise saue and preserue from the destruction thereof by any maner of cattel, or beasts, vpon pain that euerie such person or persons, or bodies politique or Corporate being owner of the sayde great Woods as is aforesaid, to forfeit and lose for euerie such great Tree of the said number lacking and not left so standing in the sayd wood as is aboue said six shillings eight pence. And vpon paine that euerie owner of the ground or soile, whereupon such great Trees as is aforesaid shall be left standing or growing, causing or commaunding any of the said great Trees, there so left standing as is aforesaid, to bee cut downe contrarie to the forme of this act, to forfeit and lose for euerie of the same great Trees so left, which shall be so cut downe as is aforesaid, fiue shillings eight pence. And vpon paine also to lose & forfeit for euerie rodde of such great wood so not inclosed, fenced, saued, or preserued, during the sayd space of seuen yeares, for euery moneth iij. s. iij. d.

Pro-

10. inches

Forf.

Forf.

Forfeit

4. yeres

Forf.

6. yeres

Forf.

Pasture Tillage

Forf.

24. yeres old

12. standils

Forf.

7. yeres

Forf.

Forf.

Forf.

Prouided alway, that it shall be lawfull to euerie owner or owners of any of the said coppies, woods, vnderwoods, standils or stozers, great Woods and Trées afozerehearsed, to sel, cut downe and take any of the same for building, repairing, inclosing, and maintaining of houses, orchards, and gardens, and euerie of them, and for paling, railing, or inclosing of Pakes, Forests, chases or other grouds, and for making, or repayring of water workes, Dammes, Bridges, flowdgates, making, repairing or amending of Shippes and all other vessels, and for all other things concerning their owne vses or affaires, in such like manner and forme, as hee or they should or might lawfully haue done before the making of this Act, any thing in this present Act before mentioned to the contrary thereof notwithstanding. And further be it &c. That it shall not be lawful to any person or persons, which after the said Feast of Saint Michaell shal haue any woods or vnderwoods, wherein any other person or persons iustly hath or haue vsed time out of mans remembrance, to haue Common of pasture, to fell or cut downe the said Woods and Underwoods there growing or being, or that shall grow or bee in any such Woods or vnderwoods, except it be to his own vse and occupation, vntill such time as the fourth part of such woods, vnderwoods, or grounds, where the said woods now grow, or as much as the fourth part of the sayd ground or soyle, whereupon such Wood is or shall be, and growing shall amount vnto shall be by the Lord and owner for the time being of the sayd ground or soyle diuided, set out, meted, bounden, fenced, and inclosed, in manner and forme, as by this Act hereafter shall be declared, ordayned, and prouided, that is to say, that the sayd Lord that then shall bee owner of the sayde ground or soyle, shall call together the Menants and Inhabitants being Commoners in the sayd ground or soyle, or the more part of them, and vpon the assembly and meeting of the sayd Lord, Menaunts and Inhabitants, or the more part of them, the sayd Lord or owner, by the assent, consent, and agreement of the said Menants and inhabitãts, or the more part of them, shal seuer, diuide, set out, mete and bound the fourth part of the said woods and vnderwoods, or so much thereof as shall amount to the full fourth part thereof. And if the sayd Lord and the sayd Menants and inhabitants, or the more part of them, cannot, will not, or doe not assent, consent and agree, for or vpon the seuering, diuiding, setting out, meting, and bounding of the sayd fourth part of the said Woods and vnderwoods, or of as much thereof as shall amount to the full fourth part thereof, that then two Iustices of the Peace, not being of the kind, alliance, counsaile, or fee, of or to the sayd Lord or owner, being thereunto appointed by the more number of the Iustices of Peace of the Shire, where the sayd ground or soyle lyeth, in their open Quarter Sessions, vpon request and suite made vnto them by the Lord or owner, or by his or their lawfull deputie or deputies of the said Woodes, Underwoodes, groundes or soyle, shall haue full power and authoritie to call before them, vpon such paynes and penalties, as the sayd Iustices shall limit and appoint, such twelue of the sayde Commoners and Inhabitants nigh vnto the same Woodes, or Underwodes, as by the discretion of the sayd two Iustices shall be thought meete and conuenient: And vpon or after the apparance of the same Lords or owners, Commoners, and Inhabitants, or the more part of them, the same Iustices shall open and declare vnto the same Lord, Owners, Commoners, and Inhabitants, the cause of their assembly and apparance, and that done, shall by the aduice and assent of the sayd Lord, Owners, Commoners, and Inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceed to the seuering, diuiding, and meting, and bounding of the sayd fourth part of the sayd Woods and vnderwods, or of so much thereof as shall amount to the fourth part thereof. And if the same Iustices, Owners, Commoners and Inhabitants, or the more part of them, cannot or will not agree vpon the diuision, bounding or setting out of the sayd fourth part thereof, as is aforesayd: That then the sayd Iustices shall haue full power and authoritie by this Act, to seuer, diuide, and set out by mete and bound the fourth part of the sayde Woods and Underwods or so much thereof vnder the same fourth part of the sayd Woods and vnderwods, as shall by the discretions and wisedome of the sayd Iustices bee thought necessarie and requisite to limit and set out. And within the moneth next after such seuerance and setting forth thereof, the owner or owners of the same Woodes and Underwods, in forme afore declared, shal sufficiently inclose the same part of the sayd ground or soyle so set forth as is aforesayd, and after such inclosure made, the sayd owner of the sayd Woods or Underwods, may at his libertie and pleasure, fell, cut downe, and take the said woodes or vnderwods, being or that shalbe in, or vpon the said coppies, woods, vnderwods, grouds or soile so set forth, or in any part thereof. Prouided alway & be it &c. that there shalbe left standing and vnfelled in and vpon the said part of euerie of the same woods or Underwods, ground or soyle so seuered, bounden, & set out distinctly in maner and forme as is aforsaid at euerie felling thereof, such and like number of standils or stozers of young okes or other young Trées of Elme, Ash, Aspe, or Beech, if it be coppies or Underwods, which shall be so felled or cut downe. And if the Woodes that shall bee felled, shall bee great Trées, or great Woodes, then such number shall bee left standing of great Trees, in, or vpon the sayd part to all intents, constructions and purposes, and vpon like and the same penalties as is before limited and appointed for not leauing, reseruing and preserning of standils, or stozers aboue appointed to be left standing in seuerall woods and grounds. And that the said part or parcell so seuered, bounden, and set out in manner and form aforesayd, after euerie felling or cutting downe of the Coppies, Woods, or Underwods, for the time being, in, or vpon the same, by the authoritie of this act, shall bee sufficiently inclosed and

Building

Ships

Common of pasture

4. part

Set out

Lords Tenants

2. Iu. of P.

Quarter Sessions

r. Commoners

Diuide

Iustices

Set out 1 Moneth

Enclose

Cut downe

Standils

defenced, and the inclosure therof sufficiently and continually kept, made, or repaired preserued and
7. yeres maintained by the space of seuen yeares next after euerie felling thereof, in like manner and forme to all intents and purposes, and vpon the same and like paines and penalties as is before limited, rehearsed and appointed for the not inclosing, or fencing, and for the not kéeping, maintaining, repairing and preseruing of the said seuerall coppies, vnderwoods, and woods. And also that the standils, storers, and great Trées limited and appointed to be left standing in, or vpon the said part shall be there left standing, preserued and not cut downe in like manner and forme, and by all such time, and vpon such like penalties to al intents and purposes, as is afore limited, appointed and declared for the preseruation and not felling of the said standils, storers, and great Trées limited and appointed to be left in, and vpon the said seuerall coppies, vnderwoods, and woods. And that after the said felling of the said coppies, vnderwoods and woods, standils, growing or being, or that shall stand, grow, or bée in any such part of any of the sayde Woods, grounds, or places as is before declared, no beastes or cattell, during the space of seauen yeares next after the felling of the same Woodes shall willingly by any person or persons be put in, or shall be suffered to fede or continue in any parcell of any such part so set forth as is aforesayde, during the sayd terme of seauen yeares next after
Fort. the selling thereof, vpon payne of forfeiture and penaltie of 4.s. for the putting in of euerie beast, or wilfull suffering of euerie beast or cattell to be put into any of the sayd seuerall coppies, vnderwoods, or Woods. And if it shall happen any person or persons being owner or owners of any such woods, vnderwoods, or coppies, set, lying and being in any wast ground as is aforesaid, to cut downe any Trées, or Underwoods contrarie to the forme aforesayd: That then euerie person or persons, owner or owners so offending contrary to this act,
Fort. shall lose and forfeit for euerie Tréé so cut downe
Mottie fiue shillings eight pence, the one halfe of all the sayd forfeitures to be to our Soueraigne Lord the King, and the other Moytie to such person that will sue &c. in which suite &c. Prouided alway and be it &c. That forasmuch as the said tenants, commoners and inhabitants shall be by authoritie of this Act excluded of their common in the sayde part so to be severed and set forth as is aforesayd by all the sayd space and terme of seauen yeares next after the felling or cutting downe of the sayd coppies, woods, and vnderwoods, that shall growe in, or vpon the same part from time to time, that in
Recompēce recompence thereof the same Commoners, Tenants and inhabitants shall and may vse, take and haue their common for their cattell within the residue of the said woods, vnderwoods, ground & soyle, not being inclosed, in manner and forme as if this Act had neuer béene had ne made. And that the
Lord Lord being owner of the sayd ground or soyle,
Excluded shall bée by authoritie of this Act excluded and foreclosed to put or haue any Cattell or Beastes in or vpon the same residue, or to take any profit of the pasture, in, or vpon the same residue, during and by all the sayd terme of seuen yeares next after the felling or cutting downe of the sayd Coppies, Woods, or Underwoods, being or growing, or that shall bee or grow in or vpon the sayde part which shall be so seuered, diuided, set out, bounden and inclosed as is aforesayde. And that from and after the sayd seauen yeares expired and ended, vntill the next felling or cutting downe of the sayde Coppies, Woodes, or Underwodes being vpon the sayd part, being seuered and diuided as is aforesayd, as well the same part as the sayd residue of the sayd ground and soyle, shall lie and be vsed in common, and the pasture and other profits there- Common
of, shall and may be vsed and taken, as well by the Lord, being owner of the said ground or soyle, as by the sayd Tenants, commoners and inhabitāts, in like manner, forme and condition as it should or ought to haue béen before the making of this act, and as if this Act had neuer beene had or made, any thing in this Act contayned to the contrarie thereof notwithstanding. Prouided also that it shal bée lawfull to euerie person and persons to fell and to
Enclose inclose all their Coppies, Woodes, and Underwoods in any wast grounds, which before the making of this Act haue béene vsed to be inclosed, preserued and kept for the maintenance of Wood and Underwood, any thing in this Act to the contrarie notwithstanding. And whereas peraduenture
Lord the Lord or owners of the foresaid Wood, and Underwoods, after that they haue enclosed and fenced the fourth part thereof, or as much of the same as shall be to them limited and assigned by the said Justices of Peace, or Commoners, will not nor doe not sell the same Woods & Underwoods so inclosed or to be inclosed, but suffer the same stand and grow, whereby the Commoners, who ought to haue their common of pasture within the same part so inclosed, shall lose and bee put from their sayd common therein: Bee it therefore enacted by the authoritie aforesayde, that if the same part of Wood and Underwood so inclosed, bee not felled within foure Monethes next after the in- 4. moneths
closing thereof, that then and so long as the same Woods shall not bée felled, it shall be lawfull to the sayde Commoners, to put their Cattell into the same Wood and ground so inclosed, and that the owner thereof shall leaue open conuenient places
Commoners within the same inclosure, whereby the Commoners beastes may haue accesse and come into the same Wood so inclosed, and there to pasture and feed, as long as the same Wood shall stand and bée vnfelled, any thing contayned in this Act to the contrarie notwithstanding. Prouided alway &c. and be it &c. That this act or any thing therein contained or expressed, extend not or be preiudiciall to any of the Lords or owner of the Woods, Underwoods, or woodlands, growing or being within any of the Townes, Parishes, or places commonly called or knowne to be within the Weilds of the
Kent Counties of Kent, Surrey, and Suller, or any of
Surrey them, other then only to the common woods growSuller ing & being within any of the said Weilds of the sayd Counties of Kent, Surrey and Suller, any

thing

thing in this present act to the contrarie notwithstanding. Prouided also, that this present Act or any thing therein contayned, shall not extend or be preiudiciall or hurtfull to extend to charge any person or persons, which before the feast of Saint Michaell the Archangell in the foure and thirtieth yeare of the Raigne of our Soueraigne Lord king Henrie the eight haue bargained & bought Woods, or great Trees, growing in any the same Woods, for or concerning the selling and cutting downe of the same Woodes or Trees, or not leaning of any Standils or Stoyers, of, and in the same according to the tenour of this present Act, any thing, penaltie or forfeiture in this present Act contayned to the contrarie thereof notwithstanding. Prouided alway, and be it &c. That this Act or any thing therein contayned, shall not extend to charge any person or persons with any penaltie or penalties, contayned in this present Act, for or concerning any Timber Trees, growing within two Miles of the Sea, in the Countie of Cornwall, or any other Timber Tree within the Realme, being seare and dead in the tops, or any other Timber Trees to be taken by vertue of the Kings Highnesse commission within the realm, of, for, or concerning any offence done contrarie to the tenour of this Act, vnlesse the same person or persons offending this act, be sued for the same within one yeare next after the same offence committed or done, any thing in this Act contayned to the contrarie in any wise notwithstanding, Prouided alway, and be it &c. that if any person or persons do breake or destroy any seuerall fences or hedges made or to be made for the sauing of the same Woods, vnderwoods, grounds or soyles: That euerie person so offending, shall forfeit and lose for euerie such offence tenne shillings. And be it &c. That if any person or persons suffer his Swine being of the age of tenne weekes or aboue, during such yeares, as the sayd Woodes be appointed and ordained by this Act to be inclosed, at any time after the first day of August next comming to goe or runne in any common or seuerall ground or Woods, vnlesse the same Swine bee sufficiently ringed or pegged: That then the owner or owners of euerie such Swine shall forfeit and lose for euerie such Swine that shall so go or runne in any the sayd grounds, Woods, or Vnderwoods, and not beeing sufficiently ringed or pegged, as is aforesayd, from and after the said first day of August next comming foure pence, the one half of all and euerie the sayd forfeitures, if it be in any of the Kings Woods or grounds, to be to his Highnesse, and the other to the finder thereof. And if it bee within any other person or persons said grounds, Woods, or Vnderwoods, then the one halfe of all and euerie of the same forfeitures to be to the owners of the soyle, and the other part thereof to bee to him that will sue &c. wherein &c. Prouided alway, that where any woodes or Vnderwoods shall after the saide Feast of Saint Michaell the Archangel be felled or cut down in any Park or ground inclosed, wherein any Deere shall be kept: That the owner or owners, possessioner or possessioners of such Parke and Parkes, or grounds inclosed for Deere, to be chargeable for the inclosure and preseruation of the same, as is aforesayd, but only for the space of foure yeares after any such time of selling or cutting downe of the same coppies, woods, or Vnderwoods, and not aboue; any thing contayned in this Act to the contrarie in any wise notwithstanding. Prouided also and be it &c. That if the inclosure or inclosures of any of the said coppies, woods, vnderwoods, or grounds, happen to be broken or pulled downe by any person or persons against the willes and mindes of the owner or owners, possessioner or possessioners of the same Woods, or Vnderwoods, whereby cattell or beastes escape in the same woods, grounds or vnderwoods, and destroy or hurt the spring thereof: Or if the same Woods, ground, or Vnderwoods bee by any meanes destroyed, hurted, or hindred by any manner of person or persons, or by the cattel or beastes of any person or persons, without the assents, mindes, and willes of such owner or owners, possessor or possessors: That then and in euerie such case the said penalties contayned in this act, to bee extended vpon the same person or persons, in or by whose default the same spring, Wood or Vnderwood shall be so destroyed, hurted or hindred, and not vpon the owner or owners, possessor or possession of the said woods, grounds, or Vnderwods, any thing contayned in this act to the contrary therof in any wise notwithstanding. Prouided also and be it &c. That it shall and be lawfull to euerie owner and owners, possessor or possessours, their farmers and assignes, of all and singuler the sayde Woods, Underwoods, grounds, and coppics, after such time the same Woods or Underwoods, grounds and coppies haue beene fenced and inclosed, or the spring thereof otherwise preserued by the space of two yeres, next after the felling thereof, to put coltes and calues, beeing vnder the age of one yeare, into the said woods, vnderwods, grounds, & coppies, any thing contayned in this Act to the contrarie thereof notwithstanding. And this present Act and Acts to indure onely by the space of seuen yeares next after the said feast of S. Michaell the Archangell, and from thence vntill the end of the next Parliament. Anno 35. H. 8. capitulo 17. And after Anno 7. Edw. 6. cap. 11. this Statute was reuiued and continued vntill the last day of the next Parliament. And after Anno 1. M. 1. Parl. cap. 13. this Act was continued vnto the last day of the next Parliament. And after Anno 1. M. 2. cap. 12. this Act was continued vnto the last day of the next Parliament. And after 1. & 2. Phil. & Mar. cap. 16. it is continued to the last day of the next Parliament. And after Anno 2. & 3. Phil. Mar. cap. 21. And 4. & 5. Phil. & Mar. cap. 9. And 1. Elizab. cap. 18. it is continued vnto the last day of the next Parliament, which began 5. Eliz. and ended 8. Eliz. then this Act was discontinued. And 13. Eliz. cap. 25. it was reuiued and made perpetuall (with an Addition, which see here 5).

Standils

Timber Cornewall

One yeare

Breake hedges

Fine.

Swine

Fine.

Colts

Calues

Two yeres

4. yeres

Enclosures

Pull downe

Wolty

Parke

Enclose

4 For the auoyding of destruction and waste of Timber, Be it enacted &c. That no person or persons hereafter conuert or im-

Coale Fuell Iron Timber

ploy, or cause to be conuerted or imployed to coale, or other fuell for the making of Iron, any Timber Tree, or Timber Trees of Oake, Beech, or Ash, or any part thereof of the breadth of one foot square at the stub, and growing within foureteene Miles of the Sea, or of any part of the Riuers of Thames, Seuerne, Wye, Humber, Dee, Tyne, Teese, Trent, or any other Riuer, Creeke or Streame, by the which cariage is commonly vsed by Boate or other vessell to any part of the Sea, vpon payne of forfeiture for euery such Tree or any part thereof so imployed or conuerted to Coale, or other Fuell, for the making of Iron, as is aforesayd, fortie shillings of lawfull money of England, the one halfe of all which forfeitures to be to our Soueraigne Lady the Queenes Maiestie, and to her heires and successors, and the other Portie to him or them that will sue for the same by Original writ, Bill, Plaint, or Information, wherein noe Essoine, Protection, Iniunction or wager of Law shall be admitted or allowed. Prouided alwayes that this Act shall not extend to the Countie of Suffer, nor to the Weild of Kent, nor to any the Parishes of Charewood, Newdigate, and Ligh in the Weild of the Countie of Surrey. This Act to begin, and take effect from and after the Feast of the Natiuitie of Saint John Baptist next comming after this Session of Parliament. Anno 1 Eliz.cap. 15. See Courts Anno 33. H. 8. cap. 39. concerning the wood sales of the Kings Lands.

Riuers

Fork.

Porty

5 Forasmuch as the Act for the preseruation of Woods made 35. H.8. (before 3.) hath beene by experience found to be verie necessarie: Be it &c. That the same and euerie thing therein contayned shalbe reuiued, and from henceforth remaine and continue in force and effect for euer. And for the more increase of Woods, because the space of the yeares of inclosure or preseruation limited in the sayd statute, is by experience found not sufficient: Bee it enacted &c. That from the twentieth day of June next, all manner of Woods or Coppies, intended by the sayd Act to be inclosed and the springs thereof preserued, shall bee sufficiently inclosed, or the springs thereof otherwise saued from destruction, by the space of two full yeares more then in the seuerall clauses of the sayd Act is seuerally limited according to the age of the Woods felled, vpon like paynes as are contayned in the foresayde clauses of the sayd act, concerning enclosure or preseruation of the sayd Woods, Coppies or Springs, and that from the saide twentieth of June next following, it shall not be lawfull for any manner of person to put any manner of Cattell into any Coppie, Woods enclosed to be preserued from the time of the sale thereof, vntill the end of fiue yeares, nor from the end of fiue yeares, any other Cattell but Caines & yeareling Coltes onely, vntill the end of fiue yeres, if the Wood was vnder age of foureteene yeares at the last fall, or vntill the age of eight yeares, if the Wood was aboue the age of foureteene at the time of the last fall &c. Prouided, that this addition to the Statute of Woods, shall continue as long in force as the aforesaid estatute made in the 35. yere of the Raigne of King Henry the 8. Anno 13. Eliz. cap. 25.

Coppies Enclose

Two yeres

6 Whereas by reason of the late erection of sundrie yron Mils in diuers places of this realme, not farre distant from the Citie of London, and the Suburbs of the same, or from the Downes and Sea coasts of Suffer, the necessarie prouision of Wood, as well Timber fit for building, and other vses, as also all other fellable Woodes serving for fewell, doth daily decay and become scant, and wil in time to come become much more scarcer, by reason whereof the prices are growen to bee verie great and vnreasonable, and in time to come will be much more, if some remedie be not prouided, to the great hammage not onely of the inhabitants of the sayd Citie of London, and the Suburbes of the same, but also to all other the Queenes Maiesties most louing Subiects, hauing occasion daily from all parts of the Realme to repaire vnto the same and the places aboue sayd: For remedie whereof, Bee it therefore enacted by the Queenes most excellent Maiestie, the Lords Spirituall and Temporall, and the Commons of this present Parliament here assembled, and by the authoritie of the same, that no person or persons from and after the Feast day of the Natiuitie of Saint John Baptist next comming, shall conuert or imploy, or cause to be conuerted or imployed to Cole or other fewell, for the making of yron, or of yron mettall in any yron Milles, furnace or hammer, any manner of Wood or Underwood nowe growing, or which hereafter shall grow within the compasse and precinct of two and twentie Miles from and about the Citie of London or the Suburbes of the same, or within two and twentie Miles of the Riuer of Thames, from Dorchester in the Countie of Oxford downwards the said Riuer of Thames, or within foure Miles of the fot of the hilles called the Downes betwixt Arundell and Pemsey, in the Countie of Suffer, nor within foure Miles of any of the Townes of Winchelsey, and Rie, nor within two Miles of the Towne of Pemsey, nor within three Miles of the Towne of Hastings in the sayd Countie, vpon payne to forfeit for euerie load of Wood so to be imployed or conuerted into Cole or other fewell for the making of yron or yron mettall, in any yron Mill, furnace or hammer, as is aforesaid, fortie shillings of lawfull money of England, the one halfe of all which forfeitures to bee to our Soueraigne Lady the Queenes Maiestie, and to her heires and successours, and the other Portie to him or them that will sue for the same, by originall writ, Bill, Plaint, or Information, wherein no essoine, protection, or iniunction, or wager of Law shall be admitted and allowed. Prouided alwaies, that this Act shall not extend to any Woods growing or to growe in any such part of the weilds of Surrey, Suffer, or Kent, within the said twentie two Miles of the sayd Citie of London and the Riuer of Thames, as is distant aboue eighteene Miles from the Citie of London, and eight Miles from the said Riuer of Thames. And be it likewise further enacted, that from henceforth no new yron worke shall be erected within twenty two Miles

Fewell for iron mettall

22. Miles London

Dorchester

4. Miles Downes

Rie 2. Miles Pemsey 3. Miles Hastings Fork.

Portie

Prouiso

Weilds

No new yron workes

of

of the ſayd Citie of London, nor within foureteene Miles of the Riuer of Thames, nor within foure Miles of the Downes aforeſayde, or of the ſayde Townes of Pemſey, Winchelſey, Haſtings or Rye, vpon payne of one hundred pounds of lawfull money of England, likewiſe to bee recouered and imployed, as is aforeſayd. Prouided alſo, that this Act, nor any thing therein contayned, ſhall extend to any Woods or Vnderwoods now ſtanding or growing, or which hereafter ſhal ſtand or grow in or vpon any lands of Chriſtopher Darrel Gentleman, in the Parish of Newdigate, within the Weild of the Countie of Surrey, which woods of the ſaid Chriſtopher haue heretofore bin, and be by him preſerued and coppiſed for the vſe of his vpon workes in thoſe parts. Anno 23. Elizab. cap. 5.

Proviſo

Darrell

7 No perſon or perſons from and after the feaſt of Eaſter next after the end of this preſent Seſſion of Parliament, ſhall make, erect, build, or new ſet vp, at or in any place within the Counties of Suſſex, Surrey, or Kent, or any of them, any manner of Iron Milles, Furnace, Finarie, or Blomarie, for the making or working of any manner of Iron or Iron mettall, other then eyther vpon ſuch old and former Bayes or Pennes whereupon hath lately beene, or at the time of the new erection ſhall be then ſtanding ſome Iron Milles, Furnace, or Hammer, or elſe in or vpon ſuch Lands as the partie or parties ſo erecting any ſuch intended new worke, ſhall continually furniſh the ſame with ſufficient ſupply of his or their owne proper Woods, ſtanding or growing in and vpon his or their owne proper ſoyle or Land, being to him or them in Fee ſimple, Fee tayle, or for terme of life or liues, without impeachment of waſt at the leaſt, and not otherwiſe: Nor ſhall conuert or imploy, or cauſe to bee conuerted or imployed to Coales or other fuell, for the making or working of Iron or Iron mettall, in or about any manner of Iron Milles, Furnaces, Hammer, Finarie, Forge or Blomarie, the bodie or bodies of any ſound Timber Tree or Trees, apt for the making of good and ſufficient cleftwares, or ſawing Timber of Make, Aſhe, or Elme, growing of the breath or bignelle of one foot ſquare at the ſtubbe, or any part of the ſame bodie or bodies of any ſuch Tree or Trees, vpon paine of forfeiture for euerie Iron Mill, Furnace, Forge, Finarie, or Blomarie, made, erected, builded, or ſet vp contrarie to the tenour and true meaning of this Act, the ſumme of three hundred pounds, and for euery bodie of euerie ſuch Timber Tree ſo imployed or conuerted to Coale or other Fuell, for the making or working of Iron as is aforeſayd, the ſumme of fortie ſhillings of lawfull money of England: the one halfe of which forfeitures to be to our Soueraigne Ladie the Queenes Maieſtie, her heires and ſucceſſours, and the other halfe to him or them that will ſue for the ſame, by Originall Writ, Bill, Plaint, or Information, wherein noe Eſſoine, Protection, or Wager of Laws ſhall be admitted or allowed. Prouided alwayes, and bee it further enacted by the authoritie aforeſayd, that it ſhall and may be lawfull to and for the owners of ſuch Trees, the bodies whereof haue beene or ſhall be from time to time conuerted and imployed to or for any maner of Timber or cleft ware within the Wields of Suſſex, Surrey, or Kent, or any of them, the ſame not being within eighteene Miles of the Citie of London, or eight Miles of the Riuer of Thames, or foure Miles of the Townes of Rie, and Winchelſey, or within three miles of Haſtings, or within foure Miles of the foot of the hilles called the Downes betweene Arundell and Pemſey, in the Countie of Suſſex aforeſayd, or any of them, to imploy the toppes and offalles of all ſuch Trees, to or for Coales or other Fuell, ſerning to or for Iron workes, at their owne wil and pleaſures, this Statute or any other to the contrarie hereof in any wiſe notwithſtanding. And for as much as the highwayes in the ſayd Counties of Suſſex, Surrey, and Kent, are in many places greatly impayred and ſpoyled by meanes of cariages of Coales, mines and Iron, to and from the Iron workes in the ſayd Counties, to the great hinderance of the common paſſages of the Queens Maieſties Subiects trauailing through the ſame: For remedie whereof, be it further enacted by the authoritie aforeſayd, that the occupiers of all maner of Iron workes whatſoeuer, as owners and farmers of the ſame, by or for any eſtate or eſtates of inheritance for life, liues, or for terme of yere or yeares, which at any time hereafter carie or cauſe to be caried any Coales, Mine or Iron, to or for any Iron workes, betweene the twelfe day of October, and the firſt day of May yearely, ſhall likewiſe yerely carie & lay, or cauſe to be caried & laid for euerie fiue Loades of Coales, or Mine, as well as alſo for euerie Tunne of Iron which ſhall be caried by any manner of Waine or Cart, betweene the ſayd twelfe day of October, and the firſt day of May, yerely by the ſpace of one Mile through any highways, being vnder any hils called the North Downes of Surrey and Kent, to or from any maner of Iron worke, one vſuall Cart load of ſinder, grauell, ſtone, ſand, or chalke meet for the repayring and amending of the ſayd high waies to be laid and imployed in ſuch place & places of the high waies, as any Iuſtice of the Peace of any of the Counties aforeſayd, dwelling neere vnto the places where the high wayes within the limits aforeſayd ſhall be moſt annoyed by any ſuch meanes aforeſayd, according to the greater & more preſent neceſſitie ſhall be appointed or aſſigned, or elſe pay or cauſe to be paid, for and in allowance of euery cart load, in manner and forme aforeſayd to haue beene ſo caried and laied, two ſhillings and ſix pence, within eight dayes after the demaund thereof, to the hands of the ſayd Iuſtice of Peace or his Aſſignee, the ſame to be leuyed after default of payment vpon the demand thereof from time to time, vpon ſuch Iron as ſhal be by and through the ſame high wayes ſo caryed, by way of diſtreſſe. And if ſuch Iuſtice of Peace, by reaſon of abſence or other occaſion, doe not or ſhall not within fortie dayes next after the ſayd firſt day of May, yearely aſſigne or appoint where and in what place of the high

Iron mills

Woods

Coales

Timber trees

Fort.

London
Thames
Rie
Winchelſey

Toppes

Highwayes

Iuſt. of P.

high waies, the sayd sinder, grauell, stone, sand, or chalke, to be caried as aforesayd, shall be laid, or where and how the money thereof due or so payd, shall be imployed and bestowed: That then the same sinder, grauell, stone, sand, or chalke, shall bee laid and imployed by such person and persons as by this Act are to carie and lay the same, or to cause the same to be caried and laid in such place and places of the high waies, as the Surueyours of the high waies within the Parish for the time being, where the high waies shall be most annoyed as is aforesayd, shall assigne or appoint, or in default thereof pay to the sayd Surueyours for euerie such load due and uncaried, two shillings and fiue pence in manner and forme aforesaid, upon payne of forfeiture of tenne shillings for euerie loade of sinder, grauell, stone, sand, or Chalke not caried, laid and imployed in the high waies, or two shillings and fiue pence unpaid as is aforesayd, to bee forfeited and paid by the person and persons which by this Act ought to carie and lay, or cause to bee caried and laid the sinder, grauell, stone, sand, or chalke, or therefore to haue paide as is aforesayde, after due presentment and conuiction thereof had before the Justices of Oyer and Terminer, or Justices of Peace in any of their open Session or Sessions to bee holden before them or any of them. All which summe and summes of money to be forfeited by reason of this Act, for or in default of cartage and laying of the sayd sinder, grauell, stone, sand, or chalke, or payment thereof as aforesaid, shal be likewise bestowed and imployed upon the amendment and repairing of the high waies in the said Parishes, where the cause of forfeiture by default or refusall grew or was giuen, at and by the discretion of any such Justice of Peace as shall dwell and be resiant next unto the place or places, being most annoyed by the cariages aforesayd, and where the money therefore due should haue beene paid as aforesaid, and the same to be leuyed by way of distresse by any Constable, Tythingman, Headborough, or other Officer thereunto to bee assigned by warrant made in open Sessions by any Clerke of the Peace of the Countie where any the offence or offences aforesaid shall be committed, or by any two Justices of the Peace, whereof one to be of the Quorum, which were present at the Sessions, wherein the said conuiction of or for any the offences aforesaid shall be had. And if no sufficient distresse can bee found by the Officer appointed to leuie the same, or if the sayd Offender shall obstinately refuse to pay the same forfeiture, or doe not pay the same within twentie dayes after a lawfull demaund of the same, by the said Officer to be appointed for the leuying thereof as aforesayd, that then euerie person so denying or refusing, and not paying the same forfeiture within twentie dayes as aforesaid, to forfeit the double summe he should before haue paid, to bee leuyed by such waies and meanes, as to two of the Justices of peace of the same Countie where the sayde offence shall bee committed, whereof one to be of the Quorum, shalbe thought most meete: The same forfeiture to bee likewise imployed upon the amendment of the high waies, as the other forfeiture should haue bene, if the same had beene leuyed, according to the true intent and meaning of this Statute. Anno 27. Elizab. cap. 19. By a Statute made Anno 39. Eliz. capitul' 19. so much of this Statute of 27. Eliz. as concerneth the amending of high waies in Surrey and Kent is repealed: And a new Ordinance thereby made for the repaire of high waies in the Wields of Sussex, Surrey, and Kent: (which see in high-waies 8.)

Surueyors

Fork.

Distresse

Fork.

Woolles.

NO Merchant forreine, or Denizen, or any other, of what estate or condition that he bee, upon payne of forfeiture of life and of member, and of as much as he may forfeit towardes our soueraigne Lord the King, shall carie or cause to bee caried, by himselfe nor by other, priuily nor apertly, from henceforth any Woolles out of the Realme, till by the King and his Councell it bee thereof otherwise prouided. Anno 11. Edw. 3. cap. 1.

Marchant stranger

Fork.

2 The Ordinances made before this time, upon the taking of sorts of wols in euery Countie, be wholy annulled and defeated: And that euery man aswell stranger as priuie from henceforth may buy wols according as they may agree with the seller, as they were wont to doe before the Ordinances aforesaid. And that no man be impeached nor grieued, because of any buying made in times past, against the Ordinances aforesaid. Anno 18. E. 3. ca. 3. Stat. 2.

Woolles

Buy

3 No Merchant priuie nor Straunger, nor other, shall carie out of our Realme of England, Woolles, Leather, Woolfels to Berwike upon Twede or elsewhere, nor into Scotland, nor that no man, Merchant nor other, of what condition he be, sell his wols, woolfels, nor leather, to any mã of Scotland, nor to none other to bring into Scotland, upon the paines and articles contained in the said third article. Anno 27. Ed. 3. ca. 12. Stat. staple.

Merchant

Leather Berwike

4 All those that shalbe conuict, that they haue caried wols, leather, or woolfels to the parts beyond the Sea, against the defence and Proclamation thereof made before the making of this ordinance, shalbe iudged to prison, and incurre the forfeiture of the same wols, leather, and woolfels, so passed, and of all their goods and cattels, and moreouer be ransomed at their will. Anno 27. E. 3. capitulo 27. stat. staple.

Imprison Fork.

5 Whereas at the grieuous complaint of the Commons of the Realm of England it was shewed that the Merchants which buy Wols in faires and Markets, and other places by couin and consent betwirt them, doe abate the price of Woolles, and vse other weight then is ordayned by the Statute before this time, in annoyance of the people: It is accorded and established, that Proclamation be made through the Realme, that no Merchaunt doe such couin, upon a grieuous forfeiture. And

Couin Weight

Fork.

if

if any do against the same after the Proclamation, the King shal assigne his Iustices to inquire at the suite of the partie of all that doe such couin, and to Diet & ter. heare and determine for the King and for the partie. Ballance And that certaine ballances and weights of sacke, halfe sack, and quarter, pound, halfe pound, and quarter, according to the standerd of the Exchequer, bee sent to all Shirifes of England betwixt this and the Natiuitie of Saint Iohn next comming, so that they (such ballances and weights Proclamation receiued) shall make open Proclamation through all their Counties, that euerie man that will haue such ballances and weights, shall come to the Sherife Shirife before Michaelmas, to make their Ballances and weights, according to the sayd Standerd at their costes without any thing giuing to the Shirife for to haue assay or example of the sayd ballances and weights, and that from henceforth none shall sell nor buy by other weight. And if any doe against the same, he shall be punished by fine at the Kings will. Anno 31. Edw. 3. capitulo 2.

6 That the King assigne his Iustices to inquire, heare and determine of those that haue caried wools, leather, and woolfels to the parts beyond the Sea, and thereof haue done couin and excesse, and otherwise attempted against the ordinances, and the forme of the Statute of the Staple. Anno 31. Edw. 3. cap. 7.

7 Euerie Merchant and other, as well alien as Transport denizen, may carie to the parts beyond the Sea Leather which be of the Kings amitie, wolles, leather, and woolfels, from the first day of May next comming, to the Feast of Saint Michaell next insuing, paying for euerie sacke fiftie shillings, and for CCC. woolfels fiftie shillings, and for the last of Leather Custome C.s. for the custome and subsidie of the same. And that no Merchant nor other that buyeth wolles, shall make other refuse of wolles, then was wont to be made in times past, that is to say, of cot, gare, and vilaine fleeces, and that euerie sacke containe Weight fiue and twentie stones, and euerie stone foureteen pound, according to the weight of the standerd of the Exchequer, and no more nor lesse. And that all the wolles, felles, and leather bought in the Countrey, shall bee brought to the Staples, and there shal abide at the least fifteene daies. And those that may not there be sold or deliuered within the 15. dayes, shall bee brought to the Ports ordained for the staples, to passe from thence to the parts aforesaid, paying the Customes and Subsidies aforesaid. And that no wols vendible shalbe lodged, Staple shewed, nor sold within three miles of the Staple, but in the same staple, sauing that euery Lord & other man then Marchant, may freely lodge, shew, and sell his wolls, which be of his owne growing, in his owne house and else where shall please him. An. 31. E. 3. cap. 8.

Chancelor Treasorer 8 The Chancelor and Treasorer which for the time shall be, by the aduice of other of the Kings Councell, shall haue power to deferre the terme of passage of wolls, when they see that need is. Anno 31. E. 3. cap. 9.

9 The King by the assent aforesaid hauing regard to the graunt that the commons haue granted now in this Parliament of Wolls, Leather, and Woollfels to be taken for three yeare, will and graunt, that after the said terme passed nothing be taken nor demaunded of the said Commons, but onely the auncient custome of halfe a Marke, nor Customs that this graunt now made, or which hath bene made in times past, shall not be had in example nor charge of the same Commons in time to come. And that the Marchant denizens may passe with their Wolls as well as the foreines, without being restrained. And that no Subsidie nor other Subsidie charge be set nor graunted vpon the Wolls by the Marchants, nor by none other from henceforth, without the assent of the Parliament. Anno 36. Ed. 3. cap. 11.

10 Whereas it was another time ordained in the Statute of the Staple, That no Englishman should passe the Sea with Wolls, Leather, or Transport Woollfels by him nor by other, vpon paine of forfeiture of life and member, lands, tenements, goods, and cattels: It is accorded, that the forfeiture of life and member shall be wholly out. And Forf. that no man be impeached because of such forfeiture of life and member, as well of times past as of the time to come. And the forfeiture of lands and tenements, goods and cattels, shall stand in their force. Anno 38. E. 3. cap. 6.

11 The Staples of Calice &c. shall be wholly Staples put out, and the Staples of Wolls, Woolfels, and Leather of the Realme of England shall be holden in the places vnderwritten, that is to say, at Newcastle, Kingstone vpon Hull, Saint Botulfe, Yermouth, Quenesborough, Westminster, Chichester, Winchester, Excester, and Bristow. And the Staples of Ireland and of Wales shall be in the places where they were first ordained. And moreouer it is ordained, that all Marchants, Strangers aliens and denizens, may freely go through England, Ireland, and Wales, and buy & sell Wolls, Woollfels, and Leather, and all other marchandizes at their will, without impeachment or disturbance, so that no Wolls, Woollfels, nor Leather shall passe out of the Realme of England, Ireland, nor Wales, till they be brought to the Staples, and there weighed, cocketted, and customed. And that all the Wolls that shall be brought to the Staples at Westminster and Winchester, shalbe betwixt Marchant and Marchant, or Marchants and other, lawfully weighed by the Standerd: And euery sacke and sarpler of the same Wolls so weighed, sealed vnder the Seales of the Mayor of the Staple and of the Constables, or Mayor and one of the Constables. And also that all the Wolls so weighed and sealed at the Staples, and Leather and Woollfels that there shall come (the customes of the Staples thereof payd) shall be witnessed by Bill ensealed of the seales of the Mayor of the Staple, and Constables, or Mayor and one of the Constables, and brought from Westminster to the Port of London, and Ports from Winchester to the Port of Southhampton, and there the said Wolls shall be another time weighed in the presence of our Customers and

Con-

high waies, the sayd sinder, grauell, stone, sand, or chalke, to be caried as aforesayd, shall be laid, or where and how the money thereof due or so payd, shall be imployed and bestowed: That then the same sinder, grauell, stone, sand, or chalke, shall bee laid and imployed by such person and persons as by this Act are to carie and lay the same, or to cause the same to be caried and laid in such place and places of the high waies, as the Surueyours of the high waies within the Parish for the time being, where the high waies shall be most annoyed as is aforesayd, shall assigne or appoint, or in default thereof pay to the sayd Surueyours for euerie such load due and vncaried, two shillings and fiue pence in manner and forme aforesaid, vpon payne of forfeiture of tenne shillings for euerie loade of sinder, grauell, stone, sand, or Chalke not caried, laid and imployed in the high waies, or two shillings and fiue pence vnpaid as is aforesayd, to bee forfeited and paid by the person and persons which by this Act ought to carie and lay, or cause to bee caried and laid the sinder, grauell, stone, sand, or chalke, or therefore to haue paide as is aforesayde, after due presentment and conuiction thereof had before the Justices of Oyer and Terminer, or Justices of Peace in any of their open Session or Sessions to bee holden before them or any of them. All which summe and summes of money to be forfeited by reason of this Act, for or in default of cariage and laying of the sayd sinder, grauell, stone, sand, or chalke, or payment thereof as aforesaid, shal be likewise bestowed and imployed vpon the amendment and repairing of the high waies in the said Parishes, where the cause of forfeiture by default or refusall grew or was giuen, at and by the discretion of any such Justice of Peace as shall dwell and be resiant next vnto the place or places, being most annoyed by the cariages aforesayd, and where the money therefore due should haue beene paid as aforesaid, and the same to be leuyed by way of distresse by any Constable, Tythingman, Headborough, or other Officer thereunto to bee assigned by warrant made in open Sessions by any Clerke of the Peace of the Countie where any the offence or offences aforesaid shall be committed, or by any two Justices of the Peace, whereof one to be of the Quorum, which were present at the Sessions, wherein the said conuiction of or for any the offences aforesaid shall be had. And if no sufficient distresse can bee found by the Officer appointed to leuie the same, or if the sayd Offender shall obstinately refuse to pay the same forfeiture, or doe not pay the same within twentie dayes after a lawfull demaund of the same, by the said Officer to be appointed for the leuying thereof as aforesayd, that then euerie person so denying or refusing, and not paying the same forfeiture within twentie dayes as aforesaid, to forfeit the double summe he should before haue paid, to bee leuyed by such wayes and meanes, as to two of the Justices of peace of the same Countie where the sayde offence shall bee committed, whereof one to be of the Quorum, shalbe thought most meete: The same forfeiture to bee likewise imployed vpon the amendment of the high wayes, as the other forfeiture should haue bene, if the same had beene leuyed, according to the true intent and meaning of this Statute. Anno 27. Elizab. cap. 19. By a Statute made Anno 39. Eliz. capitul' 19. so much of this Statute of 27. Eliz. as concerneth the amending of high wayes in Surrey and Kent is repealed: And a new Ordinance thereby made for the repaire of high wayes in the Wields of Sussex, Surrey, and Kent: (which see in high-waies 8.)

Surueyors

Fork.

Distresse

Fork.

Woolles.

NO Merchant forreine, or Denizen, or any other, of what estate or condition that he bee, vpon payne of forfeiture of life and of member, and of as much as he may forfeit towardes our soueraigne Lord the King, shall carie or cause to bee caried, by himselfe nor by other, priuily nor apertly, from henceforth any Woolles out of the Realme, till by the King and his Councell it bee thereof otherwise prouided. Anno 11. Edw. 3. cap. 1.

Marchant Straunger

Fork.

2 The Ordinances made before this time, vpon the taking of forts of wols in euery Countie, be wholy annulled and defeated: And that euery man aswell Straunger as priuie from henceforth may buy wols, according as they may agree with the seller, as they were wont to doe before the Ordinances aforesaid. And that no man be impeached nor grieued, because of any buying made in times past, against the Ordinances aforesaid. Anno 18. E. 3. ca. 3. Stat. 2.

Woolles

Buy

3 No Merchant priuie nor Straunger, nor other, shall carie out of our Realme of England, Woolles, Leather, Wolfels to Berwike vpon Twede or elsewhere, nor into Scotland, nor that no man, Merchant nor other, of what condition he be, sell his wols, wolfels, nor leather, to any mā of Scotland, nor to none other to bring into Scotland, vpon the paines and articles contained in the said third article. Anno 27. Ed. 3. ca. 12. Stat. staple.

Merchant

Leather

Berwike

4 All those that shalbe conuict, that they haue caried wols, leather, & wolfels to the parts beyond the Sea, against the defence and Proclamation thereof made before the making of this ordinance, shalbe iudged to prison, and incurre the forfeiture of the same wols, leather, and wolfels, so passed, and of all their goods and cattels, and moreouer be ransomed at their will. Anno 27. E. 3. capitulo 27. stat. staple.

Imprison

Fork.

5 Whereas at the grieuous complaint of the Commons of the Realm of England it was shewed that the Merchants which buy Wols in faires and Markets, and other places by couin and consent betwixt them, doe abate the price of Woolles, and vse other weight then is ordayned by the Statute before this time, in annoyance of the people: It is accorded and established, that Proclamation be made through the Realme, that no Merchaunt doe such couin, vpon a grieuous forfeiture. And

Couin

Weight

Fork.

if

if any do against the same after the Proclamation, the King shal assigne his Iustices to inquire at the suite of the partie of all that doe such couin, and to Diet & ter. heare and determine for the King and for the partie. Ballance And that certaine ballances and weights of sacke, halfe sack, and quarter, pound, halfe pound, and quarter, according to the standerd of the Exchequer, bee sent to all Shirifes of England betwirt this and the Natiuitie of Saint Iohn nert comming, so that they (such ballances and weights Proclamation receiued) shall make open Proclamation through all their Counties, that euerie man that will haue such ballances and weights, shall come to the Sherife Shirife before Michaelmas, to make their Ballances and weights, according to the sayd Standerd at their costes without any thing giuing to the Shirife for to haue assay or example of the sayd ballances and weights, and that from henceforth none shall sell nor buy by other weight. And if any doe against the same, he shall be punished by fine at the Kings will. Anno 31. Edw. 3. capitulo 2.

6 That the King assigne his Iustices to inquire, heare and determine of those that haue caried wools, leather, and woolfels to the parts beyond the Sea, and thereof hane done couin and excesse, and otherwise attempted against the ordinances, and the forme of the Statute of the Staple. Anno 31. Edw. 3. cap. 7.

7 Euerie Merchant and other, as well alien as Transport denizen, may carie to the parts beyond the Sea Leather which be of the Kings amitie, woolles, leather, and woolfels, from the first day of May nert comming, to the Feast of Saint Michaell nert insuing, paying for euerie sacke fiftie shillings, and for CCC. woolfels fiftie shillings, and for the last of Leather C.s. for the custome and subsidie of the same. Customs And that no Merchant nor other that buyeth woolles, shall make other refuse of woolles, then was wont to be made in times past, that is to say, of cot, gare, and vilaine fleeces, and that euerie sacke containe Weight fiue and twentie stones, and euerie stone foureteen pound, according to the weight of the standerd of the Exchequer, and no more nor lesse. And that all the woolles, felles, and leather bought in the Countrey, shall bee brought to the Staples, and there shal abide at the least fifteene daies. And those that may not there be sold or deliuered within the 15. dayes, shall bee brought to the Ports ordained for the staples, to passe from thence to the parts aforesaid, paying the Customes and Subsidies aforesaid. And that no wols vendible shalbe lodged, Staple shewed, nor sold within three miles of the Staple, but in the same staple, sauing that euery Lord & other man then Marchant, may freely lodge, shew, and sell his wolls, which be of his owne growing, in his owne house and elsewhere shall please him. An. 31. E. 3. cap. 8.

Chancel'or Treasorer 8 The Chauncelor and Treasorer which for the time shall be, by the aduice of other of the Kings Councell, shall haue power to deferre the terme of passage of wolls, when they see that need is. Anno 31. E. 3. cap. 9.

9 The King by the assent aforesaid hauing regard to the graunt that the commons haue granted now in this Parliament of Wolls, Leather, and Woolfels to be taken for three yeare, will and graunt, that after the said terme passed nothing be taken nor demaunded of the said Commons, but onely the auncient custome of halfe a Marke, nor Customs that this graunt now made, or which hath beene made in times past, shall not be had in example nor charge of the same Commons in time to come. And that the Marchant denizens may passe with their Wolls as well as the forreines, without being restrained. And that no Subsidie nor other Subsidie charge be set nor graunted vpon the Wolls by the Marchants, nor by none other from henceforth, without the assent of the Parliament. Anno 36. Ed. 3. cap. 11.

10 Whereas it was another time ordained in the Statute of the Staple, That no Englishman should passe the Sea with Wolls, Leather, or Transport Woolfels by him nor by other, vpon paine of forfeiture of life and member, lands, tenements, Forf. goods, and cattels: It is accorded, that the forfeiture of life and member shall be wholly out. And that no man be impeached because of such forfeiture of life and member, as well of times past as of the time to come. And the forfeiture of lands and tenements, goods and cattels, shall stand in their force. Anno 38. E. 3. cap. 6.

11 The Staples of Calice &c. shall be wholly Staples put out, and the Staples of Wolls, Woolfels, and Leather of the Realme of England shall be holden in the places vnderwritten, that is to say, at Newcastle, Kingstone vpon Hull, Saint Botulfe, Yermouth, Queneborough, Westminster, Chichester, Winchester, Excester, and Bristow. And the Staples of Ireland and of Wales shall be in the places where they were first ordained. And moreouer it is ordained, that all Marchants, Strangers aliens and denizens, may freely go through England, Ireland, and Wales, and buy & sell Wolls, Woolfels, and Leather, and all other marchandizes at their will, without impeachment or disturbance, so that no Wolls, Woolfels, nor Leather shall passe out of the Realme of England, Ireland, nor Wales, till they be brought to the Staples, and there weighed, cocketted, and customed. And that all the Wolls that shall be brought to the Staples at Westminster and Winchester, shalbe betwirt Marchant and Marchant, or Marchants and other, lawfully weighed by the Standerd: And euery sacke and sarpler of the same Wolls so weighed, sealed vnder the Seales of the Mayor of the Staple and of the Constables, or Mayor and one of the Constables. And also that all the Wolls so weighed and sealed at the Staples, and Leather and Woolfels that there shall come (the customes of the Staples thereof payd) shall be witnessed by Bill ensealed of the seales of the Mayor of the Staple, and Constables, or Mayor and one of the Constables, and brought from Westminster to the Port of London, and Ports from Winchester to the Port of Southhampton, and there the said Wolls shall be another time weighed in the presence of our Customers and

Con-

Controulers assigned in the same Ports. And an Indenture shall be made betweene the Mayor of the Staple and the Constable, or Mayor and one of the Constables, being in the said Ports, & our customers there, of all the Woolles so weighed, and also of the Leather and Woolfels, which shal come to the same Staple to passe there. And the same Wools, Leather, Woolfels, and all other wools wel and lawfully weighed, cocketted, and customed in the other Ports and Staples aforesayd, shall bee brought out of the said Realme and Lands by Aliens, to what parts shall please them at their will, and not by Denizens. And if any Denizen doe against the same, he shall incurre the forfeiture of the Wools, Leather, and Woolfels so passed, and of imprisonment of his bodie by three yeares, and moreouer be ransomed at the Kings will. And the Shippe charged with the same Merchandizes, to whomsoeuer he be, shalbe forfeit to the King. Anno 43.E.3.cap.1.

Inventure

Customers Leather

Forf. Imprif.

Forf.

12 No imposition or charge shall bee put vpon Woolles, Woolfels and Leather, other then the custome & subsidie graunted to the King, in one part, without the assent of the parliament, and if any be, it shalbe repealed and holden for none. Anno 45.E.3.cap.4.

Custome

13 See Marchants. Anno 2.R.2. capitulo 3. what Merchants may carie Woolles and other Merchandize of the Staple to other places then to the Staple.

13 Anno 5.R.2.Stat.2.cap.2. It was enacted for a certaine time, that wools, leather & fels might be shipped and caried to any place, paying the customes before hand.

15 And that none buy nor sell Wol at no more weight then at fourteene pound the Stone, vpon payn to pay the double to him that feeleth him grieued, and to make fine and ransome to the King after the quantitie of the trespasse. And that no denizen nor forreine make none other refuse of Woolles but cot, gare, and villeine. And that no Merchant nor other man buy his wols by these words, good packing, nor by like words, vpon payne, that is to say, the Broker to haue imprisonment of halfe a yeare, and the buyer to make a fine to the King after the quantitie of the trespasse, and the party that feeleth him grieued, shall haue double dammages of that that he hath suffered by the said occasion. And that none shall make Wols to be cocketted but in the name of him to whom the Wols be, vpon payne of forfeiture of the same, as it hath been another time ordained by Statute. Anno 13.R.2. cap.9.

Weight

Fine

Forreine

Brokers Imprif.

2. Damages

Forf.

16 To keepe the high price of woolles the better, that no denizen of England shal buy wools, but of the owners of the sheepe and of the tithes, except in the Staple. And that no denizen regrate woolles nor other Merchandizes of the Staple priuily nor apertly, vpon paine to forfeit the value of the thing regrated. And that the Justices of peace in ỳ countrey, haue power to inquire, and shall inquire, from time to time, of such English regrators, and of the weights of the staple, and punish them by the paine aforesaid. And that no Englishman buy any Wol of any person, but for himselfe, or for his owne vse, as to sel at the staple, and for to make cloth. An. 14. R.2.cap.4.

Price

Denizen

Forf. Just. of P.

17 That no Denizen carie Woolles, Leather, Woolfels, or lead out of the Realme of England, to the parts beyond the Sea, vpon payne of forfeiture of the same, but onely strangers. An. 14.R. 2.cap.5.

Denizen Leather Lead Forf.

18 As in the Parliament holden the first yeare of King Henrie the fourth, Father to the King that now is, by the aduice of the Lords and Commons in the same assembled, it was ordayned, and assented, that the Staple of Wols, Leather, Woolfels, Lead, and Tinne, should be wholy at Callis. Sauing alwaies that all the Merchants of Ieane, Menice, Cateloigne, Aragon, and of other Realms, Lands and Countries towards the West, being of the Kings amitie, that would bring to Hampton or elswhere within the Realme, carackes, shippes, gallies, or other vessels charged, or discharged, might freely sel their Merchandizes to whom pleased them, and there to recharge all their said vessels of Woolles, Leather, Woolfels, Lead and Tinne, and of other Merchandizes of the Staple, and freely bring them in their country towards the West, after the forme of the Statute thereof made the second yeare of King Richard the second after the conquest: And saued also to the Burgesses and Merchaunts of the Towne of Berwike vpon Twede, and to the resiants and inhabitants of the same, that they may buy Woolles, Leather, and Woolfels, aswell of the growing of Lindall, and other places within the Realme of Scotland, and other of the growing of England, that is to say, of all that place betwixt the waters of Twede and Cocket, as of the growing of other parts within the Realme of Scotland: And the same Woolles, Felles, and Leather, to bring to the Port of the said Towne of Berwike, and to carie them to forreine parts, and to set them to sale in the said Towne of Berwike, according to the forme and effect of an ordinance thereof made the first yeare of the sayde King Richard: And now so it is, that certain merchants as wel of the Iles of Jerneley and Garneley, as Merchaunts of the parts of Britaine and Guyon, doe buy in diuers places of Cornewall whole Tinne not molten, and the same carie and send to be sold in diuers parts of France, Normãdie, Britaine, Guyon, and elsewhere, then to the said Staple, and also diuers other Merchants as well Denizens as Straungers, doe buy and sell molten Tinne, called shotten Tinne, out of the Realme to the parts of Flaunders, Holland, Zealand, and to other parts beyond the Sea, then to the said staple, against the forme of the said ordinance so late made, to the great fraud, losse and damage to the King as of his customes, and to the hinderance of all the repairers to the same Staple, as the King is thereof certified by the motion of his Commons now present: the King considering the same ordinance to be necessarie and profitable for him & the said staple, wil, granteth and commandeth, that the same shall stand in his force: & moreouer the King by the assent of his Lords spirituall and temporall,

Berwike

Tinne

and

and of his Commons here assembled in the Parliament will, and ordaineth, that no Wolls, Felles, Leather, Lead, nor Tinne, whole or molten, called shotten Tinne, nor none other Marchandize of the Staple from henceforth shal be sent nor caried to any parts beyond the sea, vnles they be first brought to the said staple after the forme of the said ordinãce made the said first yere of King Henrie, vpon paine of forfeiture of all the Merchandizes, in such manner sent or caried out of the Realme, vnlesse it be by the Kings licence, and except those persons, places and things, which be excepted in the said ordinance made in the first yere of the said K. Henry, for the time that the persons of the places so excepted be of the Kings amitie, and that in the form contained in the same ordinance. And moreouer, that euerie man (except those before excepted) which shall send or carrie any such Merchandize of the Staple, out of the Realme of England in time to come, shall find good and sufficient suretie to the King, before his Customers of the place where the same Merchandizes shall be taken and customed, within the same Realm, before that he depart with the same Merchandizes, that he shall first bring or send them to the sayd staple, in the form afore sayd, vnlesse he haue the Kings Licence, as afore is sayd. Anno 2. H. 5. cap. 6. Stat. 2.

Leather Lead Tinne — Staple — Licence — Suretie

19 Euerie Merchant stranger, buying Wols in England, to bring them to the West parts and elsewhere not comming to the Staple, there to be sold, shall bring to the Maister of the Mint of the Tower of London of euerie sacke, one ounce of Bullion of gold, & in the same maner of three pieces of Tinne, one ounce of bullion of gold, or the value in bullion of siluer, vpon paine of forfeiture of the same Wools and Tinne, or the value of the same to the King. Anno 8. H. 5. c. 2. See Staple 32. An. 2. H. 6. cap. 4.

Stranger — Mint Gold — Siluer Forf.

20 If any person bring, or cause to be brought any Woolles or Woolfells not customed, out of the realm, to other places thẽ to the said staple, he shall forfeit to the King the value of the Merchandizes so shipped, and his bodie to prison, till he hath made and paied a fine and ransome. And that he ỹ thereof giueth knowledge to the Treasorer of England for the time being, and the Trespassour for the same duely conuict, shall haue the fourth part of the forfeiture due to the King in this behalfe. Anno 2. H. 6. cap. 5.

Forf. — Imprison

21 Euerie Marchant aswell Denizen as Alien, may freely and safely ship Wols Leather, Woolfels, and other Merchandizes of the Staple, in the Port of Melcombe, in the Countie of Dorset, and from thence to bring them to the Staple of Calais, paying the customes and subsidies due to the King. And that no Marchant be impeached, molested, nor grieued by the King, nor his heires, for any shipping of the Merchandise afore said, in the sayd Port: any Statute, Ordinance, or Proclamation made to the contrarie notwithstanding. An. 6. H. 6. cap. 6.

Port — Customes

22 No person ship, nor do to be shipped from henceforth no maner of Wols, woolfels, Leather, Lead, nor Tinne, whole nor shotten, nor the same carie and cõuey out of any parts of the said realm, nor out of the lands of Wales or Ireland, to none other parts beyond the Sea, but all onely to ỹ staple of Calais, vpon payne of forfeiture of the double value of the Merchandizes so caried or conueyed to any other parts then to the said staple of Calais, and also vpon payne of imprisonment of his bodie for the space of two yeare without baile or mainprise. And hee which can spye any person from henceforth, which offending and doing in any wise contrarie to this ordinance, and the same offence do present to the Treasorer of Englãd for the time being, and the trespassor thereof duely conuict, or if such trespassor confesse before the Trespassor, and Barons of the Exchequer, such trespasses by him done, that then he shall be conuict by his owne confession: And the presenter shall haue for his labour the third part of the forfeitures of the Merchandizes caried or conueyed against this ordinance. Sauing alwayes that the Merchants of Jene, Venice, Tuscan, Lumbardie, Florence, and Cateloine, may Ship Woolles, Woolfels, Leather, Lead, and Tinne, in their Shippes, Gallies, Caracks, and other Vessels, and to bring the same into their countrey towardes the West, in the manner accustomed before this time. Sauing also to ỹ Burgesses of the Towne of Berwike vpon Twede the priuiledges and benefits to them before this time granted, as in diuers Statutes thereof made is fully contained, notwithstanding this ordinance. Anno 8. H. 6. cap. 17.

Staple Forf. — Imprison — Mainprise — Third part — Transport — Berwike

23 No Mariner straunger, or other Mariner, that is likewise owner and Maister of any Ship or vessell, shall take nor receiue within Eng. Wales, nor Ireland, in his Ship or vessell any manner of Woolles, Woolfels, nor other Merchandizes of the Staple, nor carie the same out of the Realme to any other parts beyond the Sea, but only to ỹ staple of Calais, except such which by the ordinance made shall passe ouer the straites of Marrocke, and that vpon paine of forfeiture to the King of such ships and goods so found defectiue, as of the goods of the same Mariners being in the same Ships or Vessels. And that the Mayor of the Staple for the time being, shal haue power and authoritie to make due search in this partie. And the Ships, goods, and Mariners, if any be thereof found defectiue, for to be presented and deliuered to the K. Counsell of England, by iust relation thereof to be made by the sayd Mayor, or his deputie, he hauing for his reward the third part of the forfeitures by him presented and taken in the maner afore said. Anno 8. H. 6. cap. 19.

Mariner — Calais — Forf. — Mayor — Search — 3. part

24 Their Licences shall be repealed. And if any of euill sell or carie any Woolles or Woollfes, Leather, Lead, or any other merchandizes of the staple, in defraud of the King, or hinderance of the commoditie of this Realme into Scotland, that he shal forfeit the same goods, with the double value, & his bodie to prison by the space of a yere. Anno 8. H. 6. cap. 21.

Scotland Forf. Imprison

25 No stranger shal do to be forced, clacked, nor barded, no maner of Wols to carie them out of the realme, vpon paine of forf. of the same wools with the

Stranger — Forf.

Imprison Woolpacker

the double value of the same, and imprisonment of of his bodie. And that no Woolpacker shall make within the Realme but good and due packing. And that no man make within the fleece of wools, at the winding of his woolles, nor put in the same lockes, pelt woll, tarre, sand, earth, glasse, nor no dirt. And if any do, he that feeleth himselfe grieued, shall haue his Action at the common law of Trespas and deceit. Anno 8. H. 6. cap. 22.

Action of Trespasse

26 Whereas by a Statute it was ordained, that all the wools and woolfels, hides, lead, and tinne, & diuers other merchandizes passing out of the realm of England, the Lands of Ireland, Wales, & Berwicke vpon Twede, ought to repaire to the staple at Calais, and to none other place beyond the sea to be sold vnder the gouernance of the Maior and Constables of the said staple, vpon certaine paines conteined in the said statute, which pains be so easie and not doubted, that many take in custome to carrie, and do daily to be carried out of the Realme and Lands aforesaid by diuers meanes and waies, a great substance of wools, woolfels, hides, lead, and tinne, and other Merchandizes, which ought to repaire to the said staple into Scotland, & into Flanders, Holland, Zeland, and Brabant, without custome or other charge therof, paying as is paied for wools repairing to Calais. And also by ỳ said wools and Merchandizes so carried to the said parties, there commeth no money into this realme of England, nor the same Realme is in no wise increased, nor the Mint at Calais sustained: And moreouer the same wools and Merchandizes be sold in ỳ said partes at so little price & value, that the merchants Aliens bee so great inforced of the same, that they come not to Calais for to buy woolls and woolfels, as they were accustomed to doe, to the great losse & damage of our soueraigne Lord the King, and the vniuersall dammage of his Realme, and great hinderance of the vtterance of the commodities of the said Realme repayring and being at the said town of Calais, as the same our Soueraigne Lord the King hath conceiued at a grieuous complaint to him made by the Merchants, and commons of the Realm in this present Parliament assembled: Our Soueraigne Lord the K. considering the grieuous losses and damages aforesaid, hath ordained that the value of all such goods so found carried, or to bee carried to the said parts, except those wools & woolfels which by our Soueraigne Lord the King be, or shall bee licenced, if there bee any forf. whereof the same our Soueraigne Lord the King shall haue the one halfe, and the person that espieth & proueth the same by the discretion of the Treasorer and the Barons of the Exchequer, shal haue the other half. And that euerie man haue power by authoritie of the same parliament, to make such search in euerie place where it shalbe needful. An. 10. H. 6. c. 7.

Staple

Forf.

Polity

27 Because that Merchants Aliens and Denizens by an euill custome risen of late, haue beene constrained to pay custome and subsidie for their canuas with which their Woolles be packed: It is accorded, that such canuas with their corners, shall from hencefoorth be allowed to them without paying custome or subsidie of the same. An. 43. E. 3. c. 19.

Custome

28 See Staple 33. concerning the prices of woll and other merchandizes of the staple, & readie money to be paied for them, &c.

29 Forasmuch as the great number, quantitie, and substance of the wools growing in the Realme of England by these three yeares passed, be shipped and in great ieopardie and doubt come to the town of Calais, there to be sold for ready money, whereof it behoueth the said Merchants sellers to receiue vpon euerie sarpler a certaine of bullion to bee brought to the Kings Mint at Calais, the which readie money and bullion after that they bee forged and coyned, and receiued by the saide Merchants sellers, ought duely and equally to be distributed & departed to euerie one after his portion to be sent into his Realme, for the increase and vniuersall weale of the same, by vertue of certaine Statutes made in the same parliament holden at Westminster the eight yeare of our said Soueraigne Lord the King, and renued in the Parliament holden the eleauenth yeare of his Raigne: which Statutes bee straitly obserued and kept, as by such persons which by vndue meanes do ship Wools in the Creekes, and other suspicious places, and also in diuers other Ports of the Realm, and them carriet to other places then to Calais, and also by such persons which in derogation of the vniuersal weale of the Realme, and in destruction of the good ordinance of partition, and in abatement of the price of Woolles, do purchase licences for their singuler auaile, to Shippe Woolls at Calais, there to be sold before all other wools there being, and be not bound to keepe the price, nor to receiue no bullion, nor to make partition nor distribution of their money, in maner as all Merchants of England there repayring be straitly bound to do by the Statutes aforesaid, by reason whereof the said Merchants by the meanes and licences aforesaid be in point to be destroyed, the said staple to be dilleuered and destroyed, and consequently the said Towne of Calais, which by the said staple hath hitherto bin greatly maintained and inforced, is like to be vndone and lost, and the said Realme in point to be greatly hindered and hurt, as the same our soueraign Lord the King hath conceiued by the grieuous complaint to him made in the same parliament by the commons of the same: Therefore the same our Soueraign L. the King, willing for ỳ same in this case to prouide a remedie, by the aduice of the said L. spirituall and temporall, and at the supplication of the sayd commons, hath ordayned in the same parliament, that no such licence, which is so preiudicial and contrarie to the common & vniuersall weale of his realm, and of his said marchants, and in destruction of the said Towne, and of the said ordinance of partition, & of the price of the wools, shall in no wise be granted. And that euerie man which shippeth, or do to be shipped any wools, or woolfels, to carrie them ouer the Sea in any wise, shal repaire with the same to Calais, & there discharge and sell the said wools, and woolfels, after the tenour of the said Statutes, and after the good rule and ordinance of the sayd Staple, in maintenance and sustentation of the same relieue, & increase of the said towne of Calais,

Bullion

Licence

Calais

and

and for the publike weale of this his realm of England. Saving alwayes to our soueraign lord the k. power and authoritie to moderate the same statute when it shall please him by the aduice of his Councell, according as to him best shall seeme for the profit of him and of his realm of England. Saving also to the merchants of Jeane, Venice, Tuscaine, Lumbardie, Florence, and Cateloyne, & also of the Berwicke burgesses of Berwicke vpon Tweede, the liberties to them grãted by a statute heretofore, & to al other the k. liege people, the benefit of licence to them graunted by the k. by the aduice of his counsell. Añ 14.H 6.cap.2.

30 All the wols and wolfels, & all other Merchandizes, which by statute ought to repaire to the said staple, found in any creekes, shipped contrarie to the said statute & ordinances, shall be forf. to our soueraigne lord the k. And moreouer, ỳ euery person which at any time ship, or do to be shipped any maner of wols, wolfels, or any other merchãdizes to go to the staple aforesaid, & come not there, shall forfeit as much goods as the wols, wolfels, & other merchandizes by them so shipped and carried to other places then to Calels do amount, by extent after the verie value, except the merchandizes which be to be excepted to passe by the k. licence to other places. Reserued alwaies to the king the whole moitie of such forfeitures, which be cocketted & customed to goe to Calels, & come not there, as afore is said: And to them which find and seise the Merchandizes, the other moitie without any diminution or impedimẽt. And if any person put any wols, wolfels, or any other Merchandize of the staple to any suspicious place adioyning to the coastes of the water, whatsoeuer place that it be, and no Indenture thereof made betwixt him and the Maior, bailife, or Constable of the towne, in the which such wols, wolfels, and other merchãdizes of the staple be so put, that then the same wols, wolfels, & merchãdizes be forfeit. And that the king haue one moitie of all such forfeitures, and the Lord of the towne where such merchandizes be so put, & he which thẽ findeth and seiseth the other moitie to be equally betwixt thẽ departed. And euery man shal haue power by authoritie aforesaid, to make search in euery place vpon such goods of the Staple so carried or shipped, or put to be shipped as afore is said, without impediment or disturbance of any person. Añ 14.H.6.cap.5.

31 No manner person of what condition that he be, shall carrie, nor doe to be carried any Wols or wolfels customably out of this Realme to other places, then to the staple of Calels, without the k. speciall licence, vpon paine of Felonie. And if any person from henceforth doe contrarie to this ordinance, & thereof be conuict or attainted, ỳ he be adiudged for a felõ. And that aswel commissioners assigned, as the Iu. in euery coũty where such wols & wolfels shalbe so caried out, haue power and authoritie by the same ordinance to inquire of ỳ premisses, & them to heare and determin. Prouided alwaies that the wols which passe ỳ Creits of Marrocke shall be in no wise comprised within this ordinance. Anno 18.H.6.cap.15.

32 Anno 3.E.4.cap.1. an act was made for iiij. yere, concerning straungers, for buying & shipping of wols and fels, & carrying thereof to the Staple at Calels, and paying and receiuing of readie payment thereof in money, plate, or bullion, at the Staple of Calels, & for coyning of the same plate and bullion.

33 That Wolles and Wolfels, morling and shorling, that shall bee shipped to passe out of this Realme, after the feast of Easter, which shall be in the yeare of our Lord 1465. shall bee shipped at the townes of such Ports wherein the King hath his beame, his weights, and collectors of custome, to serue and deliuer the merchants, that is to say, at the towne of Pole, Southhampton, Chichester, Sandwich, London, Ipswich, Boston, Hul, Linne, and in none other place, creek, or port, the wols, and wolfels to be shipped in gallies and carracks, and in none other vessels, to passe out of this Realme by the streits of Marrocke, forprised and except. And that by the same authoritie, euery person that so shall ship, or cause to be shipped out of this Realme any wolles, wolfels, morling or shorling, after the sayd feast, vpon the shipping of them, and before that they passe out of any of the said townes, where they shall be shipped, shall find sufficient suretie to the King, and to the collectors of his custome there for the time being, that ỳ same wols, wolfels, shorling and morling shall passe to Calels, and to none other place, without fraud or collusion. And also by the same authoritie it is ordained, that euery person which so shal ship wols, wolfels, shorling & morling to Calels, shall bring within twelue Monethes nert following such shipping into the Kings Exchequer, there to be entred of Record a certificate of him, which is, or for the time shall be called the Kings Customer at the port there, testifying the comming of all such ships with wols, wolfels, morling and shorling to Calels. Also it is ordained by the authoritie aforesayd, that if the same customer at the port, do not deliuer to the Merchant bringing such wolles, wolfels, morling and shorling to Calels, a due certificat, after the forme of this act, within eight dayes after due request of him thereof made, he shall forfeit to the owner of the said wols, wolfels, shorling & morling, at any time that he shal refuse to make & deliuer such Certificate an hundred pounds. And if he which so shall ship wolles, wolfels, shorling or morling to be had to Calels, doe not bring into the Kings Exchequer the Certificat as aboue is recited, and there offer the same in open court before the Treasorer & Barons of the same Exchequer, for the time beeing, to be entred of Record within the sayde twelue Moneths, or if any person doe contrarie to the sayd Ordinance, he shall forfeit all such wols, wolfels, morling and shorling so shipped contrarie to ỳ sayd ordinance, wherof he bringeth not a certificate, as before is recited, or ỳ value thereof: The one halfe to be imployed to the expences of the Kings house, and the other halfe to such person as shall sue for the same in this behalf, being Mayor of the Kings Staple at Calels at the same time of such suite commenced. And that he in this

caſe may ſue an action of debt of ſuch woolles, woolfels, ſhorling and morling, ſo forfeit, or of the value thereof, at his election againſt ſuch perſon or perſons, which ſhall do contrarie to this ordinance: the ſaid action to be taken, and euery iſſue therein ioyned, to be tried in the countie where ſuch wools, woolfels, ſhorling & morling ſhall be ſhipped: except ỹ if any iſſue be taken in the ſaid action vpon the offer of the certificat, ỹ then it ſhalbe tried in the county where the ſaid court of the Exchequer for the time ſhalbe. Countie

And ỹ the ſame proces lie in ſuch action, as is & lyeth in an action of debt at the common lawe, & that no protectiõ nor eſſoin lie or be allowed or adiudged for the def. in ſuch action. And though the plaintife in ſuch action be diſcharged of his ſaid office of Maior, hanging ỹ ſame action, he ſhall maintain & purſue the ſaid ſuit, notwithſtãding the ſame diſcharge. Proces

Prouided alwaies that if any wools, woolfels, morling or ſhorling, to be ſhipped in the forme aforeſaid, be taken with enemies vpon the Sea, or els there periſhed or loſt by miſfortune, and ſuch taking, periſhing or loſſe, be found & proued before the Treaſorer & the Barons of the E. for that time being, by examination of the perſõ or perſons, which ſo ſhould ſhip ſuch wools, woolfels, ſhorling or morling, or their executors, or two credible perſons ſworn, or other reaſonable witneſſes & proues, teſtifying the ſame wools, woolfels, ſhorling, or morling ſo taken, loſt, or periſhed, that no perſon for any ſuch woolfels, ſhorling, or morling ſo taken, loſt, or periſhed, ſhalbe grieued or otherwiſe preiudiced by this act. Prouided alſo, that the wools, woolfels, ſhorling, or morling only of the growing betwixt the waters of Teſe, and Twede, Northumberlãd, Cũberland, Weſtmerland, the biſhoprick of Durham, Richmond ſhire, and Northalderton ſhire, may bee ſhipped in the Port of New caſtle vpon Tine, to paſſe at their libertie, this act notwithſtãding. Anno 4. E. 4. cap. 2.

34 That no perſon ſhall ſhip or cauſe to be ſhipped, at the ſaid port and town (s. Newcaſtle) any wools, or woolfels, morling or ſhorling of the growing of any county or country, other then of ỹ growing of the country beyond the ſaid waters, or of any of the ſaid counties of Northumberland, Cumberland, Weſtmerland, Richmondſhire, Northalderton ſhire, or of the ſaid biſhoprick of Durham. And if any perſon ſhip, or cauſe to be ſhipped at the ſayd town or port, any wools, woolfels, ſhorling or morling, of the growing of any county or coũtry, other then the ſaid countries, betwirt the ſame waters, or of the ſaid counties of Northumb. Cumber. Weſtmerland, Richmondſhire, Northalderton ſhire, or of the ſaid biſhoprick of Durham, to be carried into any place beyond the ſea, other then the ſaid ſtaple of Caleis, ſhall forfeit the double value of the ſame wools and woolfels ſo ſhipped, & not growen betwirt the ſaid waters, nor in none of the ſaid Counties of Northumb. Cumber. Weſtmerland, Richmondſhire, Northalderton ſhire, or in the ſaid biſhopricke of Durham: whereof our ſoueraign Lord the King ſhal haue the one halfe, & he that wil ſue in this partie the other halfe, and that aſwell the K. as hee that wil ſue for the ſame in this behalfe, ſhal haue his recouerie by any action of debt: The ſaid action to be taken, and euerie iſſue therein ioyned, to be tried in the ſaid countie of York, & not in the ſaid town, nor in none of the ſaid counties of Northumberland, Cumber. Weſtmerland, Richmõdſhire, nor Northalderton ſhire, or in the ſaid biſhoprick. And like proces to be had in the ſame action, as is commonly vſed in an action of debt. And that the def. in this caſe haue no aduantage by any eſſoin or protectiõ, nor be admitted to wage his law. An. 4. E. 4. ca. 3. Shipped Port. Woltie Proces

35 No perſon by himſelfe, or any other, ſhall buy or bargain, from the xviij. day of March, which ſhalbe in the yere of our Lord 1444. any wols then not ſhorne, or take promiſe of bargain of any wols then not ſhorne, of the growing of Berkſhire, Orfordſhire, Gloceſterſhire, Shropſhire, Hereford-ſhire, Worceſterſhire, Wiltſhire, Somerſet-ſhire, Dorſetſhire, Hamſhire, Eſſex, Cambridge-ſhire, Northfolke, Kent, Surrey, & Suſſex, or of any of the ſame, till the feaſt of S. Bartholomew then nert inſuing, or buy any wols, or take any promiſe of bargain of wolls which ſhall grow in any of the ſame Counties, the yere then nert inſuing the ſayd feaſt, before the ſame feaſt then next following, or in like manner buy any woolles, or take promiſe of bargain of any wols, which ſhall grow in any of ỹ ſaid counties, the yeare then nert inſuing the ſame feaſt, till the ſame feaſt then nert following, which feaſt ſhalbe in the yere of our Lord 1467. but only ſuch perſons, which the ſaid wools ſhal make, or do to be made yarne or cloth, within this realme, vpon the paine of forfeiture of the double value of all the wols bought, or to be bought, bargained, or taken by promiſe of bargain againſt this ordinance: The one halfe to bee had to the Kings vſe, and the other halfe to the vſe of him that will ſue in this behalfe. And that euerie perſon that will ſue in this behalfe, ſhall haue an action of debt of the ſame forfeiture, & like proces in the ſame action, as is had in an actiõ of debt: And that no eſſoine, protection, nor wager of law ſhalbe allowed for the defendant in this action, Anno 4. Ed. 4. cap. 4. Buy Forf. Woltie

36 All manner of Woolles and Woolfels, and Fels called morling and ſhorling, growing within any part of this Realme and Wales, Woolles, and Woolfels, morling and ſhorling, growing in any part within the Counties of Weſtmerland, Cumberland, Northumberland, in the Biſhopricke of Durham betwirt the waters of Tine and Teeſe, and of the counties of Richmondſhire, and Northalderton ſhire, except Woolles to bee ſhipped towards the weſt in Gallies and Carracks, to be ſhipped and carried out of this Realme, ſhall be conueyed to the Staple of Caleis, and to none other place, vpon payne of forfeiture of the ſayde Woolles, Woolfels, and Fels, called ſhorling and morling, as in the ſame Statutes doth more fully appeare: Neuertheleſſe, the ſaid Ordinances and Statutes notwithſtanding, a great multitude of woolles, and woolfels, called morling and ſhorling, growing in Parkeſwold, in the Counties of Lincolne, Nottingham, and Derby, and other Coũties of this Realme of England, vnder the color of the exception before recited, in the ſame North parts Caleis Forf.

be

be carried out of the realm into Flanders, Holland, Zeland, Brabant, and other parts beyond the sea, whereby insueth not only great decay of ỹ customs and subsidies of our soueraign Lord the King, but also the destruction of the price of wools, woolfels, & fels called mozling & shozling, growing within this realme, to the vniuersall damage and impouerishing of the same: thereupon by the aduise, assent, and authoritie aforesaid it is enacted, ordained, & stablished, ỹ all the wools, woolfels, and fels, called mozling and shozling, growing within this realme, other then before excepted, to be shipped and conueied out of this realm, shall be conueyed to the staple of Caleis, & to none other place. And that all other wools, woolfels, and fels, called mozling & shozling, growing and beeing within the saide Counties of Westmerland, Cumberland, Northumberland, the Bishoprick, Richmond, and Alderton, to be carried out of this realme of England, shal be shipped at Newcastle vpon Tine only. And from thẽce to be cõueied to Caleis, or to new Middleborough in Flanders, there to be stapled and vttered, and at none other place. And if any man attempt and do the contrarie, and thereupon be duely conuict, ỹ then he shal stand and be of like condition as a man attainted of felonie after the course of the common law, and shall incurre like paine and forfeiture as he so attainted for the same should do. And it is ordained by the same assent and authoritie, ỹ all wools and woolfels, and fels, called mozling and shozling, growing or being in any countrey of this realm or Wales, or in the Marches of the same, other then before excepted, to be caried out of this realm, shall be conueied to the said staple of Caleis, and to none other place, vpon the same pain and forfeiture: The prerogatiue of our soueraign Lord the K. to grant any licence to the contrarie except. This act to begin and take effect at the feast of Saint Michaell, which shall be in the yeare of our Lord God 1474. And to indure by the space of fiue yeres only. Añ 12.E.4.cap.5.

Ports

Felonie

Licence

37 Which act (s. An.12.E.4.cap.5.before 36.) our lord the K. wil & ordaineth to be in ful strength, & force, in euerie point thereof. Sauing only where it is by the same act ordained, that all woolles, woolfels, and fels, called shozling or mozling, growing and being within the said Counties of Westmerland, Cumberland, and Northumberland, the Bishoprick, of Richmond and Alderton, to be caried out of this realm, shal be shipped at Newcastle vpon Tine onely. And from thence to be conueied to Caleis, or to new Middleborough in Flanders, there to be stapled & vttered, & at none other place. The said act for so much shalbe void, & ỹ in stead of those words, it shalbe as followeth. It is ordained by the same authoritie, ỹ all wools & woolfels, called mozling and shozling, growing & being within the sayd Counties of Westmerland, Cumberland, & Northumberland, the Bishoprick of Durhã, Richmõdshire, & Alderton shire, to be caried out of this realm, shalbe shipped at Newcastle vpon Tine only: And from thence to be carried to Caleis, or to the towne of Berwike in Brabant, or to any other certaine place at the Kings pleasure to be named, there to be stapled and vttered, & at none other places. And also it is ordained by the assẽt & authoritie aforesaid, that in case where our soueraign Lord the K. ordaineth, ỹ the said wools, woolfels, & fels called shozling & mozling, of the growing of the counties & bishoprick aforesaid, to be placed in any other place beyõd the sea, then at Caleis or Berwike aforesaid, ỹ thẽ the place so to be named by the K. shalbe certified & published by open proclamations in the said counties of Yorke, Northumberland, Cumb. Westmerland, ỹ bishoprick of Durham, & the town of Newcastle. And that euery of the subiects of our Soueraign lord the K. after such proclamation made, & after 19. months after the same proclamatiõ passed, shall be bound haue & carie the said wools & woolfels to the said places to be named by our soueraigne L. the king, & expressed in the said proclamation, vpon the pain before limited. An.14.E.4.c.3.

Vttered

Yorke

Proclamation

3. moneths

Woolls

38 An.6.H.8.ca.12. an act was made against Norffolke wools to be caried ouer the sea, to indure to the next parliament.

39 No maner of person or persons do wynd, or cause to be wond any fleece of woll being not sufficiently riuered or washed, ne wynd, or cause to bee wond within any fleece, clay, lead, stones, sand, tailes, deceitfull locks, cot, calls, cõbre, lambs wool, or any other thing, whereby the fleece may bee more weightie, to the deceit & losse of the buyer, vpõ pain the seller of any such deceitfull wools to forfeit for euery such fleece vj.s. The one moitie to the K. the other to the finder and prouer of the same deceipt by action &c. Prouided alway, ỹ this act concerning riuering and washing of any wool, shall not in any wise extend to any shire or Shires, the inhabitants whereof hath not customably vsed before this time to riuer or wash their sheps after they be shorne: Nor shall in any wise bee hurtfull or preiudiciall to any person or persons that hath vsed customably to sell their wools by taile or nũber of the fleece or fleeces, & not by weight: any thing in this act to the contrarie notwithstãding. This act to indure to the next parliamẽt. An.23.H.8.c.17. And after añ 28.H.8.c.8. this act was continued to the last day of the next parliamẽt. And after añ 31.H.8.cap.7. this act was cõtinued to the last day of the next parliamẽt. And after añ 37.H.8.c.23. this act was continued to the last day of the next parliamẽt. And after añ 7.E.6.c.11. this act was continued to the last day of the next parl'. And after añ 1.M.1. parlia.ca.13. this act was cõtinued to the last day of the next parlia. And after añ 1.M.2. parlia.c.12. this act was cõtinued to the last day of the next parlia. And after añ 1.& 2.P.& M.ca.16. it is continued to the last day of the next parl'. And after añ 2.& 3.P & M.ca.21. it is continued to the last day of the next parl'. And after Añ 4.& 5.P.& M. it is continued to the end of the next parl'. And after añ 1.El. it is continued to the last day of the next parl', which began 5.El.& ended 8.El.& thẽ this act was discõtinued: And 13.El.c.25. it was reuiued & made perpetual.

Veere

Newcastle vpon Tine

Caleis

Lloyd

Berwike

Wynde

Fleece

Deceipt

Forf.

Polty

Wash

40 Anno 4.H.7.cap.11. an act was made concerning maintenance of Draperie, and against e grating of Wool, of like effect as this that nert here followeth, to indure for tenne yeares. And after

Drapers Regrating

An. 22. H. 8. cap. 1. the same statute was reuiued, and some other articles adioyned vnto it, to indure for other ten yeares.

41 After the said first day of March now next comming, no maner of person other then the Merchants of the said staple, & their seruants & factors, for the only prouision of the said staple, and for to be shipped only to the said staple, & other then such as shall conuert the same into yarne or cloth, within this realme by himselfe, or by any other, buy or bargaine, or take promise of bargain of any wols bering now vnshorne, ne of the growing of the shires of Kent, Surrey, Suſſer, Southhampton, Wiltshire, Dorset, Somerset, Glouc. Worcest. Hereford. Salop. Warw. Leicest. Notting. Derb. York, Lincolne, Rut. Northampt. Norff. Suff. Ellet, Camb. Huntington, Buck. Bedford, & Hertford, or any of them, before the feast of the Purificatiō of our Lady next after the shearing and clipping of the sayde wols, buy or bargain any wols, or take promise of bargaine of any wols that shall grow in any of the said shires, in any yere or yeres to come after ẏ said feast of the Purification of our Lady, ẏ shalbe next after the shearing or clipping of the said Woll, but only such persons, their seruants & factors, that of ẏ said wols shal make, or do cause to be made yarne, hatts, girdles, or cloth within this realme, and not sel the same wool againe, or the stapler or his factors to be shipped only to the said staple, vpon paine of forf. of the double value of all the said wols bought, or for to be bargained, or taken by promise of bargain contrary to this act & ordinance. Prouided alwaies ẏ it shalbe lawful for euery man to bring or send his own wol into the common markets, and there to sel the same vnto the merchants of ẏ staple, or his factour, or to him or them that will buy the same for to make yarne or cloth within this realm, or their factors or seruants. And in case neither the stapler or his factor, or other for him, or the clothier, or other for him will not buy the same Woll so brought to the market, in their default, to sell the same to any other that will buy the same in the said open market: any thing in this present act to the contrary notwithstāding. And further it is &c. that no person after the first day of March now next comming, shall buy or bargain any maner of Wol within this realm for any merchant estranger, nor shall take any promise of a bargaine or sale of any wol for any merchant stranger within this realm, vpon paine of forfeiture of the same wol so bought, or whereof promise of bargaine and sale shall bee so taken, to the vse of any merchant stranger, or the value of ẏ same wols. The moitie of all which forfeitures to be to the K. our soueraign Lord, ẏ other moitie to the party that wil sue for the same, the party that shall breake this ordinance, and that any person that wil sue in that behalfe, shall & may haue an actiō of debt of the said forfeiture. And such proces in the same to be had, as in an action of debt at the common law, or after ẏ custome of the city, borough, or towne where it shall be sued, wherein no essoine, protection, ne wager of law shall be admitted. And further it is &c. that all bargaines, couenants, promises and contracts for wols heretofore made, or any time hereafter, before the first day of March now next comming to bee made by any person, of, or for any wols of the growing of any of the said shires, being vnshorne, shall be void and of none effect. Except the buyer, prouider, or such person or persons to whom such former promise or bargaine is made, do put the same wols by him receiued by such former contract, couenant, or promise, into yarne or cloth within this realme, or doe ship the same to the said staple. It is also further prouided &c. That the said Merchants of the said staple may bargaine and sell their refuse or course wols, such as is not meet for the said staple, to any other person that will buy the same to make yarne or cloth within this realm: any thing in this act to the contrarie notwithstanding. This act to continue & indure to the end of the next parliament. An. 37. H. 8. c. 15.

Buy
Yarne
Hats
Girdles
Cloth
Forf.
Markets
Stranger
Forf.
Moitie
Proces
Bargaines
Void
Yarne
Bargaine
Wife
Apprentice
Staple

42 All and euerie person and persons, dwelling & inhabiting within the said countie of Norff. & city of Norwich, or in either of them, by him or themselues, or by his or their factors, seruant or seruāts, may lawfully from henceforth, without paine, forfeitures, danger, or breach of any law or ordināce, buy & bargain wols, & take & make prouision to buy or bargaine wols growing, or ẏ shall grow onely within the said county of Norff. in as large & ample maner & forme, as ẏ same inhabitants within ẏ sayd county or citie might & did vse to doe before the making of the said act of parliament, (s. An. 37. H. 8. c. 15. before 41.) & as the said act of Parliament had neuer beene had or made, so that the same person & persōs so buying & bargainting, or making promise to buy or bargaine the said wols, do sel or retaile ẏ same againe in the common market or open place within the said coūty of Norff. or city of Norwich, to any person or persons at their pleasure & liberty, that will buy the same, or any parcell thereof, dwelling & inhabiting within the said county & citie of Norwich, or any of them, that shall or will spin the same within the said county of Norffolke and citie of Norwich, or any of them, the said former Act (s. Anno 37. Hen. 8. cap. 15. before 41.) or any article, clause, or sentence therein contayned, or any other Act or Acts, Law, or ordinance heretofore made to the contrarie thereof in any wise notwithstanding. Anno 1. Edw. 6. cap. 6. This Act is confirmed by 5. Ed. 6. cap. 7. as appeareth here following 43.

Bargaine
Retaile

43 No maner of person ne persons being within the kings obeisāce, shal after the last day of May next, buy, bargaine, take, or make any promise or bargaine of wols, but only such person or persons, his wife, or his or their apprentice or apprentices, inhabiting in his or their mansion house or houses, as shall of the said Woolles make yarne, any kind of clothes, chamblets, worsted, sayes, stammin, knit hose, knit peticoates, knit gloues, knit sleeues, hats, coyfes, cappes, arras, tapestarie, couerlets, girdles, or any other thing vsed to be made of woll, or mixed with Woll, within the Realme, or else a Merchant or Merchants of the Staple at Caleis, or his or their Apprentice or Apprentices, dwelling in his or their mansion house or houses, to bee ship-

shipped only to the staple at Caleis, vpon payne of
Forf. forfeiture of the double value of the said wols so to be bought or bargained, or taken by promise of bargaine, contrarie to this present act. And be it &c. that no merchãt stranger after the xx. day of Aprill next comming, by himselfe, or by any other person or persons for him, in his name, or to his vse, in any yeare after the said xx. day of Aprill then to come, shall bargaine or buy any wols before the Feast of the Purification of our Ladie next after ỳ clipping
Forf. or shearing of the same wols, vpon paine of forfeiture of the double value of the saue wols. And be it &c. that no manner of person or persons, hauing any wol or wols of his or their owne growth, shal at any time after the feast of the Natiuitie S. Iohn Baptist next comming, keepe the same wols to the intent to sel the same in wol vnwrought, ouer and
Lyere aboue one whole yere next and immediatly after ỳ shearing of the same wolles, so as there be offered without fraud or couin to the owner or owners therof within the same time, such price as then shall be most commonly giuen in the same shire for wol
Forf. of like goodnes & packing, vpon paine of forfeiture for euery tod, or tod weight therof so kept aboue one yere vnsold, as is aforesaid, the sum of x.s. The
Wolty moitie of all and euerie such forfeiture and forfeitures, penaltie or penalties before rehearsed, to bee to the vse of our soueraigne L. the King, his heires & successors, & the other half to the vse of him ỳ will sue &c. wherein &c. Prouided alwaies, that the merchãts of Newcastle & other persõs, may buy wols of the growth of the counties of Northumberland, Cumberland, Westmerland, Richmond, & Alderton shire, or the Bishoprick of Duresme, to the intent to ship or transport the same into the parts beyond the Sea, as they haue bẽn accustomed: anything in this act to ỳ contrarie in any wise notwithMerchants standing. Prouided also &c. that the merchants of ỳ staple from time to time, may bargain or sel their refuse, course wols, & locks, such as is not mẽt for the said staple, to any person or persons that wil buy ỳ same to make yarne or cloth, or other things, as is aboue said, within this Realme, so as the same be shot & packed by the woll packer, declaring of what packing or countrey the refuse or locks be, & writing vpon the clothes wherein the said refuse wol is packed in great letters, as they do vpon the wols that are shipped to Caleis. Prouided alwais & be it &c. that it shall & may be lawfull to the k. our
Proclamation soueraign Lord, by his Proclamation at any time hereafter to be made & set forth, to repeale this statute, and all and euery article, clause, sentence, and other thing or things therein contained, & to make the same void to all intents & purposes, as though this act had neuer bin had or made, any thing in this statute to the contrarie notwithstanding. Prouided alwais, that the act made at the first Session of this Parliament holden in the first yere of ỳ raign of our soueraigne Lord the king, called and entitoled, an act for the continuance of making of worsted yarne in Norffolke, and euerie article and clause thereof, shal remain and continue in full force, vertue, and strength. And that all persons inhabiting, or that shal inhabit within ỳ said County of Norffolke, or citie of Norwich, and euery of them, shal & may buy and sel wol growing within the said cõtie of Norffolke, according to the purport, true effect and plaine meaning of the said act made in the said first yere of the Raign of our said soueraign L. the king, any thing in this act contained to the contrarie thereof in any wise notwithstanding. An. 5. E. 6. cap 7. Note a parcell of the said act of An. 1. E. cap. 6. is here next before 42. And parcell there. of is in Norwich 2.

44 Be it enacted &c. that it shalbe lawful to any person or persons inhabiting within the Parish of Halifax Halifax, to buy any woll or wols, at such times as ỳ clothiers may buy the same, other then by ingrossing and forestalling, so that the persons so buying the same, doe carrie or cause to be carried the sayde wols so bought by them, to the town of Halifax, & there to sel the same to such poore folkes of that and other parishes adioyning, as shal work the same in cloth or yarne (to their knowledge) and not to the rich and wealthie Clothier, nor to any other to sell againe. And if either the said woll driuer shall sell his said wolles at any other place, forth of the said towne of Halifax, or if any such as shal buy their wols at Halifax, shall sell their wols ỳ they bought againe vnwrought in yarne or cloth, that then euerie such offender to lose and forfeit the double value Forf. of the wol so sold or vttered, the one moitie therof Wolttie to be to the king and Quenes Maiestie, her heires & successors kings of this realm, and the other moitie to him or them that will sue for the same in any of the King and Quens Maiesties Courts of record, or before the Iust. of P. in their sessions, who In. of P. by vertue hereof in their open sessions shal haue authoritie vpon information to heare and determine Diet & ter. the same, and to make proces against the offenders, as in any other case to be determined before them. An. 2. & 3. P. & M. cap. 13.

Women, Widowes, Wiues, & Maides.

A Widow after ỳ death of her husband, incõtinent, & without any difficulty shall haue her marriage & inheritance, & shall giue nothing for her dower, her marriage or her inheritance, which her husbãd & she held the day of the death of her said husband. And she shal tary in the chiefe mansion of her husband, the space of xl. daies after the death of her xl. daies husband, within which daies her dower shall be as- Dower signed her, (if it were not assigned her before) or that the house be a castle. And if she depart from ỳ castle, then a competent house shalbe forthwith prouided for her, in ỳ which she may honestly dwel, vntil her dower be to her assigned, as it is aforesaid. And she shal haue in ỳ mean time her reasonable estouers of Estouers ỳ commõ. And for her dower shall be assigned the 3. part, except she were indowed of lesse at the church dore. No widow shall be distrained to marrie her selfe, neuertheles she shal find surety, ỳ she shal not Surctie marie without our licence & assẽt, (if she hold of vs) nor without ỳ assent of the Lord, if she hold of an other. Magna charta c. 7. An. 9. H. 3.

Also he shall assigne to widowes, after ỳ death of their husbandes, that belde of him in chiefe, the dower that to them belongeth &c. though the Dower

heire be of full age (if the widowes will) and such widowes before assignement of their dower, shall sweare that they shall not marrie themselues without the Kings licence whether their heires be of ful age or not. And if they marrie without licence, then the King shall take into his handes by way of distresse all such lands and Tenements as they hold of him in dower, vntill he be satisfied at his owne will, so that she shall take nothing of the issues &c. for after such distresses, they or their husbands must fine at the Kings will. And his will in the time of King Henry father of King Edward, was estéemed to the one yeares value of her dower, vnlesse they had the greater sauor. Women that hold of the King in chiefe of whatsoeuer age they be, shal sweare likewise that they shall not marie thémselues without the K. licence. And if they do, their lands & tenements shalbe taken in like maner into the k. handes, vntill they haue satisfied at the Kings will. Prerogat. regis cap. 4.

Dard

Licence

One yeres value

Chiefe

3 Whereas in all parts of this Realme diuers people of power, moued of insatiable couetise, against all right, gentlenesse, trueth, and good conscience, haue laboured and found new inuentions, and them do busily execute to the danger, trouble, and euil treating of all Ladies, Gentlewomen, and other women sole, hauing any substance of Lands, Tenements, or other moueable goods within this said realme of England, perceiuing their great innocencie and simplicitie, willing to take them by force, or otherwise come to them séeming to be their great friends, promising them their faithfull loue, and so by great dissimulatiõ or otherwise get them in their possession, cõueying them into such places, where the said offenders be of most power, & when any woman by such means, or by any other meane be in their gouernance, the said euill disposed persõ or persons will not suffer them to goe at large, and be at their libertie, til that they wil bind them to the said offenders or other person or persons to their vse, in great sums by obligation or obligations as well simple as conditionall, or by obligation or obligations of stat. Merchant made before ỳ Maior or Baylise hauing power to take such recognisances: Also they will many times compell them to bée maried by them, contrarie to their owne desires, or otherwise they will leuie the same sum or sums of their lands & goods, and put their person or persons in danger to their great damage, which hath bin, & is likely to be an vniuersall preiudice to the law of holy church & the law of this realme, vnlesse due remedie therupon be prouided: our said soueraign L. the king considering the premisses hath ordained & stablished by authoritie of this present parliament, that in al such cases aforesaid, the partie bound may haue a writ out of the Chancery containing all the matter of their vnreasonable entreaty, directed to ỳ shirife of the county, where any such offences were so done or after should be done, commanding him ỳ he by force of this writ make proclamation in ỳ full county, & in the next coũty court after the receit of the same writ, ỳ the person or persons contained in the said writ shall appeare at a certaine day & place prefired in the said writ, before the Chauncellor of England for the time being, or otherwise before ỳ Iust. of assises in the counties where the said offences were done, or otherwise before any other notable person to be assigned by the Chãcelor of Eng. for the time being. At the which day & place if ỳ said parties appeare, that thẽ the said chancelor of Eng. for the time beeing, Iustice or other person so to bée assigned by the chancelor for the time being by vertue of this ordinance, shal duly examin the said parties vpon the premisses. By which examination if they may find the said obligation or obligations, or any of them so to be made as is aforesaid: that thẽ ỳ said obligation or obligations & all proces & execution sued, or to be pursued therupon, shalbe void and of no force nor effect. And if it be found by examination before them, ỳ the said obligation or obligatiõs were made, or shalbe soũd to be made for a true dutie, and by no such means as afore is said, that then the said obligation or obligations & all the proces & execution sued or to be sued thereupon, shall stand good & effectual. And if it be so ỳ the persõ or persõs in such writs named or to be named, against whom any such letters or writs hereafter shalbe shewed, make default at the day & place limited in the same writ or writs, that then all such obligations as bée before specified, and declared, & in the said writ or writs expressed, declared, & specified, & all maner of proces & execution sued or to be sued therupon, shal be void & of no force nor effect. And that the said shirif or shirifs, to whom such writ or writs vpõ this ordinance hereafter conceiued shalbe directed, shal execute the said writs, according to the tenor of the same, vpon pain of CCC.li. whereof the K. to haue the one half, & ỳ other half to the partie which shal sue the said writ of proclamation, & that the said partie so grieued may haue an action of debt in euerie such case against the said shirif, for the behalfe of the said CCC.li. so forfeited, with proces of outlagary. And that the party or parties defendãts in any such action from henceforth against any Shirife or Shirifs to be pursued, shall alledge no protection, nor shall wage his law, nor shalbe receiued to make or plead any foreine pla, to be tried in any other place, then there where the said writ grounded vpon this ordinance is shewed. Anno 31. H. 6. cap. 9.

Obligatiõs

Chancerie

Sherife

Proclamation

Countie Court

Default

Void Shirife

Forfeit

4 Be it enacted &c. that it shal not be lawful to any person or persons, to take or conuey away or cause to be take or conueyed away any maid or woman child vnmaried, being within the age of sixteen yeres, out of, or from the possession, custodie, or gouernance, & against the will of ỳ father of such maid, or woman child, or of such person or persons, to whom the father of such maid or woman child by his last will & testament, or by any other act in his life time, hath or shal appoint, assign, bequeath, giue or grãt the order, kéeping, educatiõ or gouernance of such maid, or woman child, except such taking & conueying away as shalbe had, made, or done by or for such person or persõs as without fraud or couin be, or then shall bee the Master or Mistresse of such maid or woman child, or the gardein in socage, or gardein in chiualry, or to such maid or womã child. And be it further enacted by the authority aforesaid, that if any person or persons aboue the age of 14. yeres,

Conuey

16. yeres old

14. yeres old

yeares, shall from & after the first day of April next comming, vnlawfully take or conuey, or cause to be taken or conueied any maid or woman child vnmaried, being within the age of xvj. yeres, out of or from the possession, & against the will of the Father or mother of such child, or out of, or from the possession, & against the will of such person or persons, as then shall happen to haue by any lawfull waies or meanes, the order, képing, & education or gouernance of any such maiden or woman child, that the euery such person or persons so offending, beeing thereof lawfully attainted or conuicted by ẏ order & due course of the lawes of this realme, other then such, of whom such person taken away shall hold any lãds or tenemẽts by knights seruice, shall haue & suffer imprisonment of his & their bodies by the space of ẏ. whole yeres without baile or mainprise, or els shal pay such fine for his or their said offence, as shalbe assessed by the Councel of the K. highnes, her heires or successors, in the Starre-Chamber at Westminster. And be it further enacted by the authoritie aforesaid, that if such person or persons after the said day shall so take away, or cause to be takẽ away, as is aforesaid, & deflower any such maid, or womanchild, as is aforesaid, or shall against the will, or vnknowing of or to the father of any such maid or womanchild, if ẏ father be in life, or against the will, or vnknowing of or to the mother of any such maid or womanchild, hauing the custodie and gouernance of such child, if the father be dead, by secret letters, messages, or otherwise, contract matrimonie, with any such maid or womanchild, except such contracts of matrimonie, as shal be made by ẏ consent of such person or persons, as by the title of wardshippe shall then haue, or be intitled to haue the mariage of such maid or womanchild, that then euerie such person or persons so offending, beeing thereof lawfully conuicted, as is aforesaid, shall suffer imprisonment of his or their bodies by the space of v. yeres, without baile or mainprise, or else shall pay such fine for his or their said offences, as shalbe assessed by the said Councel in the said Star-chamber. The one moitie of all which fine shall be to the K. & Q. maiestie, her heires & successors, the other moitie to the parties grieued. And be it further enacted by the said authoritie, that the King & K. highnes honorable Councel of the Starre-chamber, by bill of complaint or information, & Iuill of assise by inquisition or indictmẽt, shalhaue authority by vertue of this act, to heare & determin the said offences, vpon euery which indictments & inquisitions, such proces shalbe awarded & lie, as vpon an indictment of trespas at the common law. And further be it enacted by the authoritie aforesaid, ẏ if any woman child or maiden, being aboue the age of xij. yeres, & vnder the age of xxj. yeares, do at any time consent & agree to such person that so shal make any cõtract of matrimonie, contrary to the forme and effect of this statute, that then the nert of the kin of ẏ same womanchild or maid, to whom ẏ inheritãce should discend, returne or come after the decease of ẏ same womanchild and maid, shall from the time of such assent and agreement haue, hold, and enioy all such lands, tenements, & hereditaments, as the same woman child and maiden had in possession, reuersion, or remainder, at the time of such assent and agrée-ment, during the life of such person that shal so contract matrimony. And after the decease of such person so contracting matrimonie, that then the sayde lands, tenements, and hereditaments shal discend, reuert, remain and come to such persõ or persons, as they should haue done in case this act had neuer bin had ne made, other then to him only that so shal contract matrimonie. Prouided alwayes, & be it enacted, ẏ this act nor any thing therein contained, shall extend to take away or diminish any libertie, custome, or authoritie touching or concerning any Dyphane or Dyphans, which now be or hereafter shall be within the Citie of London, or any other citie, borough, or towne, where Dyphans are commonly vsed to be prouided for, either by graunt, or by custome, but that the Lord Maior of the said citie of London, and the Aldermen of the same for the time being, and all and euerie other head officer or officers of any other citie, borough, or town, where such Dyphans be prouided for, shall and may haue and take like rule, order, képing, & charge of such Dyphan & orphans, and all other their lands, tenements, goods, and cattels, as heretofore they or any of thẽ lawfully had or vsed, or lawfully might haue had & vsed, if this act had not been made. Anno 4. & 5. Ph. & Ma cap. 8.

16. yeres old

K. seruice Impriſon

Wainprise

Deflowre

Contract matrimonie

Imprisonment Wainprise

Forfeyture

Iuill of Assise.

Diers & ter.

Proces

12. yeres old Consent

Reuert

Dyphan

London

Maior

Sureties

Bolts

Fork.

Wardens

Worsteds.

THe Merchants and workers of clothes called single worsted, may bring bolts of single worsted to what parts that them pleaseth (except to the kings enemies) paying the customes and subsidies therof due, without paying the deuoires of Calice, notwithstanding any Statute, ordinance, proclamation, inhibition, commandements, or charters, liberties, vsages, or priuiledges, graunted or to bee graunted to the burgesses of Calice, or to the Merchants of the staple of Calice, or to any other made or to be made to the cõtrarie. And ẏ the obligatiõs & sureties take before this time for ẏ deuoirs of Calice, shalbe cesored & deliuered. Prouided alwais, ẏ vnder the color of the said bolts of single worsted, they shal bring no double worsteds, nor half double, nor worsteds ray, nor motley, vpon pain of forf. of the same. An. 17 R. 2. cap. 5.

Custome Calice

2 An. 20 H. 6. c. 10. An act was made to indure for 3. yeres, for ẏ true making of worsteds in Norwich and Norffolke.

3 An. 23. H. 6. ca. 4. An act was made to indure for 3. yeres for ẏ true making of worsteds in Norwich and Norffolke.

4 Men of the said craft (s. Worsted makers) within the said citie (of Norwich) shall haue power euery yeare the Munday next after the feast of Pentecost, to chuse foure wardens within the said Citie of the same craft. And also that artificers of ẏ same craft likewise out of the Citie, that is to say, within the countie of Norffolke shall haue power euerie yere at the same day, to chuse foure wardens within ẏ of the said county of the same craft. And the aforesaid wardens in the said countie & city to come

before

Maior before the Maior of the sayd Citie for the time being, vpō the Munday next after the feast of Corp' Christi then next following: And then to be sworn before the Maior of the said citie, and the Steward of the Duchie of Lancaster, within the said Countie for the time beeing, if it happen him within the said citie thē to be present, or els before the said maior only, the said Steward then being absent. And that all the said wardens, aswell within the said citie as without, or else the greatest part of them, vnder this form before recited, chosen, and sworn shall haue full power for the yere then next following, to

Maior
Steward of Lancaster
Maior Steward

Dutch

Wardens

Search

Punish

Lords

Marke

Lengeth Bredth

Lambs wooll

Forf.

Seise

Dier & ter.

Place

Marke

Forf. Moity Maior

Punish

Lords

Marke

Forf.

Place

Marke

Maior Steward

Suruey the worksmanships of the said artificers, and that they make and worke rightfully and well and of good stuffe, and to ordeine such rules and ordinances within said craft, as often as it shall seeme needful or necessarie, for the amendment of the said worsteds and craft. And that such rules and ordinances so made and ordained to them, to be obeyed and kept by the said artificers, or els foure of the sayd wardens, calling to them sixe of the most discreet of their said artificers within the said Citie, & six of the same artificers within the said countie, by the discretion of the said Maior & Steward, or one of thē, shall punish such of the said artificers, which breaketh or doth contrary to any of their said rules and ordinances. And that euerie peece of worsted be through the peece of lawful making, good and cōuenient stuffe. And that they shal hold the length & bredth as ỳ assise was wont to be of old time rightfully accustomed, that is to say, beds of the greatest assise 14. yards largely in length, & 4. yards largely in bredth. And beds of the meane assise, 12. yards in length, and 3. yards in bredth. And beds of the least assise, 10. yards in length at the least, and 5. quarters in bredth: And clothes called, chanon clothes, of the one assise sixe yards in length, and two yards in bredth: And of the other assise 5. yards, in length, and 7. quarters in bredth, & double motlies 7. yards in length, & 5. quarters in bredth. And single motlies 6. yards in length, and 5. quarters in bredth, & double worsted ten yards in length, and fiue quarters in bredth. And ỳ halfe double worsted 6. yards in length, and fiue quarters in bredth, and the roll of worsted thirtie yardes in length, & demie yard in bredth. And that no lambs woll be put in any of ỳ said worsteds. And that the wardēs of the said craft, and euery of thē for the time being, shall haue power and authoritie to seise all such clothes and stuffe so being defective. And that the said Maior & Steward, and euery of them, by ry. of the discreet artificers of the said citie & countie, shal haue power at al times to inquire, heare, and determin of all such as do against the said ordinances within the sayd citie or coūty. And moreouer in eschewing of al such deceipts & falsitie, which might happen to be wrought and done in the said craft by the eight Wardens aforesaid, or betwirt themselues onely, or in concealing of the false worksmanship of other of the sayd Artificers in the said city or county: that the Maior of the said citie for the time being, & the said Steward, or one of them, at such time as he shal think cōuenient, shall call before him the said ry. artificers, or the greatest part of them, and charge them to bee sworne to make rightful search, aswel in the stuffe, as in all the working of the worsted by the said wardens hereafter to be wrought and made. And that the said wardens so found defective, or in execution of their office in search of all other the same artificers within the said citie & countie, or in their owne stuffe or worksmanship, shall be corrected by the same Maior or Steward, in such form as other offenders of the same craft ought of right to be corrected. And that the said wardens and euery of thē in euerie part of the said citie of Norwich, and elsewhere, in the counties of Norfolke, Suffolke, and Cambridge at al times conuenient, shal haue power to search all maner of worsteds, and the stuffe of them, aswel within the lowes as out of the lowes, wrought within the said citie of Norwich, or countie of Norffolke. And if any man before ỳ said maior & steward, or any of them, be thereof found defective, by their discretion he shall be corrected: And the worsted and stuffe found in manner and forme aforesaid defective, shalbe forfeit. The one halfe of such forfeiture found in the said citie of Norwich, to be to the Maior of the same citie, and found in any other place, to the Maior or bailifes of the cities, borroughs, and towns, or the chiefe Lords of the fee, of and in such place as shall happen any such worsteds and stuffe by the said Wardens, or by any of them by any cause aforesaid, to be found defective or forfeitable, and the other halfe to the wardens of ỳ said craft for the time being. And that no man of the said craft make any worsted, vnlesse he put his proper marke fixed or wouen vpon the same, by the ordinance of the said wardens, or else the same worsted to bee forfeit to our soueraign Lord the King. Moreouer for the full reformation of the deceits & falsitie aboue rehearsed, by the authoritie aforesaid it is ordained and enacted, that the said fiue. Wardens, the said Munday next after Corpus Christi, yerely incontinently after their charge aboue recited, before the said Maior and Steward, or one of them, shall assigne incontinently a certain place or two within the said citie, and certaine dayes by the weeke: And an other certain place or two, or more, if they think it necessary, in the said coūty of Norfolke, and certaine dayes by the weeke, for the yere then next following, to the intent that euery peece of worsted, which in the same yere shalbe set to sale, shalbe brought before the wardens of the said craft for the time being, to one of the said places so by the assigned, to the intent that as well the Artificers of worsteds, as the said wardens may certainly know the place, where the said Worsteds may duely and rightfully be searched. And if the said wardens find the said worsteds by their search well and lawfully made, that then such a marke or token shal be set by the said wardēs, or by the one of them, without fine or fee vpon the same, for al buyers may wel know, which peece is sufficiently & rightfully searched and wrought. And that the said search shal aswel extend to the stuffe of the same, as to the sufficient making. And such as they shal find defective, that the Maior of the said citie, and Steward of the said Duchie, or one of them for the time being, by the assent of the said wardens and twelue artificers, shal haue power

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Punish er by this act, to set therin such correction as to them shall seeme reasonable. And for euerie peece of worsted sold, not marked after the form aforesaid, ỹ the Forf. first seller thereof shall forfeit the price of the peece so by him sold, to our soueraign lord the King. And that all ordinances, acts, and grants made, or to bee made, in prejudice contrarie to the premisses, concerning worsteds, bee void and of none effect. And that all Maiors, Shiriffes, and Bailifs, and all other officers shalbe attending, ayding, and Maior Sherife Baylife supporting to the said wardens in their search, as often as they or any of them shalbe by the said wardens, or any of them reasonably required. An. 7. E. 4. cap. 1.

5 Anno 11. H. 7. cap. 11. an act was made concerning ỹ shearing & shearers of worsteds in Norwich. But it is repealed by 19. H. 7. c. 17.

6 No person ne persons within this said realm Calender hereafter doe take vpon him or them to drie calender any worsted within this said realme, vpon pain to Forf. forfeit for euerie worsted that is so drie calendred an 100. s. And ouer that, whereas the said old calendring of worsteds, called wet calendring, hath bin vsed wel & substantially in times past in the citie of Norwich, & yet is by persons hauing cũning Norwich in the same: Be it therefore &c. That no person ne persons hereafter do take vpon him or them to wet calender any worsted, but only such persons as haue Apprentices bin bound apprentices to other persons of the same craft or occupation of wet calendring of worsted, by the space of 7. yeres, or be cunning in the same, & Maior their cũning approued & admitted by the Maior of the said citie of Norwich for the time being, & the Masters 2. maisters of the said craft & occupation yerely to be chosen within the said citie of Norwich in the coũtie of Norfolke, of the craft of wet calendring, vpon pain of euery such person or persõs, which hereafter shall do the contrarie, to forfeit for euery peece Forf. so calendred against the ordinances & purueyances Moitie aforesaid, C. s. The one moitie of which penalties & forf. (aboue specified) & of euery of thẽ, to be to the K. our soueraigne L. and the other moitie therof to be to the maisters of the said occupation of wet calẽdring, for the time being. And that it shalbe lawfull to the maisters of the said occupatiõ (for the time being) & their successors, to sue for the one moitie of all such penalties hereafter to be forfeited, against euery such person or persons, as hereafter shall do cõtrarie to the forme & effect of this statute, by action of debt, by writ at the cõmõ law, or by bil or plaint, after the custome of such city, port, or town, where shall happen any such forf. to be or fall, or by information in the K. Exchequer. And that no protectiõ or essoin, ne wager of law for the def. in any such action, plaint, or information, be allowable before any maner of Iust. where any such suit or informacion shalbe vsed for the said forf. And this act to indure to the nert parliament. An. 5. H. 8. c. 4. This act is made perpetuall An. 25. H. 8. c. 5.

7 No maner of person vsing the craft or misterie Dyers of dying of worsteds, stammins, or sayes, or any of them, neither by themselues or any seruant, factor, deputie, or any other by his commandement or assignmẽt from the feast of Christmas next ensuing, shal vse to calẽder any worsteds, stãmins, or sayes, Calender: or any other cõmodities made of worsted yarn, during al such time as the same person shal vse the mysterie or craft of dying aforesaid, vpon pain to forf. Forf. for euery peece so dyed & calendred by colour, couin, fraud, or contrarie to the true meaning & intent of this present act xl. s. to be diuided into three egall 3. parts parts, the one part thereof to the K. our soueraigne Lord, & one other part to the Maior for the time being, & the 3. part to him or them that will sue for the same by bill, action of debt, plaint, information, or otherwise, in any of the Kings courts, wherein no essoine, delay, or protection shalbe alloued. Anno 25. H. 8. cap. 5.

8 The craftesmen (called worsted weauers) in- Weauers habited into the said town of great Yarmouth, shal haue power and authority by this present act, from hencefoorth to elect & chuse yerely for euer, in the Mũday nert after the feast of Pentecost, one honest mã of ths same misterie & occupatiõ, being an housholder within the said town of great Yarmouth, & hauing of his proper goods and cattels of the value of x. l. at the least, or lands & tenements to his owne vse, of estate of freehold at the least, to the cleare yearely value of xx. s. to be warden of the same craft Warden & misterie for the yeare next insuing, which man so elected & chosen, shall personally appeare before the Maior of the said citie of Norwich for the time be- Maior ing, the Mũday next after the feast of Corp^us Christi then next insuing, then & there to be sworne and charged by like oath, concerning the true & substã- Oath tial making of the said clothes within the said town of great Yarmouth, as the wardens of the said citie of Norwich by vertue of the said act of Parliament made in the said 7. yere of K. Ed. ỹ 4. (s. c. 1. before 4.) bin charged & sworne for the same citie of Norwich. And if the said maior happen to be absent the Absent said Munday after Corpus Christi, or els then re- Refuse fuseth to receiue or take the said oathe, then the sayd warden so elected, within 4. daies next after the said Munday shall come before the bailifes of the sayde Bailifes town of great Yarmouth for the time beeing, or be- Yarmouth fore one of them, the other being absent, & then and there receiue a corporall oath for the true exercising of the same office of wardenship after the tenour of Oath the oath accustomably vsed to be giuen to the sayd wardens of the said city of Norwich. And then the said warden of the said towne of great Yarmouth for the time being, so elected & sworne, may ordaine & appoint a seale with this letter Y. to be graue in Seale ỹ same seale, & may haue full power & authoritie to view, search, seale, and seale in lead with the same seale so to appointed & ingraued, and none o- ther, al worsteds, sales, & stammins, within the said town of Yarmouth, & suburbs of the same, made or to be made, & not elswhere, in as large & ample ma- ner as the said wardes of the said citie of Norwich, & wardens of the said county of Norf. or any of the hath or haue within the said city or coũty, or in any wise may do in that behalfe by authoritie or vertue of the before remembred act, made in the said 7. yere of K. Ed. 4. any thing in the same contained to the contrarie notwithstanding. And that no person inhabited within the said town of great Yarmouth

or

Meane

Englishma Apprentice

Forf.

Marks

Register

Linne

Warden

Mth Maior

Seale

Englishma Apprentice

Forf.

Markes Register

or suburbs thereof, weane any worsteds, sayes, or stammins within the same towne, except he bee an Englishman borne, and haue bin apprentice to the said occupation, and without he weane there such proper marke as shall bee limited and appointed by the said warden of the said town for the time being, elect and sworne, as is aforesaid, vpon paine of forfeiture thereof to the K. our soueraigne L. And that euerie Warden of the said towne shall limit distinct seuerall marks to euerie of the said worsted weauers of the same town of great Yarmouth, and the same markes by the said warden to be registred in a booke. And also be it &c. that if and whensoeuer hereafter the said towne of Lin, shall be inhabited with ten sundrie housholders, or more number of housholders exercising and vsing the craft or misterie of worsted weauers, then and from thencefoorth, that is to say, as long as the same towne of Linne, shall bee inhabited with the number of tenne such housholders at the least, it shall bee lawfull to the same inhabitants of the same towne of Lin yearely in the Sunday next after the feast of Pentecost, to elect and chuse of them selues one warden of the same craft and misterie of worsted weauers, to bee of the value in landes and goods, as is before said of the warden of Yarmouth, which warden so elect, shall yearely be sworne and charged at the said citie of Norwich, in like maner and at like day, as is before limited to the Wardens of Yarmouth: Or in default of the said Maior of Norwich, then the said warden so to be elect for the towne of Lin, to take a corporall oath before the Maior of the said town of Linne, within such time, and after such forme, as is before limited vnto the warden of Yarmouth. And that the said warden of the said towne of Linne, for ỳ time being, so elect and sworn by himself, may ordaine and appoint a seale, with the letter L. to bee grauen in the same seale, and may haue full power & authoritie to view, search, seale, and seale in lead with the same seale so to be ingraué, and with none other, al worsteds, sayes, and stammins, within the said town of Linne and suburbs of the same, made, or to be made, and not elswhere, in as large & ample manner, as the said warden of the said citie of Norwich, and wardens of the said county of Norfolke, or any of them hath or haue within the city or coũtie, or otherwise may doe by authoritie or vertue of the before remembred act, made in the said seuenth yere of King Edward the fourth: any thing contained in the same act to the contrarie notwithstanding. And that no person inhabiting within ỳ sayd town of Lin or suburbs therof, make any worsteds, sayes, or stammins, within the said town, except he be an Englishman borne, and haue bene apprentice to the same occupation, and without he weane therein such proper marke as shall bee limited and appointed by the said warden of the said towne of Linne, for the time being, vpon paine of forfeiture thereof to the king our soueraigne Lord. And that euerie warden of the said towne shal limit & distinct seuerall markes to euerie of the said worsted weauers of the same town, and the same markes by the said warden to be regiſted in a booke. And be it &c. that from the Feast of S. Michaell the Archangel nert comming, vnto such time as the said Towne of Linne, shalbe inhabited with the said number of ten housholders of the said craft of Worsted weauers, and alwaies after when the number of tenne housholders shall happen to faile and not be inhabited in the said towne of Linne, the said wardens of the said city of Norwich, and their successors shall procure and cause one of themselues, or one of the wardẽs of the said craft, of the said countie of Norfolke, personally to come and be euerie eight & twẽtie day from and after the said feast of Saint Michaell the Archangell, in and to the said towne of Lin, or within fiue daies next after euerie such 28. day, and there to continue and abide by so long time, as he may search & seale of all such worsteds, sayes, and stammins, made in the same Towne of Lin as thẽ shalbe brought to him to be sealed within the space of one whole day. And the said inhabitants of worsted weauers of the same town of Lin being, shall content and pay to the said Warden of Norwich or Norfolke, which shall so come to Lin, in the said 28. day, or within fiue daies next after the said 28. day, for his costes and expences for euerie time that he shall so come to Linne, betweene the feast of S. Michaell the Archangell, and the Annũciation of our Lady S. Mary iij. s. and for euerie time that he shall so come to the said town of Lin, betweene the feast of the Annunciation of our Ladie, and the feast of S. Michael the archangell, ij. s. And if the said inhabitants of worsted weauers of the said towne of Linne, doe not content and pay the said warden comming to Linne, in forme aforesaid, for his said costes and charges the said iij. s. or ij. s. as is aboue limited, then the same inhabitants shall forfeit and pay to the said warden, or to his executors for euerie such default of payment xl. s. And if none of the said wardens of Norwich and Norffolke come to the said towne of Linne, for the cause aforesaid, in maner & forme aboue remẽbred, then the said wardens of the said city of Norwich, shall forfeit and pay to the said inhabitants of Lin of the said misterie of worsted weauers, for euerie such default xl. s. For recompence of which penaltie and forfeits the saide wardens of Norwich, or Norffolke, being thereunto intituled by this present act, by his proper name with this addition, that is to say, vnius Gardianorum, or Nuper vnius Gardianorum artis, siue mysterij textorum panni lanei, vocat Worsteds, in ciuitate Norwich, vel comitatu Norffolke, as the trueth requireth, shal & may haue action of debt, by writ, bill or plaint, in any competent or lawful court of this Realme, against the said inhabitants of Linne, of the said misterie for the time beeing, by their sundrie proper names. And the said inhabitants by the said names, with this addition, Textorum panni lanei vocati Worsteds, inhabitantes villæ de Linne, shall and may haue like actions of debt against the said wardens of Norwich, by ỳ name of Gardiani artis siue mysterij textorum pannorum laneorum vocat Worsteds, infra ciuitatem Norwich, vel comitatu Norffolke, to be vsed in good congruitie of Latine, and forme of the lawes of this realm. In which actions or any of them, none essoine, protection, or wager

Warders

Pay

Costes

Forf.

Addition

Action

of

of law shalbe suffered or allowed. And that the particuler bodies, or goods of any of the said wardens or inhabitants being condemned in any of the sayd Execution actions, shal and may be put in execution, after such maner & forme as is vsed in actions of debt by course of the common law of this realm. And moreouer be it &c. that all clothes of worsteds, sayes, & stammins, made or to be made within any of the sayd Towns of Lin, & great Yarmouth, or suburbs of the same, or any of them, & marked with such markes as shall be limited to the makers by the said wardens of the said town in maner & forme aboue said, and weaued & sealed by any of the said wardēs of the said towns of Lin & Yarmouth in forme aboue remembred, by force & vertue of this present act, may be lawfully put Sell to sale by the owners & makers of the same, without any other making or sealing vpō ẏ said clothes or vpon any of them, or to be had or made by any other wardens dwelling or abiding without ẏ sayd towne, & without any arrest, seisure or forfeiture to be had or made of or vpō any of the sayd clothes for lack of any other seales or markes: any thing contained in the said former act made in the said 7. yere of K. Ed. the 4. to the contrarie notwithstanding. And ouer this be it &c. that euerie craftesman of the said misterie & occupatiō of worsted making, dwelling within any of ẏ said town of Lin & great Yarmouth, & suburbs of the same, at their own frée wils and liberties from henceforth for euer, may haue & Apprentice take apprentice or apprentices (being male) of the age of 14. yeares and vpward, & being the Kings naturall subiects, for the terme of 7. yeres & not vnder, so that none of them exceede the number of two at once, to learne, vse & exercise the said craft within either of the said townes of Lin & great Yarmouth Father or suburbs of the same, albeit the father of the same apprentices or apprentice, may not expend in lāds & tenements, to the yearely value of xx.s any act or ordinance to the contrarie made or to be made notwithstanding. Prouided alway, that this present act, nor any thing therein contained, be not in any Maior Wardens wise hurtfull or preiudiciall to the Maior of Norwich or to his successors, or to the wardens of the said citie and countie, or to their successors, in any point, article, power or authoritie, other then for weauing, searching, & sealing of worsteds, sayes, and stammins, made or to be made only within the said town of Lin and Yarmouth, or the suburbs of the same, or to any of thē: And for limiting of marks to the making of worsteds, sayes, & stammins, only inhabited in either of the said townes or suburbes thereof, and taking apprentices, in forme aboue remembred, but that the said Maior of the said city of Norwich, & wardens of the said citie and countie, & euery of them may haue and vse al other points, articles, powers and authorities, contained & specified in the aboue remembred act, made in the said 7. yeare of king Ed. the 4. as well for the search, sealing, correction and reformation of the said wardēs, newly to be elect by vertue of this present act and euery of them, according and after such forme as they may doe or vse, any of the said wardens of the sayd citie or countie by force of the said act made in ẏ said 7. yere of king Ed. the fourth, as al and euery other inquiries, corrections, searches, sealings, reformations to be had for the true making of worsteds, sayes, & stammins, in & vpon any person or persons, aswel within the said townes of Lin & Yarmouth as without, without trouble, let, or vexation of any of the inhabitants of the said townes, in as large & ample wise, as they might haue done before the making of this present act, any thing contained in this present act, to the contrarie notwithstanding. And also prouided and be it &c. that the said crafte- Craftesmen smen of worsted weauers inhabited, or hereafter to be inhabited within either of the said towns of Lin & Yarmouth, or suburbs of the same, and the Merchants, or any other person or persons, which shall happen to buy of the same craftesmen, or any of thē, or of any other person, any of the saide clothes of worsteds, stammins, or sayes, made or to be made within either of the said townes of Linne and Yarmouth, and sealed by the said wardens of the same towns, to be elected and sworn as is afore said, & any of them, shall not there, die, or put in colour, or tal- Shere Dye Calender der any worsteds, stammins, or sayes, made or to be made within either of the said towns of Lin and Yarmouth, or suburbs of ẏ same, in any other place or places, but only within the said city of Norwich, Norwich. or suburbs of the same vpon pain of forfeiture of e- Fork. uery piece of worsted, sayes, or stāmins, to be made within any the said towns of Linne & Yarmouth, or suburbs of the same, or the value thereof, shorn, dyed, coloured, or talendred by any of ẏ said craftesmen, buyers, or merchants, in any other place or places, then in the said city of Norwich, of suburbs of the same: The one halfe thereof to be to the king Wolty our soueraign Lord, & the other halfe thereof to such person or persons as shall seise the same. So that ẏ said worsteds brought to the said citie of Norwich to be shorn, died, coloured, & calendred, without couin or craft of any of the said inhabitants and merchāts, may be shorn, died, coloured, & calendred, at & by as cōuenient price or prices, & in as ready wise Prices as the said inhabitants of either of the said townes of Lin and Yarmouth, and merchants buyers of ẏ said worsteds, or other of ẏ said citie or countie hath had in times past, or hereafter shall haue. And also that the same inhabitants & merchants, & euery of them so bringing their said worsteds to the same citie for to be shorne, died, coloured, & calendred, be reasonably & lawfully intreated according to ẏ said act made in the said 7. yere of K. Ed. the 4. & the ordinance made and affirmed, or hereafter to be made & affirmed for the said misterie, without let or disturbāce contrarie to the same act or ordinances in that behalfe. And be it &c. that no person or persons at any time hereafter conney or transport into any of Transprot the parts of beyond the sea, any maner of clothes of worsted, before the same clothes be shorne, died, coloured, and calendred, vpon paine and forfei- Fork. ture of the value thereof: The one halfe to the Wolty K. our soueraign Lord, & the other halfe thereof to the partie that will sue therefore, by action or plaint of debt in any of the K. courts: In which action or suit, no protection or essoin shalbe allowed, nor the offender admitted to wage his Law. This act to indure to the next Parliament. Anno 14. H. 8. cap. 3.

3. And after Anno 21.H.8.cap. 21. it is continued to endure to the end of the next parliamẽt. And after Anno 26.H.8.cap. 16. this Act is made perpetuall.

Wrecke.

Muicke thing

Sherife Coroner

Restore

King

Imprison Fine Damages

Bayliffe

Whales Sturgeons

COncerning Wrecks of the sea, it is agreed, ỹ were a man, a dog, or a cat escape quick out of the ship, ỹ such ship nor barge, nor any thing within thẽ, shalbe adiudged wreck: but the goods shalbe saued & kept by view of the shirife, coroner, or the B. bailife, & deliuered into the hands of such as are of ỹ Towne, where the goods were found, so that if any sue for those goods, & after proue that they were his, or perished in his keeping within a yere and a day, they shall be restored to him without delay. And if not, they shal remaine to the K. and be seised by the shirifes, coroners, and bailifes of the towne, which shal answer before the Justices of the wreck belõging to the K. And where wreck belongeth to an other thẽ to the K. he shall haue it in like maner. And he that otherwise doth, & thereof be attainted, shalbe awarded to prison, and make fine at the K. wil, and shal yeld damages also. And if a bailife do it, & it bee disallowed by this lord, & the lord wil not discharge him thereof, the bailife shall answer him (if he haue wherof) & if he haue not wherof, ỹ lord shall deliuer his bailifes body to the King. West. 1. cap. 4.

2 Also the King shall haue wrecke of the sea, throughout the realme, Whales & great Sturgeõs taken in the sea, or elswhere within the realme except in certain places priuileged by the King. Prerog. reg. cap. 11. Anno 17. E. 2.

Writs, and abatements of writs.

Chancery

Clerke

Parliament

Justice

Counties

AND as often as from hẽceforth there shal happen in the Chauncery, that in one case there is a writ found, & in like case happening vnder ỹ same right, the like remedie is not found for him that nedeth it: The Clerks of the Chancery shall agree in making the writ, or shall adiorne the plaintifes vntil the next parliament, & write the case wherein they cannot agree, & referre them to the next parliament, and of the consent of the expert in law let the writ be made, least that hereafter it happen ỹ the K. Court faile in giuing iustice to them that complaine. West. 2. cap. 24.

2 To the intent that writs of debt & accompt, & all other such actions be from henceforth taken in their counties, & directed to the shirifes of the counties, where the cõtracts of the same actiõs did rise: It is ordained & accorded, that if from henceforth in pleas vpon the same writs it is declared, that the contract therof was made in any other countie thẽ is contained in the originall writ, that then incontinently the same writ be vtterly abated. Anno 6. R. 2. cap. 2.

3 An. 4. H. 6. c. 4. it was enacted, that the writs & suites of them that were made knights in the parliament should not abate. Abate

Yarne.

NO man shal cary nor bring out of ỹ said realm, no maner of thrums nor woollen yarn, vnder color of thrums, vpõ paine to forf. the double valne of the same. An. 8. H. 6. cap. 23. Forf.

2 An. 23. H. 6. c. 3. it was enacted ỹ no thrums nor woollen yarn should be shipped or packed, or caried ouer during 3. yeres, vpon pain of forfeiture. Shippers

Yorke.

WHereas great inconueniences & damages haue come now of late in the city of Yorke, & more in time to come be like to happen if prouision thereof be not had: for that diuers & certain persons Citizens of the said citie, haue purchased and gotten of our soueraigne lord the K. seuerall letters patents, thereby to be exempted of the offices & occupations of Maioralty, Shirife, Chamberlaine, Colectour of dismes, & quinzimes, & Citizen of the said citie, to come to the parliamẽt of our soueraign lord the K. & his heires, within the said citie: our said soueraign lord the K. considering the premisses, by the aduice & assent aforesaid, hath ordained & established, that all such letters patents granted, or to be granted to any person or persons, now Citizẽs of the said city, or which in time comming shal bee made, shalbe void & of none effect. And moreouer, ỹ if any citizen of the said city now beeing, or which in time comming shalbe, do purchase, admit, take, or get any such L. patents, therby to be exempt of any of the offices or occupatiõs aforesaid within ỹ same city, he shall forf. xl. l. The one half to our soueraign lord the K. & the other half to the Maior & Citizens of the said city & their successors. And that the Maior for the time being & his successors, may & might haue & maintain an action of debt to demand ỹ said xl. l. against euery of the said person or persons purchasing, admitting, taking, or getting such L. Pat. of exemption: The one half of the said xl. so recouered, to be to the vse of our said soueraign Lord the K. & his heires, & the other half of the said xl. l. to bee to the vse of the Maior of the said city for ỹ time being, & of the citizens of the same city, & their successors. And that in such actions of debt hereafter to be purchased, the parties def. in no wise shall be admitted to their law. An. 29. H. 6. c. 3. Letters P. Forf. Bottle

2 Anno 21. H. 8. cap. 17. an act is made, whereby certain L. patents made to the ayde of Yorke cõcerning shipping & conueying of wols and fels, bee repealed. Shipping

3 Anno 34. H. 8. cap. 10. an act is made concerning the making of Couerlets within the town of Yorke, & none to be made to be put to sale in Yorkshire, but in the town of Yorke only. Couerlets

FINIS.

A GENERALL TABLE,

Containing (in order of the Kings Raignes) the ſeuerall *times of the Parliaments holden ſince the eight yeare of the Raigne* of King Henry the 3. till this preſent yeare 1611. together with their ſeuerall Chapters and intitulings of the particular Statutes made in euery of the ſame: Whereby the Reader may find vnder what Title, and in what leafe of this Booke, any of thoſe Statutes be placed: And whereby alſo (through the helpe of the Hands prefixed to denote ſuch Statutes as do concerne the Office of the Iuſtices of PEACE) he may eaſily correct all ſuch eſcapes of the Hands or Starres, as haue happened in this Booke at large, either againſt the beginning or end of any of thoſe Statutes.

The Statutes made in the time of King Henry the third, beginning of his Raigne. Anno Dom. 1216. Octob. 19.

¶Magna Charta, 9.H.3.

Cap.1. Fol.183.a
Cap.2. 339.b
Cap.3. 455.c
Cap.4. 461.b
Cap.5. 461.b
Cap.6. 455.c
Cap.7. 483.b
Cap.8. 101.b
Cap.9. 183.a
Cap.10. 396.c
Cap.11. 54.a
Cap.12. 16.b
Cap.13. 99.b
Cap.14. 11.a
Cap.15. 23.c
Cap.16. 23.c
Cap.17. 317.c
Cap.18. 101.b
Cap.19. 44.a
Cap.20. 44.a
Cap.21. 329.b
Cap.22. 179.b
Cap.23. 468.b
Cap.24. 346.b
Cap.25. 463.b
Cap.26. 165.b
Cap.27. 455.c
Cap.28. 439.a
Cap.29. 4.c
Cap.30. 255.a
Cap.31. 396.c
Cap.32. 396.c
Cap.33. 430.b
Cap.34. 11.c
Cap.35. 67.b
Cap.36. 280.b
Cap.37. 146.b. 183.a

¶Charta de Foreſta, 9.H.3.

Cap.1.2.3.4.5.6.7.8.9.10.11. 177.a.b
12.13.14.15.16. 177.c
Hibernia Cohæredibus 14.H.3. 297.c

¶Merton, 20.H.3.

Cap.1. 109.b
Cap.2. 469.c
Cap.3. 339.c
Cap.4. 14.a
Cap.5. 437.c
Cap.6. 455.c
Cap.7. 455.b
Cap.8. 247.b
Cap.9. 27.c
Cap.10. 21.c
Cap.11. 177.c
De Anno Biſſextili, 21.H.3. 98.a
Sententia lata ſuper Chartas, 38.H.3. 148.b
Aſſiſa panis & ceruiſiæ, 51.H.3. 463.c
Dies communes in banco, 51.H.3. 97.b
Dies communes in Dote, 51.H.3. 98.a
Statutum de Scaccario, 51.H.3. 141.b
Iudicium Colliſtrigij, 51.H.3. 315.a
De compoſitione Menſurarum, 51.H.3. 464.b
De Ponderibus & Menſuris, 51.H.3. 464.c
De Tallagio non concedendo, 51.H.3. 291.c. 329.c

¶Marlebridge, 52.H.3.

Cap.1.2.3.4. 108.a.b
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7 For licence of passage of Woolls, Leather, Fels, nor Lead. 390.a
8 The iurisdiction and cognisance of the Staple. 390.b. 413.c
9 For recognisance of Statutes of the Staple. 390.b
10 For weights of the Staple. 465.a
11 For forestalling of marchandizes. 256.a
12 That no Woolls, Fels, Leather, nor Lead bee brought into Scotland. 478.b
13 For goods robbed vpon the sea, comming into this Realme. 256.a
14 For bringing of Bullion in the Rechanges. 394.a
15 Indentures to be made betweene carriers of marchandizes to the Staple by fresh riuers, and the bayliffes of the Townes where they be shipped. 390.c
16 For places in the Staples where Wools and other marchandizes shall be set. 390.c
17 That no marchant stranger be impeached for others debt. 256.b
18 For marchant strangers to resort into Ireland & Wales 390.b
19 That none lose his goods by forfeiture of his seruants. 390.b
20 Marchant strangers taken into the Kings protection. 390.b
21 The ordinances of the Maior and Constables of the Staple. 391.a
22 Correctors of strangers and denizens to be in the Staple. 391.a
23 A certaine number of Porters and other officers to be in the Staple 391.a
24 Association of strangers to the Maior of the Staple, where an alien is partie. 391.b
25 Nothing to be done in distresse of the Staple. 391.b
26 Credence to be giuen to the letters of the owners of marchandizes come into the Realme, testifying ỹ true value of them. 256.c
27 The penaltie of them that be conuict for shipping of woolls, &c. 478.b
28 A confirmation of the priuiledges and customes of the Staple. 391.b

¶The 28. yeare of E. the 3.

1 A Confirmation of all statutes not repealed 55.a.b
2 That the Lords Marchers in Wales be intending to the Crowne. 479.b
3 None out of the land to be taken or imprisoned, without due processe of the Law. 4.c
4 How Escheators and other officers shall answere the King of the profits of lands commen to him by the death of his tenants. 444.b
5 That no Iron be sent out of the Realme. 225.b
6 The election of Coroners. 66.a
7 How long shirifes shall abide in their offices 383.b
8 Attaint giuen vpon a bill of Trespas, not hauing regard to the dammages. 198
9 Against Shirifes vsing to take Inquests to indict people. 383.b
10 Redresse of errors and misprisions in the Citie of London. 251.c
11 For safegard of marchants aliens, comming within this Realme. 251.b
12 Against Purueyors, and that of euery taking vnder xx.s. they make ready payment. 330.b
13 The warrantie of packing of wools put out. 392.a. 413.c
14 Shewing of woolls euery day at the Staple, except Sunday. 392.a
15 The bounds of the Staple. 392.a

¶The 31 yeare of E. the 3.

1 THe great Charter, and the Charter of the Forest confirmed. 55.a
2 Against abating the prices of Woolls. 479.a
3 Discharge of estreates at the Eschequer. 479.b
4 For fines for Probates of Testaments. 330.b
5 The measure of a Tunne of wine, and true gauging of the same. 465.a
6 For fines and amerciements of Labourers. 218.b
7 The Statute of Labourers to hold place in London and the suburbs. 235.c
8 For carrying of woolls ouer the Sea. 479.a
9 The Chancelor and Treasorer to deferre the passage of woolls. 479.a
10 Against Victuallers of London. 431.b
11 The Ordinarie to commit administration where a man dieth intestate, and the administrators to haue action as executors should. 5.c
12 For Error in the Eschequer. 134.b
13 The Kings pardon. 291.b
14 The leuying of Escapes. 149.a
15 What times the Shirife shal hold his Turne. 67.b

¶Another Statute made the same 31. yeare.

1 2 FOr Herring, and the maner of selling thereof. 171.b. 172.b
3 For Stockfish. 172.b

¶A third Statute the same 31. yeare.

1 FOr Fish comming within the hauen of Blackney, and of the Wankes holden. 172.b
2 Ordinances for Fish. 172.c

¶The 34 yeare of E. the 3.

1 FOr Justices of Peace. 232.a. 410.c
2 3 For Purueyors. 330.b. 331.a
4 For making of pancis. 226.c.d
5 6 Justicers of Peace to inquire of measures 464.a
7 Attaint aswell in plee reals as plee personals. 19.b
8 Against Iurors taking money for saying their verdict. 226.c
9 10. & 11. For Labourers. 234.b
12 For Escheators dissesing men by colour of their offices. 17.b
13 How Escheators shall take their Inquests. 143.c
14 For trauers of offices. 143.b
15 For extortions made by tenants to the King. 396.b
16 Monclaime of fines to be no barre hereafter. 263
17 Marchants aliens or denizens may come into Ireland without fine or ransome. 225.b
18 An Act for them that haue possessions in Ireland. 225.b

19 No cuſtome for Cannuſſes. 480.c
20 For paſſage of Coyne. 63.c
21 For paſſage of woolls. 392.a
22 For Hawkes found. 199.b

¶The 35. yeare of E. the 3.

1 FOr Herring comming to Yarmouth, and the Hoſtiers there. 172.a

¶The 36. yeare of E. the 3.

1 A confirmation of all ſtatutes not repealed. 55.a.b.
2.3.4.5.6. Againſt Purueyors. 331.c.D
7 Of what things the Mayor and Conſtables of the Staple ſhall haue conuſance. 392.b
8 For the wages of Priеſts. 47.c
9 Puniſhment for the offendors of any of the ſaid Statutes. 47.D
10 A Parliament to be holden once euery yeare. 295.b
11 A pardon of the Subſidie. 479.b
12 For the Seſſions of the Peace. 232.a
13 For waſt done by Eſcheators. 143.D
14 The fines and amerciaments of Labourers to be leuied to the commons. 394.b
15 Pleading to be in the Engliſh tongue. 99.c.317.c
16 The Kings generall Pardon. 291.b

¶The 37 yeare of E. the 3.

1 ALl Statutes before made confirmed. 55.a.b
2 For writs of Idemptitate nominis. 211.c
3 The price of Poultrie.
4 An order for Clerkes of the Eſchequer. 141.b
5 Againſt Grocers ingroſſing marchandizes. 256.c
6 Handycraftſmen to hold them to one occupation. 16.a
7 For finer veſſels. 194.b
8.9.10.11.12.13.14. For Apparrell. 11.c.431.a
15 For makers of Clothes. 111.b
16 An act for wines. 472.D
17 No writ to be abated by exception of villenage, vpon auerment that he was free the day of the writ purchaſed. 431.b
18 Suggeſtions to be purſued before the Counſell. 4.c
For finding of Hawkes. 199.b

¶The 38. yeare of E. the 3.

1 ALl Statutes not repealed confirmed. 55.a.b
2 For all Marchants to buy any marchandizes, to carry them whither they will, and of money. 11.c.256.c. 277.a.431.a
3 Fines to be taken in the preſence of the pledges. 163.c
4 That penall bonds in the third perſon be void. 284.b
5 Waging of Law in London againſt papers. 439.b
6 The penaltie of death put out for carying of woolls ouer the Sea. 479.b
7 The Staple to be in England. 392.b
8 The whole Ship not to be loſt for a little thing therein not cuſtomed. 373.c
9 For them that make grieuous complaints to the King, and cannot proue them true. 4.b
10 & 11 For ſarking wine in Gaſcoine. 472.b
12 For Iurors, and Embracors of Iuries. 99.c

¶Another Statute made the ſame 38 yeare.

1 AGainſt Promiſors. 326.b, 327.a

¶The 42. yeare of E. the 3.

1 The great Charter, and the Charter of the Foreſt confirmed. 55.a.b
2 A confirmation of a pardon. 291.b
3 That none be put to anſwer without preſentment or other thing of record. 4.b
4 That Commiſſions be made to ſome of the Iuſtices for all inquiries. 54.a
5 Euery Eſcheator muſt haue xx. l. land. 144.a
6 A confirmation of the ſtatute of Labourers. 234.b
7 They of London to tell bitaile at retaile, and none other. 251.c
8 That no Engliſh Marchant goe to ſarke wines in Gaſcoine. 473.a
9 For keeping of the Greene wax. 147.c.383.b
10 Children borne beyond the Sea within the Kings dominions, ſhall inherite lands in England. 1.b
11 For arraying of panels. 291.a

¶The 43. yeare of E. the 3.

1 The Staple had from Calice, and brought into England. 479.c
2 A repeale of the act, that no Engliſhman ſhould ſarke wines in Gaſcoine. 473.a
3 For arreſting of wines by the Kings Butler. 39.c
4 The Kings Pardon. 291.b

¶The 45. yeare of E. the 3.

1 The great Charter, and the Charter of the Foreſt confirmed. 55.a
2 For pulling downe of Weares, Mills, and Kiddels. 468.b
3 A prohibition to Spirituall Iudges, that hold plea of tythes of wood of xx yeares growth, and above. 324.b
4 No impoſition to be leyed vpon woolls and leather other then the cuſtome. 479.c

¶The 47. yeare of E. the 3.

1 FOr meaſuring of Clothes. 111.b
2 How Scottiſh money ſhall be current. 277.a

¶The 50. yeare of E. the 3.

1 The liberties of the Church confirmed. 55.a
2 The great Charter, and the Charter of the Foreſt confirmed. 55.a
3 The Kings pardon. 291.b
4 That after a Conſultation once granted, no Prohibition to be awarded. 314.b
5 That no Miniſter of holy Church be arreſted at Seruice time. 16.a
6 For gifts of goods by colluſion. 149.b
7 That woollen Clothes be not brought out of the Realme till they be fulled. 111.c
8 No ſubſidie or auinage to be leuied of Iriſh Friſe. 111.c

¶The Statutes made in the time of King Richard the ſecond, the beginning of his raigne, Anñ 1377. Iune 21.

¶The firſt yeare of his raigne.

1 A Confirmation of the liberties of the Church, and of all Statutes not repealed. 55.a.b.184.a
2 For keeping of the Peace. 308.b
3 All ſtatutes of Purueyors confirmed. 331.c
4 For maintenance of quarrels. 253.b
5 After taxes of debts allowed in the Eſchequer the debts neuer after to run in demaund. 141.b
6 Againſt Villeines that withdraw their ſeruices. 431.c
7 For giuing of Liueries. 249.b
8 For protections cum clauſula volumus. 324.b
9 A Liſe againſt the pernor of the profits. 156.b
10 A confirmation of a pardon graunted in the 50. yeare of King Ed. the 3. 251.b
11 None that hath been Shirife, ſhalbe Shirife within three yeares after. 383.b
12 For priſoners of the Fleet ſuffered to goe at large. 300.a
13 That obligations made by Spiritуall men to doe contrarie to the Lawes of the Church, be void. 133.a
14 An act concerning Tythes. 399.b
15 That no ſpirituall miniſters be arreſted during diuine Seruice. 16.a

¶The 2. yeare of R. the 2.

1 That Marchant ſtrangers may ſafely bring any marchandizes into this Realme. 256.b
2 For foreſtalling of wines. 181.b
3 An act for Marchants of Jeon, &c. and others towards the weſt parts. 257.a.479.c
4 For Mariners flying out of the Kings ſeruice vpon the Sea without licence. 262.a
5 For counterfeiters of Newes. 284.a
6 For Welſhmen taking away women and maidens out of England. 346.b
7 An act that Pope Vrban ſhould be taken for indubitate Pope. 327.a
8 The ſtatute of Labourers confirmed. 234.b

¶Another

¶Another Statute made the same 2. yeare.

1 A Confirmation of the liberties of the Church, and of all Statutes. 55.a.b.184.a
2 The articles of assemblies, &c. contained in the last Statute made at Glouceſter put out. 346.b
3 Proceſſe against them, which after gifts made of their goods by colluſion, flye to ſanctuarie. 100.b

¶The 3. yeare of R. the 2.

1 ALl Liberties and good ſtatutes confirmed. 55.b 184.a
2 For meaſure of woollen Clothes. 111.c
3 For receiuing Procuracie, letter of Atturney, nor farme of any Benefice but of Engliſhmen. 327.b

¶The 4. yeare of R. the 2.

1 FOr gauging of Wines. 193.a
2 The Kings Pardon. 291.b

¶The 5. yeare of R. the 2.

1 ALl Liberties and ſtatutes confirmed. 55.b.184.a
2 For carriage of Money out of the Realme. 277.b 298.a
3 For maintenance of the Engliſh Maule. 173.c
4 The price of wines to be ſold within the Realme. 473.a
5 The Kings Pardon. 291.b
6 For manumiſſions &c. made by menace at the Inſurrection. 133.a
7 For entring into lands where it is not lawfull. 176.a
8 For Charters eſloigned at the Inſurrection. 99.c
9 For impeachments of debts and accounts in the Eſchequer. 141.b
10 The couenants of them that ſhall ſerue the King to be put in writing. 41.c
11 That accounts in the Eſchequer be ſhortly heard. 141.b
12 Two Clerkes to be aſſigned to make parcell of the accounts in the Eſchequer. 142.a
13 Accounts of Nihil be put out. 142.a
14 The Clerke of the Pipe, & the two Remembrancers to be ſworne for the entrie of writs of the great and priuie Seale euery Terme. 142.a
15 When the iudgement of Linerie commeth into the Eſchequer by Mittimus, the Remembrancer ſhall diſcharge the partie of any account for the ſame land. 141.b
16 The fee of the Clerkes of the Eſchequer for making a Commiſſion or Niſi prius. 142.b

¶Another Statute of the ſame 5. yeare.

1 FOr well intreating of Marchant ſtrangers in this Realme. 257.a
2 For paſſage of wooll, Leather, and Fels. 479.c
3 A Subſidie graunted to the King. 394.b
4 For comming to the Parliament. 295.b
5 For preachers of hereſies. 199.c

¶The 6. yeare of R. the 2.

1 THe liberties of the Church, with all ſtatutes not repealed, confirmed. 55.b. 184.a
2 For actions to be purſued in their proper Counties. 486.b
3 For writs of Noiances. 288.b
4 For deedes inrolled that were deſtroyed in the laſt Inſurrection. 224.a
5 For Seſſions to bee holden in the principall Townes. 230.b
6 An act for rauiſhing of women. 333.b
7 For ſweet wines to be ſold at retaile. 473.a
8 A mollifying of the Act touching the Maule. 173.c
9 Vitailers to beare no Office in Townes where they dwell.
10 Vitailers to be vnder the Kings protection. 432.a
11 That Hoſtes vſe no more foreſtalling.
12 Mayors to be ſworne to keepe the ordinances of Fiſhmongers and Vitailers.
13 The Kings Pardon. 291.b

¶Another Statute the ſame 6. yeare.

1 FOr inlarging the ſame pardon. 184.a.291.b
2 For them that feele themſelues grieued by the laſt Inſurrection. 291.b

¶The 7. yeare of R. the 2.

1 THe liberties of the Church confirmed. 55.b.184.a
2 All Statutes confirmed. 55.b
3 For trauelling of Iurors. 179.b
4 For impriſonment by miniſters of the Foreſt. 179.b
5 For Vagabonds. 416.c
6 For proclamation to be made of the ſtatute of Winchester. 323.a
7 A Niſi prius to be graunted at the ſuit of any of the Iurors. 287.b
8 For Purueyors. 331.c
9 For deceit in Clothes. 111.b
10 Aſſiſe for a rent going out of lands lying in two Counties. 18.a
11 The ſtatute of Vitailers made the 5. and 6. yeares of King R. repealed. 432.a. 473.a
12 Againſt Prouiſors. 327.c
13 For riding in harneis. 15.b
14 For Atturnies of defendants in writs of Præmunire facias. 21.b
15 For champertie and maintenance. 253.b 285.b
16 For ſending armour or victuale into Scotland. 362.b
17 The mainpernors to ſatiſfie the plaintife for his delay, where the defendant keepeth not his day, by the Superſedeas vpon mainprize. 252.c

¶The 8. yeare of R. the 2.

1 THe liberties of the Church, and all Statutes confirmed. 55.b.184.a
2 None to be Iuſtices of Aſſiſes, nor of Gaole deliuerie in his owne countrey. 231.a
3 Iuſtices nor Barons of the Eſchequer ſhall take fee nor reward. 231.c.361.a
4 For falſe entring of pleas, razing of rolles, and changing of verdicts. 337.b

¶The 9. yeare of R. the 2.

1 A Confirmation of all ſtatutes not repealed. 55.b. 231.c
2 For villeins flying to Cities and Boroughs. 431.c
3 For writs of Attaint and of Error for them in the reuerſion. 19.b
4 For triall whether a Prior be perpetuall, or datiue and remoueable. 413.c
5 For fees of Priſels taken in the Marſhalſie of the Kings houſe. 262.b

¶The 10. yeare of R. the 2.

1 FOr the good gouernance of the Realme. 54.a

¶The 11. yeare of R. the 2.

1.2.3.4. FOr the good gouernance of the Realme. 54.b. 405.b
5. & 6 The forfeiture of diuers perſons attainted, giuen to the King. 18.c. 179.b. 301.c
7 That all Marchants may ſell their marchandizes in England, where and to whom they will. 257.a
8 Certaine annuities graunted by the King, made void. 301.c
9 No impoſitions to be put vpon Wools, Leather, nor Feiles, other then the cuſtome. 394.b
10 No letters to be ſent in damage of the Realme. 364.b
11 For keeping of Seſſions in the chiefe Townes. 231.a

¶The 12. yeare of R. the 2.

1 A Confirmation of the liberties of the Church, and of all Statutes. 55.b. 184.a
2 For making of Officers. 288.b
3 A Confirmation of all Statutes for Labourers and Vitailers, and ſtockes to be in euery Towne, & for demeaning of Labourers. 231.b 432.a
4 & 5 For wages of Labourers, and how they ſhall demeane themſelues. 235.b
6 For vnlawfull games. 15.a.c. 315.b
7 For beggers. 416.c
8 For trauellers out of the Realme, hauing no teſtimonials.
9 For Labourers and Seruants. 235.b
10 Iuſtices of Peace to punish Vagabonds, and for holding their Seſſions. 232.b
11 For tellers of new tydings. 284.a

12 For leuying Knights expences comming to the Parliament. 292.b
13 For auoiding of dung and carrion in infection of the aier. 223.b
14 For the measure of Clothes. 111.b
15 That none passe out of the Realme to obtaine any benefit of holy Church. 327.c
16 For remouing of the Staple from Middleburgh to Calice. 392.b

¶The 13. yeare of R. the 2.

1 That the Kings presentée be not receiued to a Church full of incumbent, till he hath recouered it by Law. 222.c
2 The iurisdiction of the Court of the Constable and Marshals. 56.a
3 The iurisdiction of the Court of the Steward and Marshall not to excede twelue mile from the Kings lodging. 262.b
4 For the Clerke of the Market of the Kings house. 53.b
5 The iurisdiction of the Admirall. 5.c
6 For Sergeants at armes. 364.b
7 Justices of Peace to be made a new. 232.b
8 For price of Vitailes, and for Labourers. 55.b. 235.b. 432.a
9 For weights. 465.b. 479.c
10 For measure of Clothes. 111.b
11 For making of Clothes. 111.b
12 Against Tanners and Cordwainers. 57.b
13 For Hunters. 210.b
14 For double bonds in the Eschequer, and recognisances of debts. 142.b
15 For ioyning Gaoles to the Counties. 318.b
16 For Protections. 325.a
17 For receipt vpon faint pleading. 342.a
18 For attaint in Lincolne. 19.b
19 For safegard of fish. 196.c
20 For Pilgrims. 298.a

¶Another Statute made the same 13. yeare.

2 & 3 For Charters of Pardon. 292.a
Against Prouisors. 328.a

¶The 14. yeare of R. the 2.

1 The Staple remoued from Calice. 392.b
2 For exchange at the Court of Rome. 140.b
3 The Mayor of the Staple and other first sworne to the King. 392.b
4 For regrating of wooll. 479.b
5 For carrying of wooll and Lead out of the Realm. 479.b
6 For straughting of English Ships. 373.c
7 For shipping of Tinne. 399.a
8 Gauging of Rhenish wines. 473.a
9 Marchant strangers to be well intreated. 257.a
10 No Customer or Controller to haue Ship of his owne, nor to fraught Ship. 94.b. 288.b
11 For assigning Justices of Peace. 232.b
12 For how much Scottish money shall runne. 277.b

¶The 15. yeare of R. the 2.

1 All good Statutes confirmed. 55.b
2 For forcible entries. 176.b
3 For Admirals iurisdiction. 5.c
4 For measuring Corne in London. 465.b
5 For making of Churchyards. 281.a
6 For appropriation of Churches. 14.a
7 For carrying of Vitailes or Marchandizes into Scotland. 362.b
8 For passage of Tinne. 399.a
9 For recognisances of the Staple. 392.c
10 For Clothes made in Surrey, Sussex, & Southampton. 111.b
11 For Girdlers. 193.b
12 For answering before the Councell of Lords and Ladies. 189.b

¶The 16. yeare of R. the 2.

1 For Marchants aliens retailing marchandizes in the Realme. 257.b

2 For appearing before the Councell of Lords and Ladies to answere. 189.b
3 The Clerke of the Market to haue readie his weights according to the Standerd. 465.b
4 For Liueries of Companies. 249.b
5 For prouisions to the Court of Rome. 328.c
6 For Charters of Pardon. 292.a

¶The 17. yeare of R. the 2.

1 For melting money to make plate. 277.b
2 For Clothes called Kerseis. 112.a
3 For Worsteds. 484.b
4 For clensing and purifying of Malt. 63.c
5 For certaine Officers to haue no estate in their offices for life nor yeares. 112.a. 288.b
6 For damages for them that be vexed before the Councell by vntrue suggestions. 4.b
7 For carrying Corne out of the Realme. 63.c
8 For riots and vnlawfull assemblies. 346.c
9 That Justices of Peace be conseruators of the Statute made for weares, &c. 174.c. 196.b
10 Two men of Law to be assigned in the Commission to diuers Gaoles. 231.b

¶The 20. yeare of R. the 2.

1 For riding armed in the Realme, and voyding of Lancegayes. 15.c. 249.b
2 For wearing of Liueries. 249.b
3 Lords nor other shall sit with the Justices of Assise. 231.a
4 That no Ship fraughted towards England, be compelled to come to any other Port. 257.b
5 For taking of Horses. 204.a
6 Licence granted to Belknap and others to returne into England. 231.c

¶The 21. yeare of R. the 2.

1 All Liberties confirmed. 184.a
2 In Act touching the Commission made to the Earle of Arundell, and others. 54.b
3 Against such as compassed the Kings destruction. 405.b
4 Touching the King and the conseruation of the Realme, Chapters 4.5.6.7.8.9.10.11.12.13.14. 47.b. 179.b. 290.b. 295.b.c. 317.b. 340.b. 405.b
15 The Kings pardon. 290.a
16 For determination of certaine matters, &c.
17 For licences to ship marchandizes of the Staple. 392.c
18 For bringing lastage of good stones to Calice. 40.b
19 For leuying weares, &c. in disturbance of the passage of vessels. 468.b
20 Against them that procure to reuerse any thing made in the Parliament. 405.b

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¶The Statutes made in the time of King H. the 4, the beginning of his raigne. Anñ 1399. Sep. 29.

¶The first yeare.

1 All liberties of the Church, and Statutes heretofore made, confirmed. 55.b. 184.a. 308.b
2 For the safegard of them which came in with Henry the fourth. 292.a
3 The repeale of the Parliament made in the 21. yere of King Richard the second. 40.b. 47.b. 54.b. 179.b. 184.a. 290.b. 292.a. 295.b.c. 317.b. 340.b. 392.c. 405.b 468.b
4 The statute made in the 11. yere of King Richard confirmed. 55.b 291.c
5 For restitution of those which were attainted the said 12. yere of Richard the second. 344.b
6 For Letters patents to be made by the King. 301.c
7 For giuing of Liueries. 249.c
8 For them that be put out of their lands by suggestion made to the King. 18.a
9 For the sales of forfeiture made by great Officers of King Richard the second. 301.c

10 For paines of Treason made the 21. yere of King Richard the second. 405.b
11 For Shiriues to be charged after the old farmes of the Counties. 383.b
12 For Weares &c. leuied in disturbance of passage. 468.c
13 For what season searchers and such other officers shall abide in their offices. 288.b
14 For determination of appeales. 12.a
15 For Errors in London. 251.c
16 For Londoners to be free of packing of Clothes. 112.a
17 That Aliens vitailers beein the Kings protection. 432.b
18 For Murthers and other offences done by the people of Chester. 47.b
19 For making of Clothes. 112.a
20 The Kings pardon. 292.a

¶The 2. yeare of H. the 4.

1 A Confirmation of all Statutes and Liberties. 55.b.184.a
2 For gifts and grants to be made by the King. 301.b
3 For prouisions made to the Court of Rome. 328.c
4 For religious men of the Order of Cisteaux, &c. 328.c.b
5 For carriage of money, &c. out of the Realme. 277.c
6 For deceit in Flemish and Scottish money. 277.c
7 For Nonsuits in Assise after verdicts. 287.c
8 The fee of the Chirographer. 49.c
9 For Commissions awarded in the time of King Richard. 54.b
10 For the Clerke of the Crowne of the K. bench. 53.b
11 The iurisdiction of the Admirall. 5.b
12 For Welshmen purchasing lands, and being in offices. 439.c
13 The pardon made the 21. yere of King Richard confirmed. 252.a
14 For Purueyors. 331.c
15 For Heresies. 199.c
16 For Welshmen comming by night, &c. 439.b
17 For Welshmen burning houses, &c. within England. 439.b
18 For stuffing of the Castles in Wales. 439.b
19 For Englishmen connict by Welshmen in Wales. 439.b
20 For Welshmen purchasing land within Borough Townes in Wales. 439.b
21 For giuing Liueries. 249.b
22 For suits contrarie to the statute made the 13. yere of King Richard. 179.b. 405.b
23 The fees of the Marshall of the Marshalsey of the Kings house. 262.b
24 For processe made against them that were in the Kings wages with the Duke of Yorke. 4.b

¶The 4. yeare of H. the 4.

1 ALl Liberties and Statutes confirmed. 55.b
2 For Indictments of Insidiatores viarum, & depopulatores agrorum. 50.b
3 For Clerkes conuict. 10.b.389.b
4 For reuenues of the Crowne without deliberation. 301.b
5 Shiriues to be resident within their bailiwikes. 383.b
6 For sealing Clothes. 112.a
7 Actions against the takers of the profits. 435.b
8 For dissesins with robberie. 18.b
9 For commissions of inquirie. 54.b
10 For halfepence and farthings. 277.c
11 For pulling downe of weares, &c. 468.b
12 For appropriation of benefices. 14.a
13 For doing seruice in warre. 461.c
14 For retaining of labourers, & other craftsmen. 235.c
15 That marchants aliens bestow their mony which they receiue, within the Realme. 257.b
16 For carrying of mony or plate out of ỹ realme. 277.c
17 For the foure Orders of Friers. 189.b
18 & 19 For Atturneys of the Law. 21.b
20 Cuskomers and Controllers to be resident vpon their offices. 94.b.288.b.373.c
21 Searchers to occupie in proper person. 364.b
22 For Incumbents put out by the kings presentees. 222.c
23 For examination of iudgements, &c. 226.a
24 For aulnage of Clothes. 112.a
25 For Hostelers and Vitailers. 432.b
26 That Englishmen be not connict by Welshmen. 440.a
27 For Commorthes in Wales. 440.a
28 For congregations of welshmen. 440.a
29 For bearing armour in Wales. 440.a
30 For sending armour or vitailes into Wales. 440.a
31 Welshmen to haue no Fortresses nor Castles in Wales. 440.a
32 Welshmen not to be in certaine Offices in Wales. 440.b
33 Castles and walled Townes in Wales to be inhabited with Englishmen. 440.b
34 For Englishmen married to any of the alliance of Owen Glendor. 440.b
35 For Tanners and Shoomakers. 57.b

¶The 5. yeare of H. the 4.

1 THe sorf. of Sir Henry & Sir Thomas Percie. 18.c.179.b
2 For Charters to be graunted to apprours. 292.a
3 For watch vpon the Sea coasts. 461.c
4 Multiplication made felonie. 158.c
5 For cutting tongues, and putting out of eyes. 158.b
6 For batteries done to such mens seruants as come to the Parliament. 16.c
7 For intreating of Marchant strangers. 257.b
8 For examination of Atturnies in actions of debt vpon arrerages of accompt. 439.b
9 For keeping of gold and siluer within the Realme. 257.c
10 Iustices of Peace to imprison men in the common Gaole. 318.b
11 For paying of Tythes by farmors, where the lands be seised into the Kings hands. 399.b
12 For not shewing againe the Statute marchant, after it is once shewed. 337.b
13 For guting of diuers wares. 194.b
14 For imbesilling of Fines. 163.c
15 The Kings Pardon. 292.a

¶The 6. yeare of H. the 4.

1 FOr prouisions of Bishoprickes. 328.b
2 For Letters patents to be made to the Queene and the Kings sonne. 301.b
3 Against Shiriues and other officers that defraud the King. 4.b
4 For selling Marchandizes by Marchants aliens. 257.c

The 7. yeare of H. the 4.

1 ALl Liberties and Statutes not repealed confirmed. 55.b.184.a
2 For the inheritance of ỹ Crowne of England. 76.a
3 For the charges of the Clerks of the estreats. 147.c
4 For suffering prisoners condemned to goe at large. 325.a
5 For the forfeiture of the Earle of Northumberland, and the Lord Bardolfe. 18.c
6 For purchasing Bulles to be discharged of dismes. 329.a
7 For arrow heads. 15.b
8 For pardons to benefices full of incumbents by prouision. 319.a
9 For sales of Clothes in London. 257.b
10 For the measure of Clothes. 112.a
11 For certifying of Commissions. 54.c
12 For the sorf. of John Earle of Salisburie and Sir Thomas Blont. 18.c.179.b
13 For atturnies of impotent persons. 22.a
14 For giuing of Liueries. 249.b
15 For election of Knights and Burgesses of the Parliament. 295.c
16 For annuities graunted to the Kings seruants out of Counties. 301.b
17 For making apprentices. 13.a
18 The Kings Pardon. 292.a

¶The

The 9. yeare of H. the 4.

1 A Confirmation of all Statutes and Liberties not repealed. 55.b.184.b
2 For Kendall Cloth. 112.a
3 For felonies in Southwales. 440.b
4 For disclaimer of felons in wales. 440.b
5 For naming Lords and Baylifes of auncient demesne in Assises. 56.b
6 For the measure of Ray Clothes. 112.b
7 For forreines to be contributorie to the taxe of the Disme and Quinzisme. 394.c
8 For free elections. 329.a

¶The 11. yeare of H. the 4.

1 Justices of Assises to enquire of Shirifes returnes of writs of the Parliament. 295.c
2 That no common Hostler be controller, &c. 94.b
3 For records of Assises, &c. 231.a
4 For Labourers vsing vnlawfull games. 315.b
5 For auoiding of Galley halfe pence. 277.c
6 For aulnage of Clothes. 112.b
7 For conueying grayned clothes out of the Realme in small peces. 95.a
8 For exchanges. 140.b
9 For taking Enquests not returned by the Shirife. 213.a

¶The 13. yeare of H. the 4.

1 A Confirmation of all Liberties and Statutes not repealed. 55.b.184.b
2 For Justices of Assise. 231.a
☞ 3 For giuing of Liueries. 249.b
4 For measure of Clothes. 112.b
5 For Cuftomers &c. to be resident vpon their office. 288.b
6 For voyding of Galley halfe pence. 277.c
☞ 7 For determining of riots and routs. 346.b

¶Here beginneth the Statutes made in the time of H. the 5, the beginning of his raigne, Anñ 1412. March 21.

¶The first yeare of King H. the 5.

1 For election of Knights and Burgesses of the Parliament. 295.c
2 For leuying of weares and Kiddels. 468.b
3 For forging of false dedes. 180.b
4 For extortions of Shirifes. 383.c
5 For additions to be giuen in case where proceffe of Outlawrie lyeth. 5.a
6 For Englishmen misdemeaned in Wales. 440.b
7 For Frenchmen beneficed in England. 183.a
8 For the enstoring of Ireland. 225.b
9 A reuocation of certaine graunts of lands and offices in Calice. 40.b
☞ 10 For weights and measures of Coyne. 465.c

¶The 2. yeare of King H. the 5.

1 Commissions to enquire of Hospitals. 208.c
2 For writs of Certiorare and Corpus cum causa graunted for persons in execution. 66.c
3 For graunting of a copie of a Libell, to the intent to obtaine a Prohibition. 247.a
☞ 4 For Labourers. 232.c. 235.b
5 For Tindale and Exhamshire. 398.c
6 For truce and safeconduct. 32.c
7 For reformation of Heresies and Lolardie. 199.c
☞ 8 For reformation of Riots and Routs. 347.a
☞ 9 Proces against rioters that flye into woods. 347.c

¶Another Parliament of the same 2. yeare.

1 For Justices of Peace. 232.c
2 For wages of Priests. 47.c
3 For sufficiencie of Jurors. 216.c
4 For Goldsmithes. 194.b
5 For the rebellion of welshmen. 440.c
6 For shipping of Staple ware. 480.a

¶The 3. yeare of King H. the 5.

☞ 1 For banishment of Galley halfe pence, Sonkins, and Dotkins. 277.b

¶Another Parliament the 3. yeare.

1 All Liberties and Franchises confirmed. 184.b
2 For Abbots and Priors being suters to Court Barons in Yorke. 22.a
3 For voyding of Brittons out of the land. 38.b
4 Against Prouisors. 329.b
5 An Act for the Citie of Lincolne. 19.b
☞ 6 & 7 For clipping, washing, and filing of money. 277.b. 278.a
8 For Probate of Testaments. 320.b

¶The 4. yeare of H. the 5.

1 A Confirmation of all Statutes. 54.b
2 For Shirifes to haue allowance of certaine Estreats. 383.c
3 For Patten makers. 301.c
4 For the wages of seruants of husbandry. 235.b
5 For Hostes to be assigned to Marchants Strangers. 257.b
6 For benefices in Ireland. 225.c
7 For breaking of truce and safeconducts. 32.b
8 The Kings Pardon. 292.a

¶An Ordinance made the 5. yeare of King H. the 5.

1 For Abbots and Priors to make Attornies in certaine Court barons & wapentakes in Yorkshire. 22.a

¶The 7. yeare of H. the 5.

1 For appealing and indicting men of Lancaster shire, and proces in forgerie. 56.a. 321.c

¶The 8. yeare of H. the 5.

1 That in the Kings absence the Teste of the writs be in the name of the Lieutenant. 295.b
2 For Bullion to be brought to the Mint by Marchants of the west parts. 480.a
☞ 3 For Gilding and Siluering. 194.b

¶The 9. yeare of H. the 5.

1 For appeales and indictments in Lancaster shire. 56.a
2 For exigents against any of Lancaster shire. 242.c
3 For protections in Assises. 18.b. 323.a. 461.c
4 For amending of records. 10.c
5 For making of Shirifes and Escheators. 383.c
6 For the Mint and Coynage at Calice. 278.a
7 For men of Riddesdale offending in Northumberland, and other places. 398.c
8 For scholers of Oxford hunting by night &c. 290.b
9 For Abbots &c. to be discharged of collection of dismes out of the Countie where they dwell. 54.a
10 For Sea coale. 283.c
11 For washers and clippers of money. 278.a
12 For Rochester Bridge. 352.c

¶Another Parliament of the same 9. yeare.

1 All Statutes touching Gold and Siluer confirmed. 278.a
2 For the Exchange in London. 278.a
3 For payment of exchange. 278.b
4 For bringing of the money received for exchange, to the Tower of London. 278.b
5 For the Mint at Calice. 278.b
6 For good allay in the money. 278.b
7 For Nobles, halfe Nobles, farthings of gold. 465.c
☞ 8 For counterfeiters and makers of false weights. 140.b. 465.b
9 For exchange in the Court of Rome. 140.b
10 For the account of the Collectors of Dismes and Quinzismes. 54.a

¶The Statutes made in the time of King H. the 6, the beginning of his raigne. Anñ 1422. Aug. 23.

¶The first yeare.

1 For the Mint at Yorke and Writlow. 278.b
2 The Shirifes to make proclamation of the Statutes concerning Purueyors &c. 331.b

3 For

3 For riots made by Irishmen. 225.c
4 That the Master of the Mint should hold the Exchanges. 140.b
5 For the gaines in the warres to be deducted for the wages of such as haue indented with the King. 41.c. 193.a

¶The 2. yeare of H. the 6.

1 ALl liberties confirmed. 184.b
2 For the Hospital of S. Leonards in Yorke. 208.c
3 For Iohn Duke of Bedford to be receiued by his atturney, to defend his right in any action. 22.a
4 The repaire of walls &c. to be at Calice. 392.c. 480.a
5 For shipping in Fodcay Pill. 480.a
6 For carrying Gold and Siluer out of the Realme. 278.c
7 For Cordwainers vsing the misterie of Tanners. 57.b
8 For voyding Irishmen out of the land. 225.b
9 For voyding of the money of blankes. 278.c
10 For making of Ministers and Clerks of Courts. 289.a
☞ 11 For the measure of wines. 465.b
12 For the allay of white money according to the Indenture. 278.b
13 For the increase of white money. 194.c
14 For Goldsmithes selling worke of siluer. 194.c
☞ 15 For Nets and Engines in Thames. 196.b

¶The 3. yeare of H. the 6.

1 FOr Chapiters and Congregations of Masons. 265.b
2 For carrying Sheepe into Flaunders. 372.b
3 For concealing of the Kings customes and subsidies. 95.a
4 For Butter and Cheese. 39.c
5 For the Riuer of Lee. 197.a

¶The 4. yeare of H. the 6.

1 FOr imbesilling of writs. 346.a
2 For protections in Assises. 18.b. 325.a. 461.c
3 For amendment of Records. 10.b
4 For certaine Knights newly made. 486.b
5 For restraint of passage. 63.b

¶The 6. yeare of H. the 6.

1 FOr proces of Indictments. 321.c
2 For panels of Assises. 18.b
3 For wages of Husbandrie, and punishment of Labourers. 238.a
4 For election of Knights & Burgesses of the Parliament. 295.b
5 For commission of Sewers. 368.b
6 For shipping in Welcombe. 480.a

¶The 8. yeare of H. the 6.

1 FOr arresting of Clerkes comming to the Conuocation. 295.b
2 An act for the Staple of Denmarke. 99.b
3 For Sewers. 368.b
4 For giuing of Liueries. 250.b
☞ 5 For weights. 466.a
6 For casting bils into mens houses. 405.b
7 For elections of Knights of the Parliament. 295.b
8 For Labourers. 236.a
☞ 9 For forcible entries. 176.b
☞ 10 For proces in Indictments and Appeales. 322.a
11 For taking of Apprentices.
12 & 15 For amendment of Records. 11.a
13 For protections of such as shall goe ouer sea with the King. 18.b. 325.a. 461.c
☞ 14 For felons and murtherers, that void themselues into woods, &c. 347.c
16 For inquisitions taken by Escheators. 144.a
17 For shipping to the Staple. 480.b
18 For the price of Staple ware, and for the Mint at Calice. 392.c
19 For prime conueyance of marchandizes out of the Realme. 480.b
20 For inhabitants of Calice vsing to buy Staple wares. 40.b
21 For men of Newcastle and Berwike, shipping to Calice. 480.b
22 For clacking and forcing of woolls. 480.c
23 For cutting woollen threds, and sending them beyond sea for Thummes. 486.b
24 For payments in gold made to marchants aliens. 257.b
25 For continuance of the Mayor of the Staple in his office for a season. 392.c
26 For Assises sued in the Benches, for lands lying within a franchise. 56.c
27 For passage of trowes through the Riuer of Seuerne. 298.b
28 For the way betwixt Abingdon & Dorchester.
29 For enquests betwixt aliens and denizens. 413.c

¶The 9. yeare of H. the 6.

1 FOr deferring of Assises and Nisi prius.
2 For wares to be sold to aliens for readie payment. 257.b
3 For the treason of Owen Glendor. 333.b
4 For writs of Idemptitate nominis. 221.c
5 For passage of trowes in the riuer of Seuerne. 298.b
☞ 6 For the measure of Worcester. 466.a
7 For Indictments in Shirifes Turnes. 383.c
☞ 8 For weighing of Cheese. 466.b
9 For Weares, Milles, and Riddels. 197.a
10 For Atturnies of Staunche and Frendles. 22.a
11 For proclamation to be made vpon alleaging of bastardie. 27.b

¶The 10. yeare of H. the 6.

1 FOr Recognisance of debts before the Mayor of the Staple. 392.b
2 For elections of Knights for the Parliament. 296.a
3 For restitution of goods taken by them of Denmarke. 99.b
4 For entring of Rolls by Philizers and Exigenters. 11.b
5 For reparation of the bankes and beacons at Calice. 40.b
6 Proces vpon Indictments and Appeales in foreine Counties. 322.a
7 For shipping of Staple ware to other places then to Calice. 480.c

¶The 11. yeare of H. the 6.

1 FOr impanelling men dwelling about the stewes. 225.c
2 For naming the Shirifes in writs of Assise by collusion. 18.c
3 For writs vpon disseisin against the pernors of the profits. 435.b
4 For damages for the plaintifes in writs of Attaint. 19.b
5 For actions of wast against the pernors of the profits. 462.c
☞ 6 For Commissions of Peace. 106.b
7 For Indictments in Shirifes Turnes. 383.c
☞ 8 For Weights and Measures. 466.a
9 For aulnage of Clothes. 112.a
10 For pursuit of Scire facias sued by recognisors of the statute of the Staple, arrested vpon the same. 337.c
11 For affrapes made vpon Lords comming to the Parliament. 16.b
☞ 12 For warchaunclers. 462.b
13 A confirmation of an Act, for selling wares at Calice for ready money. 392.c
14 For shipping in Crekes. 158.b
15 For imbesilling the Kings Customes by Customers. 95.a
16 For Customers making blanke scrowles to Marchants &c. 95.a

¶The 14 yeare of H. the 6.

1 THat Iustices of Nisi prius may giue iudgement aswell where felons be acquited, as where they be conuicted or attainted. 287.b
2 Against licences for shipping of woolls. 481.a
3 The Sessions for the Countie of Cumberland to be at Carlile. 231.a
☞ 4 For Session in Middlesex. 232.c
5 For shipping to the Staple. 481.a
6 For aliens victuallers to sell fish at retaile. 432.b
7 For prizes vpon the Sea. 461.c
8 For breaking of safe-conducts. 32.c

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¶The 15. yeare of H. the 6.

1 AN Act for suits before the Stewards and Marshals of the Kings house. 263.a
2 For carrying of Corne ouer the Sea. 63.b
3 For the clause of vidimus to be put in safeconducts. 360.b
4 For sureties to be found by them that sue Writs of Subpena. 4.b
5 For Writs of attaint. 19.b
6 For Ordinances made by Guilds and Fraternities. 66.b
7 Touching the Wapentake of Stainclife and Friendicelle in Yorke. 22.a
8 For carriage of Staple ware not customed. 373.b

¶The 18. yeare of H. the 6.

1 FOr warranties of Letters Patents sent to the Chancelor to be entred of Record. 301.b
2 For Iurors in attaints. 19.b
3 For Licences to carrie Staple ware to other places then to Calice. 39.c
4 For Marchandizes forraine bought, and forraine sold. 257.b
5 For Collectors of Dismes. 54.a
6 Lands to be let to farme to him that trauerseth the office, and to none other. 144.b
7 For returning of Offices by Escheators. 144.b
8 For Spanish ships taken vpon the Seas by denizens. 360.b
9 For entries of the Philizers and Exigenters. 11.b
10 For Commissioners of Sewers. 369.a
11 A Iustice of Peace to haue ex. Iland. 232.b
12 For Indictments suppoled in a place where there is no such in that Countie. 56.a
13 For outlagaries in the Countie of Lancaster. 242.c
14 For making of arrayes and panels. 191.a
15 For carriage of woolls to other places beyond the Sea then to Calice. 481.b
16 For deceit in Cloth making. 112.c
17 For gaging of vessels of wine and Oyle. 466.b
18 Against Captaines abating souldiers Wages. 41.b
19 For Souldiers departing without licence. 41.b

¶The 20. yeare of H. the 6.

1 FOr inrolment of safe-conducts. 361.a
2 For forfeiture of goods by reason of Outlagaries in Lancaster. 242.c
3 For robberies done by welshmen in the countries ioyning to Wales. 406.a
4 For Customes and Subsidies to be payd by denizens. 95.b
5 That no Customers, Searchers, &c. haue Ship of their owne. 95.b
6 For shipping of Corne ouer the Sea. 63.b
7 For not customing goods brought first from beyond sea into Wales, and from thence into England. 95.b
8 For resistance of Purueyors. 332.a
9 For women of high estate to be iudged by their Peeres. 413.b
10 For true making of worsteds. 484.b
11 The paine of Treason put out in case of breaking of safeconducts. 32.c
12 For reformation of partition of woolls by the Mayor of the Staple. 392.b

¶The 23. yeare of H. the 6.

1 & 2 AGainst Purueyors. 332.b
3 For shipping Thrummes and woollen threads out of the Realme. 486.b
4 For true making of worsteds. 484.b
5 For taking of outlawes of wales reforting into Herefordshire. 350.b. 440.b
6 The Statute for conueying Corne ouer the Sea confirmed. 63.b
7 For gathering head peece by the Shirife of Northumberland. 287.b
8 For the occupying of Shirifes. 383.b
9 For commission of Sewers. 369.a
10 For extortion of Shirifes. 384.a
11 For leuying Knights wages for the Parliament. 296.b
12 For the triall of new forraine pleas pleaded after an issue once ioyned. 413.b
13 For wages for seruants of husbandry. 236.b. 432.b
14 Against Purueyors. 332.b
15 For election of Knights for the Parliament. 296.b
16 For payment of gauge pence to the gaugers. 193.a
17 For Enquests to be taken by Escheators, and their fees. 144.b
18 For buying of wines of the high countrey. 473.b

¶The 25 yeare of H. the 6.

1 AN Act against welshmen. 440.b

¶The 27. yeare of H. the 6.

1 FOr restraint of clothes in Brabant &c. 257.b
2 The liberties of the Staple confirmed. 391.b
3 For vitaile and corne carried out of the Realme by Marchants aliens. 257.b
4 An Act against welshmen confirmed. 406.a
5 For holding Fayres vpon festivall dayes & Sundayes. 157.a
6 The Kings pardon made to the Clergie. 291.a

¶The 28. yeare of H. the 6.

1 FOr the restraint of woollen clothes in Brabant. 257.b
2 For Letters Patents of prices made to Hostlers and Brewers. 332.c
3 The Kings Pardon to Shirifes for occupying aboue a yeare. 384.a
4 For welshmen and Lancaster shire men taking goods and cattels vnder colour of distresse. 158.b
5 For extortions done by Searchers &c. of Fowey, &c. to strangers. 156.a

¶The 29. yeare of H. the 6.

1 FOr attainder of Jacke Cade. 333.b
2 For proces against breakers of truce. 32.b
3 For Letters Patents made to citizens of Yorke. 486.b

¶The 31. yeare of H. the 6.

1 TOuching the said attainder of Jacke Cade. 333.b
2 Against rioters disobeying prime seales. 323.b
3 For attachments made by the Warden of the Marches. 262.a
4 For breaking of Truce and Pyracie. 7.b
5 For Letters Patents made to gaugers &c. 289.a
6 For Outlagaries in Lancaster shire. 242.c
7 An Act of the generall resumption. 345.a
8 For shipping of woolls. 394.c
9 For taking away Ladies and Gentlewomen inheritors. 483.b
10 For Calice. 40.b

¶The 33. yeare of H. the 6.

1 FOr seruants spoyling their Masters goods after his death. 152.b
2 A repeale of an Act made at Reading for Outlaries of Lancaster. 242.b
3 For extortions of the Officers of the Exchequer. 142.b
4 For Brewers in Kent. 254.b
5 For like women. 388.a
6 For vexation of the Abbot of Fountaine in diuers wapentakes. 22.a
7 For Triumes in Norfolke and Suffolke. 22.b

¶The 39. yeare of H. the 6.

1 A Reuocation of a Parliament holden at Couentrie. 240.b

2 That women of fourteene yeares of age may haue liuerie of their lands. 457.a

¶The Statutes made in the time of King Ed. the 4, the beginning of his raigne. Anñ 1406. March. 4.

¶The first yeare.

1 FOr Letters Patents made by King Henry 4. H.5. and H.6. 55.b
2 For indictments and presentments in Shirifes Turnes and Leetes. 384.c

¶The 3. yeare of E. the 4.

1 FOr shipping of Wooll. 481.b
☞ 2 For Corne not to be brought into this land. 63.b
3 For Silke women. 388.a
4 For Apparell. 11.c
5 No Merchant shall bring into England certaine wares there specified. 258.c

¶The 4. yeare of E. the 4.

1 FOr Cloth making. 113.c
2 For shipping of marchandizes of the Staple. 481.c
3 For shipping Wooll at Newcastle. 481.b
4 For buying of Wooll. 481.b
5 For marchandizes of the Duchie of Burgoine. 248.a
6 For suretie found to Customers & Controllers. 258.a
7 For Cordwainers and Coblers. 57.b
8 For Horners. 203.b
9 For Pattenmakers. 301.c
10 For passage from Doner to Calice. 299.a

The 7. yeare of E. the 4.

1 FOr making of Worsteds. 485.a
2 For Clothes made in the Hundreds of Liston, Tauestocke, and Rowburgh in Deuonshire. 113.c
3 For woollen parne Clothes vnfelted, not to be carried out of the Realme. 113.c
4 For graunts made by the King. 302.a
5 For resuming the Seignories of attainted lands. 397.a

¶The 8. yeare of E. the 4.

1 AN Act for set Clothes. 113.b
☞ 2 For Liueries of Companies. 251.a
3 For Iuries in Middlesex. 227.a
4 For Shirifes. 384.c

¶The 12. yeare of E. the 4.

1 FOr returning of Shirifes. 384.c
☞ 2 An Act for Bow staues. 30.b
3 An Act for the Subsidies. 95.b.394.c
4 For Liueries to be giuen by the Prince. 251.a
5 For shipping of Wooll. 482.a
6 For Sewers. 369.a
7 For Weares and Fishgarths. 469.a
8 For annulling Letters Patents made to Searchers and Surueyors of Vitailers. 432.c
☞ 9 For Escheators. 144.c

¶The 14. yeare of E. the 4.

1 FOr the Kings tenants going in his wars. 657.a
2 Protections for such as goe in the Kings wars. 18.b.325.a.461.c
3 For shipping of Wooll and fells. 482.b
4 A confirmation of a Statute made for breaking of Truce. 32.b

¶The 17. yeare of E. the 4.

1 AN Act for money. 195.a.259.a.278.b.279.c.b
2 For Courts of Pipowders. 157.b
3 For vnlawfull games. 315.b
☞ 4 For making of Tyles. 393.b
5 For sealing of Clothes. 114.a
6 For Shirifes returnes. 384.c
7 A repeale of the Parliament holden in the ninth yeare of the Kings raigne. 340.c

¶The 22. yeare of E. the 4.

1 AN Act of Apparell. 11.c
2 For packing of barrelled fish. 173.a
3 For Silke workers. 388.a
4 For the price of Bowes. 30.b
5 For fulling of Hats and Caps. 195.b
6 For Swannes. 393.b
7 For inclosing woods in the forests. 478.b
8 For the Towne of Warwicke. 28.b

¶ Statutes made in the time of King Richard the 3. the beginning of his raigne. Anñ 1483. Iune 22.

¶The first yeare.

1 FOr estates to be made by the feoffors in vse. 436.a
2 Discharge of the benevolence. 394.c
☞ 3 For letting of suspects of felonie to baile. 140.a. 180.a.252.b
4 For Iurors. 227.a
5 For annulling of feoffements made to King Richard to any vse. 435.b
6 For suits in Courts of Pipowders. 157.b
7 For fines. 164.a
8 For Cloth making. 115.a.259.b
9 Against Italians that sell their wares in grosse. 8.a.259.a
10 For silke workes. 388.a
☞ 11 For Bowstaues. 30.b
12 For letting handicraftsmen in this realme a worke. 259.b
☞ 13 For the measure of wine and Oyle. 466.b
14 Priuiledge for collectors of Dime. 4.c
15 An Act against the Ladie Elis. Gray. 345.a

¶The Statutes made in the time of King Henry the 7. the beginning of his raigne. Anno 1485. Aug. 12.

¶The first yeare.

1 FOr medon. 436.a
2 Against Strangers made Denizens to pay customes. 96.a
3 No protection allowed in any Court at Calice. 325.a
4 Correction of Priests for incontinencie. 222.a
5 Against Tanners and Cordwainers. 57.b
6 A pardon for them that were with the King in the field. 292.b
☞ 7 Against Hunters. 159.a
8 For reparation of the Mayne. 373.b
9 Silke worke. 388.a
10 A reuocation of King Richard his Act against Italians. 259.b

¶The 3. yeare of H. the 7.

☞ 1 GIuing of Liueries. 66.a.150.c.223.a.232.b 282.c.317.b
☞ 2 Taking maidens, widowes, or wiues against their wils, made felonie. 159.a
3 For letting to baile of persons arrested for light suspection. 252.b
4 Deedes of gifts of goods to the vse of the maker of such gifts be void. 436.a
5 Vse exchange. 437.c
6 Exchange and rechange. 140.b. 437.b
7 Concerning Customers. 96.b
8 Employment. 259.c
9 Against the Ordinance of London, for going to Faires. 157.c
10 Damage giuen in a writ of Error. 98.b
11 Clothes to be carried ouer the sea, be barbed, rowed, and shorne, except &c. 115.a

12 Retainer. 289.b
13 For Bowes. 30.c
14 Felonie. 159.b

¶The 4. yeare of H. the 7.

1 FOr commissions of Sewers. 369.a
2 Fines. 194.b
3 Against Butchers. 39.b
4 Protections for passers into Britaine. 325.a.457.a
5 Annulling Letters Patents made to any spirituall person for paying or gathering dismes. 153.a
6 Annulling Letters Patents of any office in the Forest of Englewood. 289.b
7 That Letters Patents made to certaine officers about the King be void. 289.b
8 For sale of Cloth by Drapers and Taylors. 115.a
9 Price of Hats and Bonets. 195.b
10 Of wine and Tolowse woad. 374.a
11 An Act upon buying of wolls. 482.b
12 Actus super proclamac. De Proclamatione facienda. } 323.b
13 Against Theues. 51.a
14 Annulling of the seale of the Earldome of March. 364.b
15 For the Mayor of London. 197.a
16 The Isle of Wight. 222.a
17 Wardes. 457.a
18 Forging and counterfeiting of Gold and Siluer made Treason. 406.a
19 For keping up of houses of husbandrie. 212.a
20 Actions popular. 3.b
21 Frie of Fish in Oxford Haven. 173.c
22 Uenice gold. 38.b
23 Carrying of gold & siluer ouer the sea. 195.a.279.a
24 Nota de Finibus. 164.c

¶The 7. yeare of H. the 7.

1 FOr Souldiers in the warre. 41.b
2 For Souldiers to be in the Kings protection. 22.b.138.b.325.a.457.a
☞ 3 For weights and measures. 467.a
4 For tryals in London. 47.a
5 For Letters Patents of discharge of dismes and quinzismes. 153.b
6 For Scots to bold the land. 362.b
7 For Malmesies of Candie. 473.b

¶The 11. yeare of H. the 7.

1 That men going to battell with the Prince &c. shal not be attainted. 180.a
2 For punishment of vagabonds and beggers. 6.b. 315.b.416.c
3 Acts against vnlawfull reteiners, riots, &c. to be put in execution. 294.b
☞ 4 One weight and measure to be vsed through the Realme. 467.b
4 The names of the Townes limited for the keeping of weights and measures. 467.b
5 For putting away of weares in Southhampton. 388.b
6 For packing and paying customes of woollen Clothes. 96.b
7 For punishment of Riots. 350.a
8 For punishment of Vsurers. 437.b
☞ 9 For the inhabitants of North and South Tindale. 399.a
10 For leuying of the arrerages of the benevolence last graunted. 394.c
11 For Worsted shearers in Norwich. 485.a
12 For writs giuen, and counsell assigned to poore people. 317.b
13 No Horses nor Mares aboue vj. s. viij. d. to be conueyed out of the Realme, without the Kings licence. 204.b
14 That strangers made denizens shall pay customes as strangers. 96.b
☞ 15 Against vntrue demeaning of Shiriles and their officers in holding their Counties. 385.a
16 For keping of the Watch in Calice. 40.c
☞ 17 Against destroying of Fesants & Pertridges with vnlawfull engines. 161.a

18 Not being with the King in time of need &c. shall lese the fees and annuitie to them graunted. 461.c
19 Against vnlawfull making of Featherbeds, Pillowes, and Matresses. 435.b
20 Against women couert, making alienation of lands moued by the Baron. 106.b
21 For Inquests hereafter to be charged within London. 20.b
22 For wages of Hindes in husbandrie, and of Artificers and Labozers. 236.c
23 For gauging and packing of Salmon, Eeles, and Herring. 173.b
24 For punishment of periurie, and lessing the penaltie in attaint. 20.b
25 For punishment of periurie by examination of the Chancelor, Treasorer, &c. 291.b.310.a
26 For holding the Shirikes Turnes within the Counties of South Surrey and Sussex. 227.a
27 For Fustians to be shorne with the broad sheares. 192.b

¶The 12. yeare of H. the 7.

1 FOr Apprentices in the Countie of Norfolk. 13.a
2 For continuance of certaine Acts made in the last Parliament. 20.b.291.b.310.a
3 A repeale of a Statute made in the last Parliament, for Labozers wages. 236.c
4 For repealing of forfeitures growing by Clothmaking, according to the Statute of Rich. the 3. 115.a
☞ 5 For weights and measures. 468.a
6 For a fine payed by the Merchants aduenturers at the Marts. 259.c
7 For seruants murthering their Masters or Soueraignes, not to enioy their Clergie. 51.a

¶The 19. yeare of H. the 7.

1 FOr attendance vpon the King in his warres. 461.b
2 For non paying of custome for Woolfaues. 30.c
3 For the continuance of Attaint. 20.b
4 For vsing of long Bowes, and leaning of Crossebowes. 73.b
5 For Coyne current within the Realme. 279.b
☞ 6 For Pewterers and Brasiers. 311.b
7 For making ordinances by bodies incorporat. 66.b
8 For taking of Scauage in Cities & Boroughes. 394.b
9 For delayes in actions vpon the case. 322.a
10 For keping of Gaoles, & escape of prisoners. 318.c
☞ 11 For keping of Deere Hayes and Buckstals. 211.a
12 For punishment of Vagabonds. 6.b.315.b.416.c
☞ 13 For punishment of Riots. 347.b
14 For punishment of vnlawfull Retenors. 251.a
15 For execution of feoffements of trust. 436.a
16 For Shirikes Turnes in Sussex & Surrey. 227.a
17 For repeale of an Act for Worsted shearers. 485.a
18 For Seuerne. 299.b
19 For Curriers and Cordwainers. 57.b
20 For writs of Error. 98.b
21 For Silkwomen. 388.a
22 For repeale of the Act for Attornies in Calice. 392.b
23 For Merchants of the Stilyard. 393.a
24 For holding the Shire Court at Chichester. 67.b

¶The Statutes made in the time of King Henry the 8. whose raigne began Anno 1509. April 21.

¶The first yeare. 22 Ianuarij.

1 AN Act for going into Denmarke and Ireland. 99.b
2 An Act for Cloth making. 115.a
3 Concerning payments to be made to John Heron, generall Receiuer to the King. 346.a
4 For penalties vpon actions popular. 3.b
5 A reuocation of an Act, concerning entring of marchandises in the Customers bookes. 96.c
6 A reuocation of a statute for informations before Iustices of Assise, and Iustices of Peace. 231.a

7 Con-

☞ 7 Concerning the office of Coroners. 66.b
8 Concerning Escheators and Commissioners. 145.b
9 Concerning the bridge of Stanes. 389.b
10 Concerning the traverse of lands seised into the Kings hands by inquest, &c. 145.b
11 Concerning the confirmation of the act of Attaint. 20.b
12 Concerning the untrue Inquisition procured by Empson and Dudley. 145.b
13 That no Coyne be carried out of this land. 279.c
14 For reformation of Apparell. 11.c
15 An Act annulling all Feoffements made to Empson and Dudley. 436.a

¶The 3. yeare of H. the 8.

1 AN Act that no Coyne be carried out of the Realme. 279.c
2 Concerning Escheators and Commissioners for true finding of offices. 145.b
3 Concerning maintenance of Archerie. 15.a
4 Protections and licence of alienations, for being in the Kings warres. 325.a.457.b
5 For paying of Souldiers wages in the Kings warres. 41.b
6 Concerning true making of woollen clothes. 115.c
7 Woollen clothes to be full wrought &c. ere they be transported. 115.a
8 An act repealed for selling of victuales by head officers. 432.c
9 An act against Mummers. 282.a
10 For Curriers to search Leather. 57.b
11 For approbation of Phisitions and Chirurgions. 312.b
☞ 12 For reformation of Impanels for the King. 291.b
13 An act annulling shooting in Crossebowes. 73.b
14 Dyes to be searched and seene good and lawfull. 290.b
15 For making of Hats and Caps. 195.b

¶The 4. yeare of H. the 8.

1 AN act for making Bulwarkes on the Sea. 44.a
2 For punishment of Murther. 51.a.413.b
3 For Juries in London. 227.b
4 For proclamations to be made before Exigents awarded. 154.a
5 Penalties for wages given to Labourers &c. repealed. 236.c
6 Customers &c. for sealing of cloth of gold, silver, and other Silkes. 96.c
☞ 7 For Pewterers, and true weights and Beames. 311.b.c
8 An act concerning Richard Strode. 393.a

¶The 5. yeare of H. the 8.

1 AN act for ministration of Justice to the subiects of Turney. 416.c
2 For true making of Clothes called white Straits in Devonshire. 115.b
3 That white woollen Clothes of fine Markes and under, may be transported unshorne. 115.b
4 For avoiding deceits in worsteds. 425.b
5 For Juries in London. 227.b
6 Surgeons discharged of Enquests and other things. 312.b
7 For Strangers for buying of Leather in open Market. 57.b
8 The manner of suit for the Kings Pardon. 292.b

¶The 6. yeare of H. the 8.

1 AN act concerning Apparell. 11.c
2 For the maintenance of Archers. 15.a
3 For Artificers and Labourers. 237.b
4 For proclamation to be made before Exigents awarded into foreine Shires. 154.a
5 For avoiding destructions, and pulling downe of Townes.
☞ 6 For remitting prisoners to the place where the crime was committed. 318.b
7 The wages of Boatmen. 300.a
8 For making of woollen Clothes in Devonshire. 115.b
9 For avoiding deceits in making of woollen clothes. 115.c
10 For Commissions of Sewers. 369.b
11 For Bowstaues to be brought in by Strangers. 30.c
12 That Norfolke wolls be not carried out of the land. 482.b
13 For shooting and keeping of Crossebowes and Handguns. 73.b
14 For a Subsidie of Tonnage and Poundage. 394.b
15 For annulling second Letters Patents, making no mention of the first. 302.a
16 That no Knights nor Burgesses depart before the end of the Parliament. 296.b
17 For cleansing of the river of Canterbury. 147.a
18 For continuence of the Undershrife of Wallingford. 385.a

¶The 7. yeare of H. the 8.

1 AN act against pulling downe of Houses and Townes. 212.b
2 For maintenance of the Kings Manie. 174.a.473.b
3 For actions popular, and statutes penall. 3.b
4 For Juowries for rents and services. 338.c
5 For Artificers and Labourers. 237.b
6 For Artificers & Labourers within London. 237.b
7 For Apparell. 11.c
8 The Kings Pardon. 292.b

¶The 14. and 15. yeare of H. the 8.

1 AN act for broad white woollen Clothes. 115.c
2 For strange artificers for taking apprentices &c. 8.b
3 For worsted weauers of Yarmouth & Lin. 486.c
4 For Englishmen borne to foreine Princes. 336.a
5 For Phisitions. 313.b
6 For high wayes in the Wield of Kent. 199.b
7 For shooting in Crossebowes and Handguns. 73.b
8 For the marriage of the fire Cleyhes &c. 52.c
9 For the liberte of Cordwainers &c. 57.b
☞ 10 For hunting the Hare. 211.a
11 For bells made in Suffolke. 115.c
12 For Coyners that make mony at any Mint within England. 279.c
13 For the haven of Southhampton. 388.b
14 For any being in the warres ouer, or vpon, the Sea. 457.b

¶The 21. yeare of H. the 8.

1 AN act concerning the Kings generall Pardon. 292.b
2 That abiured persons shall be marked with an A. 2.a
3 For abridgements of plaints in assise. 18.c
4 For sale of lands by executors. 152.b
☞ 5 For probate of Testaments. 321.b
☞ 6 For taking of Mortuaries. 282.a
☞ 7 Against seruants imbezilling their masters goods. 159.b
8 For killing of Caines. 48.b
9 For the price of Hats and Caps brought from beyond the Sea. 195.b
10 Against carrying ouer of Wrasse, &c. 31.a
11 For restitution of goods felonously stolne. 349.b
12 For making of Cables &c. 39.b
13 Against pluralities of Benefices, and taking of Farmes by spirituall men, and for Residence. 344.b
14 For Dowlas and Lockeram. 248.b
15 That all Farmors may enioy their Leases against recoueries by fayned titles &c. 338.b
16 For Artificers strangers. 9.b
17 For annulling Letters Patents made to Poole, for shipping of wolls. 486.b
18 For Newcastle vpon Tine, & the port thereof. 187.b
19 For Juowries. 22.b
20 That the President shall be associate with the Chancelor &c. 150.b.317.b
21 For worsteds made in Yarmouth. 486.c

¶The

¶The 22. yeare of H. the 8.

1 AN Act for maintenance of Draperie, and against regrating of wooll. 482.c
2 For triall of forrain pleas pleaded by felons. 413.b
3 For Plumsted Marth. 317.c
4 For exactions leuied on Apprentices. 66.b
5 For repairing of Bridges in Highwayes. 33.c
6 For Tanners and Butchers. 57.b
7 For conueying Horses out of the Realme. 265.a
8 That denizens pay strangers customes &c. 10.a
9 Against Poploning. 406.a
10 Concerning Egyptians. 134.a
11 For Powdicke in Marshland. 159.c
12 How aged people shall be ordered, and bagabonds punished. 418.b
13 That certaine strangers shall not bee expounded handycraftmen. 16.b
14 How persons committing petie Treason shall abiure. 3.a
15 A generall Pardon for spirituall subiects. 292.b
16 A generall Pardon for temporall subiects. 292.b

¶The 23. yeare of H. the 8.

1 AN Act that no person committing petie Treason &c. shall haue his Clergie vnder a Subdeacon. 51.b
2 Where, and after what manner the Gaoles within England shall be made. 319.b
3 For punishment of Periurie, and vntrue verdicts. 21.c
4 That no Brewers make vessels, and the content of Barrels &c. 69.a
5 For Commission of Sewers. 371.b
6 Before whom Recognisances of debt shalbe made, and the forme &c. 338.b
7 For maintenance of the Hauen, and bringing in of Wines. 259.c. 374.a. 473.b
8 For the amending of certaine Hauens in Deuonshire and Cornewall. 197.a
9 That no person be cited out of the Diocese, but in certaine cases. 50.a
10 For feoffements of lands to the vse of a Church. 281.c
11 For breaking of prison by Clerkes conuict. 51.c 159.c
12 For exactions taken for the pathes by Seuerne side. 300.a
13 What men shall passe in tryall of Murthers. 227.c
14 Processe of Vtlarie to lye in couenant and annuitie. 322.a
15 That the defendant shall recouer costes, if the plaintife be nonsuit, &c. 99.a
16 That no Horses be conueyed into Scotland without licence. 159.b. 205.a
17 For true winding of Woolls. 482.b
18 For the pulling downe of fish garthes in the Riuer of Ouse and Humber. 197.a
19 A generall Pardon. 292.b

¶The 24. yeare of H. the 8.

1 FOr true tanning of Leather. 57.b
2 For dying of woollen Cloth. 120.b
3 For flesh sold by weight. 39.b
4 For sowing of Flaxe and Hempe. 175.b
5 No forfeiture for killing a theefe. 180.b
6 For sale of Wine. 473.c
7 Against killing of Calues. 40.c
8 Where the defendant shall not recouer costes. 99.b
9 Against killing of weanlings. 40.b
10 For the destroying of Choughes, &c. 75.b
11 For pauing betweene Strond crosse, and Charing crosse. 308.c
12 That Appeales shall not be vsed but within this Realme. 12.b
13 For excesse in Apparrell. 11.c

¶The 25. yeare of H. the 8.

1 AN Act for Graziers and Butchers. 39.b
2 A proclamation for Victuales. 432.b
3 For standing mute, and peremptorie challenge. 51.b
4 Against forestalling of Fish. 173.b
5 For calendring of Worsteds. 485.b
6 For punishment of Buggerie. 159.b
7 For killing spawne of Salmons. 173.b
8 For pauing of Holborne, and other places in London. 308.c
9 Concerning Pewterers. 312.c
10 The oath of Commissioners of Sewers. 371.b
11 To auoid destruction of wildfoule. 469.c
12 For the attainder of Elizabeth Baron, and others. 18.c
13 What Sheepe a man may keepe. 373.c
14 For punishment of Heresie. 199.c
15 For Printers and Bookebinders. 30.a
16 Who may haue a Chapleine beneficed with cure. 344.b
17 For shooting in Crossebowes and Handguns. 73.b
18 For Clothiers in Worcester. 116.a
19 The submission of the Clergie to the King. 353.c 388.c
20 For the payment of First fruits to the Bishop of Rome, and for election of Archbishops and Bishops in England. 11.b. 354.b
21 For exoneration of exactions to the See of Rome, &c. 357.b
22 For the succession of the Kings Maiestie in the imperiall Crowne. 76.a. 265.b

¶The 26. yeare of H. the 8.

1 THe King to be supreame head of the Church of England &c. 358.b
2 For the suretie of the succession of the Crowne of England. 76.b
3 For the payment of First fruits of all dignities spirituall, and of one annuall pension &c. graunted to the King, &c. 168.a
4 For punishment of Periurie in Iurors in Wales. 441.a
5 For not conueying any persons goods or cattels on the water of Seuerne, after Sunne set, vntill Sunne rising. 300.b
6 That Murthers and Felonies done in Wales, shall be inquired of in the Shires next adioyning, &c. 442.c
7 For amending High wayes in Suffex. 199.b
8 For reedifying of void grounds in Norwich. 287.b
9 For reedifying of void grounds in Linne. 248.b
10 A repeale for comming in of Wines afore Candlemas. 259.c
11 For punishment of Welshmen assaulting the inhabitants of other Shires. 442.b
12 For purgation of conuicts in wales. 51.b
13 Diuers offences made high Treason, and taking away all Sanctuaries for all high Treasons. 361.a. 406.a.b
14 For nomination of Suffragans within the Realme. 29.a
15 For taking away exaction in Richmond by spirituall men. 346.b
16 For making Worsteds in Norwich, Linne, and Yarmouth. 486.c
17 That no farmers of spirituall persons shall pay First fruits of the Tenth graunted to the King. 168.a
18 A generall Pardon. 292.b

¶The 27. yeare of H. the 8.

1 FOr repairing of Gloucester, Nottingham, Northampton, and others. 403.c
2 That the counterfetting of the signe, signet, and priuie Seale, be high Treason. 406.b
3 For exactions taken by the Mayor of Hull. 210.c
4 For punishment of Pyrates on the sea. 414.a
5 For making Iustices of Peace in Chester and Wales. 48.b
6 For increase of good Horses. 205.c
7 Against exactions taken in the forests of Wales. 443.b
8 That Spirituall subiects shall pay no Tenth the same yeare they pay First fruits. 168.c

9 That

9 That all Butchers may sell flesh by retaile for a certaine time. 39.b
10 In order for Ales and wils. 437.c
11 For Clerkes of the Signet and prime Seale. 53.d
12 For true making of woollen Clothes. 116.d
13 That certaine Clothes may bee carried ouer the Sea. 116.b
14 For the custome of Leather. 57.b
15 That the King may nominate xxiij. persons for to make Ecclesiasticall Lawes. 388.c
16 For inrolment of deedes. 224.b
17 For them which reb their Masters.
18 For the preseruation of Thames. 197.b
19 In order for Sanctuaries, and sanctuarie persons. 361.b
20 In order for Tythes. 399.c
21 For Tythes within London. 359.b
22 For decay of houses. 213.a
23 For preseruation of Hauens in Deuonshire and Cornewall. 197.a
24 For recontinuing of certain Liberties taken from the Crowne. 185.c
25 For punishment of Vagabonds. 418.d
26 For Justice to be ministred in Wales, &c. 446.d
27 For establishing the Court of Augmentations. 69.b,268.d

¶The 28 yeare of H. the 8.

1 AN Act that Felons abiuring for petie Treason, Murther, or Felonie, shall not haue their Clergie. 3.a 51.b.d.52.a.61.a 61.d
2 For such as go away with their Masters goods.
3 Giuing the King authoritie to allot the Townes ships of Wales within three yeares. 447.a
4 For bringing in of Oxwlasse & Lockeram. 248.b c
5 For exactions taken vpon apprentices in Cities, &c. 66.c
6 For continuance of certaine Statutes, and conueying of horses out of the Realme: Against Welshmen for making of affrayes in Heref. &c. And against Buggerie. 203.a.442.d
7 For the succession of the Crowne. 76.b,265.d.290.d. 361.c
8 For continuance of the Statute against the carriage of Bzasse, &c. out of the Realme, and making of Cables, &c. for winding of Wells, and against killing of Weanlings. 31.a.39.d.42.b
9 For continuance of the Statute of Periurie, making of Faoles, Pictures, and sowing of Flax. 21 c.312.a
10 For extinguishing the authoritie of the Bishop of Rome. 290.d.357.d
11 For restitution of First fruits to the next Incumbent. 243 c.400.b
12 For the limits of the palace at Westm. 291.a
13 For Spirituall persons to keepe residence vpon their benefices. 344.c
14 For the prices of wines. 468.b.473.d
15 For the punishment of Pyzates on the Sea. 52.a. 414.a
16 For release of such as haue obtained licences from the See of Rome. 107.d
17 For giuing authoritie to the successours of the Crowne, after the age of xxiij. yeares, to make void such Acts as were made before in their time. 340.c
48 For Treason in certaine cases. 406.b

¶The 31. yeare of H. the 8.

1 AN Act for ioint tenants and tenants in common. 297 c
2 That fishing in a Pond to the intent to steale Fish, is Felonie. 173.b
3 For changing of the custome of Gauelkind. 97.a
4 For amending the Riuer and Port of Excester. 197.b
5 Hampton Court made an Honour. 203.b
6 That Religious persons may purchase, sue, and be sued. 1.c
7 For punishment of vagabonds, and continuance of other Statutes. 21.c. 31.a.39.b.205.a. 442.d. 482.b
8 That Proclamations be obeyed & kept, as though they were made by Parliament. 323.b
9 That the King may make Bishops by his Letters patents. 29.a
10 For placing of Lords in the Parliament Chamber, &c. 252.b
11 For authorizing the King to allot certain townes in wales. 447.a
12 For taking of Hawkes egges, and birds out of the neasts, taking vp the Kings Hawkes, hunting in forests, and killing of Conies. 159.b
13 All Mannors, &c. belonging to any Monasteries dissolued, assured to the King, and how Leases made of them shall take effect. 272.b
14 For abolishing diuersitie of opinions, concerning Christian Religion. 54.c.199.c.222.a

¶The 32. yeare of H. the 8.

1 AN Act how by the Kings graunt lands &c. may be by Will &c. disposed, and of Wards and primer seisins. 470.b
2 For limitation of prescription. 248.a
3 For continuance of certaine Statutes. 3.a.51.c.b. 52.a
4 For trials of Treasons, &c. in Wales. 414.b
5 For contentation of debts vpon executions. 150.a
6 For tryall of Felonies vpon conueying of Horses into Scotland.
7 For true payment of Tythes and offrings. 401.a
8 For sellers and buyers of Pheasants and Partridges.
9 Against maintenance, &c. and vnlawfull buying of Titles. 254.b
10 For moderation of punishment of incontinencie of Priests, and women offending with them. 222.c
11 For stealing of Hawkes egges, Conies, & Deere. 159.b
12 For Sanctuaries, priuiledges of Churches, and Churchyards. 362.b
13 For breed of Horses of higher stature. 206.b
14 For maintenance of the Mault, and for certaine rates of freights. 375.c
15 For Archbishops and others to be in commission, for abolishing of erroneous opinions. 54.c
16 For strangers. 10.c
17 For pauing of certaine Stretes. 308.c
18 For redifying of decayed houses in certaine places. 404.b
19 For redifying of decayed houses in the West parts. 404.b
20 For priuiledges and liberties. 187.a
21 For the abreuiation of Trinitie Terme. 98.c
22 For the accompts of Bishops, for the Tenth granted to the King. 169.a
23 The Subsidie of the Clergie of Canterburie. 394.b
24 For the lands and goods of S. Johns of Jerusalem, to be in the Kings disposition. 1.c. 361.a
25 For the dissolution of the Kings marriage with Lady Anne Cleue. 265.b
26 For true opinions of Christes religion. 339.b
27 Resumption of extraordinarie graunts, &c. of absence and reuersions in Calice, and the Marches thereof, and in Barwike, of Shirifewikes for life in Wales. 289.c.447.a
28 That lessees shall enioy their farmes against their tenants in taple, or in the right of their wiues, or Churches, &c. 244.b
29 For customable lands in Oswelstoke. 97.a
30 For mispleading, reofailes, atturnies. 341.b
31 For the auoiding of recoueries by collusion by Tenants for terme of life. 338.b
32 For Iointenants for terme of life or peres. 297.b
33 That wrongfull disseisin is no discent in law. 138 b
34 Concerning Graunts or Reuersions, to take aduantages of the conditions to be performed by the lessees. 54 b
35 That Justices of Forests may make deputies. 179 b
36 For the exposition of the Statute of Fines. 164.b
37 For recouerie of arrerages of rents by execution of tenants in fee simple. 340.b
38 For precontracts of Marriages, and degrees of consanguinitie. 266.a

39 The iurisdiction of the great Maister of the Kings houshold. 393.a
40 For the priuiledges of Phisitions. 313.b
41 For baking of Horsebread. 204.a
42 For Barbors and Chirurgions to be of one companie. 314.c
43 For shire dayes in Chester. 48.c
44 Hoyston reduced to one Parish. 332.c
45 For the erection of the Court of First fruites and Tenthes. 69.b
46 The establishment of the Court of the Kings wards. 459.c
47 The Bishop of Norwich charged with the collection of the Tenth in his dioces. 169.b
48 Concerning the Castle of Douer. 109.a
49 For a generall pardon. 291.b

¶The 33. yeare of H. the 8.

1 AN Act concerning counterfeit letters or tokens to receiue money in other mens hands. 67.c
2 For buying of Fish vpon the Sea. 171.b
3 For folding of Clothes in Northwales. 116.c
4 For Pewterers. 312.a
5 For keeping of great Horses. 207.a
6 For Crossebowes and Handgunnes. 75.a
7 For conueying of Wzalle, &c. ouer the Sea. 31.b. 312.a
8 Against Coniuration, witchcrafts, &c. 160.a
9 For maintenance of Artillerie, and debarring of vnlawfull games. 317.b
10 For the execution of certaine Statutes. 152.a
11 For Butchers to sell by weight, or otherwise. 39.b
12 For murther and bloudshed within the Court. 160.a. 415.b
13 For Lordships translated from Denbigh to Flint. 47.b. 447.b
14 For false prophecies vpon declaration of names or badges. 160.a
15 The Sanctuarie translated from Manchester to Westchester. 362.c
16 For Worsted parne in Norfolke. 287.b
17 For confirmation and continuation of certaine Acts. 39.b. 176.a. 341.b. 442.b
18 For true making of Kerseyes. 116.b
19 For expounding a statute for shipping of Clothes. 116.b
20 For due proceste in high Treason, in cases of lunacie and madnesse. 407.a
21 For the attainder of Quéene Katherine and her complices. 5.a. 18.c 292.b. 296.b. 407.a
22 For the order of Wards and Liueries. 145.c. 461.a
23 For to proceed by a commission of Oyer and determiner against such as shall confesse Treason, without remanding them to the Shire where the offence was committed. 47.a. 416.a
24 That no man shall be Iustice of Assise in his owne countrey. 231.b
25 For making free children borne beyond the Sea. 1.c
26 To make void certaine conueyances deuised by Sir John Shelton. 372.b
27 For Leases of Hospitals &c. to be good with the consent of the more part. 66.c
28 For the Chancelor of Lancaster, and other noblemen to retaine Chapleines. 344.c
29 For Religious persons to sue, and to be sued. 1.c
30 For the Deane and Chapter of Lichfield to make Leases &c. 31 For the disseuering of the Bishoprieke of Chester, and the Isle of Man, from Canterburie to Yorke. 29.a. 48.a
32 For Whitegate to be a Parish of it selfe, and no part of Ouer. 469.c
33 For priuiledges of Kingston vpon Hull. 210.b
34 For reuocation of two Fayres of Lin. 248.b
35 For the Conduits of Gloucester. 193.b
36 For the repairing of Canterburie &c. 405.a
37 For the Honor of Ampthill. 203.a
38 For the Honor of Grafton. 203.a
39 For the erection of the Court of Surueyors. 21.b. 69.b. 72.b. 130.a. 156.c. 187.a. 477.c

¶The 34 & 35. yeare of H. the 8.

1 AN Act for the aduancement of true Religion. 30.a. 199.c
2 For Collectors and Receiuors. 334.b
3 For assise of Coale and Wood. 189.b
4 Against Bankrupts. 24.b
5 For explanation of the statute of Wills. 472.b
6 For the true making of Pinnes. 315.a
7 That certaine of the Councell shal set prices vpon Wines to be sold by retaile. 474.a
8 That persons being no common Surgeons, may minister outward medicines. 314.b
9 For the preseruation of Seuerne. 197.b. 368.b
10 For making of Coueriets in Yorke. 486.b
11 For making of Frizes and Cottons in Wales. 116.b
12 For pauing of certaine stretes in London. 308.c
13 For Knights and Burgesses to haue places in the Parliament for Chester. 49.a
14 For certificate of conuicts to bee made into the Kings Bench. 46.b
15 Touching the Deane and Chapter of Wells to be one sole Chapter. 27.b
16 For Shirifes to be discharged vpon their accounts, and to haue reasonable allowance in the Eschequer. 385.b
17 For new Bishops to pay their Tenthes into the Courts of the First fruits. 169.b
18 For the priuiledges of Canterburie. 41.c
19 For the payment of pensions graunted out of Abbeyes. 309.b
20 For barring fained recoueries, where the King is in reuersion. 339.a
21 For confirmation of Letters Patents, notwithstanding any misnaming. 303.a
22 For fines (in Townes corporate) to be made as they before haue bene. 224.c
23 For true execution of proclamation. 323.b
24 For assurance of lands to John Hinde &c. paying x. pounds a yeare &c. 41.c
25 That the inhabitants of Pole may erect a windmill &c. 317.c
26 For lawes in wales. 453.c

¶The 35. yeare of H. the 8.

1 AN Act for the Kings succession in the Crowne. 76.b. 357.b
2 For triall of Treasons committed out of the Kings dominion. 416.b
3 For ratification of the Kings stile. 393.a. 407.a
4 For repairing of decayed houses in England and Wales. 405.a
5 For qualification of the Statute of the six Articles. 190.c
6 For apparance of Iurors in the Nisi prius. 228.b
7 A statute repealed for the bringing in of sea fish and Stockfish. 173.b
8 For making of Cables, &c.
9 For the partition of Wapping marsh. 455.c
10 For amending Conduits in London. 251.c
11 For payment of Knights and Burgesses wages of the Parliament in Wales. 297.b
12 For remission of the Loan. 252.b
13 That the lands of the late Priorie of Walsingham may be let by Copie of Court roll. 455.b
14 For reseruation of tennres vpon houses, with lands thereunto belonging vnder xl.s. by the yeare. 397.a
15 For pauing of Cambridge. 41.c
16 For examination of Canon Lawes by certaine persons &c. 388.b
17 For preseruation of woods. 477.b
18 A generall pardon. 292.b

¶The 37 yeare of H. the 8.

1 AN act for officers of Custos rotulorum, and Clerks of the Peace. 97.c
2 For partition of Hounslow heath. 209.c
3 For amending of Huntington lane besides Chester. 199.b
4 That all Chappels &c. shall be in the Kings disposition. 271.b

5 What

5 What inhabitants in London may passe in Attaints. 21.c
6 Concerning burning of Frames. 39.b.160.a
7 For abrogation of sir workes Sessions. 152.b
8 That any Indictment lacking Vi & armis, shall be good in law, and against stealing of an horse. 52.a.223.b
9 An Act against Usurie. 438.b
10 Against slaunderous billes. 160.a
11 For the marshes besides Grenewich. 195.b
12 For Tythes in London. 401.b
13 For repealing the Act made for Pinnes. 315.a
14 For maintenance of the piere at Scarborough. 362.b
15 For regrating of wooll. 482.b
16 For annexing lands to the Duchie of Lancaster, and for exchange of lands betweene the King & others, and the Bishop of London. 29.a.243.c
17 That Doctors of the Civil Law being married, may exercise Ecclesiasticall Jurisdiction. 133.b.388.b
18 For the erection of Honors. 203.a
19 For fines taken in Lancaster to be of like force, as fines knowledged before the Justices of the Common place. 165.a
20 For tenures of lands of xl.s.or under. 397.c
21 For union of Churches not exceeding vj.pound by the yeare. 433.b
22 To fill Juries de Circumstantibus. 228.b
23 For the continuation of certaine Statutes. 21.c. 39.b.173.b.205.a.287.b.341.b.385.b. 474.b.482.b
24 & 25 For confirmation of a Subsidie by the Clergie. 394.b

¶The Statutes made in the time of King Edward the 6. the beginning of his raigne. Anñ 1546. Ianu. 28.

¶The first yeare.

1 AN Act against such as speake against the Sacrament of the Altar, and for the receit thereof in both kinds. 365.c
2 For election of Bishops, and what seales and style spirituall persons shall vse, exercising Ecclesiasticall iurisdiction. 29.a
3 For punishment of Vagabonds, and relefe of the poore. 416.c.418.b
4 For tenures in Capite. 398.a
5 That no horses be conueyed out of England without licence. 207.b
6 For making worsted yarne in Norfolke. 287.b. 482.b
7 For continuance of actions after any Kings death. 107.b
8 For confirmation of Letters patents. 303.b
9 For vniting certaine Churches within Yorke. 433.b
10 For Exigents and proclamations in Wales and Chester. 154.c
11 For repeale of a Statute, reuoking Acts of Parliament. 341.a
12 For repeale of a Statute concerning Treasons &c. 5.a. 30.a. 47.b. 51.b. 52.b. 54.c. 76.b.c. 110.c. 159.c.d. 160.a. 173.b. 199.c. 406.a.b. 407.a. 408.a
13 For a Subsidie of Tonnage and Poundage of merchandize, with confirmation of the priuiledges of Merchants of the Stilyard, to indure for a certaine time. 394.b
14 That all Chauntries &c. be giuen to the King. 276.b
15 For a generall Pardon. 292.b

¶The 2. & 3. yeare of E. the 6.

1 AN Act for vniformitie of Seruice, and administration of the Sacrament. 365.b
2 For true seruice in Captaines and souldiers. 42.b. 160.a
3 For Purueyors. 372.c
4 For allowance of shirifes vpon their accompt. 386.b
5 For remitting of fee fermes for three yeares. 156.b
6 Against exaction of money by any officer for licence to trafique into Ireland. 173.c
7 Against craftie buying of pentions. 310.a
8 For finding offices before Escheators. 146.b
9 For true currying of Leather. 57.b
10 For true making of Vault. 254.b
11 For true tanning of Leather. 57.b
12 For assurance of Leases made of the Duke of Somersets demeine lands. 388.a
13 For true payment of Tythes. 403.b
14 Against shooting of hailestot. 75.b
15 For Victuallers and Handicraftsmen. 16.c
16 For remouing such as haue the custodie of Castles and Fortresses vpon the borders, and beyond the Seas. 44.b
17 For the attainder of Sir William Sharington Knight. 18.c
18 For the attainder of Sir Thomas Seymour Knight. 18.c
19 For abstinence from flesh. 203.a
20 For qualifying the statute of Recusants. 169.b
21 For taking away politike Lawes against mariage of Priests. 266.a
22 For colouring customes in other mens names. 96.c
23 For repeale of a statute for Precontracts. 266.a
24 For triall of Murthers in seuerall Counties. 416.c
25 For keeping of the Countie dayes. 68.a
26 Against carrying of white Ashes out of ye Realme. 469.c
27 Against forging of false gads of Steele. 392.b
28 For fines with proclamation in the Countie Palantine of Chester. 165.a
29 Against Sodomie. 159.b
30 For the Townes of Rie and Winchelsey, and for casting of ballast into the chanell. 346.a
31 For Chester, touching the taking of Recognisances. 48.a
32 For continance of certaine Statutes. 228.b
33 That no man shall enioy his Clergie which stealeth horses. 52.c
34 For the Shirifs of Northumberland, to be accomptable for his office as other be. 386.b
35 For confirmation of the Subsidie of the Clergie. 394.b
36 For a relefe graunted to the King. 394.b
37 For carrying Bell mettall out of the Realme. 31.c
38 For pauing of Calice. 308.c
39 A generall pardon. 292.b

¶The 3. & 4. yeare of E. the 6.

1 THat the Lord Chauncelor, or Lord Keper for the time being, shall name the Custos Rotulorum through all shires in England. 97.b
2 For true making of woollen Clothes. 117.c
3 For improuement of Commons & waste grounds. 14.c
4 For Graunts made by patentees out of Patents. 195.c
5 For punishment of vnlawfull assemblies. 347.b
6 For repealing a braunch of an Act for buying of tanned Leather. 57.b
7 For repealing of a statute for taking wild fowle at certaine times of the yeare. 469.c
8 For continuance of the statute of Sewers. 371.b.c
9 For buying of raw hides, and Calues skins. 57.b
10 For putting away diuers Bookes & Images. 30.a
11 That the King may appoint certaine persons to peruse and make Ecclesiasticall Lawes. 388.b
12 For ordering of Ecclesiasticall Ministers. 29.a
13 For restitution in bloud of Sir William Sharington. 18.c
14 For restitution of Mary Seymour, daughter to Sir Thomas Seymour Knight. 18.c
15 Against fantasticall prophesies. 324.b
16 For punishment of vagabonds. 6.b.418.b
17 For vnlawfull hunting in any Parke &c. 160.a
18 Concerning fee farmes mentioned in the last Session. 156.b
19 For buying of rother beasts, and cattell. 41.a
20 For repeale of a braunch for victuallers and handycraftsmen. 16.c
21 For buying and selling of Butter and Cheese. 39.b
22 For retayning of Journeymen by diuers persons. 217.b

23 The releafe of branches in the laſt Act of reliefe for payments of Sharpe and Clothes, and a Subſidie payed in one yeare. 394.b

24 A generall pardon. 292.b

¶The 5. & 6. yeare of E. the 6.

1 AN Act for vniformitie of Prayer, and adminiſtration of Sacraments. 365.b.366.b

2 For proviſion and releefe of the poore. 418.b

3 For keeping of Holy dayes and faſting dayes. 293.a

☞ 4 Againſt fighting and quarrelling in Churches. 163.a

5 For maintenance of tillage, and increaſe of corne. 213.b

☞ 6 For true making of woollen Cloth. 120.a

7 For limiting times to buy and ſell woll. 287.b. 463.b

8 What perſons ſhall weare or make broad woollen Cloth. 120.a

9 That no perſon robbing any houſe &c. ſhall enioy his Clergie. 52.c

10 That ſuch as rob in one Shire, and flye into another, ſhall not haue their Clergie. 52.c

11 For punihment of diuers Treaſons. 498.b

12 A declaration of a ſtatute for mariage of Prieſts. 266.a

13 A declaration of a ſtatute touching religious perſons. 267.a

☞ 14 Againſt regrators, foreſtallers & ingroſſers. 181.b

☞ 15 Againſt regrators of tanned Leather. 57.b

16 Againſt buying and ſelling of Offices. 290.a

17 For continuance of certaine Statutes. 39 b. 160.a. 173 b. 474.b

18 A ſtatute repealed for bringing in Wines, &c. in ſtrange bottomes. 375 b

19 For exchange of Gold and Siluer. 140.c

20 Againſt Vſurie. 438.c

21 For Tuckers and Pedlers. 308.b

22 For putting downe Gig Milles. 193.b

23 For true ſtaffing of Fetherbeds &c. 435.b

☞ 24 For making of Hats &c. at Norwich, and in Norfolke. 288.a

☞ 25 That Alehouſe keepers be bound by recognizance. 6.b

26 For writs vpon proclamations and exigents to be currant in Lancaſter. 155.a

¶The 7. yeare of E. the 6.

1 AN Act for true anſwering of the Kings reuenues. 336.a

2 For the diſſoluing or vniting of certaine Courts erected by the laſt King. 69.b

3 For confirmation of the Kings Letters Patents of bargaine and ſale &c. 304.b

4 That all patentees of Collectorſhips of Tenthes ſhall be bound for their Collectors. 170.b

☞ 5 To auoid great prices of Wines. 475.a

6 A Statute reuiued for carrying Gold and Siluer out of the Realme. 279.b

☞ 7 For the aſſiſe of Fuell. 190.a

8 For fulling and thicking of Caps. 195.b

9 For making of white plaine Streits and pinned white Streits in Deuon and Cornewall. 120.b

10 For annexing of Gateſide to Newcaſtle vpon Tine. 133.a

11 For continuance of certaine Statutes. 21.c.39.b. 57.b.173.c.205.a.254.b.324.b.347.b.418.b.477.b.482.b

12 For a Subſidie and two Fifteenes and Tenthes by the Temporaltie. 394.b

13 For a Subſidie graunted by the Clergie. 395.a

14 A generall pardon. 292.b

¶ Statutes made in the time of Queene Mary, the beginning of her raigne.

An 1553. Julij 6.

¶The firſt yeare, First Seſſion.

1 AN Act repealing certaine Treaſons, Felonies, and Præmunire. 5.a. 51.c.76.b.c.159.c. 160.a.b.173.b.277.b.405.b.406.a.b.407.a. 408.a.b.409.a

¶The firſt yeare, Second Seſſion.

1 THe Queene borne in lawfull matrimonie, and repealing all ſentences of diuorce to the contrarie. 266.b

2 For repeale of certaine ſtatutes made in Ed. the 6. time. 29.a.30.a.203.a.266.a.365.c.366.b

3 Againſt offenders of Preachers, and other Miniſters in the Church. 367.a

4 For writings made from the 6. of July, and before the firſt of Auguſt. 99.b

5 For limitation of preſcription in certaine caſes. 248.b

6 Againſt counterfeiting of ſtrange coynes. 409.a

☞ 7 For proclamations vpon fines. 165.b

8 That Shirifes ſhall not be Iuſtices of Peace during their offices. 386.c

☞ 9 For the incorporation of Phiſitions of London. 315.a

10 For vniting, diſſoluing, and new erecting of Courts. 73.b

11 For ſale of Hats and Caps made beyond the Sea. 195.b

☞ 12 Againſt vnlawfull aſſemblies. 350.a

13 For continuance of certaine Statutes. 21.c. 39.b. 57.b.173.c.205.a.254.b.418.b.477.b.482.b

14 For reparation of Gaoles. 319.b

15 For reuiuing of S. Elms in Yorke. 433.b

16 For the attainder of the Duke of Northumberland, and others. 18.c

17 For releaſe of a Subſidie of the Temporaltie. 395.a

18 For a Subſidie of Tonnage and Poundage. 395.a

¶Another Statute made the ſame 1. yeare, Parlia. 2.

1 AN Act that the regall power is in the Queenes Maieſtie as fully as it hath beene in any her progenitors. 333.b

2 For articles of the Queenes marriage. 333.b

3 For repeale of two Acts, touching the diſſolution of the Biſhoprick of Durham. 133.a

4 For eſtabliſhing the Lord Stewards office of her Maieſties houſehold. 393.a

5 For repairing of Shirborne cauſey. 382.a

6 For repairing a cauſey betwixt Wiſtow & Glouceſter. 199.b

7 For Cloth making in corporate Townes. 120.b

8 For buying and currying of Leather. 57.b

9 For ordinances in Churches and Schooles. 290.b

10 For repeale of a ſtatute for vniting two Parith Churches in Elie. 433.b

11 For the Sea ſands in Glamorgan. 371.c

12 For continuance of certaine Statutes. 21.c.105.a. 350.a.418.b.477.b.482.b

¶The 1. & 2. yeare of King Philip and Queene Mary.

1 AN Act touching Letters Patents, and other writings to be aſſigned by the Queene. 333.b

☞ 2 For reformation of exceſſe in Apparell. 11.c

3 Againſt ſeditious words and rumors. 284.b

☞ 4 For puniſhment of Egyptians. 134.c

☞ 5 For reſtraint of Coyne &c. ouer the Sea. 433.b

6 For puniſhment of Heretickes. 199.c

7 That countrey perſons ſhall not ſell diuers wares in Cities &c. by retaile. 405.b

8 For repealing of all Statutes againſt the Sea of Rome. 11.b. 12.b. 29.a. 30.a. 76.b.c 133.b. 222.c. 265.b. 266.a. 290.b. 341.a. 353.c. 354.b. 357.b. 360.c. 388 b. 393.a. 407.a. 408.a

9 For puniſhment of traytorous words againſt the Queene. 409.a

10 Certaine offences made Treaſon, and for the gouernment of the King and Queenes iſſue. 409.a

11 For puniſhment for bringing in counterfeit coyne. 409.b

12 For impounding diſtreſſes. 109.a

☞ 13 In order for Iuſtices, for bailement of priſoners. 253.b

14 For making of Ruſſets, Sackens, &c. in Norwich. 288.a

15 For the liberties of the Lord Marchers in Wales. 452.b

16 For continuance of certaine Statutes. 21.c.205.a. 350.a.477.b.482.b
17 For leases to be made by spirituall persons. 244.b

¶The 2. & 3. yeares of King Philip and Queene Mary.

1 AN Act for redifying of Castles, &c. for inclosing grounds vpon the borders towards Scotland. 46.b
2 For redifying of decayed houses, and for increase of tillage. 216.a
3 For keeping of milch Kine, and rearing of Caines. 41.b
4 For extinguishment of First fruits, and order of spirituall promotions &c. 170.b
5 For releefe for the poore. 418.b
6 Against excessiue taking of Purueyors. 333.b
7 For buying of stoine Horses. 158.a
8 For amending High wayes. 200.b
9 For auoiding licences of houses, wherein vnlawfull games be vsed. 317.b
10 For examination of prisoners suspected of manslaughter or felonie. 319.c
11 For Weauers. 120.c
12 For buying and selling of Clothes called Bridgewaters. 120.d
13 For the inhabitants of Halyfax, for buying of wooll. 483.b
14 For redifying of foure mills neere Hereford. 199.b
15 That purueyors shall not take victuales within fiue miles of Cambridge and Oxford. 434.a
16 For watermen vpon Thames. 301.a
17 For taking away the Clergie from Benet Smith, for murthering Guilford. 52.c
18 For commissions of Peace and Gaole deliuerie in Townes corporate, not being Counties. 233.a
19 For Powdike in Marshland. 159.c
20 For the inlarging of the Duchie of Lancaster. 243.c
21 For continuation of certaine Statutes. 21.c.205.a. 284.b.350.a.477.b.482.b
22 For a Subsidie graunted by the Clergie. 395.a
23 For a Subsidie granted by the Temporaltie. 395.a

¶The 4. and 5. yeares of King Philip and and Queene Mary.

1 AN Act for confirmation of Letters Patents. 55.b.305.b
2 For hauing horse, armour, and weapon. 15.c. 75.a
3 For taking of Musters. 383.c
4 That accessaries in murther, and diuers felonies, shall not haue their Clergie. 52.b
5 For making of Woollen Clothes. 122.b
6 For the behauiour of Frenchmen being denizens. 99.b
7 For making a full Iurie de Circumstantibus, where the King or Quene is partie. 228.b
8 For punishment of such as take away maidens, &c. within sixteene yeares of age &c. 484.b
9 For continuance of certaine Statutes. 21.c.205.a. 216.a.284.b.350.a.418.b. 477.b. 482.b
10 For a Subsidie of the Clergie. 395.a
11 For a Subsidie and a Fifteene graunted by the Temporaltie. 395.a

¶ Statutes made in the time of Queene Elizabeth, the beginning of her raigne. Añ 1558. Nouemb. 17.

¶The first yeare.

1 AN Act for restoring to the Crowne the auncient iurisdiction &c. 50.a. 78.b. 133.b. 199.c. 266.a. 290.b. 353.c. 354.b. 357.b. 360.c 365.c. 388.b
2 For vniformitie of Prayer, and administration of the Sacraments. 368.b
3 For recognising the Quéene to the Crowne. 79.a
4 For restitution of First fruits and Tenthes, &c. to the Crowne. 171.b
5 Certaine offences made Treason. 410.a

6 For explanation of the statute for seditious words, &c. 285.a
7 For conueying horses into Scotland. 159.b. 208.a
8 For Shoomakers and Curriers. 57.b
9 For Tanners and tanned Leather. 57.b
10 That carrying of Leather, &c. out of the Realme shall be felonie. 57.b
11 Times for landing of marchandize, & for customes of sweet wines. 260.c
12 Against deceitfull vsing of Linnen Cloth. 248.b
13 For shipping in English bottomes. 376.a
14 For making of woollen Cloth in diuers Townes in Essex. 122.b
15 That no Timber shall be felled to make coales for burning of Iron. 477.c
16 Against rebellious assemblies. 350.a
17 For preseruation of spawne, and frie of fish. 174.b
18 For continuance of certaine Statutes. 21.c.216.a. 418.b.477.b.482.b
19 For a Subsidie of Tonnage and Poundage. 395.b
20 For a Subsidie and two Fifteenes and Tenthes graunted by the Temporaltie. 395.a

¶The 5. yeare of Q. Elizabeth.

1 AN Act for the assurance of the Quenes power ouer all estates, &c. 80.c
2 For maintenance and increase of tillage. 218.b
3 For releefe of the poore. 418.b
4 Orders for Artificers and Labourers, &c. 233.b. 241.b
5 Constitutions for maintenance of the Nauie. 377.b
6 Against such as shall sell Ware for apparrell. 11.c
7 For auoiding of forraine wares. 461.a
8 For Shoomakers &c. vsing cutting of leather. 56.c. 57.b
9 For punishment of Periurie. 310.b
10 For seruants imbesilling their maisters goods. 159.b
11 For clipping &c. of Coynes. 277.b. 410.b
12 For Badgers of Coyne and vsouers of Cattell to be licenced. 64.b
13 For amending of High wayes. 201.a
14 Against forging of euidences &c. 181.c
15 Against fond and fantasticall Prophecies. 324.c
16 Against Conjurations &c. 55.b
17 For punishment of Buggerie. 159.b
18 That the authoritie of the Lord Keeper, and Lord Chancelor shall be one. 273.a
19 For repeale of a Statute for conueying horses out of the Realme. 208.a
20 For punishing of Vagabonds, saying themselues Egyptians. 134.b
21 For punishment of vnlawfull taking of Fish &c. 175.a
22 Against carrying of Sheepe skins and pelts ouer the Sea. 260.b
23 For due execution of the writ of Excommunicato capiendo. 149.c
24 For repairing of Gaoles. 319.b.c
25 For filling of Iuries (de circumstantibus) in Wales 229.a
26 For inrolling Indentures of Record at Lancaster, &c.
27 For leuying Fines in the Countie Palantine of Durham.
28 For translating the Bible and Diuine Seruice into the welsh tongue.
29 For a Subsidie graunted by the Clergie. 395.b
30 For a Subsidie, two Fifteenes & Tenthes graunted by the Temporaltie. 395.b
31 For a generall pardon. 292.b

¶The 8. yeare of Q. Elizabeth.

1 AN act for making of Archbishops and Bishops to be lawfull. 29.a.c
2 That the defendant shall recouer his costes. 322.c
3 Against carrying of Sheepe ouer the Sea aliue. 378.b
4 For taking away the Clergie from certaine felonious offenders. 53.a
5 For abridgement of appeales in suits of ciuile and marine causes. 53.b

6 For Clothworkers, and Cloth to be shipped ouer Sea. 122.c
7 For Drapers in Shrewsburie. 122.d
8 For repeale of a branch of a statute for the stature of horses in the Ile of Ely &c. 308.b
9 For repeale of a branch of a statute for the prices of Barrels and Kilderkins. 69.a
10 For Bowyers and the price of Bowes. 30.d
11 For true making of Hats and Caps. 196.a
12 For auinagers in Lancashire, and for the measure of Cottons, &c. 123.c
13 For Sea markes and Mariners. 262.b
14 For transporting of tawed Leather. 260.d
15 For preseruation of graine. 76.a
16 That in diuers Counties there shall be but one Shirife. 386.d
17 For a Subsidie graunted by the Clergie. 395.d
18 For a Fifteene and Tenth graunted by the Temporaltie. 395.b
19 For a generall pardon. 292.b

¶The 13. yeare of Q. Elizabeth.

1 AN act whereby certaine offences be made Treason. 411.b
2 For bringing in, and putting in execution Bulles from Rome. 81.d
3 For fugitiues ouer the Sea. 192.d
4 To make the lands &c. of Receiuers lyable for their debts. 102.b
5 Against fraudulent deedes, gifts, alienations, &c. 187.c
6 That exemplifications of Letters Patents, shall be as good as Letters Patents. 195.b
7 For orders for Bankrupts. 26.a
8 Against Vsurie. 439.a
9 For Commission of Sewers. 272.b
10 Against frauds, defeating remedies for dilapidations. 106.b.244.c
11 For maintenance of Nauigation. 380.a
12 To reforme disorders touching Ministers of the Church. 389.a
13 For increase of Tillage. 64.b
14 For bringing Bowstaues into the Realme. 31.a
15 That no Hop shall croffe the Sea. 380.b
16 For the attainder of the Earle of Westmerland and the Earle of Northumberland. 18.c
17 For the Earle of Leicester to found an Hospitall. 208.b
18 For bringing of the Riuer of Lee, to the North side of London. 246.b
19 For making of Cappes. 196.a
20 For Leases of Benefices, and other Ecclesiasticall liuings. 244.b
21 That Purueyors may take Coyne and Victuals within fiue myles of Cambridge and Oxford, in certaine cases. 434.b
22 For continuance of the statute for diuision of Shirifes. 387.a
23 For pauing a street without Algate. 308.c
24 For pauing of Ipswich. 225.b
25 For continuance of certaine Statutes. 21.c. 30.b. 39.b. 40.b. 41.a.b. 64.b. 174.b. 182.b. 218.b. 310.b. 319.b.c. 461.a. 477.b.c. 482.b
26 For a Subsidie graunted by the Clergie. 395.b
27 For a Subsidie, two Fifteenes & Tenthes graunted by the Temporaltie. 395.b
28 For a generall pardon. 292.b

¶The 14. yeare of Q. Elizabeth.

1 AN Act for punishment of such as rebelliously detaine any of the Queenes Castles &c. 160.b. 411.c
2 Against such as practise the enlargement of any prisoner committed for high Treason. 160.b. 411.b
3 Against counterfeiting any forreine coyne not currant within this Realme. 279.b
4 For inhibiting the carrying of Leather, Tallow, &c. out of the Realme. 57.b
5 For punishment of Vagabonds, and relefe of the poore. 423.a
6 For explanation of a statute against Fugitiues ouer the Seas. 192.b
7 Against deceit of Vndercollectors of Tenths and Subsidies. 103.a
8 For auoyding recoueries suffered by collusion by tenants for terme of life &c. 339.b
9 That the tenant or defendant may haue a Tales de Circumstantibus, as well as the demandant or plaintife. 229.a
10 To reforme the excessiue length of Kersies. 123.c
11 For continuance, explanation, &c. of diuers Statutes. 30.b. 39.b. 40.c.d. 41.a. 106.b. 174.b. 187.c. 218.b. 245.a. 310.b. 461.a
12 For repeale of a statute for Shrewsburie.
13 For annexing Hexam & Hexamshire to Northumberland. 199.b

¶The 18. yeare of Q. Elizabeth.

1 AN Act against diminishing of the Queenes coyne, and other coynes current within the Realme. 412.a
2 A confirmation as well of Graunts made to the Queene, as of Letters Patents made by her to others. 306.b
3 For setting poore people on worke. 423.a. 425.a
4 For auoiding frauds in certain conueyances made by the Rebels in the North. 188.a
5 To redresse disorders in common Informers vpon penall Lawes. 223.b
6 For maintenance of the Colledges in both Vniuersities, and in Winchester and Eaton. 245.b. 434.b
7 For taking away Clergie from the offenders in Rape and Burglorie, and an order for deliuering Clerks conuict without purgation. 53.b
8 For appointing and authorising Iustices of Assises in Wales. 454.a
9 Against transporting of Leather &c. 57.b. 58.b
10 For mending of High wayes. 201.b
11 Against defeating Dilapidations, and Leases of spirituall promotions in some respects. 246.a
12 For triall of Nisi prius in Middlesex. 287.c
13 For Offices found within the Counties Palantines.
14 For reformation of Jeofailes. 221.b
15 For abuses in Goldsmithes. 195.a
16 For toleration of certaine Clothiers to dwell out of Townes corporate. 124.a
17 For perpetuall maintenance of Rochester Bridge. 34.b
18 For repairing of Cheyslow Bridge. 34.c
19 For pauing of Chichester. 308.c
20 For repairing bridges and highwayes neere Oxford. 34.b
21 For releefe and redifying of new Woodstock. 405.c
22 For a Subsidie graunted by the Clergie. 395.b
23 For two Fifteenes & Tenthes, and one Subsidie graunted by the Temporaltie. 395.b
24 For a generall pardon. 292.b

¶The 23. yeare of Q. Elizabeth.

1 FOr retayning the Queenes subiects in their due obedience. 82.c
2 For seditious words vttered against the Queene. 286.a
3 Touching errors in Fines and Recoueries. 139.c
4 For fortifying the borders neere Scotland. 46.b. 364.c
5 Concerning Iron milles neere London. 478.a
6 For repairing of Douer Hauen. 109.b
7 For the increase of Mariners, and maintenance of the Navie. 380.b
8 For the true making of wax. 463.b
9 For the abolishing of blacke Woad and other deceitfull stuffe in the dying of Cloth. 124.b
10 For preseruation of Fesants and Partridges. 161.c
11 For the redifying of Eastdike bridge. 35.c
12 For pauing the streets without Algate. 308.c
13 For inning of Earith and Plumsted Marsh. 317.c
14 & 15 Acts for Subsidies graunted. 395.b
16 An Act for a generall pardon. 292.b

The 27. yeare of Q. Elizabeth.

1 AN act for the surety of the Queenes Maiesties most royall person. 83.b

☞ 2 Against Iesuits, Seminarie Priestes, and such other like disobedient persons. 412.b

3 For the explanation of a statute made 13. Eliz. intituled, An act to make the lands &c. of tellers and receiuers lyable to the payment of their debts. 102.b

4 Against couenous and fraudulent conueyances. 189.b

5 For expedition of iustice in cases of demurrers. 106.a

6 For returning of sufficient Iurors. 219.c

☞ 7 For leuying of issues lost by Iurors. 387.a

8 For redresse of erronious iudgements in the kings Bench. 139.c

☞ 9 For reformation of Errors in fines and recoueries in the twelue Shires of wales, Towne and Counties of Hauerford west, with the Counties Palantine. 455.b

10 For continuance of a former statute, intituled, An act to redresse disorders in common Informers vpon penall Statutes made in the 18. yeare of her Maiesties raigne. 223.b

11 For the reuiuing, continuation, explanation, and perfecting of diuers statutes. 30.b. 39.b. 40.b. 41.a. 174.b. 187.c. 201.a. 218.b. 244.b. 310.b. 378.a. 423.a. 425.a. 434.b. 439.a. 461.a

☞ 12 For swearing of Vndersheriffes, and other officers, &c. 387.c

☞ 13 For following of Hue and Cry. 352.b

14 For the reuiuing of a former statute for the true making of Malt. 254.b

15 For the bringing in of Staple Fish and Herrings into this Realme. 380.b

16 Touching artificers vsing cutting of Leather. 58.b

17 Touching the breadth of white woollen Clothes in Somerset, Wiltshire, Glocester, and Oxford. 124.b

18 Concerning plaine white Streits & pinned white Streits in Deuonshire and Cornwall 125.b

☞ 19 For preseruation of Timber in the Weelds of Sussex, Surrey, and Kent, and for the amendment of high wayes decayed by carriage to and fro the Iron Milles there. 478.b

20 For preseruation of the Hauen at Plimmouth. 197.b

21 For preseruation of Oxford Hauen. 198.a

22 For bringing the Hauen of Chichester by a new cut channell to the suburbes of the same Citie. 199.b

23 For Cloth making in Boxsted and Langham in Essex. 125.b

☞ 24 For keeping of the sea bankes and sea workes in the Countie of Norfolke. 23.b

25 For the explanation of the statute for the maintenance of Rochester Bridge. 35.b

☞ 26 For the explanation of a statute for the amending of highwayes betweene Middleton and the Kings Ferrie in Kent. 202.b

27 For the inning of Earith and Plumsted Marsh. 317.b

28 For one Subsidie, and two Fiftenes and Tenths graunted by the Temporalitie. 395.b

29 For the Queenes Maiesties generall and free pardon. 292.b

¶The 28. yeare of Q. Elizabeth.

1 An act for the attainder of Thomas late Lord Paget and others. 18.b

2 Concerning Errors in records of attainders of high Treason. 413.a

3 To auoid fraudulent assurances made in certaine cases by Traitors. 189.c

4 To preuent extortion in Shirifes, Vndershiriues, and Bayliues of Franchises in cases of execution. 387.b

☞ 5 For the continuance and perfecting of diuers statutes. 30.b. 39.b. 40.b. 41.a. 174.b. 187.c. 201.a. 218.b. 224.a. 244.b. 310.b. 378.a. 387.a.c. 423.a. 425.a. 434.b. 439.a. 461.b. 469.b

6 For the speedie execution of certaine branches of the statute made 23. Eliz. intituled, An act to retaine the Queenes Maiesties subiects in their due obedience. 84.a

7 For one Subsidie graunted by the Clergie. 395.b

8 For one entire Subsidie, and two Fiftenes and Tenths graunted by the Temporalitie. 395.b

9 For the Queenes Maiesties Pardon. 292.b

¶The 31. yeare of Q. Elizabeth.

1 Against discontinuances of writs of Error in the Court of Eschequer, and the kings bench. 140.a

2 For abridging of Proclamations vpon fines to be leuied by the common law. 165.b

3 For the auoiding of priuie and secret Outlaries of her Maiesties subiects. 155.b

4 Against imbesilling of armour, habilliments of warre and victuall. 15.b

5 Concerning Informers. 4.a

6 Against abuses in election of Scholers, and presentation to Benefices. 131.b

☞ 7 Against erecting and maintaining of cottages. 67.b

8 For the true gauging of vessels, brought from beyond the Seas, conuerted by Brewers for the vttering and sale of Ale and Beere. 193.c

9 For writs vpon Proclamations and Exigents to be current within the Countie Palantine of Durham. 133.b

10 For continuance & perfecting of diuers Statutes. 30.b. 39.b. 40.b. 41.a. 174.c. 218.b. 224.a. 244.b. 378.a. 387.b. 423.a. 425.a. 434.b. 439.a. 461.b. 469.b

11 An act for explanation or declaration of the statute of 8. Regis Hen. 6. concerning forcible entries, and the indictments thereupon found. 177.a

☞ 12 To auoid Horsestealing. 158.c

13 For reuiuing and inlarging of a statute made in the 23. yeare of her Maiesties raigne, for repairing of Douer Hauen. 109.b

14 For confirmation of the Subsidies of the Clergie. 395.b

15 For the graunting of foure Fiftenes & Tenthes, and two entire Subsidies to our most gracious Soueraigne Lady the Queenes most excellent Maiestie. 395.b

16 For the Queenes Maiesties most gracious, generall, and free pardon. 292.b

¶The 35. yeare of Q. Elizabeth.

☞ 1 An act to retaine the Queenes Maiesties subiects in their due obedience. 86.b

☞ 2 For the restraining of Popish Recusants to some certaine places of abode. 85.b

3 For explanation of a statute made in the 34. yere of King Henry the eight, as well touching Graunts made to his Maiestie, as for confirmation of Letters Patents made by his Highnesse to others. 307.b

☞ 4 For the necessarie releefe of souldiers & mariners. 42.b

5 For explanation and confirmation of the Queenes Maiesties title to the lands and tenements late sir Francis Englefields Knight, attainted of high Treason. 18.b

☞ 6 Against conuerting of great houses into seuerall tenements, and for restraint of Inmates and Incloisures in and neere about the Citie of London and Westminster. 252.b

7 For the reuiuing, continuance, explanation, & perfecting of diuers statutes. 23.b. 30.b. 34.b. 39.b. 40.b. 41.a. 109.b.c. 124.b. 174.c. 193.c. 197.b. 218.b. 244.b. 248.b. 254.b. 378.a.c. 387.b. 418.b. 423.a. 425.a. 434.b. 439.a. 461.b. 469.b

8 For the auoiding of deceit vsed in making and selling of twicelard cordage, and for the better preseruing of the Name of this Realme. 40.a

9 Touching the breadth of Plunkets, Tzures, and Bieswes, and other coloured Clothes made within the Countie of Somerset & elsewhere of like making. 125.b

10 For reformation of sundry abuses in Clothes, called Deuonshire Kersies or Dozens, according to a Proclamation of the xxxiij. yere of the Queenes Maiesties raigne. 126.c

11 For the bringing in of Clapboord from the parts of beyond the seas, and the restraining of the transporting of wine Caske, for the sparing & preseruing of Timber within this Realme. 50.b

12 For the confirmation of the Subsidies of the Clergie. 395.b

13 For the graunting of three entire Subsidies and six Fiftenes and Tenthes graunted by the Temporalitie. 395.b

14 For the Queenes Maiesties most gracious, generall, and free pardon. 292.c

¶The 39. yeare of Q. Elizabeth.

1 AN Act against the decaying of Townes & houses of husbandrie. 220.a
2 For maintenance of husbandrie and tillage. 221.b
3 For releefe of the poore. 423.a.425.a
4 For punishment of Rogues, Vagabonds, & sturdie beggers. 426.b
5 For erecting of Hospitals, or abiding and working houses for the poore. 209.c
6 For reformation of deceits and breaches of Trust touching lands given to charitable vses. 209.c
7 For the more speedy payment of the Queenes Maiesties debts, and for the better explanation of the Act made in the 13. yere of the Queenes Maiestie, intituled, An Act to make the lands, tenements, goods and cattels of Tellers, Receuers, &c. lyable to the payment of their debts. 103.b
8 For the confirmation and establishment of the deprivation of diuers Bishops & Deanes in the beginning of her Maiesties raigne. 29.c
9 For the taking away of Clergie from offenders, against a certaine Statute made in the third yere of King Henry the 7. concerning the taking away of women against their wils vnlawfully. 53.b
10 For the increase of Mariners, and maintenance of Nauigation, repealing a Statute made in the 23 yeare of her Maiesties raigne, bearing the same title. 381.c
11 For the better execution of the Statute made in the 23. yeare of the Queenes Maiesties raigne, for the abolishing of Logwood, alias Blockwood, in the dying of cloth, wooll, or yarne. 126.b
12 For explanation of the statute made in the 5. yere of her Maiesties raigne concerning Labourers. 242.a
13 For explanation of an Act made in the 11. yeare of King Henry the 7. for Fustians. 193.a
14 For the prohibiting of the bringing into this Realme of foreine Cards for wooll. 126.b
15 That no person robbing any house in the day time, although no person be therein, shall be admitted to haue the benefit of his Clergie. 53.b
16 For the restraining of the excessiue making of Malt. 255.a
17 Against lewd and wandering persons pretending themselues to be Souldiers and Mariners. 427.b
18 For the reuiuing, continuance, explanation, perfecting, and repealing of diuers statutes. 30.b.34.b.39.b. 40.b.41.a.86.b.109.b.126.c.174.c.189.a.193.c.244.b. 248.b.254.b.378.a.387.b.423.a.434.b.439.a.461.b. 469.b.478.b
19 For the amendment of Highwayes in the Counties of Sussex, Surrey, and Kent. 202.b
20 Against the deceitfull stretching and tainting of Northren Cloth. 128.b
21 For the further continuance and explanation of an Act for the necessarie releefe of Souldiers & Mariners, made in the 35. yeare of the Queenes Maiesties raigne that now is. 42.b
22 For the establishing of the Bishoprick of Norwich and the possessions of the same, against a certaine pretended concealed title made thereunto. 288.b
23 For the repairing of the bridges of Newport and Carlton, in the Countie of Monmouth. 36.a
24 For the erecting and building of a Bridge ouer the River of Wie, at Wilton vpon Wie, neere to the towne of Rosse, in the Countie of Hereford. 37.b
25 For enlarging of the Statute made for following Hue & Cry, the 27. yeare of her Maiesties raigne, in some sort to relieue the inhabitants of the small Hundred of Wexterst, alias Wenherst, in cases where they are in no voluntarie default, & yet are or shalbe charged by the same Statute, & by the two ancient Statutes, the one made the 13. yere of King Edward the first, the other in the 28. yere of Edward the third, for repressing of Robberies. 352.c
26 For the granting of three Subsidies, six Fifteenes & Tenths, and three other Subsidies of lesse value. 395.b
27 For the Queenes Maiesties most gracious and generall pardon. 292.c

¶The 43. yeare of Q. Elizabeth.

1 AN Act for confirmation of Grants made to the Queenes Maiestie, and of Letters Patents made by her Highnesse to others. 308.c

2 For the releefe of the poore. 425.b.429.a
3 For the necessarie releefe of Souldiers and Mariners. 42.b.44.a
4 For the redressing of the misimployment of lands, goods, and stocks of money heretofore given to charitable vses. 210.c
5 For the preuenting of Periurie, and subornation of Periurie, and vnnecessarie expences in suits of Law. 66.b
6 For the auoyding of trifling and frivolous suites in Law, in her Maiesties Courts at Westminster. 99.b. 387.b
7 For the auoiding and preuenting of diuers misdemeanors in lewd and idle persons. 413.b
8 Against fraudulent administration of Intestates goods. 153.a
9 For continuance of diuers Statutes, and for repeale of some others. 30.b.34.b.39.b.40.b.41.a.86.b. 105.b.109.b.126.c.b.174.c.193.b.209.c.220.a.221.b. 242.a.244.b.248.b.254.b.255.a.378.a.381.c.423.a. 425.a.426.b.427.b.434.b.461.b.469.b
10 For the true working and making of Woollen Cloth. 129.c
11 For the recouerie of many hundred thousand acres of marishes, and other grounds, subiect commonly to surrounding, within the Isle of Ely, and the Counties of Cambridge, Huntingdon, Northampton, Lincolne, Norfolke, Suffolke, Sussex, Essex, Kent, and the Countie Palantine of Durham. 15.a
12 For matters of assurances amongst Marchants. 261.b
13 For the more peaceable gouernment of the parts of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham. 160.b
14 For the allise of Fewell. 190.b
15 For the leuying of Fines with Proclamation of lands within the Countie of the Citie of Chester. 49.b
16 For the reedifying, repairing, and maintaining of two Bridges ouer the River of Eden, neere the Citie of Carlile in Cumberland. 37.b
17 For the confirmation of the Subsidies granted by the Clergie. 395.b
18 For the graunt of foure entire Subsidies, and eight Fifteenes and Tenthes graunted by the Temporaltie. 395.b
19 For the Queenes Maiesties most gracious generall and free pardon. 292.c

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¶The Statutes made in the time of King Iames, the beginning of his raigne. Anno 1602, Martij 24.

¶The first yeare.

1 A Most ioyfull and iust Recognition of the immediate, lawfull and vndoubted Succession, Descent, and Right of the Crowne. 86.c
2 An act authorizing certaine Commissioners of the Realme of England to treat with Commissioners of Scotland, for the weale of both Kingdomes. 136.b
3 An Act against the diminution of the possessions of Archbishoprickes and Bishoprickes, and for auoyding of Dilapidations of the same. 29.b
4 An Act for the due execution of the Statutes against Iesuites, Seminarie Priests, Recusants, &c. 89.b
5 An Act to preuent the ouercharge of the people by Stewards of Court Leets and Court Barons. 247.a
6 An Act made for the explanation of the Statute made in the fift yeare of the late Queene Elizabeths raigne, concerning Labourers. 242.c
7 An Act for the continuance and explanation of the Statute made in the 39. yeare of the raigne of our late Queene Elizabeth, intituled, An act for punishment of Rogues, Vagabonds, and sturdie Beggers. 429.b
8 An act to take away the benefit of Clergie for some kind of Manslaughter. 53.c
9 An act to restraine the inordinate haunting and tipling in Innes, Alehouses, and other Victualling houses. 7.b
10 An act for the better execution of Iustice. 230.b

11 An

11 An acte to restraine all persons from marriage, vntill their former wiues and former husbands be dead. 266.b

12 An act against Coniuration, witchcraft, and dealing with euill and wicked spirits. 55.b

13 An act for new Executions to be sued against any, which shall hereafter be deliuered out of Execution by priuiledge of Parliament, and for discharge of them, out of whose custodie such persons shall be deliuered. 150.b

14 An act for recouerie of small debts, and reteyning of poore debtors in London. 100.c

15 An act for the better releefe of the creditors, against such as shall become Bankrupts. 27.c

16 An act concerning Wherrymen and Watermen. 301.b

17 An act for the better execution of former Lawes, touching the making of Hats and Felts, & for the more restraint of deceitfull and deceiuable workmanship therein vsed, to the wrong of all sorts of the people of this Realme. 196.b

18 An act for auoiding of deceitfull selling, buying, or spending corrupt and vnwholesome Hops. 203.b

19 An act for the well garbling of Spices. 388.c

20 An act for redresse of certaine abuses and deceits vsed in Painting. 191.a

21 An act against Brokers. 59.a

22 An act concerning Tanners, Curriers, Shoomakers, and other artificers occupying the cutting of Leather. 62.b

23 An act for the better preseruation of Fishing in the Counties of Somerset, Deuon, and Cornewall, and for the releefe of Walkers, Conders, and Fishermen, against malicious suits. 175.b

24 An act against the deceitfull & false making of Wilderuis and Double Dauies, whereof Sayle clothes for the Mayne, and other shipping are made. 381.b

25 An act for continuing and reuiuing of diuers Statutes, and for repealing of some others. 11.c. 15.c. 23.d. 29.a.30.a.d.34.d.39.d.40.d.41.a.44.a.50.b.62.b.65.a. 86.b.99.b.103.a.d.106.b.126.c.127.a.129.c.174.c. 193.d.195.d.197.b.203.a.c.220.a.221.b.241.a.244.d. 248.b.254.d.255.a.266.a.301.c.310.d.362.d.365.c. 366.b.378.a.381.c.423.a.425.a.426.d.427.b.429.a. 434.b.461.b.469.b.475.a

26 An act for the continuance and due obseruation of certaine orders for the Exchequer, first set downe and established by vertue of a Priuie Seale, from the late Queene Elizabeth. 143.c

27 An act for the better execution of the intent & meaning of former Statutes, made against shooting in Gunnes, and for the preseruation of the Game of Phesants and Partridges, And against the destroying of Hares with Harepypes, and tracing Hares in the Snow. 162.a

28 An act for confirmation of the Kings Maiesties Charter and Letters Patents graunted to the Mayor, Bayliues, and Burgesses of the Borough of Barwicke vpon Twede, and their [illegible], and of the Franchises, Liberties, Priuiledges, [illegible]tions, and Customes of the said Borough. 28.c

29 An act to encourage the Seamen of England to take Fish, whereby they may encrease, to furnish the Maxie of England. 382.a

30 An act for the erecting and building of a Church in Melcombe Regis, to be the parish Church of Radipol, And for making the old Church of Radipol a Chappell belonging to the same. 333.c

31 An act for the charitable releefe and ordering of persons infected with the Plague. 315.b

32 An act for repaire of Douer Hauen. 109.b

33 An act of a Subsidie of Tonnage and Poundage. 396.c

¶The 3. yeare of King Iames.

1 AN act for a publike Thanksgiuing to Almightie God euery yeare on the fift day of Nouember. 368.c

2 An act for the attainders of diuers offendors in the late most barbarous, monstrous, detestable, and damnable Treasons. 18.b

3 An act declaratorie, explaning a Branch of an Act made in the first Session of this Parliament, intituled, An Act authorizing certaine Commissioners of the Realme of England to treat with Commissioners of Scotland, for the weale of both Kingdomes. 136.c

4 An act for the better discouering and repressing of Popish Recusants. 90.b

5 An act to preuent and auoid dangers, which may grow by Popish Recusants. 92.b

6 An act to enable all his Maiesties louing subiects of England and Wales, to trade freely into the dominions of Spaine, Portugal, and France. 261.c

7 An act to reforme the multitudes and misdemenors of Attorneys and Solicitors at Law, and to auoid sundry vnnecessarie suites and charges in Law. 122.b

8 An act for the auoiding of vnnecessarie delayes of Execution. 150.b

9 An act for the releefe of such as lawfully vse the trade and handycraft of Skinners. 261.b

10 An act for the rating and leuying of the charges for conueying of malefactors and offendors to the Gaole. 320.b

11 An act for transportation of Were ouer the seas. 65.b

12 An act for the better preseruation of Sea Fish. 175.b

13 An act against vnlawfull hunting and stealing of Deere and Conies. 211.c

14 An act for the explanation of the statute of Sewers. 392.b

15 An act for the recouering of small debts, and for the releeuing of poore debtors in London. 101.a

16 An act for the repeale of one act made in the 14. yere of Queen Elizabeths raigne, concerning the length of Kersies. 129.b

17 An act concerning welsh Cottons. 129.b

18 An act for the bringing in of a fresh streame of running water to the North parts of the Citie of London. 199.b

19 An act for repairing of the high way from Mansfuch to Talewoorth in the parishes of Ewell, and long Ditton, in the Countie of Surrey, leading to Kingston vpon Thames in the Countie aforesaid. 203.a

20 An act for cleering the passage by water from London to and beyond the Citie of Oxford. 199.b

21 An act to restraine abuses of Players. 317.b

22 An act for pauing of Drury Lane, and the Towne of Saint Giles in the Fields, within the Countie of Middlesex. 308.c

23 An act for the new making vp, and keeping in reparation of Chepstow Bridge. 38.b

24 An act for the redikping of a Bridge ouer the Riuer of Seuerne, neere the towne of Upton vpon Seuerne. 38.b

25 An act for the confirmation of the Subsidies graunted by the Clergie. 396.c

26 An act for the Graunt of three entire Subsidies, and six Fifteenes and Tenths, graunted by the Temporaltie. 396.c

27 An act for the Kings most gracious, generall, and free Pardon. 295.b

¶The 4. yeare of King Iames.

1 AN act for the vtter abolition of all memorie of hostilitie, and the dependances thereof, betweene England and Scotland, and for the repressing of occasions of discords and disorders in time to come. 137.b. 277.b.298.a

2 An act for the true making of woollen Clothes. 131.b

3 An act to giue costes to the defendant vpon a nonsuit of the plaintife, or a verdict against him. 99.b

4 An act to restraine the vttering of Were & Ale to Alehouse keepers and Tipplers not licenced. 7.c

5 An act for repressing the odious & loathsome sinne of Drunkennesse. 132.b

6 An act for the repealing of so much of one branch of a statute made in the first yere of his Maiesties raigne, intituled, An act concerning Tanners, Curriers, Shoomakers, and other artificers, occupying the cutting of Leather, as concerneth the sealing of Sheepe skins, and to auoid selling of tanned Leather by weight. 62.c

7 An act for the founding and incorporating of a free Grammar Schoole in the Towne of Northleech in the Countie of Gloucester. 362.b

8 An act touching the drowned Marshes of Lewes and Fants in the Countie of Kent. 263.a

9 An act to explane a former act made the last Session of Parliament, intituled, An act to enable all his Maiesties louing subiects of England and Wales, to trade freely into the dominions of Spaine, Portugall, and France. 261.b

10 An act for confirmation of some part of a Charter graunted by K. Henry the sixt to the Mayor, Baylifes, and Burgesses of the Towne of Southhampton, & for reliefe of the said Towne. 388.b

11 An act for the better provision of Meadow and Pasture, for necessarie maintenance of husbandry and tillage in the Manors, Lordships, & Parishes of Harden, alias Mayarden, Wodenham, Wellington, Sutton S. Michael, Sutton S. Nicholas, Murton vpon Lug, and the parish of Pipe, and euery of them in the Countie of Hereford. 221.b

12 An act for explanation of the statute made in the third yeere of the raigne of King James, intituled, An act for the bringing of a fresh streame of running water to the North parts of the Citie of London. 199.b

13 An act for the drayning of certaine Fennes and low grounds within the Isle of Ely, subiect to hurt by surrounding, containing about six thousand acres, compassed about with certaine bankes, commonly called and named the King of Waldersey and Coldham. 283.a

¶ The 7. yeare of King Iames.

☞ 1 A Act for the better execution of Justice, and suppressing of criminall offendors in the North parts of the Kingdome of England. 138.a

2 An act, that all such as are to be naturalized or restored in Blood, shall first receiue the Sacrament of the Lords Supper, and the Oath of Allegeance, & the Oath of Supremacie. 93.a

☞ 3 An act for the continuing and better maintenance of husbandry, and other manuell occupations, by the true imployment of moneys giuen, and to be giuen, for the binding out of apprentices. 137.b

4 An act for the due execution of diuers Lawes and Statutes heretofore made against Rogues, Vagabonds, and sturdie Beggers, and other lewd and idle persons. 430.b

5 An act for ease in pleading, against troublesome and contentious suites, prosecuted against Justices of the Peace, Mayors, Constables, and certaine other his Maiesties Officers, for the lawfull execution of their Office. 147.b

☞ 6 An act for administring the Oath of Allegeance, and reformation of married women Recusants. 94.b

☞ 7 An act for the punishing and correcting of deceits and frauds committed by Dexters, Kembers, and Spinsters of woll, and weauers of woollen yarne. 132.a

8 An act to enlarge an act of Parliament made in the second and third yeare of King Philip and Marie for, intituled, An act for the keeping of Milch Kine, and for the breeding and rearing of Calues. 41.c

9 An act for the bringing of fresh streames of water by engine from Hackney Marsh to the Citie of London, for the benefit of the Kings Colledge at Chelsey. 63.b

10 An act for reformation of Victuall keepers. 7.c

☞ 11 An act to preuent the spoyle of Corne and Graine by vntimely Hawking, and for the better preseruation of Fesants and Partridges. 161.b

12 An act to auoid the double payment of debts. 101.b

13 An act for the explanation of one Statute made in the second Session of this present Parliament, intituled, An act against vnlawfull Hunting, and stealing of Deere and Conies. 212.a

14 An act for the reuiuing of part of a former act made in the fourth yeare of King Edward the fourth, that no stranger or alien should buy any English Hornes vnwrought, and that the wardens of the Horners of the Citie of London for the time being should haue power to search all manner of wares appertaining to their Mysterie, in London, and foure and twentie myles on euery side of it. 204.a

15 An act concerning some manner of assignements of debts to his Maiestie. 105.b

16 An act for the encouraging of many poore people in Cumberland and Westmerland, and in the Townes and Parishes of Carlpmeale, Hawkshead, and Broughton, in the Countie of Lancaster, to continue their trade of making Cogware, Kendals, Carlpmeales, and course Cottons. 132.b

☞ 17 An act against burning of Ling and Heath, and other Mor-burning in the Counties of Yorke, Durham, Northumberland, Cumberland, Westmerland, Lancaster, Darbie, Nottingham, and Leicester, at vnseasonable times of the yeare. 280.a

18 An act for the taking, landing, and carrying of sea-sand, for the bettering of grounds, and for the increase of Corne and Tillage within the Counties of Deuon and Cornewall. 221.c

19 An act for the continuance and reparation of a new built Weare vpon the River of Exe, neere vnto the Citie of Exeter. 469.b

20 An act for the speedie reconerie of many thousand acres of Marsh grounds, and other grounds within the Counties of Norfolke and Suffolke, lately surrounded by the rage of the sea in diuers parts of the said Counties, and for the preuention of the danger of the like surrounding hereafter. 265.b

21 An act for confirmation of Decrees hereafter to be made in the Exchequer Chamber, & Duchie Court, concerning customarie or copyhold lands & tenements. 63.c

22 An act for the confirmation of the Subsidie granted by the Clergie. 396.c

23 An act for the Graunt of one entire Subsidie, & one Fifteenth and Tenth granted by the Temporaltie. 396.c

24 An act for the Kings most gracious, generall, and free Pardon. 295.b

FINIS.

Glenchus

Elenchus Parliamentorum, in quibus quæ apud nos tum impressa Statuta prostant, à tempore Henrici 3. vsque

præsentem diem ædita sunt, iuxta temporis seriem digest. cum titulis quibus vetera statuta vulgò citantur.

¶ *Tempore Henrici tertij, Initium Regni sui. Anno* 1216. *Octobris* 19.

9 Magna Charta 10. Februarij.
Charta de Foresta eodem die.
14 Hibern de coheredibus.
20 Merti.
21 De Ano Bissextili.
38 Sententia lata super chartas.
51 Assisanis & ceruisiæ.
Dies communes in Banco.
Dies communes in dote.
Districtiones Scaccarij.
Lestatut. de Scaccario.
Iudicium collistrigij.
Dictum de Kenelwoorth.
De compos. Mensurarum.
De Ponderibus & Mensuris.
52 Marlebridge.

¶ *Tempore E.1. Initium Regni sui, Anno* 1272. *Nouembris* 16.

3 Wemonasterium primum.
4 Exnt. Manerij.
Of Coronatorum.
D Bigamis.
6 Gloestr.
Eplan. Gloecst.
7 Lstatute de def. portand. arma.
D religiosis.
9 Articuli stat. Gloecstr. pur vouchers,
res ceo semble, 9. E.2.
11 Acton Burnell.
Estatute de Champertie.
12 Statuta Walliæ.
13 Vestm̃ secund'.
Le statute Marchant.
Vincheſter.
Circumspectè agatis.
14 Le statute de Oxon. oue les articles de consultation.
17 Gauestон 2. statutes.
Ordinanc' pro statu Hiberniæ.
18 Quia emptores terrarum.
Quo warranto.
Quo warranto nouum.
Modus leuandi fines.
20 Vocat. ad warrantum.
Moneta paruum.
De defens. iuris.
De Vasto.
De inquisition de terr ad manum mort.
21 Non ponend' in Assisis.
Malefactoribus in parcis.
24 De consultatione Angliæ.
25 Confirmation des charters, & sententia est pronounce.
27 Le statute de libert. perquir.
De finibus leuatis.
28 Le statute Articuli super chartas.
Le statute de Wardis & Releuijs.
De appellatis.
29 De Escaetoribus.
30 Quo warranto.
33 De protectionibus.
Le statute diffinitiue de conspirat.
Ordinat. de Inquis.
De conspirat. & champertie per le Liuer Angloyes.
Lestatute Ordinatio de Foresta.
De admensuratione terræ.
34 De coniunctim feoffatis.
Ordinatio Forestæ.
35 De asport. Religios.

Ceux statutes auxi come semble fueront faits in temps E.1. mais la certaintie des ans ieo ne trone vncore.

Modus visus super Statutum Winton.
Dehomage capiendo.
De Iudaismo.
De terris & tenement. non amortis.
De Tallagio non concedendo.

¶ *Tempore Regis E.2. Initium Regni sui, Anno* 1307. *Iulij* 7.

De Militibus.
De frangent. Prison.
Articuli stat. Gloc' corr.
Articuli Cleri.
Stat. Lincoln. des Viconts.
10 De Gauelet.
De terr. Templar.
De Vis. francipleg.
Literæ paten. super prisis bonis cleri.
12 Statutum de Euerwike.
De Essonijs calumniand'.
15 Carlioli de Finibus.
Prærogatiua Regis.
Modus fac' homag'.
De prisis.

¶ Hæc

Elenchus Parliamentorum.

¶ *Hec etiam Statuta extant inter vetera statuta impressa per R. Tottill & alios, in eoque volumine, quæ quo tempore fuerunt edita non satis constat. Videntur autem edita tempore E. 2. aut postea.*

Consuetudines Kanc'.
Capitula Itineris.
Contra Vic' & Cleric'.
Capitula Eschaetriæ.
Iuramentum Regis.
Iuramentum Episcoporum.
Iuramentum Consiliar' Regis.
Iuramentum Escaetorum.
Iuramentum Vicec'.
Iuramentum Maiorum & Balliuorum.
De deuis. Denariorum.
De vendic' farinæ.
Abiuratione latronum.
Ne rector' prosternant arbores.
Ragman de Iustic'.
Consuetudines & Ass. de Foresta.
Compos. de ponderibus.
Statuta Armorum.
Westm̃ 4. de Vic' & alijs de visu ter.
Vis. terr' & Essoin. de seruic' Regis.
De Moneta magnum.
Articuli de Moneta.
Statutum Paris & Ceruis.
Iustic' assign.
Compos. vlnarum.
Extracta Scaccarij.
Exilium H. de Spencer.
Ass. Ceruis.
De catallis Felonum.
Prohibitio super articul' Cleri.
De ten. per legem Angliæ.
Articuli & sacramenta in Itinere.
Anglicè, There is a Statute against the prohibition.

¶ *Tempore Regis E. 3. Initium Regni sui, Anno* 1320. *Ianuarij* 25.

1 Statutum primum, Crastiñ Purific'.
Statutum aliud post Purific'.
2 In tribus septim̃ Pasch. apud Northampt'.
4 Lunæ post Katherinæ.
5 Crastino Michaelis.
9 Crastiñ Ascens. apud Eborum, Statutum de Moneta.
10 Lunæ post Quadrages. de chartis &c.
Lunæ post medium Quadragesimæ.
11 Lunæ post Mathiæ.
14 Mercurij post medium Quadragesimæ.
Eodem die aliud Statutum.
Statutum de Clero, eodem die.
De Corona Angliæ.
15 Quindena Paschæ 1. Octobris.
Repl. de statut. procheine auantdit.
Aliud statutum.
18 Lunæ post oct' Trin.
Statutum pro Clero, eodem die.
Iuramentum Iustic'.
Iuramentum Clericorum Cancell'.
20 7. Maij.
23 The Statute of Laborers.
25 The Statute of Laborers.
De natis in partibus transmarinis.
Oct' Purific'.
Pro Clero in festo Hillarij.
A statute for Clothes, in festo Hillarĩ
For Purueyors.
For Prouisors, Oct' Purific'.
Of the Fifteene leuying, in festo Hillarij.
27 Lunæ post Mathiæ.
Statutum Stapulæ eodem die, cum feod Maior. & consuetud' &c.
28 Lunæ post Marci.
31 Lunæ post septimañ Paschę.
Two other statutes for Herring and Fi.
34 Die dominico ante Conuers. Paul.
35 Of Herrings.
36 Quindena Michaelis.
13. Octob. A Pardon.
37 Veneris in octauis Mich.
38 In octau. Hillarij.
De Prouisionibus.
42 1. Maij.
43 Octauis Trinitatis.
45 Lunæ prima septimana Quadragesimæ
47 Assise of Cloth of Ray, and Scottish coyne.
50 Quindena Hillarij.

¶ *Tempore R. 2. Initium Regni sui, Anno* 1377. *Iunij* 21.

1 Quindena Hillarij.
2 Mercurij post Lucæ, apud Glouc̃estr'.
In Quindena Paschæ apud Westm̃.
3 Lunæ post Hillarij.
4 4. Nouembris apud Northampton.
5 Crastino animarum.
Martis post Iohan. ad Portam Latinam.
6 In octabis Michaelis.
Aliud statutum.
7 Lunę ante omnium Sanctorum.
8 Crastino Martini.
9 Lunę post Lucæ.
10 1. Octobris.
11 Crastino Purific'.
12 Crastino post Natiuitatis Marię. apud Canter'.
13 Lunæ post Hillarij.
Aliud statutum eodem die.
14 Crastino Martini.
15 Crastino animarum.
16 Octabis Hillarij apud Winton.
17 Quindena Hillarij.
20 In festo Vincent.
21 Lunæ post exaltationem Crucis apud Westmonasterium, et inde adiornat' vsque Salop. quindena Hillarij.

¶ *Tem-*

¶ *Tempore H.4. Initium Regni ſui, Anno* 1399. *Septembris* 29.

1 In feſto Fidis.
2 Octabis Hillarij.
4 Craſtino Michaelis.
5 Craſtino Hillarij.
6 6. Octobris apud Couentrie.
7 1. Martij.
9 20. Octobris apud Glouceſter.
11 Quindena Hillarij.
13 Martis, Craſtino animarum.

¶ *Tempore H.5. Initium Regni ſui, Anno* 1412. *Martij* 21.

1 Tres ſeptimañ Paſchæ.
2 30. Aprilis, apud Leiceſter.
Aliud, Lune poſt Octob. Martini.
4 14. Octobris.
5 16. Ianuarij.
7 10. Ianuarij.
9 2. Maij.
Aliud, 1. Decembris.

¶ *Tempore H.6. Initium Regni ſui, Anno* 1422. *Auguſti* 23.

1 Luneante Martini.
2 20. Octobris.
3 30. Aprilis.
4 18. Februarij, apud Leiceſter.
6 Quindena Michaelis.
8 Craſtino Mathiæ.
9 Veneris ante Hillarij.
10 12. Maij.
11 8. Iulij.
14 10. Octobris.
15 21. Ianuarij.
18 Craſtino Martini.
20 In Conuerſ. Pauli.
23 25. Februarij.
25 In feſto Scholaſticæ, 10. Feb. apud Burie S. Edmundi.
27 12. Februarij.
28 6. Nouembris.
29 In feſto Leonardi.
31 6. Martij, apud Reding.
33 9. Iulij.
39 7. Octobris.

¶ *Tempore E.4. Initium Regni ſui, Anno* 1460. *Martij* 4.

1 4 Nouembris.
3 29. Aprilis per diuerſ. prorog. adiorñ vſque
4 21. Ianuarij, ſecund. Seſſion. inde
7 3. Iunij per diuerſ. prorog. adiorñ vſque
8 12. Maij ſecundam Seſſ. inde
12 6. Octobris, & prorogat. vſque
14 23. Februarij ſecundam Seſſ. inde
17 26. Ianuarij.
22 20. Ianuarij.

¶ *Tempore R.3. Initium Regni ſui, Anno* 1483. *Iunij* 22.

1 23. Ianuarij.

¶ *Tempore H.7. Initium Regni ſui, Anno* 1485. *Auguſti* 12.

1 7. Nouembris.
3 9. Nouembris.
4 13. Ianuarij.
11 14. Octobris.
12 16. Ianuarij.
19 25. Ianuarij.

¶ *Tempore H.8. Initium Regni ſui, Anno* 1509. *Aprilis* 22.

1 22. Ianuarij.
3 4. Februarij.
4 4. Nouembris.
5 23. Ianuarij.
6 5. Februarij.
7 12. Nouembris.
14. & 15. 5. Aprilis apud London, & inde adiornat vſque 31. Iulij, An. 15. & tunc tent. apud Weſtmonaſterium.
21 3. Nouemb. apud London, et inde adiorñ vſq; Palatium Weſt. & ibi continuat. per 40. dies, vſq; ad 17. diē Decemb. et ab eiſd' die et loco prorog. vſque 26. April', et inde vt infra.
22 Secunda Seſſ. Parl. pręd' 16. Iañ. apud Weſt. tenť pręd' Parl. prorog. a ſupradict' 26. April. vſq; 22. Iunij, & ab illo die vſq; 1. diē Octob. & inde vſq; 22. eiuſd' mēſis, & inde vſq; pręd 16. Ia. & ibiñ contin. per 75. dies, viz. vlt. Martij, & inde vlteri' prorog. vſq; 13. Octob. &c.
23 15. Ian. tertia Seſſio Parl. præd' ſuper diuerſ. prorog. apud Weſtm̄ tenť.
24 4. Feb. quarta Seſſio Parl. pręd' ſuper prorogatione apud Weſtm̄ tenť & continuat vſque 17. April. tunc prox' &c.
25 25. Ian. quinta Seſſio Parl. præd' ſuper prorog. apud Weſtm̄ tenť & continuat. vſq; 30. Martij tunc prox' &c.
26 Nouemb. ſexta Seſſio Parl. præd' ſuper prorog. apud Weſt. tenť' & continuať vſque 18. Decemb. tunc prox' &c.
27 4. Feb. ſeptima Seſſio Parl. præd' ſuper prorog. apud Weſt. tenť & continuať vſque 14. Aprilis tunc prox' &c.
28 8. Iunij incep. & tenť apud Weſt. vſque diſſolutionem inde, viz. 18. Iulij.
31 28. Aprilis incep. & tenť apud Weſtm̄ vſque 28. Iunij prox' &c.
32 12. April. Ann. 31. ſupradict' ſecunda Seſſ. Parl. præd' per diuerſ. prorog. apud Weſtm̄ contin. & tenť vſque 11. Maij. An. 32. & inde contin. per prog. vſq; 25. Maij px' et abinde tenť vſq; diſſolutiō 24. Iul', añ 12. ſupradict.
33 16. Ian. incep. & tent. apud Weſtm̄ vſque 1. Aprilis tunc prox' &c.

34 22. Ian. ſecunda Seſſio Parliament. prædict' ſuper prorog. apud Weſtm̃ tent. & continuat vſque 12. Maij &c. tunc prox' &c.

35 14. Ian. tertia Seſſio Parliament' prędict' ſuper prorog. apud Weſtm̃ tent. & continuat vſque 29. Martij prox' &c.

37 The day or continuance of this Parliament I yet find not.

¶ Tempore Ed. 6. Initium Regni ſui, Anno 1546. *Ianuarij* 28.

1 4. Nouemb. apud Weſtm̃ inchoat. & tent. vſque 24. Decemb. prox' &c.

2 4. Nouemb. ſecunda Seſſio Parliament. præd' ibm̃ tent. vſque 14. Marc' prox' &c.

3 3. Nouemb. tertia Seſſio Parliament. præd' ibidem tent. vſque 1. Febr. prox' &c.

5 23. Ianua. quarta Seſſio Parliament. ibidem tent. vſque 15. April. prox' &c.

7 1. Martij inchoat. & tent. vſq; diſſolutionem inde, vltimo eiuſdem menſis.

¶ Tempore Mariæ Reginæ, Initium Regni ſui. Anno 1553. *Iulij* 6.

1. Ma. primum Parliamentum

1 5. Octob. prima Seſſio vſque 21. eiuſdē menſis apud Weſtm̃.

1. & 2. P. & M. 11. Nou. ibidem continuat' vſque diſſoluc' inde 16. Ian.

24. Octob. ſecunda Seſſ. Parl. pręd' ibidem cont. vſq; diſſoluc' inde 6. Dec. prox' &c.

2. & 3. P. & M. 21. Octob. ibidē continuat vſque 6. Decembris.

Parliamentum ſecundum

2. April. ibidem continuat. vſque diſſolutionem inde 5. Maij &c.

4. & 5. P. & M. 20. Iunij ibidem continuat vſq; 7. Martij.

¶ Tempore Elizabethæ Reginæ, Initium Regni ſui. Anno 1558. *Nouemb.* 17.

1 23. Ian. inchoat. apud Weſtm̃, & prorog. vſq; 15. eiuſdem menſis, & tunc ibm̃ tent. & continuat. vſque diſſolutionē inde 8. Maij.

5 12. Ianuarij apud Weſtm̃.

8 30. Sept. ſecunda Seſſio Parlia. prędict' ſuper prorogationem ibidē tent. vſque diſſolutionē eiuſdem.

13 2. Aprilis ibi inchoatum & tent. vſque diſſolutionem inde 29. Maij.

14 8. Maij ibi inchoat. & tentum, & continuat. vſque vltim. Iunij.

18 8. Feb. ſecunda Seſſio Parl. prædict' per prorogationem ibidem tent. & continuat. vſque 15. Martij prox' ſequent'.

23 16. Ian. tertia Seſſio Parl. præd' per prorogationem ibm̃ tent & continuat vſque diſſolutionem inde, viz. 18. Martij prox' ſequent.

27 23. Nouemb. inchoat. & tent. apud Weſtm̃, & ibidem contin. vſque 29. Mart' ſequent'.

28 29. Octob. ſecunda Seſſio Parlia. tent. apud Weſtm̃, et ibi continuat vſque diſſolutionem inde 23. Mart' prox' ſequent'.

31 4. Feb. tent. apud Weſtm̃, & ibi contin. vſque diſſolutionē inde 29. Mart' prox' ſequent'.

35 19. Feb. tent. apud Weſtm̃, & ibi continuat vſque diſſolutionem inde 10. Aprilis prox' ſequent'.

39 24. Octob. tent. apud Weſt. & ibi contin. vſq; diſſolutionem inde 9. Feb. prox' ſequent'.

43 27. Octob. tent. apud Weſtm̃, et ibi continuat vſque diſſolutionem inde 19. Decemb. prox' ſequent'.

¶ Tempore Iacobi Regis, Initium Regni ſui, Anno 1602. *Martij* 24.

1 19. Martij Parl. inchoat. & tent apud Weſt. & ibi continuat vſque 7. Iulij 1604. & tunc prorog. vſque 7. Feb. ſequent'.

3 Nouemb. ſecunda Seſſ. Parl. pręd' ſuper prorogatiõ ibm̃ tent et continuat vſq; 27. Maij prox' ſequent. & tunc prorog. vſque 18. Nouemb. 1606.

4 18 Nouemb. tertia Seſſio Parlia. præd' ſuper prorogationem ibm̃ tent & continuat. vſque 4. Iulij 1607. & tunc prorog. vſque 16. Nouemb. proxime ſequent'.

7 9. Feb. quarta Seſſio Parl. præd' ſuper prorogationem ibm̃ tent & continuat vſque 23. Iulij ſequen', & tunc prorog. vſque 16. Octob. ſequeñ, 1610.

FINIS.